County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

October 8, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

30-DAY STATUS OF RECOMMENDATIONS MADE BY THE CITIZENS' COMMISSION ON JAIL VIOLENCE

On October 16, 2012, the Board requested the Los Angeles County Sheriff's Department (Department) report back on the status of recommendations made by the Citizens' Commission on Jail Violence (CCJV). Attached is an update on each recommendation from the April 9, 2013, response.

Should you have any questions or require additional information, please contact me or Assistant Sheriff Terri McDonald, at (213) 893-5001.

Sincerely,

LEROY D. BACA
SHERIFF

CCJV Recommendations - Status

Marker	RECOMMENDATION	Done	In Progress	Funding Required	Original Funding Request	Current Funding Request	Funding Last Updated	Target Date	Last Updated
3.1	Use of Force Policy in a single document	X						1/1/13	7/9/13
3.2	Members read and understand the Department's Use of Force Policy	X						1/1/13	4/9/13
3.3	Training on Use of Force Policy and how it applies in Custody	X						1/1/13	4/9/13
3.4	Force Prevention Policy and prohibit inmate retaliation or harassment	X						1/1/13	1/15/13
3.5	Force Policy should be based upon the objectively reasonable standard	X						1/1/13	1/15/13
3.6	Force Policy preference for planned, supervised, and directed force	X						1/1/13	1/15/13
3.7	The Use of Force Policy should account for special needs populations in the jails	X						1/1/13	1/15/13
3.8	Single, reliable, and comprehensive data tracking system			X	$3,000,000	$3,400,000	9/10/13	TBD	10/8/13
3.9	Inmate grievances should be tracked in PPI by the names of LASD personnel		X					10/15/13	9/10/13
3.10	LASD should analyze inmate grievances regarding use of force incidents	X						N/A	7/9/13
3.11	Use of force needs to be tracked by the highest levels of LASD management	X						N/A	9/10/13
3.12	Body scanners		X					12/1/13	10/8/13
4.1	The Sheriff must be personally engaged in oversight of the jails	X						N/A	12/4/12
4.2	High level managers accountable for force problems in the jails	X						7/22/13	8/13/13
4.3	The Undersheriff responsibility	X						N/A	1/15/13
4.4	New Assistant Sheriff for custody	X			$732,000	$771,000	11/1/12	1/1/13	4/9/13
4.5	New Assistant Sheriff should have corrections experience	X				See Item 4.4		1/1/13	4/9/13
4.6	The Assistant Sheriff for Custody should report directly to the Sheriff	X						N/A	12/4/12
4.7	The CMTF should not be a permanent part of Custody management	X						N/A	3/12/13
4.8	The Sheriff must monitor the Department's use of force in the jails	X						N/A	12/4/12
4.9	The Department should implement SCIF	X						N/A	8/13/13
4.10	Senior management needs to be more visible and engaged in Custody	X						N/A	2/12/13
4.11	Operations Staff size			X	TBD	TBD	10/15/12	TBD	10/8/13
4.12	Internal Audit and Inspections Division			X	$6,702,000	$13,256,000	10/8/13	TBD	10/8/13
4.13	Policy to address campaign contributions	X						1/1/13	2/12/13
4.14	Participate in collaborations such as the Large Jail Network	X						N/A	10/8/13
5.1	Continue to implement reforms that emphasize respect for inmates.	X						N/A	12/4/12
5.2	Force Prevention Policy to be stressed in training	X						N/A	3/12/13
5.3	Enhance ethics training	X						N/A	12/4/12

Marker	RECOMMENDATION	Done	In Progress	Funding Required	Original Funding Request	Current Funding Request	Funding Last Updated	Target Date	Last Updated
5.4	Make Custody a valued and respected assignment and career.	X						1/1/13	2/12/13
5.5	Senior leaders must be more visible in the jails	X						N/A	2/12/13
5.6	Zero tolerance for acts of dishonesty	X						2/17/13	3/12/13
5.7	The Department should have a sensible rotation policy	X						5/1/13	10/8/13
5.8	LASD should discourage participation in destructive cliques.	X						N/A	12/4/12
6.1	Revise policies and procedures to reflect Custody as a valued part of the Department.	X						1/1/13	2/12/13
6.2	Develop a long-range and steady hiring plan based upon normal attrition	X						N/A	9/10/13
6.3	Deputies and supervisors should receive significantly more Custody specific training			X	$15,867,000	$8,475,000	10/8/13	TBD	10/8/13
6.4	There should be a meaningful probationary period for new deputies in Custody	X						N/A	9/10/13
6.5	The number of supervisors to deputies should be increased			X	$21,431,000	$20,450,000	10/8/13	TBD	10/8/13
6.6	The Department should allow deputies to have a career in Custody	X						2/1/13	8/13/13
6.7	The Department should utilize more Custody Assistants		X		$14,875,000	$0	1/15/13	10/1/13	10/8/13
6.8	Rotations within and among proximate facilities should be implemented		X					12/31/13	9/10/13
6.9	The Mission Statement should be changed to reflect the importance of Custody	X						1/7/13	1/15/13
6.10	Create a separate Custody Division with a professional jail workforce	X						1/1/13	10/8/13
7.1	The investigative and disciplinary system should be revamped			X	$6,373,000	$14,797,000	10/8/13	TBD	10/8/13
7.2	CFRC should monitor Force Packages	X						N/A	8/13/13
7.3	Deputies should not be allowed to review video prior to writing report	X						1/1/13	1/15/13
7.4	Deputies involved in Significant Force should be separated	X						1/1/13	1/15/13
7.5	IAB / ICIB should in an Investigations Division under a Chief who reports to the Sheriff	X			$1,223,000	$1,119,000	10/8/13	3/3/13	3/12/13
7.6	IAB should be appropriately valued	X						N/A	2/12/13
7.7	There should be increased penalties for excessive force and dishonesty	X						TBD	3/12/13
7.8	Each jail should have a Risk Manager to track and monitor use of force investigations			X	$1,784,000	$1,352,000	10/8/13	TBD	10/8/13
7.9	Force investigations should not be conducted by deputies' supervisors	X						6/1/13	9/10/13
7.10	Charges should not be reduced for use of force or dishonesty	X						9/1/13	9/10/13
7.11	The Department should vigorously investigate and discipline off-duty misconduct	X						N/A	10/15/12
7.12	Implement an enhanced system to track force reviews and investigations	X						5/1/13	5/14/13
7.13	Inmate complaints should be tracked by deputies' names in PPI		X					9/1/15	12/4/12
7.14	The inmate grievance process should be improved	X						12/31/14	8/13/13
7.15	The use of lapel cameras as an investigative tool should be broadened			X	TBD	$26,948,680	10/8/13	TBD	10/8/13
8.1	Create an independent Inspector General's Office							N/A	10/15/12
8.2	Report regularly to the Board of Supervisors	X						N/A	10/15/12

Marker	RECOMMENDATION	Done	In Progress	Funding Required	Original Funding Request	Current Funding Request	Funding Last Updated	Target Date	Last Updated
8.3	OIR should review unit level investigations for fairness and accuracy.							N/A	10/15/12
8.4	The OIG should review the Department's data for trends, spikes, and patterns in the jails.							N/A	10/15/12
SUMMARY - 60 Recommendations		**47**	**6**	**8**	**$71,987,000**	**$90,568,680**			

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.1 (IMPLEMENTED)
LASD should promulgate a comprehensive and easy-to-understand Use of Force Policy in a single document.

Commander Guyovich / Commander Mannis

10/15/12 Response:
The Department has started the process of restructuring the Use of Force Policy, and consolidating all Use of Force Policies into a single document.

The policy is in its final stages of being incorporated, and has met the scrutiny and approval of the Office of Independent Review (OIR), Special Counsel Merrick Bobb, and force experts. The new Use of Force Policy will take effect January 1, 2013, in order to allow a reasonable period to train all Department personnel, standardize reporting and investigation forms, and set up precise data coding for analysis and early warning.

The new Use of Force Policy has been finalized and is currently being consolidated with all other force policies into a single document entitled: "Force Manual." A training bulletin and video will be distributed Department wide to assist unit commanders with briefing and training all personnel regarding the policy changes. The process is scheduled to be completed by December 31, 2012.

01/15/13 Response:
The new Use of Force Policy has been published and distributed to all Department members. Department wide training has been conducted to inform all members of the significant changes to the policy. The Department's Force Manual, which contains all policies and procedures governing the use of force has been published online and is accessible at all times for reference.

03/12/13 Response:
The Custody Training Bureau and Custody Support Services Unit are working with the Implementation Monitor to restructure the Force Manual to make it more user friendly. Additionally, minor alterations in language are being drafted to ensure uniformity with case law.

05/14/13 Response:
In collaboration with the Implementation Monitor and the two force consultants, the Force Manual has been amended and the changes are being implemented. The Department anticipates having the revised Force Manual published before the next report to the Board.

07/09/13 Response:
The revised user-friendly Force Manual has been completed.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.2 (IMPLEMENTED)
LASD personnel should be required to formally acknowledge, in writing, that they have read and understand the Department's Use of Force Policy.

Division Director Dragovich / A/Chief Fender

10/15/12 Response:
Currently, the Department requires all personnel to sign that they have read and understand the Department's Policy and Ethics Chapters of its Manual of Policy and Procedures. The Department has prepared a signed admonition form to additionally ensure all personnel acknowledge in writing that they have read and understand the Department's Use of Force Policy. This process will be completed by December 31, 2012.

12/04/12 Response:
The new Use of Force Policy has been finalized, and is currently being consolidated with all other force policies into a single document entitled: "Force Manual." A training bulletin and video will be distributed to assist unit commanders with briefing and training all personnel regarding the policy changes. Unit commanders will ensure all personnel have read and signed the admonition for acknowledging they have read and understand the policy. The process is scheduled to be completed by December 31, 2012.

01/15/13 Response:
The new Use of Force Policy has been published and distributed to all Department members. Department wide training has been conducted to inform all members of the significant changes to the policy. All Department members attending the training have been required to sign an acknowledgement form for placement in their Personnel File.

Due to a variety of reasons for excused absences (Injury leave, military leave, family leave, holiday vacations, etc.) the training will be ongoing for personnel as they return to duty. As of January 8, 2013, 95.5 percent of sworn Department members have attended the training. The remaining members are currently unavailable.

04/09/13 Response:
As of April 8, 2013, 98 percent of sworn Department members have attended the training. The remaining members are currently unavailable.

Recommendation 3.3 (IMPLEMENTED)
All LASD Custody personnel should be provided training on a new comprehensive and easy to understand Use of Force Policy and how it applies in Custody.

Division Director Dragovich / A/Chief Fender

10/15/12 Response:
The Department is preparing an easy to understand training bulletin, to be followed-up with training conducted by unit training sergeants to ensure all personnel understand how the Use of Force Policy applies specifically in Custody, as well as throughout the entire Department.

12/04/12 Response:
The training bulletin and video are being finalized, and will be distributed to assist unit commanders with briefing and training all personnel regarding the policy changes. The process is scheduled to be completed by December 31, 2012.

01/15/13 Response:
The new Use of Force Policy has been published and distributed to all Department members. Department wide training has been conducted to inform all members of the significant changes to the policy. The Department's Force Manual, which contains all policies and procedures governing the use of force has been published online and is accessible at all times for reference. During training at all units, including Custody units, personnel have been briefed on how the changes specifically affect operating procedures and management's expectations.

04/09/13 Response:
As of April 8, 2013, 98 percent of sworn Department members have attended the training. The remaining members are currently unavailable.

Recommendation 3.4 (IMPLEMENTED)
The Department's Use of Force Policy should reflect a commitment to the principles of the Force Prevention Policy and prohibit inmate retaliation or harassment.

Division Director Dragovich / A/Chief Fender

10/15/12 Response:
The Department has incorporated the principles contained in the Force Prevention Policy, into the restructured Use of Force Policy. This policy will take effect January 1, 2013. Additional policies specifically prohibiting inmate retaliation and harassment have also been incorporated into the Custody Division Manual.

12/04/12 Response:
This recommendation will be completed upon implementation of the new Use of Force Policy, effective January 1, 2013.

01/15/13 Response:
The Department's continued commitment to the principles of the Force Prevention Policy is now formalized as the first section of the Use of Force Policy, which went into effect on January 1, 2013.

The policies providing direction to personnel specifically prohibiting inmate retaliation and harassment were included in the Force Manual. See attached Treatment of Inmates, 5-12/005.00 and Anti-Retaliation Policy, 5-12/005.05.

Recommendation 3.5 (IMPLEMENTED)
LASD's Use of Force Policy should be based upon the objectively reasonable standard rather than the Situational Use of Force Options Chart.

Division Director Dragovich / A/Chief Fender

10/15/12 Response:
While the current Use of Force Policy is based on the "objectively reasonable" standard, the Department inserted specific language from the Supreme Court decision of ***Graham v. Connor*, 490 U.S. 386 (1989)**, into its restructured Use of Force policy (effective January 1, 2013). The Situational Use of Force Options Chart is a visual representation of our policies and training, and also based on Graham v Connor. This visual representation assists our personnel in understanding what their "objectively reasonable" force options are. It is used in conjunction with written policies, verbal training, and dynamic practical application training scenarios.

12/04/12 Response:
Specific language from the Supreme Court Decision of **Graham v. Connor, 490 U.S. 386 (1989)** was inserted into the new Use of Force Policy.

The Department will continue to work with the Implementation Monitor and law enforcement experts to determine the necessity for the Situational Use of Force Options Chart.

01/15/13 Response:
The policy was implemented January 1, 2013.

Recommendation 3.6 (IMPLEMENTED)
The Use of Force Policy should articulate a strong preference for planned, supervised, and directed force.

Division Director Dragovich / A/Chief Fender

10/15/12 Response:
The Department has inserted specific language into the restructured Use of Force policy to articulate a strong preference for planned, supervised, and directed force. More specifically, the new Preamble to the Department's Use of Force Policy states:

Department members should endeavor to de-escalate confrontations through tactical communication, warnings, and other common sense methods preventing the need to use force whenever reasonably possible. When force is required, every effort shall be made to plan, supervise, and direct force in an effort to control confrontations in a calm and professional manner.

12/04/12 Response:
This recommendation will be completed upon implementation of the new Use of Force Policy, effective January 1, 2013.

01/15/13 Response:
The policy was implemented January 1, 2013.

Recommendation 3.7 (IMPLEMENTED)
The Use of Force Policy should account for special needs populations in the jails.

A/Chief Fender

10/15/12 Response:
The Department consulted the Department of Justice to ensure compliance with Department of Mental Health standards. In March 2012, the Department of Justice reported full compliance by the Department in its inspection report. The Department will work with mental health experts to develop specific policies, supervision, and training for handling inmates with special needs. Those policies will be implemented concurrent with the new Use of Force Policy (effective January 1, 2013).

12/04/12 Response:
Please see attached Custody Division Manual policies 5-03/115.00 and 5-04/020.00 submitted with this update for policies regarding special needs inmates. The policies regarding special handling for pregnant inmates are a direct reflection of California Penal Code Sections 6030(f), and 5007.7.

01/15/13 Response:
In addition to the previously referenced policies, the Department has inserted specific language into the Custody Division Manual regarding planned tactical incidents in section 3-02/035.00:

> *If a situation arises involving a special needs inmate, the appropriate medical or mental health staff should be consulted, whenever possible, prior to the planned use of force.*

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.8 (FUNDING NEEDED)
PPI and FAST should be replaced with a single, reliable, and comprehensive data tracking system.

Chief Betkey

10/15/12 Response:
The Department is currently working with technicians to develop a single, reliable, and comprehensive data tracking system to replace the Personnel Performance Index (PPI) and Facilities Automated Statistical Tracking (FAST) systems.

12/04/12 Response:
The Department plans to upgrade the current PPI to a completely upgraded system which will provide a comprehensive single solution for tracking all aspects of Department personnel performance regardless of assignment. It is estimated the PPI project will cost approximately $3 million and take approximately 24-36 months for full implementation; however, funding has not been identified. The new system would provide the functionality to meet all of the CCJV recommendations related to tracking personnel performance.

The function of PPI differs from that of FAST, Operations Information Management (OIM), and Custody Automated Reporting and Tracking System (CARTS). PPI was made solely to compile and report statistics regarding the performance of Department personnel. FAST, OIM, and CARTS provide some of those same statistics; however, their main function is to allow Custody managers to manage events and their workflow. Because personnel statistics are considered sensitive information, the security of PPI is a great deal more robust than that of the other systems. Additionally, edit capabilities are restricted to a small number of authorized users to ensure the sanctity of personnel information remains intact and reliable. Based on this reliability, PPI should be the only source of data regarding personnel performance for reporting purposes. In order to safeguard personnel information to help ensure its continued reliability, it is recommended the tracking of workflow, (e.g. FAST, OIM, CARTS) be kept separate from that of tracking personnel statistics (PPI).

The Department's plans to upgrade PPI, and its associated costs, have been forwarded to the County's Chief Information Officer (CIO), and he has preliminarily concurred with the upgrade proposal. Additionally, the Information Systems Advisory Board (ISAB) has also been consulted.

01/15/13 Response:
The Department met with representatives from the Board offices to discuss the various systems that the Department uses. As a result of that meeting, the following systems overview is provided:

OVERVIEW OF FUNCTION OF FAST, OIM, CARTS
Information provided to the Board has included references to several systems performing and reporting on different functions within Custody Division and the Department. Of note, the Facilities Automated Statistical Tracking system, (FAST), Operations Information Management, (OIM), and the Custody Automated Reporting and Tracking System,

(CARTS). The functions of FAST, OIM, and CARTS are somewhat similar in that each system is designed to "track" administrative statistics and allow managers to query the system in order to monitor issues within Custody Division. FAST and OIM are considered to be "temporary" solutions based on the fact that the systems are built on either technology that is at its end-of-life, or non-enterprise level technology, which limit their usage to a division level only and cannot be considered to be used as a Department-wide solution. Also the main function of FAST, OIM, and CARTS is to track incidents and workflow in Custody Division as opposed to tracking personnel statistics. While some of the same information can be derived from tracking incidents, the reporting of personnel statistics should not come from any of these systems. They should only be reported from PPI, because PPI was specifically designed for this purpose and has supporting policy and procedures which manage the accuracy of the data which it reports. That being said, it is recognized that tracking incidents is just as important to managers as is tracking personnel performance. For this purpose, CARTS was commissioned and will allow Custody Division to track data relevant to their management needs.

In order to address legal concerns stemming from a lawsuit initiated by the American Civil Liberties Union, the Department began compiling and recording data related to Inmate Complaints against personnel. The Department compiled this information for the past five years and input that information into FAST. This data is searchable by employee name and can currently provide records in response to Pitchess Motions and other such requests. Because this data relates to personnel as opposed to incidents, the appropriate system to store it is PPI. The Department is working on modifying the existing PPI to allow it to permanently house this data which should be completed by September 2013. At that time, the data in FAST will be migrated to PPI where it will be permanently stored.

OIM is currently being used in Court Services Division; however, Custody Division has recognized some of their needs can be addressed by implementing OIM. Based on this, Custody Division began using OIM to temporarily address their needs, which were not met by FAST. OIM will cost $30,000 and be used until CARTS is placed on-line.

CARTS will be built on an enterprise level platform and will handle all of the tasks to satisfy the needs of Custody Division, which currently are being handled by both FAST and OIM. Once CARTS is on-line, FAST and OIM will be decommissioned.

BENEFITS OF NEW PPI SYSTEM

The current PPI system was originally built in 1997. While the system was built on a stable platform using sound practices, technology advances have come a long way in the past 15 years. It is the Department's goal to re-write PPI in Oracle 11g. This would allow the Department to maintain the same benefits it has enjoyed in the last 15 years with the original PPI and take advantage of technology advancements, which have occurred since then. The proposed upgrade to PPI will allow the Department to take advantage of some of these advances such as: enhanced auditing trails, addresses will be geo-coded, reports can be pre-scheduled to be run automatically, and PPI will be web enabled so the application can run in an internet browser without having to install client software. Other important functions the upgrade will enable are the capability of linking multiple incidents together, real time dashboards, and the ability to notify Division managers when statistics meet a pre-

defined threshold. Yet another advantage of the new system would enable PPI to link to other data sources such as CARTS to allow pertinent information within CARTS to be shared and queried from within PPI. Finally, the proposed PPI will have enhanced security utilizing Active Directory Federated Services and enabled workflow, which would allow more timely entries into PPI. These improvements are in-line with not only the needs identified by Department users over the past 15 years, but are consistent with recommendations made by the Citizens Commission of Jail Violence and the report conducted by Special Counsel Merrick Bobb and the Police Assessment Resource Center. The Sheriff's Department showed innovation in 1997 when it commissioned and created PPI. It is now time to upgrade PPI to enable it to meet the growing needs of a new era.

CIO / CEO APPROVAL

The Department has consulted with the Chief Executive Office (CEO) regarding the need to upgrade PPI. In addition, the Department has consulted with staff members from the Chief Information Officer (CIO) who have given tentative approval regarding the need to upgrade PPI.

SURVEY OF SYSTEMS

The Department has evaluated several "off the shelf" personnel management products; however, none of the products reviewed met the needs of the Department. In January 2012, a Request for Information (RFI) was posted seeking information from additional vendors. The Department reviewed the responses from the RFI, but none of the vendors were capable of meeting the complex needs of the Department. Based on the review of the RFI responses and associated costs surrounding the massive amount of custom-tailoring needed to support our business practices, the subject matter experts concluded that an in-house upgrade to PPI would be the most cost effective, expedient, and reasonable solution.

02/12/13 Response:

The Department continues to make progress in its efforts to modify PPI to store inmate complaints against staff. The larger project of upgrading the PPI system, however, cannot begin until funding has been identified.

04/09/13 Response:

On March 28, 2013, the Department sent a request to the CEO to provide funding for the PPI upgrade. A meeting with the CEO is scheduled for April 10, 2013.

05/14/13 Response:

The Department met with the members of the CEO on May 6, 2013, and continues to work with them to identify funding for this recommendation.

08/13/13 Response:

The Department met with members of the CIO on July 24, 2013, and submitted a revised funding request to the CEO on August 2, 2013. The Department continues to work with the CIO and the CEO to identify the best course of action to satisfy this recommendation.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

09/10/13 Response:
The Department met with members of the CEO and CIO on August 21, 2013. The Department continues to work with both offices in order to refine the scope of the proposal and identify funding for this recommendation.

Update 10/08/13:
The CEO is submitting a funding proposal to the Board on October 8, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.9 (IN PROGRESS)
Inmate grievances should be tracked in PPI by the names of LASD personnel.

Chief Betkey

10/15/12 Response:
The Department's long-term plan is to create a new module in the updated Personnel Performance Index (PPI) database. In order to comply immediately, the Department is currently tracking inmate grievances by the names of Department personnel, in the Facilities Automated Statistical Tracking (FAST) database.

12/04/12 Response:
See recommendation 3.8 for status updates on PPI.

01/15/13 Response:
Inmate grievances are currently being tracked and are available for query by name of personnel. This information, including historical information, (inmate grievances going back five years) is currently available by query of the FAST system.

Department personnel are currently working on modifying PPI so it can take over this function. Once modified, the data regarding Inmate Grievances related to personnel complaints which is housed in FAST will be migrated into PPI. The modifications to PPI are expected to be completed by September 2013.

02/12/13 Response:
See recommendation 3.8 for status updates on PPI.

05/14/13 Response:
The Department remains on schedule for having modifications completed to track inmate grievances against staff in PPI.

09/10/13 Response:
The Department has completed development of the PPI module that will enable it to track inmate grievances against staff. Testing of the module has uncovered flaws in the security framework of the system which will require refinement prior to the module's implementation. The Department expects to complete the security modifications and implement this recommendation in time for the November report to the Board.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.10 (IMPLEMENTED)
LASD should analyze inmate grievances regarding use of force incidents.
A/Chief Fender

10/15/12 Response:
The Department has established a process to track and review inmate grievances to identify potential patterns of conduct by personnel. Special Counsel Merrick Bobb urged the Department to analyze inmate grievances in order to ensure potential problems were identified. The practice has been incorporated into the regular duties of each jail Captain in order to ensure oversight and early warning to potential problems. Unit commanders are required to review all staff members' Personnel Performance Index (PPI) and Facilities Automated Statistical Tracking (FAST) entries to identify possible trends in performance. This process will also be reviewed by the Custody Division Chief, and during Sheriff's Critical Issues Forums (SCIF).

12/04/12 Response:
The Department currently has a policy in place to address inmate grievances, which includes complaints against staff and use of force incidents. The attached Custody Division Manual, section 5-12/000.00, mandates that complaints be tracked by a reference number. Any complaints of allegations of misconduct are forwarded to the unit commander for investigation and disposition. The attached Custody Division Directive 12-003 states that personnel identified in an inmate complaint against staff shall be listed in the disposition section of the form, after a supervisor has completed their investigation. Inmate complaints against staff are accessible in FAST by deputy and inmate names, as well as reference number and complaint category.

05/14/13 Response:
On April 16, 2013, the Board requested that the Department report back on inmate grievance trends.

Policy Information
Department policy mandates that Inmate Request/Complaint Forms be made readily available to all inmates. The form that inmates are provided does not differentiate whether the inmate has a request or a complaint; therefore, an analysis is conducted to establish how it should be processed.

At a minimum of once per shift, a sergeant removes the forms from the complaint boxes, reviews them, and sorts the forms by category. If the sergeant determines that the form falls into the "Basic Request" category, such as the inmate needs soap or a blanket, it is handled immediately and is not assigned a reference number. All other requests and all complaints are assigned a reference number and entered into FAST for statistical tracking.

Analysis Findings
In looking at overall complaints from March 2012 through February 2013, the Department noted several points of interest:

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

- There were 8,871 requests/complaints division wide entered into FAST.
- The number of overall requests/complaints was 23 percent higher than in the previous year. The increase directly correlates to the increase in inmate population.
- During the analysis, the Department found some inconsistencies between facilities in how data is entered and complaints are categorized. Facilities are mandated to input all inmate complaints into FAST; however, we found that MCJ also inputs inmate requests for service into FAST. This caused the facility's statistics to be artificially high.
- Some facilities were challenged with just managing and filing the volume of requests/complaints they received. While a couple facilities scan the forms and store them digitally, others filed the forms in boxes, by time period, because they lack the technology to scan. Because of this, we were unable to locate several request/complaint forms while conducting our analysis.
- Data entry of the requests/complaints is completed by support staff. In some cases, we found that the requests/complaints were not always processed or entered into FAST appropriately.
- We found that the data provided by FAST was insufficient. Most of the information gathered was from the individual facilities. The future CARTS system will allow for more robust management analysis and reports.
- Many inmates had multiple complaints. There were 40 inmates that had 10 or more complaints, including 1 inmate that had 55 complaints.

The Department also reviewed all complaints against staff for the same time period and noted several points of interest.

- Not all units categorize complaints against staff consistently. FAST lacks the ability to sub categorize these complaints into more detail. Because of this, the Department had each facility go through their paper files and pull the actual written complaint for all complaints against staff over the past year and sub categorize those complaints so that deeper analysis could be conducted. The Department found the following:
    - There were 522 complaints against staff, which is less than 6 percent of all complaints.
    - Some units were unable to locate some of their complaints. In total, 55 of the complaints against staff were not found.
- There were 19 complaints against staff that resulted in some type of administrative action and 6 additional complaints that were referred to IAB or ICIB for further investigation.
- All complaints against staff that involved an alleged use of force, criminal conduct, or retaliation were addressed by the units. The Department will be conducting a secondary review of those items to insure that they were handled appropriately. The Department will report on the results of that secondary review in the next report to the Board.
- In reviewing complaints against specific staff, we found that no sworn member or custody assistant had more than three complaints against them over the past year.
    - There were 11 that had three complaints against them within a one-year period.

- There were 41 that had two complaints against them within a one-year period.
- There was one clinician that had ten complaints. An analysis of those complaints was conducted and the employee has been assigned to attend tactical communication classes.

Conclusion:

Throughout this process, it became clear that the FAST system is incapable and unreliable for conducting a comprehensive analysis of inmate requests and complaints. Additionally, there is a lack of consistency division wide in tracking, responding to, and storing grievances. Inundated operations staff have very little time to do any substantive analysis of complaints. The Department believes that most of the deficiencies in handling and evaluating these requests/complaints will be resolved when the Compliance Lieutenants are funded and in place (Recommendation 7.8). We also foresee the new system, CARTS, providing more reliable data on requests, while the modifications to PPI will assist with tracking and analyzing complaints against staff to provide more detailed and consistent management reports (Recommendation 3.8 and 3.9).

The attached graphs provide further information on the inmate request/complaints analysis.

07/09/13 Response:

The Department has done a secondary review of the inmate complaints that alleged use of force, criminal conduct, or retaliation. The Department found no issues with how each one was handled. Each one was appropriately investigated by the respective units.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.11 (IMPLEMENTED)
Statistical data regarding use of force incidents needs to be vigilantly tracked and analyzed in real time by the highest levels of LASD management.

Assistant Sheriff McDonald

10/15/12 Response:
The Department has established direct daily reporting procedures for force incidents, to identify potential patterns of conduct by personnel. The process was initially established through the Commanders Management Task Force, and has been incorporated into the regular duties of Custody Division in order to ensure oversight and early warning to potential problems.

12/04/12 Response:
Custody Division facilities report all uses of force incidents to Custody Support Services (CSS) on a daily basis. All incidents are examined regarding their tactics, location, time of occurrence, and personnel involved, for any patterns or issues. All use of force data is reviewed with the Sheriff and Chief every week. In addition, each facility Captain is required to submit a monthly analysis of their use of force incidents to CSS, where each incident is analyzed for historical data, prior use of force incidents, mitigating circumstances, and any training issues. This information is then compiled and reported to Custody Division each month. Custody Division reports the findings of any issues, trends, or concerns to the Sheriff.

01/15/13 Response:
The Custody Training Bureau is developing its own protocols to analyze and identify trends and training issues. Once this Bureau is fully funded, they will be better able to modify or add training to address the identified issues.

02/12/13 Response:
Custody Training Bureau reviews and analyzes each use of force incident on a daily basis. Additionally, a briefing is conducted daily with Custody Division Command staff to address trends, or issues. I receive a weekly force briefing from the CTB Captain.

05/14/13 Response:
The Assistant Sheriff of Custody Division receives weekly updates on force trends from the Custody Training Bureau Captain. It was noted that since April 1, 2013, no force has risen to a Category 3 investigation. Category 3 incidents are those that rise to the level of an Internal Administration Bureau investigation.

09/10/13 Response:
Management continues to monitor the use of force on a daily basis.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 3.12 (IN PROGRESS)
The Board of Supervisors should provide funding so that the Department can purchase additional body scanners.

A/Chief Fender / Commander Waters

10/15/12 Response:
The Department's Custody Division and the Commanders Management Task Force have received valuable input from numerous correctional agencies throughout the Nation regarding the effectiveness of body scanners. The Department has conducted product analysis and pricing and is in the process of purchasing the body scanners. Your Board will be required to approve the purchase based on existing County protocols.

12/04/12 Response:
Currently, the Department does not have any body scanners; however, we are currently in the procurement process with Internal Services Department to purchase 20 units. The Board approved this purchase with monies identified from the Over Detention Settlement lawsuit. The estimated cost per unit is $175,000 to $220,000, with an estimated maintenance cost of 12 percent.

The proposed scanners will be deployed as follows:

Inmate Reception Center	6
North County Correctional Facility	4
Men's Central Jail	3
Twin Towers Correctional Facility	2
Century Regional Detention Facility	1
Mira Loma Detention Center	1
PDC North	1
PDC South	1
PDC East	1

04/09/13 Response:
The Department is still in the procurement process with ISD. The closing date for competitive bids is April 10, 2013.

05/14/13 Response:
ISD anticipates awarding the contract this month. Once the contract is awarded the Department will begin working with the vendor to train staff and deploy up to five units for a trial period.

07/09/13 Response:
ISD is in the process of adjudicating a grievance in the bidding process before they can award the contract. It is hoped that the process will be completed before the next report to the Board.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

08/13/13 Response:
The Department is in the process of purchasing two body scanners. The scanners will be deployed in two high traffic areas for testing purposes before additional scanners are purchased and deployed.

Update 10/08/13:
It is anticipated that the first body scanners will be installed and become operational in January 2014.

Recommendation 4.1 (IMPLEMENTED)
The Sheriff must be personally engaged in oversight of the jails.

Sheriff

10/15/12 Response:
I have personally reflected on my shortcomings in managing Custody Division. I took immediate action to correct the situation, and personally evaluated all of the jail facilities to verify areas of concern through direct interaction with personnel and inmates. I created the Commanders Management Task Force to inspect every aspect of jail operations, and ensure prompt action and follow-up. I insisted all personnel cooperate with all oversight and critique, and encouraged cooperation with the Commission's investigation, even when the information was not favorable to the Department.

12/04/12 Response:
I meet with Custody Division executives on a weekly basis to monitor the Division's overall use of force, participation in the Education Based Incarceration program, inmate complaint levels, inmate population issues, as well as other custody related topics.

Recommendation 4.2 (IMPLEMENTED)
The Sheriff must hold his high level managers accountable for failing to address use of force problems in the jails.

Sheriff

10/15/12 Response:
I agree with the Commission's assessment, but am also bound by adherence to laws, policies, and procedures when it comes to matters of formal discipline. I value and respect the Commission's input regarding leadership and accountability, and have ordered formal administrative investigations to determine if there is a factual basis for formal discipline.

I understand the Commission's point regarding the difference between evidence of misconduct, and not getting the job done. I agree that in several instances my senior management failed to keep me informed, or did not perform to my expectations. All of this will be taken into evidence-based consideration at the culmination of the formal investigations, but the outcome will not be influenced by personal or political motivations of anyone.

12/04/12 Response:
The administrative investigations are ongoing.

07/09/13 Response:
The Department estimates that the administrative investigations will be completed before the next report to the Board.

08/13/13 Response:
The administrative investigation has been completed and adjudicated.

Recommendation 4.3 (IMPLEMENTED)
The Undersheriff should have no responsibility for Custody operations or the disciplinary system.

Sheriff

10/15/12 Response:
I have restructured the chain of command. The new Assistant Sheriff over Custody Division will report directly to me. Furthermore, I have restructured Internal Affairs Bureau (IAB) and Internal Criminal Investigations Bureaus (ICIB) directly under the Division Chief (currently Chief Roberta Abner), who will report directly to me.

12/04/12 Response:
Please see the attached organizational charts submitted with this update reflecting past, current, and proposed hierarchies as they relate to all of the CCJV recommendations.

01/15/13 Response:
Sheriff's Bulletin #593, Executive Reporting Procedures, was distributed to all personnel on January 8, 2013. See attached bulletin.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.4 (IMPLEMENTED)
The Department should create a new Assistant Sheriff for Custody position whose sole responsibility would be the management and oversight of the jails.

Sheriff

10/15/12 Response:
I agree and have advocated such a proposal in the past. The Department is currently ordinanced for a third Assistant Sheriff position, but requires additional funding from the Board of Supervisors. Additionally, the Department merged Correctional Services and Custody Operations into a consolidated command, under Custody Division (currently Chief Alex Yim).

12/04/12 Response:
On November 1, 2012, the Department submitted a funding request to the Chief Executive Office (CEO) for this recommendation. The Department is working with the Department of Human Resources (DHR) on the hiring process. I have already approved a recruitment announcement, which is posted on the DHR website, and I anticipate the selection process to be completed by the end of the year. Please see attached recruitment announcement submitted with this update.

01/15/13 Response:
After much preliminary analysis of potential candidates, I realize that the process of choosing the right person will take longer than I initially anticipated. This crucial position deserves to be filled by a highly qualified leader. I am continuing to evaluate all of the viable candidates and will advise the Board when I have reached a decision.

02/12/13 Response:
I have selected the Assistant Sheriff. In accordance with policy concerning managerial appointments, the CEO has sent notice to the Board regarding the selection. Unless otherwise instructed by the Board by February 15, 2013, the appointment will be made no sooner than February 19, 2013.

03/12/13 Response:
Assistant Sheriff Terri McDonald will start on March 18, 2013.

04/09/13 Response:
Assistant Sheriff Terri McDonald began on March 18, 2013.

Recommendation 4.5 (IMPLEMENTED)
The Sheriff should appoint as the new Assistant Sheriff over Custody an individual with experience in managing a large corrections facility or running a corrections department.

Sheriff

10/15/12 Response:
The Department agrees that the new Assistant Sheriff over Custody should possess experience in managing a large corrections facility or department. As a Correctional Commissioner for the State of California, I understand and appreciate the specialized knowledge and skills required for running such a large jail population.

12/04/12 Response:
See recommendation 4.4 for status updates on the hiring process.

03/12/13 Response:
Assistant Sheriff Terri McDonald, who will start March 18, 2013, has an extensive background in managing large corrections systems with the California Department of Corrections and Rehabilitation.

04/09/13 Response:
Assistant Sheriff Terri McDonald began on March 18, 2013.

Recommendation 4.6 (IMPLEMENTED)
The Assistant Sheriff for Custody should report directly to the Sheriff.

Sheriff

10/15/12 Response:
The Department agrees that the Assistant Sheriff for Custody should report directly to the Sheriff. Since the inception of the Commission, I have required the Assistant Sheriff to report directly to me, in addition to weekly scheduled executive meetings known as the Sheriff's Executive Planning Council (EPC), consisting of all senior managers at the rank of Division Chief and above.

12/04/12 Response:
See recommendation 4.4 for organizational charts associated with all CCJV recommendations.

Recommendation 4.7 (IMPLEMENTED)
The Commanders Management Task Force should not be a permanent part of Custody management.

Sheriff

10/15/12 Response:
The Department agrees that the Commander Management Task Force (CMTF) should not be a permanent part of Custody management. I have directed the CMTF to incorporate its jail reforms into the regular duties of the Custody Division command. I have kept the CMTF intact as an immediate, short-term solution to identify and address deficiencies in all jail operations. At the culmination of the Commission's Final Report and Recommendations, the CMTF will conduct an out-briefing with Custody Division to ensure all of the jail reforms will remain a permanent solution to improve jail operations.

01/15/13 Response:
The CMTF, which at one point had five commanders, has been down sized to two commanders as more tasks have been concluded and many responsibilities have been transitioned to Custody Division personnel.

03/12/13 Response:
The CMTF continues to downsize and is now headed by one commander.

Recommendation 4.8 (IMPLEMENTED)
The Sheriff must regularly and vigilantly monitor the Department's use of force in the jails.
Sheriff

10/15/12 Response:
I agree that I must regularly and vigilantly monitor the Department's use of force in the jails. The Commanders Management Task Force has developed a thorough, clear, accurate, and prompt force reporting procedure, which includes daily force numbers and charts. This process has kept me and senior managers aware of force trends, and ensures a prompt response to significant use of force incidents. This format will be passed on to Custody Division at an out briefing, and will continue with the new Assistant Sheriff over Custody.

12/04/12 Response:
I continue to monitor the use of force in the jails by meeting with Custody Division managers on a weekly basis.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.9 (IMPLEMENTED)
The Department should implement SCIF on the Custody side to improve the accountability of jail supervisors.

A/Chief Fender

10/15/12 Response:
The Department appreciates that the Commission recognizes Sheriff's Critical Issues Forums (SCIF) are currently conducted in Custody Division. The Department is committed to continuing SCIF's and open forums to provide additional quality control, oversight and review throughout the Department.

12/04/12 Response:
In the past, Custody Division has held SCIF presentations on an annual basis. Beginning in September, Custody Division began to hold these large, division-wide meetings on a bi-annual basis to examine the previous six-month and one-year periods. In addition, the Division holds smaller meetings on a monthly basis to insure that concerns are examined and corrective action is taken when appropriate.

01/15/13 Response:
On December 13, 2012, a Custody Division Directive was implemented mandating bi-annual SCIF meetings with topics to include use of force, performance evaluations, status of injured employees, administrative investigations, and inmate complaints. See attached Custody Division Directive 12-008. The next scheduled biannual SCIF is set for June and the monthly meetings are continuing.

02/12/13 Response:
SCIF has been scheduled for February 12, 2013, and will focus on reviewing the statistics and issues of the 2012 calendar year. The first half of 2013 will be reviewed sometime in July or August.

03/12/13 Response:
The first SCIF for 2013 was held on February 12 and was attended by Assistant Sheriff Rhambo, Chief Yim, and all Custody Division commanders and captains.

08/13/13 Response:
The next SCIF has been scheduled for October 17, 2013.

Update 10/08/13:
The October SCIF was rescheduled for November 14, 2013, due to conflicts with the oral interview portion of the sergeant's promotional process.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.10 (IMPLEMENTED)
Senior management needs to be more visible and engaged in Custody.

A/Chief Fender

10/15/12 Response:
The Department agrees that senior management personnel need to be more visible and engaged in Custody. From the onset of the jail allegations, I visited every jail facility and directed all senior managers to do the same. I designated Commander Paul Pietrantoni to serve as a Personnel Performance Commander, to specifically walk through jail facilities, both announced and unannounced, to identify and address deficiencies. In addition to informal walks through jail facilities, I have required unit commanders to report back and account for the frequency of their interaction on jail floors at "Inmate Town Hall Meetings," as well as regular attendance at staff briefings and "spot check" inspections.

01/15/13 Response:
I continue to have a Personnel Performance Commander conduct regular inspections of jail facilities to identify and address any deficiencies. In addition, the Department has implemented random Monthly Efficiency Inspections. These inspections are unannounced and are conducted by two Division Commanders and members of Custody Support Services.

02/12/13 Response:
Custody Division policy was revised on January 12, 2013, to include the following language within the Captain, Commander, Chief, and Assistant Sheriff rank descriptions:

> "… will maintain a visible presence within their jail facility to help ensure proper adherence to policy and the application of the Department's Core Values."

See attached CDM 2-01/005.00, 2-01/010.00, 2-01/020.00, and 2-01/030.00.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.11 (FUNDING REQUIRED)
Management staff should be assigned and allocated based on the unique size and needs of each facility.

A/Chief Fender

10/15/12 Response:
The Department will be requesting funding for additional staffing required to address operational needs of larger units.

12/04/12 Response:
The Department is in the process of conducting a comprehensive assessment of the operations staff for the eight custodial facilities. The assessment will compare each facility and establish a model for allocating administrative staff based on individual facility needs. The Department anticipates the assessment of each jail facility will be completed within 60 days.

01/15/13 Response:
The Department is continuing a comprehensive assessment of the operations staff for the eight custodial facilities. In addition to the operations staff, the Department will assess the training and scheduling units of each facility to determine facility needs based on size and the number of employees.

04/09/13 Response:
The comprehensive assessment is still on-going.

05/14/13 Response:
The assessment is still on-going and the Department anticipates having the study completed by October 2013.

Update 10/08/13:
The Department is finalizing its assessment and should complete it before the next report to the Board.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.12 (FUNDING REQUIRED)
LASD should create an internal Audit and Inspections Division.
Sheriff / Commander Guyovich

10/15/12 Response:
The Department agrees and will be seeking funding to create an internal Audit and Inspections Division. The Commanders Management Task Force has already met with the Commission and the Los Angeles Police Department to explore the creation of an internal Audit and Inspections Division. A proposal to create the Sheriff's Inspectional Services Command (ISC) has been prepared, but requires funding from your Board.

12/04/12 Response:
On November 1, 2012, the Department submitted a funding request to the Chief Executive Officer (CEO) and has been engaged in discussions of the proposed staffing levels.

The goal of the ISC is to identify and address potential deficiencies within the Department through audits, inspections, reviews, mentorship, and open forums with personnel at all ranks. The focus of the ISC is to ensure prompt and effective action to strengthen our level of service, while reducing the Department's exposure to liability. The Inspectional Unit's scope will encompass four main areas:

- Internal Command Inspections
- Independent Audits, Inspections, and Review
- Disciplinary Review
- Accountability and Maintenance

Currently, Department's inspections are conducted by individuals throughout the Department as a collateral assignment. The Department is proposing to follow the design of LAPD's Audit and Inspection Division so that all audits and inspections are centralized within one unit; therefore, creating accountability at all ranks.

This new unit will be tasked with inspecting and auditing all of the various units within the Department. The Department has consulted with members of the LAPD to gain insight into the challenges and successes of their Audit and Inspections Division. In addition, the Department has also consulted with the Auditor Controller's office for additional guidance. There are approximately 70 different units that would benefit from this inspection and audit process. It is estimated that each audit would take approximately 30-120 days to complete. The Department is currently reviewing each unit and conducting a risk assessment to determine the priority of inspections.

The Department is discussing proposed initial staffing levels with the CEO. Once the unit is established for a period of time, the Department will be better able to determine the optimum staffing level needed to achieve an appropriate schedule of audits.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

01/15/13 Response:
The Department continues to work with the Implementation Monitor on the development of this unit.

05/14/13 Response:
On May 2, 2013, the Department finalized its proposal with the Implementation Monitor and is prepared to present the proposal to the CEO.

08/13/13 Response:
The Department sent the finalized proposal to the CEO on June 28, 2013.

Update 10/08/13:
The CEO is submitting a funding proposal to the Board on October 8, 2013.

Recommendation 4.13 (IMPLEMENTED)
The Department should have a formal policy to address campaign contributions.

Division Director Dragovich

10/15/12 Response:
The Department has already prepared a policy consistent with the Commission's recommendations. The policy is in its final stages of review.

12/04/12 Response:
The Department is conferring with County Counsel on the proposed policy.

01/15/13 Response:
The proposed policy was finalized after a review by County Counsel. The Department is targeting an implementation date before the end of January 2013.

02/12/13 Response:
This policy was published on January 31, 2013. See attached policy 3-01/070.05 and 3-01/070.07.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 4.14 (IMPLEMENTED)
LASD should participate in collaborations such as the Large Jail Network that would enable it to learn about best practices and approaches in other systems.

A/Chief Fender

10/15/12 Response:
The Department has re-established participation with the National Institute of Corrections, National Jail Exchange (Large Jail Network). The next formal conference will be held March 2013, in Aurora, Colorado. A Custody commander will be designated as the liaison, to participate and report back regarding best practices and information to me and at Custody Division staff meetings.

The Department is also involved with the American Jail Association and the Southern California Jail Manager's Association. In addition, the Department has recently initiated a Force Consortium with other local agencies.

12/04/12 Response:
The Large Jail Network is designed for executive level participation. Department members are scheduled to attend the next meeting in the spring of 2013. Additionally, the Department has organized a consortium comprised of the nine Southern California sheriff's departments, which will examine use of force issues, policy, training, and management methodology. The goal is to examine and establish some best practices in these areas. The first session of the consortium is scheduled for February 5, 2013.

01/15/13 Response:
In addition to attending the Large Jail Network meeting, the American Jail Association's National Training Conference is in May of 2013. A contingent of Custody Division personnel will be attending.

02/12/13 Response:
The inaugural meeting of the Southern California Force Consortium was February 5, 2013. This event was planned and hosted by the Department. The Consortium involved all nine Southern California Sheriff's departments, with the goal of exploring our use of force policies, tactics, and issues to create an understanding of potential best practices.

In addition to the Large Jail Network participation, the Department is sending several managers to the annual American Jail Association conference in May where two were requested as speakers. The Department also maintains a regular presence in the Southern California Jail Managers Association.

04/09/13 Response:
The Large Jail Network Meeting scheduled for this Spring was cancelled due to the sequestration. Four Department personnel are scheduled to attend the American Jail Association's National Training Conference in May 2013. The second meeting of the Southern California Force Consortium is tentatively scheduled for Tuesday, June 11, 2013.

This event will be planned and hosted by the Department. Invitations will be sent to the involved nine Southern California Sheriff's departments.

07/09/13 Response:
Four Department members attended the American Jail Association's National Training Conference in May 2013. The Department held its second Southern California Force Consortium on June 11, 2013.

08/13/13 Response:
Representatives from the Department are scheduled to attend the following conferences: August American Correctional Association; September National Institute of Corrections Large Jail Network; and October 2013 Realignment Summit.

Update 10/08/13:
Chief Fender attended the Large Jail Network Conference held September 15-18, 2013. Assistant Sheriff McDonald and Chief Parra are scheduled to attend the Statewide Realignment conference to be held October 23-24, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.1 (IMPLEMENTED)
The Department must continue to implement reforms that emphasize respect for, engagement of, and communication with inmates.

A/Chief Fender

10/15/12 Response:
The Department will continue to expand Education Based Incarceration (EBI), Inmate Town Hall Meetings, and other efforts emphasizing respect for, engagement of, and communication with inmates. The Department appreciates that the Commission also understands the value of progressive programs that encourage respect based interaction between staff and inmates. To date, there have been more than 6,500 participants of EBI. Over the past year, combined attendances at regularly scheduled Inmate Town Hall Meetings have increased to more than 50,000.

12/04/12 Response:
It is the responsibility of each custody facility unit commander or their designee to facilitate Town Hall meetings. Every facility conducts a Town Hall meeting for each housing area at least once a month. Prior to the commencement of a Town Hall meeting, a survey is provided to each inmate in attendance and is collected by the staff at the end of each meeting. If there are specific complaints regarding a quality of life issue, they are entered into the Town Hall Meeting Tracker. All issues derived from the Town Hall meetings are addressed within seven days from the date of the meeting.

The information provided in the Town Hall Meeting Tracker is audited on a weekly basis by staff members from the EBI Bureau. Each facility entry is reviewed for the thoroughness and to ensure that the inmate concerns have been addressed. A report of the top five concerns is generated and provided to each facility captain for review.

Since October 2011, there have been 1,572 Town Hall meetings conducted, and 57,449 inmates in attendance.

The Department also provides all inmates the opportunity to submit complaints, outside of the Town Hall meeting forums. Each housing area has a supply of Inmate Complaint Forms available for the inmate to obtain. The inmate can complete the complaint form, retain the pink copy, and place the complaint in a locked Inmate Complaint Form box, which is collected at least once per shift by the floor sergeant.

The sergeant and medical personnel review all collected complaints. All complaints pertaining to medical requests are collected by medical staff, entered into the tracking system by Medical Services Bureau, and handled to conclusion.

All other complaints are handled by the floor sergeant. Complaints that are easy to resolve, such as linen, clothing, care packets, etc., are immediately handled by the sergeant. Complaints that require additional research are logged into the tracking system, disseminated to the appropriate handling entity, and completed as soon as possible. The

yellow copy of the complaint with the complaint disposition is returned to the inmate. The disposition of the complaint is entered into the tracking system.

The Commission recommends that the Department continues to implement reforms that emphasize the respect for and communication with inmates. The Department's EBI Bureau has been established to focus on education within the custodial environment and provide the inmates in our custody the ability to fully capitalize upon the rehabilitative programs and the Department's concurrent efforts to reduce recidivism.

Principles of Education-Based Incarceration:

Assess and evaluate the educational and trade skills of all inmates.

- Develop a learning environment to educate inmates.
- Develop and implement an automated case management information system.
- Strengthen and systemize our partnership with California Department of Corrections and Rehabilitation.
- Develop a structured curriculum.
- Transform the cultural mentality of residents in the communities at large and those housed in our care to support and embrace the principles of EBI.

Under the command of a captain, the EBI Bureau is comprised of several sub-units that address the educational needs of inmates beginning at the first point of contact when they are arrested and information is entered into our booking system, to a point post-release when they are involved in our post-release educational programs.

In the past, the Department's vocational programs did not have an educational component. Our experience has shown that participation in life skills, decision-making, parenting, personal relations, and spiritual growth programs provide the life-changing skills needed to succeed outside of the custodial environment. EBI provides the following inmate programs:

Programs Offered

- Personal Development
- Leadership
- Decision Making
- Critical Thinking
- Relationships
- Conflict Management
- Employment
- Time Management
- Budget Management
- Understanding and Coping with Stress
- Vocational Programming
- General Educational Development (G.E.D.)
- Parenting
- Substance Abuse
- Moral Resonation Therapy

- Anger Management
- Communication Skills

The Department's ultimate goal is to transform the culture of the custody facilities and provide a safe, secure learning environment for our personnel and the inmates. To date, there have been more than 7,000 participants in EBI.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.2 (IMPLEMENTED)
The Department's Force Prevention Policy should be stressed in Academy training and reiterated in continuing Custody Division training.

Division Director Dragovich / A/Chief Fender

10/15/12 Response:
The Department teaches de-escalation techniques in the Academy. The Department has incorporated the Force Prevention Policy into the Academy and Jail Operations training curriculum. Force Prevention will also be included throughout the entire Department in the restructured Use of Force Policy (effective January 1, 2013).

12/04/12 Response:
Currently, the Academy curriculum provides a total of 80 hours of instruction on the Department's Use of Force policy, Defensive Tactics, and Persons with Disabilities.

The Use of Force Learning Domain curriculum includes 12 hours of the following:

- Introduction to Use of Force
- Force Options
- Use of Deadly Force
- Documenting Use of Force
- Concept of Control in Use of Force

The Defensive Tactics Learning Domain curriculum includes 60 hours of the following:

- Principles of Defensive Tactics
- Person Searches
- Controlling Force: Control Holds and Take-down Techniques
- Carotid Restraint Control Holds
- Restraint Devices
- Firearm Retention and Takeaways
- Use of Impact Weapons
- Transporting Prisoners

The Persons with Disabilities Learning Domain curriculum includes six hours of the following:

- Disability Laws
- Developmental Disabilities
- Physical Disabilities
- Mental Illness

The Department's Jail Operations training curriculum includes 32 hours of Use of Force policy and force prevention. An additional 8 hour block of instruction on values based decision-making, respect-based communication, and how to deal with inmates was added to the curriculum, which includes scenarios covering recalcitrant inmates and force prevention policies. The Department has conducted recurrent briefings at each facility to

ensure Custody Division employees have been briefed and adhere to the Force Prevention policy.

Due to the fact that the mentally impaired population has increased, the Department felt a need to enhance training in this area to potentially lessen force incidents with mentally impaired inmates. For years, employees received four hours of training on how to cope with mentally-impaired inmates in Jail Operations training which was taught by the Department of Mental Health. The Jail Operations curriculum has expanded by an additional six hours of training taught by the Jail Mental Evaluation Team (JMET).

JMET consists of a team of deputies who are classified as subject matter experts specifically trained to handle mentally disturbed persons. JMET is partnered with a Psychiatric Social Worker II to assist in de-escalating conflicts and ultimately reducing the potential of force incidents. The JMET training staff receives 32 hours of training per year. The training consists of the following:

- Introduction to Mental Illness including signs and symptoms
- Identification and types of mental illness and co-occurring disorders
- Crisis Intervention
- Suicide Prevention and Identification
- Pacific Clinic's conferences once a year on mental illness
- Mental Illness and Law Enforcement Systems (MILES) conference once per year
- Mental Evaluation Team (patrol) ride-alongs
- Patton and Metropolitan Hospital tours.

The primary responsibility of JMET is to identify mentally-ill inmates who are in need of additional attention to address their special needs. JMET responds directly to the housing areas for any requests by staff, which may include, but are not limited to individual assessments (completed twice a week to evaluate care and any unmet needs in general population), provide intervention services, transportation to clinics, and assist in crisis situations (jail extractions, attempt suicides, hunger strikes, etc.).

Effective January 1, 2013, the Force Prevention policy will be mandated throughout the Department in the new Use of Force policy.

01/15/13 Response:
The policy was implemented January 1, 2013.

03/12/13 Status Update:
The Department is constantly updating and enhancing its training curriculum in all facets of its operations, and will continue to do so as new training programs are developed and new knowledge is gained. In regards to training personnel on dealing with people with mental health issues, the Department currently conducts the following training:

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

DST Academy – 6 Hours
- Monitoring mental health

CA Academy – 12 Hours
- Monitoring psychological and physical health

Jail Operations Training – 6 Hours
- Mental health / Suicide
- JMET duties and responsibilities
- Behavioral observation and mental health referral reports
- Special handling cards for mentally ill

Custody Division Supervisorial Training – 4 Hours
- Introduction to mental illness

Standards and Training for Corrections (STC) – 4 Hours
- Suicide prevention

In-Service Training – 4 Hours
- Suicide intervention / prevention
- Mental illness refresher

Patrol School – 1 Hour
- 5150 WIC and mental health concerns

In addition, the Department has created an on-line training course titled, “Communicating with the Mentally Ill Inmate”. This training course has been mandated for all custody personnel.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.3 (IMPLEMENTED)
The Department should enhance its ethics training and guidance in the Academy as well as in continuing Custody Division training.

Division Director Dragovich / A/Chief Fender

10/15/12 Response:
The Department has added two additional weeks at the end of the Academy to enhance its ethics training and guidance. More specifically, recruits will be taught the principles of Constitutional Jailing, Constitutional Policing, and Procedural Justice. This will be reinforced during Custody Division training, as well as Department-wide training, through the Deputy Leadership Institute. Furthermore, personnel will not only learn Our Core Values, but be held accountable for Policy and Ethics violations in conflict with Our Core Values.

12/04/12 Response:
Please see the attached flow chart depicting the additional training added to the academy and jail specific classes.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.4 (IMPLEMENTED)
The Department must make Custody a valued and respected assignment and career.
A/Chief Fender

10/15/12 Response:
The Department has drafted a proposal for a "Dual Track Career Path" (DTCP). The proposal centers on staffing the jails with personnel who are better suited in skills, personalities, and desire to serve permanently in a Custody assignment. The proposal would also benefit those deputies who choose to serve in patrol, since they would not be required to serve a long tenure in the jails, unless they specifically desired to do so.

The proposal was presented to the Board of Supervisors' Public Safety CARs meeting on February 8, 2012. The proposal is currently being considered by the employee associations (ALADS and PPOA), and is subject to additional reform based on the best interest of the public, the Department, and its employees.

01/15/13 Response:
As of January 2, 2013, PPOA has entered a tentative agreement with the Department for implementation of the DTCP proposal. Members of the CMTF will present the DTCP plan throughout Custody Division, Court Services Division, and Field Operations Divisions over the next several weeks. The Department anticipates an implementation process of the DTCP plan by February 1, 2013.

02/12/13 Response:
On Friday, February 1, the DTCP was implemented. Sheriff's Bulletin #594 was distributed to all Department members (see attached). The bulletin guides Department members to our Intranet webpage for comprehensive information about the Dual Track Career Path. The bulletin was also placed on all Digital Briefing Boards throughout the Department. In addition, comprehensive presentations are still being conducted for all Department members regarding the implementation of the DTCP.

Recommendation 5.5 (IMPLEMENTED)
Senior leaders must be more visible in the jails.

A/Chief Fender

10/15/12 Response:
I have directed that all jail captains regularly attend and conduct Inmate Town Hall Meetings, as well as become directly engaged with staff, inmates, and independent oversight at each facility. This directive has been followed up with an accounting for the frequency of captain and supervisory attendance at Inmate Town Hall Meetings, training, and briefing.

The information will be permanently reviewed by the Custody Division chief and the assistant sheriff over Custody.

01/15/13 Response:
The Captains continue to attend Town Hall meetings. Inmate issues and concerns, as well as the frequency of these meetings, are discussed at the monthly division staff meeting.

02/12/13 Response:
Custody Division policy was revised on January 12, 2013, to include the following language within the Captain, Commander, Chief, and Assistant Sheriff rank descriptions:

> "… will maintain a visible presence within their jail facility to help ensure proper adherence to policy and the application of the Department's Core Values."

See recommendation 4.10 attachments.

Recommendation 5.6 (IMPLEMENTED)
LASD must have a firm policy and practice of zero tolerance for acts of dishonesty that is clearly communicated and enforced.

Chief Abner

10/15/12 Response:
Law enforcement officers must be held to the highest standard of honesty and integrity, and that standard must be continually communicated. The Department will continue to emphasize the principles clearly stated in Our Core Values, as well as reinforce the Department's "zero-tolerance" for dishonesty. To accomplish this, the Department will require all unit commanders to conduct in-service briefings reminding personnel of the Discipline Schedule for Dishonesty. To ensure this is accomplished in a timely manner, these briefings will be conducted in concurrence with the signed admonition for the restructured Use of Force Policy, to be completed by December 31, 2012.

12/04/12 Response:
The Discipline Guidelines have been revised and submitted for approval. Employee unions will be notified and provided an opportunity to respond.

01/15/13 Response:
I have approved The Discipline Guideline changes. Employee unions are in the process of being notified.

02/12/13 Response:
It is anticipated that the updated "Guidelines for Discipline" will be published on February 17, 2013.

03/12/13 Response:
The updated "Guidelines for Discipline" has been published.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 5.7 (IMPLEMENTED)
The Department should have a sensible rotation policy to protect against the development of troubling cliques.

A/Chief Fender

10/15/12 Response:
The Department and has already implemented a Mandatory Rotation Directive. Implemented on February 17, 2012, the Directive provides a reasonable exception for "positions that require additional training or experience that may affect the effectiveness of their command. These key positions shall be reported annually to the chief of Custody Division."

To ensure compliance with this Directive, unit commanders are required to retain their rotation records for at least two years.

12/04/12 Response:
The Sheriff's Department will work with the Implementation Monitor to assemble a working group of personnel to pilot rotations within and among proximate facilities to assess the viability of implementing such a policy. In order to ensure cooperation from the employee unions, participation in the pilot program will be voluntary.

01/15/13 Response:
The chief of Custody Division recently ordered that the rotation exception report of key positions be submitted to him quarterly rather than annually.

The Department is developing a working group to analyze permanent plans for rotations and the pilot program.

02/12/13 Response:
The Department contacted all personnel at the four Pitchess Detention Center (PDC) facilities to see who would participate in a "voluntary" rotation amongst the facilities. Fourteen personnel were interested; however, they included restrictions about which facilities they wanted to rotate to. The Department was not able to meet these restrictions so the program was not able to move forward. Volunteers are still being sought at the downtown facilities for a pilot program there.

03/12/13 Response:
The directive covering rotations within custody facilities has been drafted into policy for inclusion in the Custody Division Manual. The policy is expected to be approved and published before the next report to the Board.

04/09/13 Response:
The Department has drafted a new Custody Division Manual Policy. In addition, each facility has drafted its own Unit Orders to address that facility's unique needs and circumstances. These draft policies have been approved by the Implementation Monitor and are in the final review process.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

05/14/13 Response:
The rotation policy was approved and became part of the Custody Division Manual on April 18, 2013. See attached copy of CDM 3-01/020.05, “Mandatory Rotation of Line Personnel in Custody.“

09/10/13 Response:
The Department recently conducted an audit of personnel rotations at MCJ for the period of September 2012 through August 2013. The audit revealed that MCJ was over 97 percent compliant with the rotation policy. Only 2.4 percent of deputies and custody assistants in non-exempt positions had not rotated job assignments over a six month period. Audits are currently being conducted at the remaining custody facilities.

Update 10/08/13:
The Department is finalizing the audits of the remaining facilities and expects to report our findings to the Board in November.

Recommendation 5.8 (IMPLEMENTED)
LASD should discourage participation in destructive cliques.

A/Chief Fender

10/15/12 Response:
As the Commission points out in its Final Report, the Department cannot prohibit discretionary decisions with personnel to associate with each other, but it will remain vigilant to prohibit the use of Department resources and time in any activity contrary to the Department's Mission and Core Values. This will be accomplished by ensuring supervisors and managers are continually monitoring the workplace, and documenting activities in conflict with the Department's Mission and Core Values. The Department will also incorporate a formal lecture during the extended Jail Operations and Ethics Training, specifically discouraging participation in destructive cliques. Additionally, "spot checks" and inspections will be conducted by senior managers and by the Inspectional Services Command (ISC) currently being proposed.

The Commission's concerns regarding visible tattoos associated with deputy cliques is addressed through a clear policy, summarized by this excerpt from Manual of Policy and Procedures Section 3-01/050.80: "While on duty and wearing any Department-approved uniform or appropriate business attire, members are prohibited from exhibiting any tattoo, branding, or other form of body art that may be seen by another person."

12/04/12 Response:
Effective October 22, 2012, with Jail Operations Class #390, the Department incorporated a formal lecture specifically discouraging participation in destructive cliques.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.1 (IMPLEMENTED)
The Department should review and revise its personnel and training policies and procedures to reflect Custody's status as a valued and important part of the Department.

A/Chief Fender

10/15/12 Response:
The Department agrees in concept. It is my desire to create a fully staffed Custody Training Bureau under the leadership of the Custody Division Chief or the newly appointed Custody Division Assistant Sheriff position, in an effort to fulfill the Commission's training mandates. To accomplish this task the appropriate funding is necessary from the Chief Executive Officer (CEO). The American Civil Liberties Union (ACLU) concurs with this configuration.

In addition, the Department has submitted the Dual Track Career Path (DTCP) proposal to the CEO for approval. The DTCP will permit non-patrol trained deputy sheriffs assigned to Custody Division the opportunity to promote within Custody Division to the rank of Division Chief. The DTCP will also allow deputy sheriffs the flexibility to select a career path in Custody Division or Field Operations/Detectives. The DTCP will provide value and a career path for personnel assigned to Custody Division.

12/04/12 Response:
The Department is in the process of revising its supervisory selection process for newly promoted supervisors. Historically, the Department permitted each custody captain to select their top two choices, then allowed Field Operations, Courts Services and Detective Divisions to select their supervisors with Custody Division receiving the remaining supervisors. As we move forward, Custody Division will have an equal voice in the selection of newly promoted supervisors. This will be accomplished by permitting Custody Division to immediately select a replacement if a vacancy is identified instead of waiting until other divisions fill their vacancies with Custody Division receiving the last selections.

The Department's policy and practice allows custody sergeants to promote to the rank of custody lieutenant without having to transfer to field operations first. The perception, however, is the Department does not practice this policy. The Department will ensure supervisory personnel are aware that they can, and will, be promoted in Custody Division without having to transfer to Field Operations Division first.

In addition, the Department has submitted the DTCP proposal to the CEO for approval. The DTCP will permit non-patrol trained deputy sheriffs assigned to Custody Division the opportunity to promote within Custody Division to the rank of Division Chief. The DTCP will also allow deputy sheriffs the flexibility to select a career path in Custody Division or Field Operations/Detectives. The DTCP will provide value and a career path for personnel assigned to Custody Division.

01/15/13 Response:
As of January 2, 2013, PPOA has entered a tentative agreement with the Department for implementation of the DTCP proposal. Members of the CMTF will present the DTCP plan throughout Custody Division, Court Services Division, and Field Operations Divisions over

the next several weeks. The Department anticipates an implementation process of the DTCP plan by February 1, 2013.

02/12/13 Response:
See recommendation 5.4 for further details on the implementation of the DTCP.

Recommendation 6.2 (IMPLEMENTED)
The Department should develop and implement a long-range and steady hiring plan based upon normal attrition.

Division Director Dragovich

10/15/12 Response:
The Department's Personnel Administration Bureau has forecasted a consistent hiring strategy for the next five years based upon the Department's current financial allocations. However, if the Chief Executive Officer (CEO) implements a fiscal reduction in the Department's budget, the hiring strategy will require adjustments according to financial restraints.

05/14/13 Response:
The Department has slowed down the hiring process due to current budgetary constraints. As a result, academy classes have been curtailed for the remainder of Fiscal Year (FY) 2012-13. The Department projects a minimum of three academy classes with approximately 150 graduating recruits for FY 2013-14, and subsequent years.

08/13/13 Response:
For the fiscal year 2013-14, 4 Deputy Sheriff Trainee Academy classes ranging from 80 to 100 recruits per class have been scheduled. Classes 395 and 396 are currently in session. Classes 397 and 398 will begin in November and December respectively. Custody Assistant, Security Officer, and Security Assistant academies will also be scheduled on an as needed basis.

09/10/13 Response:
A third Deputy Sheriff Trainee Academy has been scheduled for October 2013. Academy Classes 397 (October), 398 (November), and 399 (December) will be in session by the end of 2013. Additional classes for 2014 are still under review.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.3 (FUNDING REQUIRED)
Deputies and supervisors should receive significantly more custody specific training overseen by the Department's Leadership and Training Division.

A/Chief Fender

10/15/12 Response:
I have mandated an additional two-week custody specific training curriculum for new deputies; this curriculum is in addition to the two-week Jail Operations class. Under the Department's current training mandates, following this classroom curriculum, deputies must complete an additional 12 week training course under the supervision of an experienced and well respected custody training officer at their respective facilities. Therefore, the custody training for new deputies actually totals 16 weeks.

In addition to the 16 weeks noted above, the Department is increasing specific facility training from 12 weeks to 16 weeks. This will enhance the actual custody training for new deputies to a total of 20 weeks.

The Department is also increasing training for custody supervisors from 8 hours to 40 hours.

Furthermore, it is my desire to create a fully staffed Custody Training Bureau under the leadership of the Custody Division Chief or the newly appointed Custody Division Assistant Sheriff position. To accomplish this task the appropriate funding is necessary from your Board. The American Civil Liberties Union "ACLU" concurs with this configuration.

12/04/12 Response:
The Department agrees in concept with the CCJV recommendation regarding the inception of a Custody Training Bureau (CTB); however, we feel the best practice would be to adhere to the industry standard, and assign the CTB within the command structure of the Custody Operations Division. The Department has met with members of the American Civil Liberties Union (ACLU) who concurred with this configuration.

The Department's view is shared by experts cited in the CCJV report that "corrections is its own separate profession" and, "Patrol and jail work are two very different disciplines." The command structure of Custody Operations Division, overseen by the Custody assistant sheriff will ensure that custody is not unnecessarily influenced by field operations.

The State of California utilizes two separate and unrelated entities to oversee law enforcement training; the California "Commission on Peace Officer Standards and Training" (POST) is responsible for the certification and recurrent training of police officers, while the "California Department of Corrections and Rehabilitation - Standards and Training for Corrections" oversee the training of local and State correctional officers throughout the State.

With respect to "significantly more custody specific training" - new deputies will receive an additional two weeks of custody training, specific to the correctional environment. The

curriculum is in addition to the two-week Jail Operations class. Under the Department's current training mandates, following this classroom curriculum, deputies must complete an additional 12 week training course under the supervision of an experienced and well respected custody training officer at their respective facilities. Therefore, the custody training for new deputies total 16 weeks.

Recently, the Department has increased specific facility training from 12 weeks to 16 weeks. This has expanded the actual custody training for new deputies to a total of 20 weeks, which exceeds regional sheriff's departments in Southern California.

The following Southern California sheriff's departments were surveyed. The listed agencies each utilize a specific custody training bureau, under the command of their respective correctional operation divisions, which instruct custody orientation and mandated recurrent training.

Sheriff's Department	Custody Training for New Deputies
Los Angeles County	20 Weeks
Imperial County	12 Weeks
Kern County	6 Weeks
Orange County	4 Weeks
San Bernardino County	6 Weeks

The following agencies' field and custody training units are combined with subject matter experts assigned respectively to field and custody operations.

Sheriff's Department	Custody Training for New Deputies
Riverside County	8 Weeks
Santa Barbara County	16 Weeks
Ventura County	4 Weeks

POST mandates two hours of custody specific training in the Basic POST Certified Academy. The table below shows the current custody specific academy training and academy attrition rates for Southern California agencies.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Sheriff's Department	Basic Academy Custody Training	Academy Attrition Rates
Los Angeles County	18 Week Academy – 4 Hours Custody	18%
Imperial County	9 Week Correctional Academy	33%
Kern County	14 Week Correctional Academy	15%
Orange County	26 Week Academy – 4 Hours Custody	17%
Riverside County	9 Week Correctional Academy	20%
San Bernardino County	23 Week Academy – 4 Hours Custody	10%
Santa Barbara County	4 Week Correctional Academy	0%
Ventura County	3 Week Correctional Academy	30%

Custody supervisor training has increased from 24 hours to 40 hours, effective October 2012.

See recommendation 5.2 for status updates in regards to training for mentally ill inmates

The Department is working with the CEO to identify funding for the proposed CTB.

02/12/13 Response:
The CTB Captain has continued working with the Implementation Monitor to identify the appropriate staffing for the CTB.

03/12/13 Response:
The CTB Captain and Implementation Monitor have agreed on the structure of the bureau organizational chart. Final approval from the newly assigned Assistant Sheriff is pending.

04/09/13 Response:
Assistant Sheriff McDonald approved the organizational chart. The CTB Captain and Implementation Monitor have met with CEO staff and are working toward a mutually agreeable model.

05/14/13 Response:
A second proposal, approved by the Implementation Monitor, was submitted to the CEO on May 1, 2013.

07/09/13 Response:
The CEO has approved the funding of 33 additional items for the Custody Training Bureau. The Department is currently completing a formal request package at the CEO's direction. It is anticipated that the package will be submitted to the CEO before the next report to the Board.

08/13/13 Response:
The formal request package for 33 additional items for the Custody Training and Standards Bureau has been submitted to the CEO. The Department is currently holding meetings with the Board Justice Deputy's regarding the overall proposal.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Update 10/08/13:
The CEO is submitting a funding proposal to the Board on October 8, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.4 (IMPLEMENTED)
There should be a meaningful probationary period for new deputies in Custody.
A/Chief Fender

10/15/12 Response:
All custody facility Unit Commanders are required to schedule face-to-face meetings with custody personnel prior to the end of their probationary period. Outlined in this meeting, Unit Commanders are mandated to discuss the following topics; Department's Core Values, Department's Mission Statement, Constitutional Jailing, Procedural Justice, and their probationary evaluation to ensure personnel fully grasp the importance of their career responsibilities. A checklist form outlining the respective topics will be included in the probationary training packet.

12/04/12 Response:
On October 15, 2012, the Department implemented a new Custody Division Directive, 12-005, to address the concerns of the CCJV. The directive established procedures regarding the documentation of the probationary period with all new custody personnel.

Custody Division unit commanders are required to schedule face-to-face meetings with custody personnel prior to the end of their probationary period. Outlined in this meeting, unit commanders are mandated to discuss the following topics; Department's Core Values, Department's Mission Statement, Constitutional Jailing, Procedural Justice, and their probationary evaluation to ensure personnel fully grasp the importance of their career responsibilities.

A checklist outlining the respective topics will be included in the probationary training packet. A copy of the directive is attached with this status update.

The CCJV expressed concern the Department was not adequately vetting probationary personnel during the probationary period who may present disciplinary problems to the Department in the future. The CCJV stated the industry standard probationary employee attrition rate was between 10 and 25 percent. The Department contacted the below indicated agencies to capture their probationary period attrition rate from 2010 to 2012.

Sheriff's Department	Probationary Attrition Rate
Los Angeles County	5%
Imperial County	0%
Kern County	5%
Orange County	0%
San Bernardino	10%
Santa Barbara	0%
Riverside County	0%
Ventura County	0%

See recommendation 6.3 for the academy attrition rate for the aforementioned sheriff's departments.

The Department believes the CCJV most likely merged the academy and probationary attrition rates of the law enforcement agencies they contacted to formulate their conclusion.

01/15/13 Response:
The Department has revised the newly implemented Custody Division Directive 12-005, to address concerns of the Implementation Monitor. A shift lieutenant shall conduct an assessment of the employee's overall career performance, which will be documented in a memorandum, upon completion of the employee's sixth month. If the employee's performance is substandard, the lieutenant will request remediation with the approval of the Unit Commander. Upon successful completion of the remediation, the lieutenant shall document the essential information in a memorandum.

Three to four weeks prior to the employee's one-year anniversary, the Unit Commander or designee shall conduct another personnel performance review and schedule a face-to-face meeting to discuss several training topics.

OIR has reviewed this directive and concurs with its contents. See attached Custody Division Directive 12-005, Probationary Evaluation Checklist, and Probationary Assessment Exemplar.

03/12/13 Response:
The Department conducted a probationary period survey of relatively sized California law enforcement agencies. Based on the survey data, the Department is in the process of requesting the CEO to amend the County Civil Service code to extend the current probationary period for deputies and custody assistants from 12 to 18 months.

04/09/13 Response:
On March 26, 2013, the Department formally requested the Department of Human Resources (DHR) to extend the probationary period. The Department's request is under DHR review.

07/09/13 Response:
Civil Service Rules limit probationary periods to 12 months and any change to that would require negotiations with labor unions. With the comprehensive background investigation already in place for all Department employees, coupled with the recent steps to increase the scrutiny of probationary employees, the Department is satisfied with leaving the probationary term at its current 12 months.

09/10/13 Response:
The Department is exploring the feasibility of extending the probationary term.

Recommendation 6.5 (FUNDING REQUIRED)
The number of supervisors to deputies should be increased and the administrative burdens on Custody supervisors should be minimized.

A/Chief Fender

10/15/12 Response:
The Department has submitted a request to the Chief Executive Officer (CEO) for 10 lieutenants and 101 sergeants to be added to Custody Division.

12/04/12 Response:
The current number of supervisors in Custody Division is critically low. Administrative burdens on the current supervisors diminish their ability to actively supervise the line staff. Custody Division unit commanders were requested to conduct a supervisory assessment of their respective facility and provide a suitable number of lieutenants and sergeants that they deemed critically necessary, in order to fulfill the obligations of their responsibilities. These additionally requested items would be deployed directly to the line positions, covering a 24-hour operation, throughout Custody Division as follows:

Facility	Lieutenant	Sergeant
Men's Central Jail	1	20
Twin Towers Correctional Facility	1	21
Century Regional Detention Facility	0	7
North County Correctional Facility	0	14
PDC East Facility	0	6
PDC South Facility	0	9
PDC North Facility	0	5
Inmate Reception Center	0	10
Mira Loma Detention Center	0	6
Transportation Services	0	3
Totals	**2**	**101**

In order to accomplish this goal, the Department has submitted an appropriate funding request to the CEO for 2 lieutenants and 101 sergeants to be added to Custody Division.

The Department's original response requested ten lieutenants. That response included funding for eight additional Risk Management lieutenants, at each custody facility to relieve line lieutenants of the administrative burden caused by the overload of paperwork. The request for those eight items is now covered solely in Recommendation 7.8.

The number of supervisors requested is critically necessary; nevertheless, the funding request does not provide Custody Division with an ideal supervisory staffing model. Active supervision, in the appropriate ratios, can make a significant impact on incidents of jail violence**.**

See the tables below for Department supervisory staffing levels Department wide, in Custody Division, and proposed for Custody Division.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Department Wide Deployment

	Captain	Lieutenant	Sergeant	Deputy
Department Wide	68	379	1316	8466

Captain to Lieutenant	1:6
Lieutenant to Sergeant	1:3
Sergeant to Deputy	1:6

Current Custody Deployment

	Captain	Lieutenant	Sergeant	Deputy	CA
Custody Facilities	8	57	191	2,226	1,061

Captain to Lieutenant	1:7
Lieutenant to Sergeant	1:3
Sergeant to Deputy	1:12
Sergeant to Deputy / CA	1:17

Proposed Custody Deployment

	Captain	Lieutenant	Sergeant	Deputy	CA
Custody Facilities	8	57	191	2,226	1,061
Requested Items	0	10*	101	0	0
Total	**8**	**67**	**292**	**2,226**	**1,061**

* Includes Risk Management Supervisors in recommendation 7.8

Captain to Lieutenant	1:8
Lieutenant to Sergeant	1:4
Sergeant to Deputy	1:8
Sergeant to Deputy / CA	1:11

05/14/13 Response:
The Department is in the process of updating the comprehensive study of supervisory staffing and is working with the Implementation Monitor.

08/13/13 Response:
A revised request for 97 sergeants and 2 lieutenants was submitted to the CEO. The Department has proposed a phased in approach and is requesting 25 sergeants initially.

Update 10/08/13:
The CEO is submitting a funding proposal to the Board on October 8, 2013.

Recommendation 6.6 (IMPLEMENTED)
The Department should allow deputies to have a career in Custody and take steps in the interim to decrease the length of new deputy assignments to Custody.

A/Chief Fender

10/15/12 Response:
The Department has changed its procedures which previously mandated that deputies transfer to patrol, by currently allowing unlimited annual extensions in Custody Division. Deputy personnel who do not desire to transfer to patrol are afforded the option to submit annual extensions to Custody Division Headquarters. Upon approval of their request, deputies are permitted to remain in Custody Division. In time, this policy change will significantly reduce the length of time in Custody Division for sworn personnel who desire to transfer to Patrol.

If the Dual Track Career Path (DTCP) is approved by the Board, deputies who do not have an interest in patrol will be excluded from submitting patrol transfer requests.

The Department is in the final stages of conducting an assessment and evaluation of duty statements from each position at every custody facility to determine which job classification (sworn personnel or custody assistant) is best suited to handle the functional operation of that particular position.

01/15/13 Response:
As of January 2, 2013, PPOA has entered a tentative agreement with the Department for implementation of the DTCP proposal. Members of the CMTF will present the DTCP plan throughout Custody Division, Court Services Division, and Field Operations Divisions over the next several weeks. The Department anticipates an implementation process of the DTCP plan by February 1, 2013.

02/12/13 Response:
See recommendation 5.4 for further regarding the implementation of the DTCP.

08/13/13 Response:
For the fiscal year 2013-14, 4 Deputy Sheriff Trainee Academy classes ranging from 80 to 100 recruits per class have been scheduled. Classes 395 and 396 are currently in session. Classes 397 and 398 will begin in November and December respectively. Custody Assistant, Security Officer, and Security Assistant academies will also be scheduled on an as needed basis.

Recommendation 6.7 (In Progress)
The Department should utilize more Custody Assistants

A/Chief Fender

10/15/12 Response:
As stated in the response section of recommendation 6.6, the Department is conducting an assessment of positions within Custody Division. Preliminary information has shown that the line personnel positions in Custody Division are substantially understaffed. If the Department can maintain its current compliment of sworn personnel and increase its compliment of custody assistants by approximately 160 positions, this would enhance the level of service in our jail facilities and afford the Department the resources to provide our inmates with the **opportunity** for additional programming. It has been documented through the Rehabilitation surveys, which are issued at every Town Hall meeting, that our inmate's second highest request is additional inmate programming.

12/04/12 Response:
The Department is in the final stages of conducting an assessment and evaluation of duty statements from each position at every custody facility to determine which job classifications (sworn personnel or custody assistant) are best suited to handle the functional operation of that particular position.

The Department's current Custody Division personnel staffing model is comprised of 68 percent deputy sheriffs and 32 percent custody assistants. An assessment of all positions in Custody Division was completed, which showed that the Division was understaffed. Unit commanders were requested to provide an efficient personnel staffing model to manage the various responsibilities encumbered by their respective facilities. As depicted in the table below, the unit commanders requested a total of 173 additional personnel items (130 deputy sheriffs and 43 custody assistants).

After a review of the personnel request and duty statements, the Department proposed the additional personnel items be filled with 160 custody assistant items. If the Department maintained its current compliment of sworn personnel and increased its compliment of custody assistants by approximately 160 positions, the staffing model would reflect 65 percent deputy sheriffs and 35 percent custody assistants. This is the maximum compliment of custody assistants as agreed upon in a Memorandum of Understanding (MOU) with the Association for Los Angeles Deputy Sheriffs (ALADS).

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

The table below depicts the Department's current staffing levels for deputy sheriffs and custody assistants, and the deployment of the proposed 160 custody assistants.

Facility	Deputy	CA	Captain's Request	Proposed CA
Men's Central Jail	568	164	10	15
Twin Towers Correctional Facility	466	277	30	25
Century Regional Detention Facility	233	151	23	20
North County Correctional Facility	271	79	17	17
PDC East Facility	129	59	14	14
PDC South Facility	164	78	19	19
PDC North Facility	144	67	5	5
Inmate Reception Center	251	186	55	45
Total:	**2,226**	**1,061**	**173**	**160**

The Department has submitted the appropriate funding request for 160 custody assistant positions to the Chief Executive Officer (CEO).

The Department is currently assessing if the percentage of custody assistants could be increased without jeopardizing jail security and safety. If this assessment indicates an increased percentage of custody assistants is feasible, then the Department would confer with the unions about possible changes to the MOU.

01/15/13 Response:
The Department's original response was designed to address staffing shortages in Custody Division, as well as to increase the custody assistant staffing ratios to 65 percent sworn and 35 percent custody assistants. The Department has had subsequent discussions with the CEO and the Implementation Monitor. In an effort to comply with the spirit of the recommendation, the Department has revised its response to the CEO. The Department has assessed alternative methods, without the necessity to increase personnel staffing, by requesting the CEO's approval to freeze 81 deputy positions and supplant them with 81 custody assistants. This will allow Custody Division to achieve the maximum custody assistant staffing ratios, in accord with the ALADS MOU, at a cost savings of approximately $4.67 million.

04/09/13 Response:
The CEO has approved supplanting six deputy sheriff positions with custody assistants. The Department is working with the CEO on supplanting the remaining 75 deputy sheriff positions for custody assistants.

05/14/13 Response:
The CEO has approved freezing the remaining 75 deputy sheriff positions and the creation of 75 additional custody assistant items to bring the Department to the maximum 65/35 percent ratio of deputy sheriffs to custody assistants. Any further increases of custody assistants will need to be renegotiated with the labor unions.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

07/09/13 Response:
Custody Assistant Class # 79 began on May 29, 2013, with 50 recruits. The graduates from this class will begin to fill the 81 vacant positions created to meet the 65/35 percent ratio.

Update 10/08/13:
The Department is continuing its feasibility study of increasing the ratio of custody assistants beyond 35 percent and expects to complete the study before the end of the year.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.8 (IN PROGRESS)
Rotations within and among proximate facilities should be implemented.

A/Chief Fender

10/15/12 Response:
Pursuant to Special Counsel Merrick Bobb's recommendation, the Department recently implemented mandatory rotations in Custody Division within each facility. The Department is evaluating the recommendation of implementing a sensible, but steadfast policy of rotations of personnel among proximate facilities. The Department is assessing the probability of employee union issues, the impact on affected personnel, and the best practices for the overall health of the Department.

12/04/12 Response:
The Sheriff's Department will work with the Implementation Monitor to assemble a working group of personnel to pilot rotations within and among proximate facilities to assess the viability of implementing such a policy. In order to ensure cooperation from the employee unions, participation in the pilot program will be voluntary.

01/15/13 Response:
The Department is developing a working group to analyze permanent plans for rotations and the pilot program.

02/12/13 Response:
The Department contacted all personnel at the four Pitchess Detention Center (PDC) facilities to see who would participate in a "voluntary" rotation amongst the facilities. Fourteen personnel were interested; however, they included restrictions about which facilities they wanted to rotate to. The Department was not able to meet these restrictions so the program was not able to move forward. Volunteers are still being sought at the downtown facilities for a pilot program there.

03/12/13 Response:
The directive covering rotations within custody facilities has been drafted into policy for inclusion in the Custody Division Manual. The policy is expected to be approved and published before the next report to the Board.

04/09/13 Response:
The Department has drafted a new Custody Division Manual Policy. In addition, each facility has drafted its own Unit Orders to address that facility's unique needs and circumstances. These draft policies have been approved by the Implementation Monitor and are in the final review process.

The Department has created a working group involving all facility captains, members of Custody Division Headquarters, and the Implementation Monitor to explore further feasible ideas concerning the rotation of personnel amongst proximate facilities.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

05/14/13 Response:
The Department has increased the Custody Training program from four to six months. The Department has proposed to rotate personnel at the beginning of their fourth month in the training program. Personnel assigned to basin facilities will rotate between MCJ, TTCF, IRC and CRDF. PDC personnel will rotate between NCCF, East, North and South facilities. The Department is working with ALADS and the Implementation Monitor to implement this plan. This will supplement recommendation 5.7 regarding rotations.

07/09/13 Response:
Custody Headquarters staff has met with all facility scheduling supervisors and agreed upon an implementation plan. Custody Support Services is documenting that plan for presentation to ALADS and POPA. The Department hopes to meet with the unions before the next report to the Board.

08/13/13 Response:
The meeting with the unions has been placed on hold while a working group compiles further information on this issue.

09/10/13 Response:
The working group has been meeting to evaluate the feasibility of implementation.

Recommendation 6.9 (IMPLEMENTED)
The Department's Mission Statement should be changed to reflect the importance of Custody.

Sheriff

10/15/12 Response:
The Department is reviewing the Mission Statement and will make the appropriate changes to reflect the importance of Custody Division.

12/04/12 Response:
The Department has developed a working group to review the current Mission Statement. The focus of the working group is to make appropriate changes to reflect the importance of Custody Division and a custody career path.

01/15/13 Response:
The revised Mission Statement was disseminated to all Department Personnel on January 7, 2013. See attached Mission Statement.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 6.10 (IMPLEMENTED)
The Department should create a separate Custody Division with a professional jail workforce.

A/Chief Fender

10/15/12 Response:
As previously mentioned, if approved by your Board, the implementation of the Dual Track Career Path (DTCP) will fulfill this recommendation.

12/04/12 Response:
The CCJV illustrated a program similar to the San Diego County Sheriff's Department's (SDSD) two-tier system with a custody specific 16 week training academy and specific custody deputy designation as a recommended alternative to the Department's current personnel model. During the Department's assessment of the SDSD personnel structure, members of their department provided candid opinions regarding shortcomings of their model:

- The two academy model created a caste system at the onset of a deputy's career.
- Shortly after the creation of the "specific deputy designation," detention deputies initiated a class-action lawsuit for pay parity and attempted to separate from the deputy union, a situation that was settled in arbitration.
- As a result of the parity arbitration, a 5-10 percent pay differential was established, which nullified operational cost savings, one of the main reasons for the two-tier system.
- Due to the established caste system, hostilities often occur between patrol and detention deputies.
- During the recent San Diego County wildfires, their department was unable to address field force deployment needs. Their department took the risk of liability assigning detention deputies to handle patrol posts, even though they were not patrol certified.

During the Department's DTCP feasibility assessment, the prior Modified Deputy Program (MDP) was reevaluated. The MDP was previously terminated because it was ineffective and detrimental to the employee and the overall Department. The operation of the "Modified Deputy Academy" created a third job classification within the Custody Operations Division and increased operational costs over time.

Concerns with the MDP included:

- Two separate academies created a caste system.
- Operational costs to add a modified academy would double the current Academy budget.
- It was anticipated that custody assistants would initiate a lawsuit for pay parity as occurred in San Diego, minimizing any potential cost savings.
- Field force deployment would be unsustainable.

- A survey of "Modified Deputies" indicated that the overwhelming majority found the program to be detrimental to their career. They felt it created a caste system in which they were openly disparaged.

The DTCP analysis proved it to be a more advantageous option that will enhance the careers of sworn personnel with additional career freedom, flexibility, and promotional opportunities. The DTCP attributes, when fully implemented, include:

- Recruitment, hiring and training will remain unchanged.
- Sworn personnel are provided the flexibility to select a career in custody without transferring to Field Operations Division.
- Personnel can promote within Custody Division up to the rank of division chief.
- The custody environment will experience an increase in its value.
- The program is cost neutral.
- In the long term the DTCP is projected to provide a cost savings, as non-patrol supervisors will receive five percent less in salary.
- The paradigm shift in the Department's culture will not create a caste system.

If approved by the Board and the CEO, the implementation of the DTCP will fulfill this recommendation.

01/15/13 Response:
As of January 2, 2013, PPOA has entered a tentative agreement with the Department for implementation of the DTCP proposal. Members of the CMTF will present the DTCP plan throughout Custody Division, Court Services Division, and Field Operations Divisions over the next several weeks. The Department anticipates an implementation process of the DTCP plan by February 1, 2013.

02/12/13 Response:
See recommendation 5.4 for further regarding the implementation of the DTCP.

08/13/13 Response:
The Department conducted the written portion of the first dual track sergeant's exam on July 20, 2013. 1,282 applicants took the test. 178 took just the custody path test. 447 took just the patrol path test. 657 took both portions of the dual track test.

Update 10/08/13:
The Department is still conducting the sergeant's dual track promotional process and hopes to promulgate a list before the end of the year.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.1 (FUNDING REQUIRED)
The investigative and disciplinary system should be revamped.

Chief Abner

10/15/12 Response:
The Department will need to expand the number of Internal Affairs Bureau (IAB) investigators. The Commanders Management Task Force has already met with Commission members to explore comparable systemic changes implemented by the Los Angeles Police Department (LAPD) in response to a 2001 Federal consent decree. Based on knowledge gained from our research, the Department is prepared to take the following steps consistent with the Commission's recommendations:

1. Seek funding to expand the number of IAB investigators.
2. Ensure that all uses of force that result in injuries more than "redness, swelling or bruising," or complaints of pain regarding the "head, neck, or spine" would be reviewed and, if necessary, investigated by IAB or Internal Criminal Investigations Bureau (ICIB).
3. Ensure all other uses of force investigated at the unit level come under the oversight and review of IAB and the Office of Independent Review (OIR), or the new Office of Inspector General (OIG) if approved by the Board.

Require all supervisors investigating cases involving injuries to seek out evidence from medical staff, including medical records, statement from personnel who witnessed injuries and photographs of injuries. (Medical personnel should also be asked to document that information in their own records).

12/04/12 Response:
Many of the changes regarding the criteria for IAB investigations are contingent upon the amount of funding provided by the Board. The Department will continue to work with the Implementation Monitor to ensure compliance with the intent of the recommendation.

05/14/13 Response:
After several meetings with the Implementation Monitor, the analysis for the additional personnel was submitted to the CEO on May 2, 2013.

08/13/13 Response:
Additional information was submitted to the CEO on July 26, 2013.

Update 10/08/13:
The CEO is submitting a funding proposal to the Board on October 8, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.2 (IMPLEMENTED)
Department should monitor Force Packages for trends and concerns and the performance of supervisors.

A/Chief Fender

10/15/12 Response:
The Department agrees the Custody Force Review Committee (CFRC) should continue to monitor Force Packages for trends, concerns, and the performance of supervisors. The CFRC exhaustively reviews and scrutinizes significant force cases not rising to the level of an IAB investigation. If the Department is able to expand staffing for IAB investigators, more of these significant force cases will be scrutinized during Executive Force Review Committee (EFRC) as recommended by the Commission. In the interim, CFRC will continue to scrutinize these force cases, and monitor for trends, concerns, and the performance of supervisors.

12/04/12 Response:
The commanders who comprise the CFRC, along with the Custody Training Bureau and representatives from the Office of Independent Review, thoroughly examine the quality of each force package, focusing on the application of force, tactics, actions of supervision, and the overall quality of the investigation. Corrective action is routinely sought via directed training or formal administrative investigation. During a CFRC session, handling supervisors of each force incident are present to respond directly to questions regarding their decision making and performance. Recommendations are tracked for trends in performance or behavior.

01/15/13 Response:
The Custody Training Bureau is developing its own protocols to analyze and identify trends and training issues. Once this Bureau is fully funded, the CFRC will become part of Custody Training Bureau.

08/13/13 Response:
The Custody Training and Standards Bureau has implemented a process wherein all Category 1 and 2 force packages are reviewed by the Custody Force Response Team. Any trends or performance issues are brought to the attention of the appropriate facility. In addition, any training issues that are identified are forwarded to the CTSB Use of Force instructors for inclusion in training curriculum.

Recommendation 7.3 (IMPLEMENTED)
Deputies should be required to provide a timely written report of force incidents and not be allowed to review video tape footage prior to completion of that report or any interviews.

Chief Abner

10/15/12 Response:
The Department has incorporated a policy consistent with the Commission's recommendation. The restructured Use of Force policy specifies that personnel are required to provide a timely written report of force incidents prior to reviewing video footage. Since the new Use of Force policy will not be effective until January 1, 2013, Custody Division immediately implemented a Division Directive requiring compliance with the same standards regarding the review of video footage (effective September 27, 2012).

12/04/12 Response:
This recommendation will be completed upon implementation of the new Use of Force Policy, effective January 1, 2013.

01/15/13 Response:
The policy was formally implemented Department wide on January 1, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.4 (IMPLEMENTED)
Deputies involved in Significant Force incidents should be separated and not permitted to talk to each other until they have provided a written statement or been interviewed by investigators.

Chief Abner

10/15/12 Response:
The Department will revise its policy to expand its "no huddling" practice for all significant force. The Department will monitor and review significant force incidents to ensure compliance with the policy.

12/04/12 Response:
The new force policy will require that for force incidents handled by Internal Affairs Bureau, deputies who use force and those who witness force will not be allowed to communicate with each other until they have prepared their report or have been interviewed by investigators. The policy will be effective January 1, 2013.

01/15/13 Response:
The policy was formally implemented on January 1, 2013. See attached 3-10/100.00, Use of Force Reporting and Review Procedures.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.5 (IMPLEMENTED)
IAB and ICIB should be part of an Investigations Division under a Chief who would report directly to the Sheriff.

Sheriff / Chief Abner

10/15/12 Response:
I have restructured the Leadership and Training Division to have operational command of Internal Affairs Bureau (IAB) and Internal Criminal Investigations Bureau (ICIB).

In order to move IAB and ICIB under a separate and independent Investigations Division, the Department requires funding for an additional chief position. Consistent with the Commission's remarks, the Sheriff is not opposed to considering the appointment of a sworn or non-sworn Chief of Investigations from outside the Department, if the person possesses the knowledge, expertise, and skills required. The Sheriff would consider a former judge, judicial commissioner, or retired professional experienced in evaluating facts and evidence.

12/04/12 Response:
Currently, one chief oversees the Leadership and Training Division which consists of IAB, ICIB, Risk Management Bureau, Training Bureau, The Success Through Awareness Resistance (STAR) Unit, Employees Support Service Bureau, and the Bureau of Labor Relations and Compliance.

Under the proposed recommendation, this Division would be bifurcated. A new Division named Internal Investigations Division would be created. A proposed chief position would direct the new Division which would be tasked with the responsibilities of IAB and ICIB. The remaining units would remain within the Leadership and Training Division. The Internal Investigations Division chief would report directly to the Sheriff. This would send a clear message that disciplinary investigations and allegations of misconduct investigations are a top priority for the Department.

Consistent with the remarks of the CCJV, I agree with the recommendations and am considering the appointment of either a sworn or non-sworn Chief of Investigations from outside the Department. I am seeking a candidate with expertise as a prosecutor or an investigator.

The Department is working with the Chief Executive Officer (CEO) to identify funding for this recommendation.

See recommendation 4.6 status update for organizational charts related to all CCJV recommendations.

03/12/13 Response:
Effective March 3, 2013, Chief Roberta Abner was transferred to the newly formed Internal Investigations Division to oversee the operations of IAB and ICIB.

Recommendation 7.6 (IMPLEMENTED)
IAB should be appropriately valued and staffed by personnel that can effectively carry out the sensitive and important work of that bureau.

Chief Abner

10/15/12 Response:
The Department will continue to make it clear that Internal Affairs Bureau (IAB) personnel are valued investigators. This will be accomplished through continuing to promote qualified personnel from the ranks of IAB. Captain Alicia Ault is an example of many experienced IAB investigators recently promoted. The Sheriff's Department also recognizes that promotion is only one method of developing a cadre of quality investigators, since the promotional process must follow strict Civil Service rules.

02/12/13 Response:
The Department continues to work with the Implementation Monitor to provide documentation to validate that this recommendation has been implemented.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.7 (IMPLEMENTED)
The Discipline Guidelines should be revised to establish increased penalties for excessive force and dishonesty.

Chief Abner

10/15/12 Response:
The Department will increase penalties for proven acts of excessive force and dishonesty. The increases will be reflected in the revised Discipline Guidelines to show "zero tolerance," including termination and possible prosecution.

12/04/12 Response:
The Discipline Guidelines have been revised and submitted for approval. Employee unions will be notified and provided an opportunity to respond.

01/15/13 Response:
I have approved The Discipline Guideline changes. Employee unions are in the process of being notified.

02/12/13 Response:
It is anticipated that the updated "Guidelines for Discipline" will be published on February 17, 2013.

03/12/13 Response:
The updated "Guidelines for Discipline" has been published.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.8 (FUNDING REQUIRED)
Each jail should have a Risk Manager to track and monitor use of force investigations.
A/Chief Fender

10/15/12 Response:
Most units currently must create a designated Risk Manager from existing personnel in order to vigilantly track and monitor use of force investigations, for thoroughness, timeliness, quality control, patterns, potential liabilities, and other factors.

Risk Management positions are sometimes not filled in order to fill essential front line posts. This is made more difficult with mandatory budget reductions.

12/04/12 Response:
The Department has requested eight additional lieutenants to assist in relieving further administrative burdens of existing line lieutenants. These lieutenants would be assigned to the following facilities: Century Regional Detention Facility, North County Correctional Facility, PDC East facility, PDC South Facility, PDC North Facility, Inmate Reception Center, Mira Loma Detention Center, and Transportation Services. Men's Central Jail and Twin Towers Correctional Facility already have Risk Management Lieutenants in place.

The Risk Management lieutenant would ensure the quality control of use of force investigations, inmate complaints, civil claims, lawsuits, and other risk management concerns determined by the Unit Commander. The timeliness and thoroughness of investigations is necessary to ensure proper accountability and reduce civil liability.

The qualifications of the Risk Management lieutenant require law enforcement experience as well as extensive institutional knowledge of the Sheriff's Department, policies, tactics, judicial procedures, and administrative investigations. In addition, this position would be almost exclusively interacting with various line lieutenants and sergeants, thus requiring the level of responsibility associated with the rank of lieutenant.

04/09/13 Response:
On March 28, 2013, the Department sent a request to the CEO to provide funding for seven Compliance Lieutenants to satisfy this recommendation. A meeting with the CEO is scheduled for April 10, 2013.

05/14/13 Response:
The Department met with the members of the CEO on April 10, 2013, and continues to work with them to identify funding for this recommendation.

Update 10/08/13:
The CEO is submitting a funding proposal to the Board on October 8, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.9 (IMPLEMENTED)
Force investigations should not be conducted by deputies' supervisors.

Chief Abner / A/Chief Fender

10/15/12 Response:
The Department agrees that force investigations should not be conducted by deputies' immediate supervisors, particularly when the leadership or involvement of the supervisor could be in question.

The Department has worked with the Office of Independent Review (OIR), and Special Counsel Merrick Bobb to develop policy to ensure that supervisors involved in a use of force incident shall not conduct the investigation. Additionally, any case where supervision is in question will be reviewed by both the watch commander and unit commander.

12/04/12 Response:
Strict compliance with the recommendation would require significant funding to ensure force investigations are not conducted by deputies' immediate supervisors. The Department will continue to work with the Implementation Monitor to develop viable solutions, and ensure compliance with the intent of the recommendation.

01/15/13 Response:
The new Use of Force Policy implemented on January 1, 2013, requires that any incident which involves a major application of force, and/or which results in serious injury, be investigated by a Force/Shooting Response Team assigned to Internal Affairs Bureau (IAB).

For all other use of force incidents, not handled by IAB, the new policy prohibits immediate supervisors who are present at a force incident from conducting, or even being present during, any investigative interview of an involved suspect. Additionally, immediate supervisors who direct force will be restricted from conducting any part of the investigation, unless extenuating circumstances exist and approval is granted by a Watch Commander or Supervising Lieutenant overseeing the investigation.

09/10/13 Response:
For force incidents not handled by IAB, the new policy prohibits immediate supervisors who directed force during the incident from conducting the force investigation or even being present during the Watch Commander's interview of the involved suspect(s) unless extenuating circumstances exist and approval is granted by a Watch Commander or Supervising Lieutenant overseeing the investigation. It is difficult to comply with this policy due to the lack of additional sergeants.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.10 (IMPLEMENTED)
Captains should not reduce charges or hold penalties in abeyance for use of force, dishonesty, or failure to report force incidents.

Chief Abner

10/15/12 Response:
The Department will develop procedures to prohibit Captains from changing charges, reducing discipline, or holding penalties in abeyance for discipline involving use of force, dishonesty, or failure to report force incidents. Such changes will require consultation with the employee associations (ALADS and PPOA). The Department will keep the Board updated about the status of this recommendation.

12/04/12 Response:
The Department is consulting with County Counsel on this recommendation.

01/15/13 Response:
County Counsel has been consulted on this recommendation. A Unit Commander's Letter is being drafted and will provide guidance to captains regarding making changes to discipline during the Step I grievance process.

02/12/13 Response:
The Unit Commander's Letter is being finalized.

The policy regarding prohibiting suspension days ("penalties") from being held in abeyance for unreasonable force, dishonesty, and failure to report force will become effective with the publication of the updated "Guidelines for Discipline", which is anticipated on February 17, 2013.

03/12/13 Response:
The Unit Commander's Letter is still being finalized. The policy regarding prohibiting suspension days ("penalties") from being held in abeyance for unreasonable force, dishonesty, and failure to report force became effective with the publication of the updated "Guidelines for Discipline."

04/09/13 Response:
The Unit Commander's Letter is on hold pending the requirement to "meet and confer" with the employee unions.

07/09/13 Response:
The Department met with PPOA on June 10, 2013. The meeting with ALADS is still pending.

08/13/13 Response:
The Department met with ALADS on July 11, 2013. The Department is now in the process of finalizing the Unit Commanders' Letter and plans to implement the new management protocol on September 1, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

09/10/13 Response:
The Unit Commanders' Letter was published and disseminated. The new management protocol became effective on September 1, 2013.

Recommendation 7.11 (IMPLEMENTED)
The Department should vigorously investigate and discipline off-duty misconduct.

Chief Abner

10/15/12 Response:
The Department agrees that off-duty misconduct should be vigorously investigated and disciplined when founded. The Department will ensure oversight and review through the new inspectional process and Case Review, where applicable.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.12 (IMPLEMENTED)
The Department should implement an enhanced and comprehensive system to track force reviews and investigations.

Chief Betkey

10/15/12 Response:
The Commission accurately reports that current Department policies require the completion of force reviews and administrative investigations in an appropriate time frame. In order to do a better job at enforcing those policies, the Sheriff's Department has implemented captain and commander duty statements, specifically identifying their duty to ensure objective and timely review of force investigations.

This policy provides the clarity of specific job functions to hold deficient performers accountable for their failures, without excuse or claim of ignorance. This clarity in expectations is not only reinforced through the chain of command, but at the annual "Captain's College" and "Commander's College" training seminar conducted by Department senior management.

12/04/12 Response:
The Department is currently implementing a database known as Operations Information Management (OIM) within Custody Division. OIM is in use within other units of the Department and it is anticipated the implementation phase, barring any unforeseen circumstances, will be the first week of April 2013. OIM will enable custody managers to assign and track force reviews and investigations. Concurrently, the Custody Automation Reporting and Tracking System (CARTS) is being built which will, once implemented, replace all functionality of Facilities Automated Statistical Tracking (FAST) and OIM. Because the OIM database is already in use, the Department will incur only licensing fees in order to implement OIM. The implementation of CARTS will be completed by June 2014.

OIM is only considered a temporary solution to capture data until a more reliable and comprehensive system, (CARTS) can be developed. OIM is not based on enterprise level architecture and is not suitable for the quantity of data to be used as a long term solution. Licensing fees for OIM is approximately $30,000.

04/09/13 Response:
In researching the OIM solution, the Department ran into some technical concerns. The Department will continue to utilize the electronic-Line Operations Tracking System (e-LOTS), for tracking all Custody Division force investigations. The Department is updating the Custody Division Directive to a Custody Division Policy mandating the use of e-LOTS.

05/14/13 Response:
Custody Division Manual policy has been updated. See attached CDM 4-01/025.05, electronic Line Operations Tracking System (e-LOTS).

Recommendation 7.13 (IN PROGRESS)
Inmate complaints should be tracked by deputies' names in PPI.

Chief Betkey

10/15/12 Response:
The Department's long-term plan is to create a new module in the updated Personnel Performance Index (PPI) database. In order to comply immediately, the Department is currently tracking inmate grievances, by the names of Department personnel, in the Facilities Automated Statistical Tracking (FAST) database.

Consistent with the Commission's recommendations, the information can be used to identify potential patterns of conduct by personnel. The process has been incorporated into the regular duties of each jail captain in order to ensure oversight and early warning to potential problems.

12/04/12 Response:
See recommendation 3.8 for status updates on PPI.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.14 (IN PROGRESS)
The inmate grievance process should be improved and include added checks and oversight.

A/Chief Fender

10/15/12 Response:
The Department agrees that the inmate grievance process should be improved, with added checks and oversights. The Department has worked with the American Civil Liberties Union (ACLU), Office of Independent Review (OIR), and Special Counsel Merrick Bobb to create an inmate grievance form and policies acceptable to all parties. The process was presented in Federal court and the Department has been utilizing the established form and procedures.

The Department also implemented its own "Anti-Retaliation Policy" (Custody Division Manual Section 5-12/005.05) to ensure inmates were not discouraged from filing inmate grievances.

12/04/12 Response:
This recommendation includes several components:

- Each complaint form should be serialized and should be placed into two separate boxes – one for the Department and one for an outside oversight entity (e.g. ACLU or Inspector General)
- The complaint should not be investigated by the involved deputy's supervising sergeant
- Internal Affairs Bureau (IAB) should investigate any cases in which there is retaliation against an inmate.

Complaint Forms and Separate Boxes
This recommendation would require the department to reprint the current Inmate Complaint Forms as well as change the design procedure to address how to include sequential numbers for tracking on the forms.

Preliminary cost estimates to add an additional fourth page (outside oversight entity copy), and create envelopes for inmates to place in our existing lockboxes or to mail directly to the outside entity, replicating the new medical complaint process format, is $164,000 to produce 1 million new forms and envelopes. It is anticipated that this supply would last approximately six to eight months.

In addition, the Department would be required to install about 450 additional lock boxes throughout the jail system for the outside entity copies of the forms. The Department estimates the cost of the additional lock boxes to be approximately $22,500. This would be the least expensive option, but it comes with some undesirable consequences.

The new proposed sequential forms would require accountability by each facility. Accountability would require personnel to pass out forms only when requested by an

inmate. Personnel would also have to log each form and serial number in order to track and maintain a record. The Department would no longer be able to leave the Inmate Complaint/Request forms unsecured for inmates to retrieve at their leisure as the serialized forms would require tracking. This contradicts requests by inmate advocate groups that have requested that inmates have easy access to forms without having to ask a deputy for them.

The additional lock boxes would require the outside oversight entity to go inside security at each of the facilities, on a daily basis, to service the 450 lock boxes.

A viable alternative solution would be to implement an automated inmate complaint program utilizing iPad kiosks. This would be an automated system which does not require any type of paper forms. It would no longer require sergeants to collect the forms each shift. All complaints would be sent electronically to the appropriate unit or person in real time. The electronic complaints would be serialized and traceable.

A pilot program for Twin Towers is estimated to cost the department approximately $493,469 and will take about six months to develop. The cost for this type of system is higher initially, but it comes with some tremendous advantages.

The inmate's complaint is sent immediately, in real time, to the outside oversight entity and to the appropriate custody personnel for investigation and resolution. The complaint is logged and tracked without any involvement by security deputies. The outside oversight entity does not need to physically walk throughout each custody facility on a daily basis to collect inmate complaints from lock boxes.

The Department has consulted with Merrick Bobb, the ACLU, and OIR. All of them support the use of electronic forms as long as inmates have easy access to the kiosks from their living quarters. The Department will discuss this option with the implementation monitor.

Complaint Investigations
The Department, when feasible, will have a sergeant from another part of the facility investigate a complaint. There are times, however, when this in not feasible. The Department has instituted mandatory job rotations at all Custody facilities. This means, as time goes on, every sergeant will have supervised every deputy at some point or another. Also, there are some instances, at some facilities, in which there is no other sergeant on-duty to investigate the complaint other than the supervising sergeant or the watch sergeant, who effectively supervises the entire shift.

Anti-Retaliation
The Department has implemented an Anti-Retaliation policy that requires the complaint to be documented and sent to IAB. The captain of IAB is responsible for determining who will conduct the investigation of the complaint.

02/12/13 Response:
The Department is continuing to work toward a pilot program that would provide tablet kiosks for inmates to request services and make complaints.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

04/09/13 Response:
The Department recently met with members of the ACLU to discuss the inmate complaint process. The ACLU did not express any concerns with the current protocol or procedures for inmate complaints.

05/14/13 Response:
The Department is initiating an “Inmate Grievance Coordinator” at the Division level to monitor and audit all inmate grievances. Policy will be revised to include the Grievance Coordinator and require Captains to review all personnel complaints. The Department is working with the Implementation Monitor on the policy revision and audit procedures and discussed the proposal with the CEO on May 6, 2013.

07/09/13 Response:
The Inmate Grievance policy has been revised and published to include the “Inmate Grievance Coordinator” at the Division level.

08/13/13 Response:
The Department expects to significantly improve oversight of the inmate grievance process when the Compliance Lieutenants (Recommendation 7.8) are approved, funded, and in place.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 7.15 (FUNDING REQUIRED)
The use of lapel cameras as an investigative tool should be broadened.

Chief Betkey

10/15/12 Response:
The Department agrees that the use of lapel cameras, more commonly known as a Personal Video Recording Device (PVRD), should be broadened.

The Department is in its final phase of piloting and evaluating PVRDs for use in the jails. There are some technical limitations of the devices, but the Department is working with several vendors to address these limitations in order to deploy the PVRDs. Since the Department is expanding high definition fixed video surveillance throughout its jail facilities, PVRDs will be utilized during high-risk escorts, significant incidents, or other notable duties with the need for a video record of the incident.

12/04/12 Response:
The Department completed a comprehensive study that was delivered to the Board on November 2, 2012. The Department is working with the Chief Executive Officer to identify funding for this recommendation.

04/09/13 Response:
On November 2, 2012, the Department delivered a comprehensive study that detailed the various camera types as well as several implementation options. The Department recommended at that time a limited deployment of cameras to supervisors only to be used during escorts and other high risk operations. The technology in this area is rapidly changing. The Department is currently testing some compact pocket sized video cameras that have been issued to selected supervisors at Twin Towers Correctional Facility (TTCF).

The Department believes that the risk of investing in a technology that is rapidly evolving would likely mean that whatever product is purchased may be outdated before it is even deployed. While having supervisors carry video cameras with them at all times would be desirable, the Department believes that expanding the current fixed camera system to all facilities would prove to be a better use of resources at this time. The fixed cameras would capture nearly all force events, not just the ones that supervisors were present for. The Department would like to revisit the portable camera solutions in the future when the technology has matured, standards have been established, and prices have dropped.

05/14/13 Response:
The estimated cost of outfitting every deputy and custody assistant with an always on video recording device that stores the video for one year on a network server is $63.3 million for the first two years of service. The estimated cost to enhance the current fixed camera system and include all facilities is $26.7 million. The Department has discussed with the Implementation Monitor and the CEO the benefits of the fixed cameras over the “lapel” cameras. The Implementation Monitor concurs with the Department’s position. The Department anticipates submitting a funding request for the expansion of the fixed camera system to the CEO before the next report to the Board.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

07/09/13 Response:
A funding request for the expansion of the fixed camera system was sent to the CEO on June 17, 2013.

Update 10/08/13:
The CEO is submitting a funding proposal to the Board on October 8, 2013.

STATUS OF RECOMMENDATIONS REGARDING THE JAIL SYSTEM

Recommendation 8.1 (BOS)
The Board of Supervisors should create an independent Inspector General's Office to provide comprehensive oversight and monitoring of the Department and its jails.

10/15/12 Response:
I agree and proposed a similar concept to your Board in 1999. The Department will support the Board's efforts to increase oversight and accountability in the jails through the Office of Inspector General (OIG).

Recommendation 8.2 (IMPLEMENTED)
The Department should report regularly to the Board of Supervisors on use of force and the status of Custody reform recommendations.

Sheriff

10/15/12 Response:
The Department agrees to report regularly to your Board on use of force and the status of Custody reform recommendations. I respect the Board's role of ensuring proper oversight of all County Departments, and will continue to provide reports showing use of force statistics, or any other data the Board feels helpful to ensure proper oversight and review.

I will continue to make myself available to the Board to present the ongoing status of jail reforms, and anything relating to the Department. I, along with the assistant sheriff for Custody, will continue to update the Board regarding jail reforms with support documentation reflecting implementation steps and status.

The Department appreciates the Commission's recognition that the Board should use its budgetary and oversight authority to ensure that any funds allocated by the Board to the Department to implement recommendations and reforms are used for their intended purposes.

Recommendation 8.3 (BOS)
OIR should review unit level investigations for fairness and accuracy.

10/15/12 Response:
The Department agrees that the Office of Independent Review (OIR) should be given the resources necessary to add a staff position to ensure that the procedures and dispositions of all force incidents handled at the unit level are fair and thorough.

The Department will work with OIR to facilitate such oversight should the Board decide to fund the recommendation.

Recommendation 8.4 (BOS)
The OIG should review the Department's data for trends, spikes, and patterns in the jails.

10/15/12 Response:
The Department agrees that the Office of Inspector General (OIG), if created by your Board, should review the Department's data for trends, spikes, and patterns in the jails. The Department will fully cooperate and work directly with the OIG to provide all that is needed to facilitate such analysis.