

LOS ANGELES COUNTY SYBIL BRAND COMMISSION ON INSTITUTIONAL INSPECTIONS 500 WEST TEMPLE STREET, RM 372 LOS ANGELES, CA. 90012

HTTPS://SBC.LACOUNTY.GOV

Thursday, September 26, 2024

9:30 A.M.

# RECORDING FOR THE ENTIRE MEETING. (24-4601)

Attachments: VIDEO LINK

Call to Order.

Los Angeles County Land Acknowledgment

The County of Los Angeles recognizes that we occupy land originally and still inhabited and cared for by the Tongva, Tataviam, Serrano, Kizh, and Chumash Peoples. We honor and pay respect to their elders and descendants past, present, and emerging as they continue their stewardship of these lands and waters. We acknowledge that settler colonization resulted in land seizure, disease, subjugation, slavery, relocation, broken promises, genocide, and multigenerational trauma. This acknowledgment demonstrates our responsibility and commitment to truth, healing, and reconciliation and to elevating the stories, culture, and community of the original inhabitants of Los Angeles County. We are grateful to have the opportunity to live and work on these ancestral lands. We are dedicated to growing and sustaining relationships with Native peoples and local tribal governments, including (in no particular order) the

Fernandeño Tataviam Band of Mission Indians Gabrielino Tongva Indians of California Tribal Council Gabrieleno/Tongva San Gabriel Band of Mission Indians Gabrieleño Band of Mission Indians - Kizh Nation San Manuel Band of Mission Indians San Fernando Band of Mission Indians

To learn more about the First Peoples of Los Angeles County, please visit the Los Angeles City/County Native American Indian Commission website <u>www.lanaic.lacounty.gov</u>.

Roll Call. (24-4594)

Chairperson Raymond Regalado of the Sybil Brand Commission for Institutional Inspections (SBC) called the Special Meeting to order at 10:06 a.m. Followed by the reading of the LA County Land Acknowledgement, and a round of introductions of the SBC members, the Sheriff Civilian Oversight Commission (COC) representatives, and the Los Angeles County Sheriff's Department (LASD) representatives. Ms. Tracy Jordan, COC provided the public comment rules.

Chair Robert C. Bonner, COC provided an overview of the COC. Chairperson Regalado gave an overview of the SBC work, including that the SBC inspects the Conditions of Confinement at the LA County jails, Court holding Facilities, Lock Ups, and Sheriff's Stations. And produce a report that is then provided to the LASD to address concerns observed at those inspections. He noted that the inspection reports are public record and available on the SBC website.

		Chairperson Raymond Regalado, Vice Chairperson
Present:	8 -	Haley Broder, Commissioner Puja Bhatia,
		Commissioner Norma Cumpian, Commissioner
		Wynter Daggs, Commissioner Bob Frutos,
		Commissioner Katherine Hennigan Ohanesian, and
		Commissioner Mary Veral

Absent: 2 - Vice Chairperson Eric J. Miller, and Commissioner Joahanna Terrones

## I. PRESENTATIONS

- 1. Presentation on the Los Angeles County Sheriff's Department (LASD) Employee Media, Video and Social Media Use Policies, Procedures and Discipline in the Jails. (24-4595)
  - Overview of Forms of Employee Media and Video Use in the Jails (Commander Geradette E. Montoya & Captain Deryl T. Walker II, LASD).
  - Overview of Policies, Procedures and Discipline associated with Media, Video and Social Media Use (Commander Geradette E. Montoya & Captain Deryl T. Walker II, LASD).

LASD Captain Deryl T. Walker II went over the prohibition equipment policy with some approved usage of media, social media, computer use and access. Specifying custody to five different kinds - security of personal property, wireless communication devices, social media use, personal bags, and viewing of movies by inmates and department personnel. And that for each policy there is a range of accountability and different associated guidelines of discipline.

A discussion ensued in which the SBC questioned deputy use, access and

availability to movies, computers, internet, and other media while on duty. And why YouTube and other sites are not blocked including "Michael Bay movies". Noting that this is an ongoing concern observed on numerous inspections including 12 out of 12 inspections conducted by Vice Chairperson Haley Broder. Including the salacious imagery that she and Commissioner Miller observed during the May inspection at MCJ. The SBC requested the LASDs policies on this matter. Noting that there is a culture problem. The SBC inquired if the LASD can audit screens, and track sites visited by deputies? And the measures the LASD is taking and what might be possible on department issued devices. The LASD indicated access is for training purposes.

LASD Captain Walker II informed the SBC that there is a preferable device that allow movies via USB. However, the department prohibits watching movies. And encouraged the SBC to bring these matters to the Watch Commander, a Lieutenant, Sergeant, and or a unit commander to address immediately. And noted that there is administrative investigation underway pertaining to the MCJ incident. Then went over some of the prohibitions. Noting that there are some websites that are completely blocked. While other sites have actual dept. uses, making it difficult to track. And will forward the policies to the SBC for review. He then reported that there was a five-day suspension with no pay for a deputy. 15-day suspension with no pay for another case. And one Sergeant was discharged.

The SBC then expressed the importance of EBI programming and the high interest of the incarcerated people expressing how important this is to them, and that they want to see more programming, they want access to programming, and want the opportunity to get trained, and educated to fulfil better aspects of their lives. And invited everyone to read the report which highlights what is in the LASD report and Town Halls. Which is that people want programming, people want to spend the time in a constructive way, but do not have access to it. The SBC also noted pre-pandemic offerings, vs post pandemic offerings and how the LASD is addressing it.

LASD Captain Walker II, acknowledged that they are working on getting back up and running, and that they have used the spaces affected by the pandemic, however that vendors, classification levels, status and mental acuity have affected programming. And that the growing mental health population does present challenges. And mentioned that as far as communicable diseases, these #s and statistics are provided by medical, and that this doesn't necessarily mean that these are things that occurred in custody, but that the LASD makes efforts to treat and provide outreach. And that Correctional Health Services will address the strategy on how to best address the responsiveness to the communicable disease numbers. He then gave an overview of how the issues reported at Town Halls are addressed. And indicated that a report is generated and pushed to the concerned command staff for those facilities to follow up on. As far as systemic issues the LASD generates a corrective action plan, and outline measures that will address the specific challenge. And then follow up as an audit of that corrective action to see if it had the desired effect. And that everyone has a Town Hall schedule and random and meets monthly.

The following members of the public provided Public Comment: Wanda Solomon, Jon Davis, Lupe, Hans Johnson, Henry Maini, Koreyana Johnson, Benny, Raquel Durfler, Raquel, and Vanessa Perez.

There was no written public comment received.

Attachments: PUBLIC COMMENT\_CORRESPONDENCE

- 2. Presentation on Los Angeles County Sheriff's Department (LASD) Conditions of Confinement Report. (24-4596)
  - Overview of the SBC Facility Inspection of Conditions of Confinement.
    - General Conditions of Confinement concerns at Men's Central Jail (MCJ).
    - General Conditions of Confinement concerns at Century Regional Detention Facility (CRDF).
  - Include reference to Jail Mental Health Teams (JMET) concerns in each facility section.
    - Overview of the SBC Report Education-Based Incarceration (EBI) Survey.
  - LASD Conditions of Confinement April-June 2024 Quarter Two Report (Commander Geradette E. Montoya & Captain Deryl T. Walker II, LASD).

Vice Chairperson Haley Broder overviewed the SBCs strategy to research confinement concerns longitudinally, examining incidents and how they were resolved over a two-year period. She went over the SBCs inspection procedures and protocols. And their goal to inspect and report on conditions and treatment of adults under the supervision of County custody and care facilities to reflect best and humane practices.

Commissioner James P. Harris, COC noted the SBCs most Pertinent "General Concern" action items are Medical Services and Facilities/Maintenance. He elaborated on residual negative societal effects of incarcerated members subjected to inhumane conditions daily. Noting that these individuals are supposed to reenter society. And questioned how that treatment would carry over into their behaviors once released. Correctional institutions are supposed to address problematic behavior and prescribe a treatment to facilitate it. When individuals are released following incarceration in facilities with broken elevators, poor plumbing, physical abuse, and lack of oversight, they carry this discontent upon release, and potentially indulge in dangerous criminal behavior which affects the security of our society, so the pertinence of these issues being corrected is not only one to address/alleviate human suffering, but also significant societal implications.

Vice Chairperson Broder explained how that the SBC informs the watch commanders of their concerns and observations. Including an email follow up to the watch commander, medical, COC, OIG, and other relevant stakeholders to ensure concerns are addressed timely. Those same concerns and observations are entered into public record in which the SBC reports out on at their monthly meetings. And suggested the COC initiate an internal report on the conditions of inmates to a recorded line to allow for public information sharing, and an official record to promote adequate transparency.

Vice Chairperson Broder then reported the following concerns:

- Failures of basic plumbing services. Water temperatures are either scalding hot or cold. Hot water causing severe burns. Frigid shower temperatures prevent people from showering, resulting in illness. Dirty and bug infested water.
- Overcrowding in KG<sup>^</sup>, (LGBTQ+ dorm), individuals sleeping on floors due to a lack of beds. Humid climate due to body density creating physical discomfort, and effecting hygiene. Limited clothing, resulting to drying clothes by hanging them over beds. But humid climates prevent clothes from drying and discourages cleaning clothes in the first place.
- Failure to sufficiently conduct safety checks/Title 9 safety checks. Habit of simply scanning bar codes and failure to do thorough checks. Deputies observed watching media on personal devices instead of watching the security monitors.
- Limited responses to grievances and grievances being thrown out. Inmates' vocally expressed desires to fill out forms, resulting in the SBC distributing during inspections. And transfer forms not followed up on.
- Retaliation including race-based retaliation, food being served late, and cold. As a result, the incarcerated people start small fires to get deputies attention. In response deputies, rather than delivering meals appropriately, have confiscated radio batteries, which the incarcerated people rely on to decompress and maintain a healthy mental state.
  - Understaffing in the Medical Department, long wait times and limited access to doctors.

- Lice and bugs heavily present, raising concerns of the medical care quality being provided, and the medical wellbeing of those housed.
- Underutilization of Services. Difficulty managing the spread of infectious diseases, including hepatitis.
- Food and Hunger concerns, lack of medical or special diets including gluten free, halal, kosher, and high protein diets. Expired food served and consumed. Nutritional concerns also plagued.
- Old and worn-out mattresses, floors covered in dirt, mold on walls, and roaches and rats coming out of sinks and cracks in the floor.
- Malfunctioning phones and returned or delayed mail and reading materials.
- Lack of ADA Compliance/Safety concerns resulting from broken elevators. And ability to exit in case of emergency.
- On going EBI Programming concerns, language inequalities, lack of bilingual programs if any. Insufficient programming protocol, intimidating practices, lack of an independent bilingual teachers. Potential conflicts of interest/possible impairment of the quality of teaching.

Commissioner Veral expressed dismay of the consistent failure to provide humane services. And that many incarcerated people express that rebuilding MCJ will alleviate helplessness. These issues are not seen at other jails. There are duplicate complaints that are not being tracked. She echoed the underutilization of services regarding medical needs, and access to doctors. As well as the failure to meet dietary needs. And expressed deep concerns over the failure to repair the elevator. And a need to change the culture between inmate and deputies. And requested an internal review to provide a concrete solution.

Commissioner Irma Cooper, COC applauded the SBCs work and encouraged them to aggressively document their concerns/observations and convey them to the Board of Supervisors to show their persistence in tackling this matter.

Commissioner Veral hypothesized the potential for a feedback loop in terms of suggestions to improve quality of life of those housed exists as the SBC is exposed to the situation(s) twice a month, while individuals live through this daily. The loop is inherently paradoxical, as the limited exposure produces a drive to return with tangible resolutions, while also serving to remove the SBC, and public from the dire needs of this population. Therefore, the space in between, exacerbated by the serial lack of internal transparency at these facilities on how they have applied council's suggestions, are a barrier. These individuals could start to be seen as projects to others, and thus the connection between council and inmates is severed. The solutions exist in the shared emotional space between inmates and those working actively to improve living conditions.

Only by fully immersing oneself in both the personalities, character traits, and shared interests with inmates, while also understanding that correcting the situation is a two-street necessitating a cooperative and trusting relationship with deputies charged with enacting these changes, will any lasting change be created. All parties involved, no matter the surface differences, share an interest in improving the lives and conditions inside these facilities. Only by understanding the unique perspective all sides come from, and how the roles of confinement in general work to subtly undermine positive emotional expression between inmates and deputies, will a council be able to not only brainstorm ways to improve, but also know how to interact with the deputies in a way that motivates them to pursue change. This was not mentioned, but as an observer documenting it, and one who has a strong background in psychology and human behavior, the SBC could serve positively to review the Stanford Prison experiments as a case study to model and implement change to the imposed power dynamic created that only erodes trust and promotes abuses of power. Not only does it present a valid concern for the health of our body, but the study eloquently displays how the wholly artificial.

Sharmaine Mosley, COC Executive Director noted that safety of the public is existentially threatened when the state is rendered with impunity for repairing the confinement conditions that are being repeatedly documented and reported. And quoted Fyodor Dostoyevsky, "The way you judge a civilization is to look inside the jails."

Commissioner Frutos shared that the SBC prepared an 8-page report and sent to the Board and LASD. And noted that it was first time a Sheriff (Sheriff Luna) and command physically met with the SBC to discuss their concerns. Indicating that they have the attention of the commanding officers. And that the SBC is not giving up and will be following the "back and forth" with the LASD. And that Sheriff Luna has been made aware of what is going on.

Chairperson Regalado expressed SBCs want to see positive change and went back to the July 30, 2024 Board of Supervisors (BOS) and the MCJ incident. And that Sheriff Luna's physical presence and active listening, coupled with his admission that the SBC did not get back timely reports of correction, and his desire to do better. The SBC hopes to see corrective measures and expects they are being heard. And that every inspection looks to ways to improve their own reports so violations can be corrected. There is a high level of concern that individuals who come for court dates, are often housed without an overnight deputy, noting that they just try to get them in and out through court proceedings, or booked. However, when a person is brought from jail to court, they come with food. And emphasized that special diets are rarely acknowledged as proper medication. And that medical situations require two deputy escorts resulting in two less deputies, elevating stress levels because they are undermanned.

Commissioner Wynter Daggs noted that racial slurs are being hurled at convicts.

Vice Chairperson Broder indicated the that the LASD failed to report on the EBI survey. Then overviewed the communication process of documenting concerns. Including that the OIG is present at the SBC who then provides recommendations to the BOS. And that the SBCs authority is limited to inspection and information sharing alone. The authority to enact these requests lies with the LASD. And that the SBCs letter responding to the LASD Report Back on Conditions at MCJ failed to cover any of the topics requested by the BOS. And to address the delays in enacting reforms, she wants to make long-lasting procedural changes, such as a telephone line to receive information on condition of confinement from those housed to immediately share with the public. And therefore, they are currently studying the feasibility of phone lines.

LASD Captain Walker II overviewed the LASDs Conditions of Confinement April - June 2024 Quarterly Report and that the major sections are inmate grievances, town halls, diseases, treatment, births, and in custody deaths. He went over the changes to Pre arraignment release protocols to limit the incarcerated population, including improving the number of personnel assigned to transportation of sentenced individuals to confinement spaces more efficient. And continue to communicate and collaborate with other institutions to help with these transitions.

And 8,500 grievances this quarter, broken down by facility and month, with 117 pertaining to processing delays, overcrowding, and conditions. And that statistics will look different from Q1 due to the new grievance application being transformed. Town Halls are conducted by facility. 25% of Town Halls discussed jail conditions, phones, bedding/clothing, exercise, and programing. The report gives a breakdown of certain communicable diseases by facility. PDC breaks down causes of disease transmission in one grouping. The # of people who have expected preventative measured treatment by facility. # of pregnancies, monthly, with #'s fluctuating based on population. And measures the # of pregnancies progressed. Typically limited to CRDF, where females are housed. There was a total of 8 in custody deaths. 7 were pre-sentenced and one was sentenced. Five pending cause of death, two natural, and one accidental.

In person Public Comment was provided by the following members of the

public: Jon Davis, Wanda Solomon, Melissa Camacho, and Berkely Donovan.

Attachments: SUPPORTING DOCUMENT SUPPORTING DOCUMENT SUPPORTING DOCUMENT PUBLIC COMMENT\_CORRESPONDENCE

 Presentation and overview on the LASD Custody Inmate Grievance Application (Commander Geradette E. Montoya & Captain Deryl T. Walker II, LASD). (24-4597)

LASD Captain Walker II gave a general overview of the grievance inmate application, "The Custody Inmate Grievance Application," CEGA, put in place June 2024 to improve the previous system, Custody Automated Reporting and Tracking System, CARTS. Some of the CEGA benefits is it improved Efficiency (web-based), performance, quicker, includes a built-in user training interface, has alerts, encompasses compliance measures via Roses or DOJ, enhanced accountability, and workflow, and added a unique identifier # that can be shared amongst facilities, includes aid and reporting features, and enhanced monthly reporting that are robust. The tablets will help with accessibility, response time, and supervision but not necessarily with intake. Also, if a family member has a concern pertaining to someone housed, although it will come through CEGA, it will come from various sources, phone calls, ACLU complaints, mail, etc. And that there are oversight boards the monitor the grievances, the issues that are raised as well as the follow up on whether they are addressed that includes a division level grievance team, Command Staff, and the OIG.

The following members of the public provided public comment: Audit LA, and Wanda Solomon.

Attachments: PUBLIC COMMENT/CORRESPONDENCE

4. Board Motion on Menstrual Products in the Jails directing the departments, including, but not limited to, LASD, COC, OIG, and SBC, to review existing LASD policies to ensure compliance with AB732 accessibility to menstrual products in LA County jails, probation detention facilities, patrol lockups, and court holding tanks. The motion also directs the COC and SBC to review the LASD's report back and provide the Board with a written report back in 60 days to include recommendations (Commander Geradette E. Montoya & Captain Deryl T. Walker II, LASD). (24-4598)

LASD Commander Geradette E. Montoya reported that in response to AB 732 the LASD revised their division policy as was as unit order. The department policy applies to all the Custody Division, which incorporates all of AB 732.

And revised the division manual/department policy under personal care items and supplies for inmates to include the phrase, each menstruating inmate shall have ready access to sanitary napkins, panty liners, and tampons. And the CRDF unit order to include, "each menstruating inmate housed at CRDF shall be provided sanitary napkins, panty liners and tampons, all feminine hygiene products shall be readily available in a common space within each module or pod setting". Staff were all briefed on the updated policy, with specific briefings to CRDF personnel. Operations staff then walked all the floors to ensure that this was in place. Furthermore, that in March and April of 2024 CRDF was already making efforts toward making feminine hygiene products were readily accessible. And have made strides to ensure that these products are available on the floor and a proper supply. And asked the SBC that if they observe a short supply on the floors that they inform command staff so that they can replenish.

The SBC highlighted that during their Van Nuys inspection that they did not find any tampons available. And the importance of having all different types available due to different flows, etc. Also noted was that tampons were being withheld as a form of retaliation. And just a week from the meeting hygiene packets were not available. And observed that the mental health areas seem to have a lot more access to menstruation products as opposed to general population. And that supply of products is not so much the problem, but the distribution and accessibility being the bigger concern. The other concern being that those with certain classifications are dependent on someone to access them, and ensuring there is no retaliation. The other concern is that the incarcerated people are issued only one roll of toilet paper every Thursday, and as a form of punishment when people are not receiving menstrual products, they use toilet paper which becomes a hygiene issue. Also, to ensure that the SBC is a part of the LASDs distribution list to ensure reports are received timely. And to ensure that the SBC is also in receipt of the report back to the BOS, which is now due November 4, 2024 which means the SBCs report back will be due January 4, 2025.

Public Comment was provided by the following members of the public: Audit LA.

 Attachments:
 SUPPORTING DOCUMENT

 PUBLIC COMMENT/CORRESPONDENCE

### **II. MISCELLANEOUS**

#### Public Comment

#### There was public comment.

**5.** Opportunity for members of the public to address the Commission on items of interest that are within the jurisdiction of the Commission. (24-4599)

Public Comment was provided by the following members of the public: Bush, Melissa Camacho, ACLU, Lupe, Wanda Solomon, Kirby Mum, Monam, and Audit LA.

#### There was no written public comment.

<u>Attachments:</u> <u>-45PUBLIC COMMENT/CORRESPONDENCE</u>

#### <u>Adjournment</u>

6. Adjournment for the Meeting of September 26, 2024. (24-4600)

Chairperson Regalado adjourned the meeting of September 26, 2024 at 12:54 p.m.