

**CITIZENS' COMMISSION ON
JAIL VIOLENCE**

EXECUTIVE SUMMARY

TENTH REPORT

OF THE IMPLEMENTATION MONITOR

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EXECUTIVE SUMMARY

INTRODUCTION

Since I submitted my Ninth Report to the Board of Supervisors on September 10, 2013, the Department has implemented another four of the Commission's recommendations. The Department has now assigned Compliance Lieutenants to each of the facilities (with one for the North and South facilities). The duties of these Compliance Lieutenants include analyzing inmate grievances about force incidents (Recommendation 3.10), tracking and monitoring force investigations at the unit level (Recommendation 7.8), and conducting Administrative Investigations of Category 1 force incidents (Recommendation 7.9 (in part)). The Department has also upgraded the Personnel Performance Index (PPI) so that inmate grievances can be tracked by the names of Department personnel in PPI, which implements the same the recommendation made by two of the investigative teams. (Recommendations 3.8 and 7.13.)

As reflected in the summary chart set forth below, the Department has now implemented 43 of the Commission's 60 recommendations directed to the Department.¹ It has partially implemented another 12 recommendations, and it is in the process of implementing another 5 recommendations.

¹ The Appendix attached to this Executive summary reflects the implementation status of the recommendations as of my Second Report (January 22, 2013), my Third Report (February 12, 2013), my Fourth Report (March 12, 2013), my Fifth Report (April 9, 2013), my Sixth Report (May 14, 2013), my Seventh Report (July 10, 2013), my Eighth Report (August 13, 2013), and my Ninth Report (September 10, 2013).

Category	Implemented	Partially Implemented	In progress	Total	Funding Approved
Use of Force	10	0	2	12	2
Management	12	0	2	14	1
Culture	5	3	0	8	3
Personnel/ Training	5	5	0	10	3
Discipline	10	4	1	15	5
Oversight	1	0	0	1	0
Total	43	12	5	60	14

Of particularly significance during this period, on October 8, 2013, the Board of Supervisors approved the Department's requests for funding to implement fully 14 of the remaining 17 recommendations that are either partially implemented or in progress. Specifically, the Board approved funding for an upgraded computer system (Recommendation 3.8); six Compliance Lieutenants (Recommendations 3.10, 7.8, and 7.9 (in part)); 32 positions for a new Custody Training and Standards Bureau to be phased in over a three-year period (Recommendations 5.2, 5.3, 5.8 and 6.3); 91 additional supervisors to be phased in over a two-year period (Recommendation 6.5); seven new positions in the Internal Investigations Division (Recommendation 7.5); 28 additional Internal Affairs Bureau (IAB) investigators and 40 additional Internal Criminal Investigations Bureau (ICIB) investigators to be phased in over a three-year period (Recommendations 7.1 (in part), 7.6, and 7.9 (in part)); 64 positions for a new Inspectional Services Command to be phased in over a three-year period

(Recommendation 4.12); and additional fixed closed circuit television camera to be installed over a five-year period. (Recommendation 7.15).²

The Department reports that it has now assigned the six Compliance Lieutenants to each of the jail facilities (with one to North and South), 14 personnel to the Custody Training and Standards Bureau, seven additional investigators to IAB, and 13 investigators (previously on loan) to ICIB, and that it began assigning additional supervisors in Custody on October 20, 2013, using overtime funds. It is also in the process of upgrading the computer system; administering the sergeants exam and promoting deputies who will become supervisors in Custody operations; and assigning and identifying personnel for the Inspectional Services Command. Once the Board selects an Inspector General, it will be incumbent upon that person to monitor the Department's full implementation of these recommendations to ensure that the Department fills these positions in accordance with the Board's approvals.

The Department has completed its assessment of operational needs of its jail facilities (Recommendation 4.11) and will be seeking the Chief Executive Office's approval for additional clerical staff to handle administrative responsibilities that sworn deputies and Custody Assistant now handle. The deputies and Custody Assistants would be assigned to positions to reduce CARP assignments and/or overtime, which may offset the funding for the additional clerical staff. There are two remaining recommendations that do not require additional funding to implement: additional body scanners (3.12) and the utilization of more Custody Assistants (Recommendation 6.7). The Department expects to install two scanners for testing in the Inmate Reception Center in January 2014

² The Board also approved funding for five new positions in the Advocacy Unit and five support positions to enhance and expand the fixed Closed Circuit Television Cameras.

and it has completed an assessment regarding the utilization of more Custody Assistants that will be reviewed by the Board's consultants.

USE OF FORCE

Ten of the Commission's Use of Force recommendations have been implemented by the Department. On January 1, 2013, the Department promulgated a new Use of Force Policy (the "Force Policy"). Pursuant to the Commission's recommendations, the Department consolidated pertinent provisions of the Department's Manual of Policies and Procedures (the "MPP"), the Custody Division Manual, and the Court Services Manual relating to the use and reporting of force by Department personnel in a single Use of Force Manual that has been distributed to Deputy Sheriffs and Custody Assistants.

Department personnel are required to acknowledge that they have read and understand the new Force Policy, and 98% of the Department's personnel have now received training in the fundamental principles of the policy. The Department is now able to track inmate grievances in the Personnel Performance Index (PPI) by the names of Department personnel (Recommendation 3.9) and it has now assigned a Compliance Lieutenant in each facility to analyze inmate grievances about force incidents (Recommendation 3.10).

The Department's implementation of two of the Commission's Use of Force recommendations is in progress. The Department is in the process of upgrading its computer system now that the Board has approved its funding request.

(Recommendation 3.8.) The Department anticipates that two body scanners will be operational in the Inmate Reception Center (IRC) by early January 2014.

(Recommendation 3.12.) Following a 30-day test period and a 90-day pilot program at

IRC, the Department plans to install another five body scanners at IRC, Century Regional Detention Facility (CRDF) (the woman's facility) and Men's Central Jail (MCJ).

MANAGEMENT

Twelve of the Commission's Management recommendations have been implemented by the Department. The Sheriff has extensively re-organized the management of the Department. The Department now has four Assistant Sheriffs who are responsible for overseeing Custody Operations, Patrol Operations, Countywide Services, and Administration & Professional Standards. Each Assistant Sheriff reports directly to the Sheriff, and the recently appointed Assistant Sheriff for Custody Operations is responsible for only the Custody Operations. She recently re-organized the Custody Operations into two Custody Services Divisions under Chiefs who report directly to her. The Assistant Sheriff and the two Chiefs have their offices near each other on the eighth floor of the Twin Towers Correctional facility. An Administrative Commander who has been responsible for the implementation of the Commission's recommendations also has her office on the eighth floor of Twin Towers and reports directly to the Assistant Sheriff for Custody Operations.

The Department has completed its Administrative Investigations and all of the high level managers who had oversight responsibility for the jails during the period investigated by the Commission have retired from the Department. Based upon my conversations with Department personnel and review of the investigative files, I believe the retirements were due, at least in part, to the Administrative Investigations and/or the management changes implemented by the Sheriff. Although I believe that the process took too long – the high level managers retired over the period from March 2012 through

August 2013 – at this point there is nothing further for the Department to do in order to hold these managers accountable and implement this recommendation.

With respect to the Commission’s remaining Management recommendations, the Department has completed its assessment of its facility needs (Recommendation 4.11) and it intends to replace deputies and Custody Assistants with additional clerical staff. It is also in the process of assigning and identifying Department personnel for the Inspectional Service Command. (Recommendation 4.12.)

CULTURE

The Department has implemented five of the Commission’s Culture recommendations. It has continued to emphasize respect for and communications with inmates through the Force Prevention Policy, the Education Based Incarceration program, and Town Hall meetings. It has enhanced the training of new Custody personnel in the principles of the Force Prevention Policy, ethics, and destructive cliques. The Department also has established a Dual Track Career Path that provides deputies with opportunities for careers in the Custody Division and has enhanced the penalty guidelines for dishonesty to further address the culture problems identified by the Commission. Finally, each of the Unit Commanders has issued and confirmed unit directives providing for the rotation of deputies and Custody Assistants who have regular contact with inmates, taking into consideration the unique configuration and inmate population of each facility.

With respect to the remaining three Culture recommendations, the Department is in the process of creating a Custody Training and Standards Bureau for which funding has been approved by the Board. This Bureau will enhance training for existing staff on

force prevention principles, ethics, and destructive cliques (Recommendations 5.2, 5.3, and 5.8).

PERSONNEL AND TRAINING

The Department has implemented five of the Commission's Personnel and Training recommendations. It has a Dual Track for careers in Custody, meaningful probationary periods, rotations within facilities, a long-range hiring plan, and a revised Mission Statement.

With respect to the remaining recommendations, on October 8, 2013, the Board approved the Department's funding requests for a Custody Training and Standards Bureau (Recommendations 6.1, 6.3) and additional supervisors (Recommendation 6.5), and the Department has already assigned personnel to the training bureau and additional supervisors to Custody operations. The Department also froze 81 Deputy Sheriff positions to increase the ratio of Deputy Sheriffs to Custody Assistants to 65/35 ratio, and has undertaken a further assessment to identify what other deputy positions can be handled by Custody Assistants. (Recommendation 6.7.) The final recommendation, a separate Custody Division is a long-term goal that the Department has begun to address with the Custody Training and Standards Bureau and the Dual Track Career Path.

DISCIPLINE

The Department has implemented 10 of the Discipline Recommendations. The Custody Force Review Committee monitors force packages; Deputies are required to prepare written reports before viewing videotapes of force incidents or talking to each other about the incident; IAB and ICIB have been consolidated in an Internal Investigations Division; discipline for excessive force and dishonesty has been enhanced;

appropriate discipline for off-duty misconduct has been imposed; Compliance Lieutenants track and monitor force investigations; the authority of captains to reduce charges has been circumscribed; the Department uses e-LOTS to track force reviews and investigations; and inmate complaints can now be tracked by the names of Department personnel in PPI.

With respect to the remaining Discipline recommendations, the Department has agreed to revamp its investigative and disciplinary system so that all Administrative Investigations of force incidents will be conducted by Compliance Lieutenants or IAB investigations rather than by deputies' supervisors. The Board has now approved the Department's funding requests for additional IAB and ICIB resources that will enable the Department to implement Recommendations 7.1, 7.6 and 7.9. The Board has also approved funding for additional CCTV cameras and the Department is in the process of implementing a pilot program to use IPADs to enhance the Department's handling of inmate grievances. (Recommendations 7.14, 7.15.)

LOOKING FORWARD

The Board has now approved the funding the Department needs to implement most of the Commission's remaining recommendations and for the tools the Department needs to carry-out the reforms envisioned by the Commission. The Department's implementation of the remaining recommendations and its continued adherence to the recommendations it has already implemented must be monitored closely by the Inspector General selected by the Board.

APPENDIX

IMPLEMENTATION COMPARISON

	Implemented	Partial	In progress	Not started
Second Report January 22, 2013	20	11	27	2
Third Report February 12, 2013	25	16	17	2
Fourth Report March 12, 2013	28	17	13	2
Fifth Report April 9, 2013	31	15	14	0
Sixth Report May 14, 2013	31	17	12	0

IMPLEMENTATION COMPARISON

	Implemented	Partial	In progress	Not started
Seventh Report July 10, 2013	37	11	12	0
Eight Report August 13, 2013	37	11	12	0
Ninth Report September 10, 2013	39	10	11	0
Tenth Report November 12, 2013	43	12	5	0