

Staff Report on Conditions of Confinement - January 19, 2023 Commission meeting

LASD Response to Staff Reports - January 13, 2023



AGENDA ITEM: 3b

January 19, 2023

DISCUSSION ITEM TITLE:

**Los Angeles County Sheriff's Department:
Conditions of Confinement**

EXECUTIVE SUMMARY:

The Los Angeles County Sheriff Civilian Oversight Commission's (Commission) concern with conditions of confinement in jails operated by the Los Angeles County Sheriff's Department (LASD) dates back to the Commission's first meeting on January 26, 2017. At that meeting, the Citizens' Commission on Jail Violence (CCJV) General Counsel, Richard Drooyan, highlighted the CCJV's report's findings, including that the Los Angeles County Board of Supervisors (Board) should create an independent Inspector General's Office (OIG) to provide comprehensive oversight and monitoring of LASD and its jails; LASD should report on use of force and the status of custody reform recommendations; and OIG should review LASD's data for trends, spikes, and patterns in the jails. Since that time, LASD has addressed some issues raised by the CCJV's report; however, the Commission remains concerned with the slow pace of implementing the recommendations. The Commission continues to hear from the community, the OIG, and the media about alarming problems within the jails. Staff recommends that the Commission request that LASD publish a written quarterly report on Conditions of Confinement.

BACKGROUND:

In January 2016, the Board voted to establish the Commission with the intent of improving public transparency and accountability with respect to LASD. The Commission was also tasked with conducting ongoing analysis and oversight of LASD's policies, practices, and procedures and to provide advice to the Board, LASD and the public.¹ The Commission was further tasked with the duty to involve the community in the oversight process.²

LASD is responsible for the operation of the county jail system, including the care, custody, and security of incarcerated people. As of June 2022, the overall inmate population was 12,987,

¹ Los Angeles County Municipal Code. (2022). Chapter 3.79-Sheriff Civilian Oversight Commission. Retrieved from https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT3ADCOCO_CH3.79SHCIOVCO

² Ibid.

of which 43 percent consisted of people with mental health needs (average 5,529 people).³ During the second quarter of 2022, LASD reported that the most populous racial groups in LASD's jails were Hispanic (55%) and Black (29%) people; the most represented age group was 26-34 year-olds; and 26% of the total jail population stated they were homeless.⁴ The jail system is also required to comply with the Americans with Disabilities Act (ADA), and there were 372 individuals who qualified for ADA accommodations in LASD's custody during the second quarter of 2022.⁵ By December 12, 2022, the overall inmate population increased to 14,648.⁶ LASD is responsible for a large number of incarcerated people with varying backgrounds and needs, which is why it is tremendously important that LASD be transparent when reporting and be held accountable when conditions of confinement fall below the standard of care set by federal, state, and local law.

CONCERN: OVERCROWDING

The jail population in Los Angeles County was reduced during the COVID-19 pandemic; however, more needs to be done because the jails remain overcrowded with an average daily population of 14,648 individuals,⁷ which exceeds the State of California Board of State and Community Corrections (BSCC) total rated capacity of 12,404.⁸ LASD uses the Inmate Reception Center (IRC) as its primary location to screen, classify, and assign people detained to the appropriate housing areas/facilities according to their security and institutional need.⁹ Custody Division Manual Policy 5-01/010.00-Inmate Classification Responsibilities Policies¹⁰ provides that each person shall be individually assessed based on objective and identifiable criteria that provide for placement in the least restrictive housing compatible with their security level.

Incarcerated people have the ability to file formal grievances related to conditions of confinement, including medical care, classification actions, disciplinary actions, food, clothing and bedding.¹¹ On July 17, 2022, LASD presented a *Report on Compliance with the Rosas Agreement* (Report by the Sheriff on the use of force in the jails) before the Board and reported that in 2021, more than 1,400 grievances were filed related to living conditions and more than 800 were service

³ LASD. (2022). Custody Division Population Quarterly Report April -June 2022. Retrieved from https://lasd.org/wp-content/uploads/2022/09/Transparency_Custody_Division_Population_2022_Second_Quarter_Report.pdf

⁴ Ibid.

⁵ Ibid.

⁶ LASD. (2022). Correctional Service Daily Briefing 12/12/2022. Retrieved from https://lasd.org/wp-content/uploads/2022/12/Transparency_Custody_Division_Daily_Briefing_121222.pdf

⁷ Ibid.

⁸ LASD. (2022). Custody Division Population Quarterly Report April -June 2022. Retrieved from https://lasd.org/wp-content/uploads/2022/09/Transparency_Custody_Division_Population_2022_Second_Quarter_Report.pdf

⁹ LASD Custody Division Manual. (2022). Custody Division Manual Policy 2-00/030.00-Inmate Processing Services. Retrieved from [2-00/030.00 Inmate Processing Services - PARS Public Viewer \(lasd.org\)](https://lasd.org/wp-content/uploads/2022/09/Transparency_Custody_Division_Manual_Policy_2-00/030.00-Inmate_Processing_Services_-_PARS_Public_View.pdf)

¹⁰ LASD Custody Division Manual. (2022). Custody Division Manual Policy 5-01/010.00-Inmate Classification Responsibilities Policies. Retrieved from [5-01/010.00 Inmate Classification Responsibilities and Policies - PARS Public Viewer \(lasd.org\)](https://lasd.org/wp-content/uploads/2022/09/Transparency_Custody_Division_Manual_Policy_5-01/010.00-Inmate_Classification_Responsibilities_Policies_-_PARS_Public_View.pdf)

¹¹ Cornell Law School. (2022). California Code of Regulations Title 15 § 1073-Inmate Grievance. Retrieved from <https://www.law.cornell.edu/regulations/california/15-CCR-1073>

related.¹² These grievances illustrate incarcerated people's efforts to better their conditions of confinement while in the custody and care of LASD. In addition to informal communications, LASD Custody Division Manual Policy 5-14/005.00-Town Hall Meetings outlines that staff are expected to facilitate an open dialogue with incarcerated people.¹³ Every facility is required to conduct a town hall meeting for each housing area at least once per month, and issues derived from these meetings are to be addressed within seven days from the date of the meeting.¹⁴ On November 9, 2022, LASD advised¹⁵ that Custody Facility Town Hall meetings had been significantly curtailed and replaced with informational briefings in collaboration with the Los Angeles County Department of Health Services Correctional Health Services (CHS) to provide education regarding COVID, vaccinations, quarantines, and more. However, LASD also noted that they have resumed the normal Custody Town Hall Meetings as the COVID mitigation restrictions have been revised.¹⁶

The OIG's April to June 2022 quarterly report documented significant overcrowding at the IRC and reported that a person died in custody at IRC as he waited more than two days to be evaluated.¹⁷ LASD's Custody Division Population Report for the same quarterly period reflects that although the overall mental health population decreased from 5,667 last quarter to 5,527 this quarter, Men's Central Jail (MCJ) had a quarterly average of 661 individuals housed in Mentally ill-Moderate Observation/Service Area (MOH) and Twin Towers Correctional Facility (TTCF) had a quarterly average of 1,064 Mentally ill-High Observation Housing (HOH) individuals.¹⁸ The OIG's July to September 2022 quarterly report stated that overcrowding at IRC continues to jeopardize LASD's ability to provide humane conditions of confinement.¹⁹ The OIG's reports point to how IRC conditions remain an issue and how quickly they can become deadly.

On September 8, 2022, local news outlets reported on the deplorable jail conditions at IRC. The media detailed how many people were laying on cold, hard floors.²⁰ IRC's alarming conditions

¹² Los Angeles County Board of Supervisors Statement of Proceedings Presentation. (2022). LASD Rosas, et al. v. LASD Alex Villanueva. Retrieved from <http://file.lacounty.gov/SDSInter/bos/supdocs/170167.pdf>

¹³ Los Angeles County Sheriff's Department Custody Division Manual. (2022). CDM 5-14/005.00-Town Hall Meetings. Retrieved from <https://pars.lasd.org/Viewer/Manuals/14249/Content/13375?Source=TextSearch&searchQuery=town%20hall>

¹⁴ Ibid.

¹⁵ LASD Letter Regarding Conditions of Confinement. 11.9.2022. Retrieved from <https://file.lacounty.gov/SDSInter/bos/supdocs/ConditionsofConfinement-LASDLetterJails11.9.2022.pdf>

¹⁶ LASD Letter Regarding Conditions of Confinement. 11.9.2022. Retrieved from <https://file.lacounty.gov/SDSInter/bos/supdocs/ConditionsofConfinement-LASDLetterJails11.9.2022.pdf>

¹⁷ Office of Inspector General. (2022). Reform and Oversight Efforts: LASD's April to June 2022. Retrieved from https://lasd.org/wp-content/uploads/2022/08/Transparency_Custody_Division_Population_2022_First_Quarter_Report.pdf

¹⁸ LASD. (2022). Custody Division Population Quarterly Report April -June 2022. Retrieved from https://lasd.org/wp-content/uploads/2022/09/Transparency_Custody_Division_Population_2022_Second_Quarter_Report.pdf

¹⁹ Office of Inspector General. (2022). Reform and Oversight Efforts: LASD's July to September 2022. Retrieved from https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/dab5d5c3-fa92-4725-b1c2-dc2d27ced6e5/Reform%20and%20Oversight%20Efforts%20-%20Los%20Angeles%20Sheriff%27s%20Department%20-%20July%20to%20September%202022_Final.pdf

²⁰ Los Angeles Times. (2022). 'Barbaric' L.A. County jail conditions alleged as ACLU seeks federal intervention. Retrieved from <https://www.latimes.com/california/story/2022-09-08/barbaric-l-a-county-jail-conditions-alleged-as-aclu-seeks-federal-intervention>

prompted American Civil Liberties Union (ACLU) attorneys to file an emergency court filing to seek intervention related to its horrendous conditions of confinement such as:²¹

- Individuals with serious mental illness chained to chairs for days at a time;
- Dozens of people crammed together, sleeping head-to-foot on the concrete floor;
- People defecating in trash cans and urinating on the floor; and
- Unhygienic conditions as COVID-19 and mpox (formerly known as Monkeypox) continue to be a health risk.

On September 15, 2022, LASD and the ACLU agreed to a temporary restraining order designed to help relocate individuals with mental health needs from IRC to more secure housing within 24 hours.²² The order also prohibits LASD from holding people in the clinic area, cage or any cell area when it is not clean or sanitary or it lacks access to functioning toilets, potable water and adequate garbage receptacles.²³ The order further requires that incarcerated people be provided with ongoing access to adequate medical and mental health care.²⁴ Although LASD has made changes to ameliorate the inhumane conditions at IRC, there is still more to do.

CONCERN: COVID-19 & MPOX

As the largest sheriff's department in the world,²⁵ LASD is responsible for the care of thousands of people in a jail system, where LASD has admitted that overcrowding remains an issue despite implementation of its March 2020 measures to reduce the jail population to mitigate the spread of COVID-19.²⁶ Health care at all LASD jail facilities is provided by physicians and registered nurses from CHS.²⁷ As the COVID pandemic continues to plague Los Angeles County, the Department of Public Health (DPH) issued health officer orders and guidance on September 22, 2022 directly affecting local correctional facilities and detention centers, including:^{28, 29}

1. When COVID-19 Community Level is low, facilities must always make surgical masks or higher-level masks available to residents and staff who would like to use them based on personal preference;

²¹ ACLU Southern California. (2022). ACLU Seeks Court Order Against L.A. County Over Horrific Conditions at Jail Facility. Retrieved from <https://www.aclusocal.org/en/press-releases/aclu-seeks-court-order-against-la-county-over-horrific-conditions-jail-facility>

²² MSN. (2022). ACLU and LA County Agree on Changes at Jail Inmate Reception Center. Retrieved from <https://www.msn.com/en-us/news/crime/aclu-and-la-county-agree-on-changes-at-jail-inmate-reception-center/ar-AA11SCoG>

²³ Los Angeles Times. (2022). Federal judge imposes limits on L.A. County jail after ACLU sues over 'barbaric' conditions. Retrieved from <https://www.latimes.com/california/story/2022-09-16/federal-judge-order-barbaric-los-angeles-county-jail-conditions>

²⁴ Ibid.

²⁵ Los Angeles County. (2021). Sheriff's Department. Retrieved from [Sheriff's Department – COUNTY OF LOS ANGELES \(lacounty.gov\)](https://www.lacounty.gov/sheriffs-department)

²⁶ LASD. (2022). Custody Division Population Quarterly Report April -June 2022. Retrieved from https://lasd.org/wp-content/uploads/2022/09/Transparency_Custody_Division_Population_2022_Second_Quarter_Report.pdf

²⁷ LASD. (2022). MPP2-09/040.20-Medical Services. Retrieved at [2-09/040.20 - Medical Services - PARS Public Viewer \(lasd.org\)](https://www.lasd.org/medical-services)

²⁸ L.A. County Department of Public Health. (2022). COVID-19 LA County Department of Public Health Guidance for Correctional and Detention Facilities. Retrieved from <http://publichealth.lacounty.gov/media/coronavirus/docs/facilities/GuidanceCorrectionalDetentionFacilities.pdf>

²⁹ L.A. County Department of Public Health. (2022). Health Officer Order. Retrieved from http://www.publichealth.lacounty.gov/media/coronavirus/docs/HOO/HOO_SaferReturnWorkCommunity.pdf

2. When COVID-19 Community Level is medium or high, facilities must maintain or reinstate universal masking inside correctional facilities, regardless of a lack of outbreaks within the facility;
3. Remain current on vaccinations, including obtaining the Fall 2022 bivalent COVID-19 booster; and
4. Post clearly visible and easy to read signage.

A violation of the health officer orders constitutes an imminent threat to public health. Furthermore, it constitutes a public nuisance as correctional and detention facilities pose unique challenges to communicable disease control because these diseases can easily spread in the institutional setting where individuals are housed in close proximity to one another.³⁰

Similar to concerns about COVID-19, there is also a concern about mpox. DPH describes mpox as a contagious disease caused by the mpox virus, which has symptoms similar to smallpox.³¹ People with mpox get a rash on several body parts: hands, feet, chest, face, mouth or near the genitals.³² There has been an outbreak of mpox in the United States since May 2022 and the most common way people become infected is through close, intimate contact with symptomatic people.³³ Mpox entered the LASD jail system around May/June 2022, and there have been 65 suspected cases, with only six individuals testing positive.³⁴ Given the manner in which both COVID-19 and mpox is spread, the jail overcrowding is of great concern. Vaccines for both COVID-19 and mpox are readily available³⁵ and more than 600 at risk people have been vaccinated for mpox.³⁶

CONCERN: WOMEN IN JAILS

On November 30, 2022, LASD reported an average daily population of 1,575 incarcerated women,³⁷ who are housed at the Century Regional Detention Facility (CRDF) located in Lynwood, California. In the Custody Division Population Report for the second quarter of 2022, LASD described CRDF as having a total population of 1,323 people, of which 336 were housed as

³⁰ L.A. County Department of Public Health. (2022). COVID-19 LA County Department of Public Health Guidance for Correctional and Detention Facilities. Retrieved from <http://publichealth.lacounty.gov/media/coronavirus/docs/facilities/GuidanceCorrectionalDetentionFacilities.pdf>

³¹ L.A. County Department of Public Health. (2022). About MPOX. Retrieved from <http://publichealth.lacounty.gov/media/monkeypox/about.htm>

³² Centers for Disease Control and Prevention. (2022). Monkeypox signs and symptoms. Retrieved from <https://www.cdc.gov/poxvirus/monkeypox/symptoms/index.html>

³³ Ibid.

³⁴ L.A. County Sheriff Civilian Oversight Commission. (2022). Civilian Oversight Commission Meeting, November 17, 2022. Retrieved from https://www.youtube.com/watch?v=LI4Jo7eD_rg

³⁵ Centers for Disease Control and Prevention. (2022). Monkeypox signs and symptoms. Retrieved from <https://www.cdc.gov/poxvirus/monkeypox/symptoms/index.html>

³⁶ L.A. County Sheriff Civilian Oversight Commission. (2022). Civilian Oversight Commission Meeting, November 17, 2022. Retrieved from https://www.youtube.com/watch?v=LI4Jo7eD_rg

³⁷ LASD. (2022). Correctional Services Daily Briefing 11/30/2022. Retrieved from https://lasd.org/wp-content/uploads/2022/11/Transparency_Custody_Division_Daily_Briefing_113022.pdf

mentally ill-High Observation Housing (HOH), 346 were housed as mentally ill-Moderate Observation Housing (MOH), 138 were inmate workers, and 20 were classified as K-8 (which includes pregnant, post-partum, miscarriage or terminated pregnancy).³⁸ LASD Custody Division Manual Policy 7-02/010.00-Pregnant Inmates notes that upon arrival at a custody housing facility, incarcerated females shall be screened by medical personnel and provided with a pregnancy examination if requested. Those deemed pregnant by medical staff receive considerations such as: Classification for Special Handling Inmates, Classification for Pregnant Inmates, a doctor approved diet, two bottles of water with each meal, and prenatal healthcare, among other things.^{39, 40}

According to CHS, there were 77 live births in the population housed in the LASD jails between January 2019 to October 2022. Forty-eight of the births (62.3%) involved normal spontaneous vaginal deliveries, while 27 (35.1%) were primary c-sections.⁴¹ LASD advised that between January 1, 2020 and November 7, 2022, 168 pregnant people were released from LASD custody, which includes 22 released to the Office of Diversion and Reentry (ODR) and 12 released to non-ODR community-based programs.⁴² This data indicates that too few pregnant individuals released from custody receive post-release services or ODR services, such as criminal diversion for people with mental and/or substance use disorders,⁴³ despite data indicating that more people may qualify for and benefit from these services.

According to a November 2020 study done by Justice Research and Statistics Association (JRSA), 68% of females in jails had a history of mental health diagnosis and one third of all justice-involved women were shown to meet criteria for post-traumatic stress disorder (PTSD).⁴⁴ The JRSA noted that findings in various research suggest that implementing interventions for at-risk girls and incarcerated women that address trauma-related distress and mental health problems may decrease entry or re-entry into the jail system.⁴⁵

³⁸ LASD. (2022). Custody Division Population Quarterly Report April -June 2022. Retrieved from https://lasd.org/wp-content/uploads/2022/09/Transparency_Custody_Division_Population_2022_Second_Quarter_Report.pdf

³⁹ LASD Custody Division Manual. (2022). CDM 7-02/010.00-Pregnant Inmates. Retrieved from [7-02/010.00 Pregnant Inmates - PARS Public Viewer \(lasd.org\)](https://lasd.org/7-02/010.00_Pregnant_Inmates_-_PARS_Public_View)

⁴⁰ LASD Century Regional Detention Facility Unit Order. (2022). Unit Order 5-06-010 Inmate Meals. Retrieved from [5-06-010 Inmate Meals - PARS Public Viewer \(lasd.org\)](https://lasd.org/5-06-010_Inmate_Meals_-_PARS_Public_View)

⁴¹ L.A. County Department of Health Service CHS Letter re c-sections. 10.18.2022. Retrieved from <https://file.lacounty.gov/SDSInter/bos/supdocs/ConditionsofConfinement-CHSLetterrec-sections10.18.2022.pdf>

⁴² LASD Letter Regarding Conditions of Confinement. 11.9.2022. Retrieved from <https://file.lacounty.gov/SDSInter/bos/supdocs/ConditionsofConfinement-LASDLetterreJails11.9.2022.pdf>

⁴³ Los Angeles County Department of Health Services Office of Diversion and Reentry. (2022). Office of Diversion & Reentry. Retrieved from <https://dhs.lacounty.gov/office-of-diversion-and-reentry/our-services/office-of-diversion-and-reentry/>

⁴⁴ Justice Research and Statistics Association. (2020). Women and Girls in Corrections. Retrieved from <https://www.jrsa.org/pubs/factsheets/jrsa-factsheet-women-girls-in-corrections.pdf>

⁴⁵ Ibid.

CONCERN: IN-CUSTODY DEATHS

LASD Custody Division Manual Policy 4-10/050.00-Inmate Death-Reporting and Review Process applies to all deaths among the incarcerated population that occur in Custody Services Division jail facilities, Court Services Division lock-ups, and Patrol Operations Division station jails.⁴⁶ This policy section states that in the event of an incarcerated person's death in an LASD jail, the watch commander of the unit at the time of the death is responsible for making a telephonic notification of the death and all pertinent information as soon as possible to specific individuals who include, but are not limited to, the Custody Services Division Chief(s), Homicide Bureau, Internal Affairs, and Sheriff's Medical Command Center.⁴⁷ Upon notification of the death, the Custody Compliance and Sustainability Bureau (CCSB) Lieutenant must immediately notify the OIG.⁴⁸

CHS noted that from January 1, 2022 to November 15, 2022, 33 in-custody deaths occurred in the LASD jail system.⁴⁹ Of the 33 in-custody deaths, 12 were natural cause deaths, 9 were unknown (subject to change), 4 were COVID-19 related deaths, 4 were overdose deaths, 3 were homicides and 1 was undetermined.⁵⁰ The number of in-custody deaths has continued to increase in recent years, from 20 deaths in 2016 to 32 deaths in 2019,⁵¹ and 33 deaths so far in 2022. In addition, according to the LASD Custody Division COVID-19 Fact Sheet as of December 1, 2022, 23 incarcerated patient deaths were related to or involved COVID-19.⁵² It is important to note that in April 2022, LASD advised that 44% of the incarcerated population has mental health needs and that 34% of the in-custody deaths were as a result of Fentanyl overdose.⁵³

CHS advised that in-custody deaths data largely reflects the population served, and no group is grossly overrepresented.⁵⁴ Based on the constant change in the custody population and the nature of in-custody deaths, there is a need to continue monitoring this area. In June 2022, the Commission followed up⁵⁵ on an April 2022 request⁵⁶ that LASD develop an annual report

⁴⁶ LASD Custody Division Manual. (2022). CDM 4-10/050.00-Inmate Death-Reporting and Review Process. Retrieved from [4-10/050.00 Inmate Death - Reporting and Review Process - PARS Public Viewer \(lasd.org\)](#)

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Los Angeles County Sheriff Civilian Oversight Commission. (2022). Civilian Oversight Commission Meeting, November 17, 2022. Retrieved from https://www.youtube.com/watch?v=L14Jo7eD_rq

⁵⁰ Ibid.

⁵¹ Los Angeles Times. (2022). Inmate found dead in cell at L.A. County women's jail. Retrieved from <https://www.latimes.com/california/story/2022-01-06/la-county-womens-jail-death>

⁵² LASD. (2022). Custody Division COVID-19 Fact Sheet as of December 1, 2022. Received from <https://lasd.org/covid19updates/>

⁵³ L.A. County Sheriff Civilian Oversight Commission. (2022). Statement of Proceedings. April 21, 2022. Retrieved from https://file.lacounty.gov/SDSInter/bos/commissionpublications/agenda/1124182_MeetingMinutes4-21-22final.pdf

⁵⁴ Los Angeles County Sheriff Civilian Oversight Commission. (2022). Civilian Oversight Commission Meeting, November 17, 2022. Retrieved from https://www.youtube.com/watch?v=L14Jo7eD_rq

⁵⁵ Commission's letter to LASD regarding In-Custody Deaths. 6.22.2022. Retrieved from <https://file.lacounty.gov/SDSInter/bos/supdocs/ConditionsofConfinement-COClettertoLASDreIn-CustodyDeaths6.22.2022.pdf>

⁵⁶ COC Letter requesting In-Custody Death Report. 4.28.2022. Retrieved from <https://file.lacounty.gov/SDSInter/bos/supdocs/ConditionsofConfinement-COCLetteronIn-CustodyDeathReport4.28.2022.pdf>

and post in-custody deaths information on their public website, among other things. On June 30, 2022, LASD responded⁵⁷ advising that the posting of in-custody deaths on the public website would be mandated under Assembly Bill 2761 and that LASD welcomes the opportunity to provide a comprehensive annual report on in-custody deaths, but recommended the Commission work with CHS to evaluate their willingness to contribute to the report. In October 2022, the Commission followed up to inquire about LASD's ability to collaborate with CHS to develop the annual reports on in-custody deaths with the first report due by no later than the 2nd week of February of each year, and LASD advised⁵⁸ that LASD and CHS will collaborate.

RECOMMENDATION/CONCLUSION:

After reviewing and analyzing data and documents to draft this report and for the reasons mentioned above, staff recommend that the Commission request that LASD Publish Reports on the Conditions of Confinement, including but not limited to the following:

1. Request that LASD collaborate with CHS in the development of written quarterly reports on LASD's Conditions of Confinement and publish them on LASD's public website and submit to the Commission, commencing April 1, 2023 (First Quarter 2023). The report should include, but not be limited to:
 - a. LASD's efforts to reduce the jail population;
 - b. Any processing delays and overcrowding issues and efforts to resolve them;
 - c. Any changes in the plan to resolve overcrowding in the jail system;
 - d. Number of grievances received related to processing delays and overcrowding, and conditions of confinement;
 - e. Number of Custody Facility Town Hall meetings conducted by facility, the issues derived from each meeting, and the status resolutions documented;
 - f. LASD and CHS efforts to mitigate transmission of communicable diseases;
 - g. Data on the number of incarcerated people with communicable diseases, including by communicable disease type, demographic data and facility location;
 - h. Data on the number of vaccinations administered, by disease type and demographic data;
 - i. Data on the number and demographics of pregnant people in-custody;
 - j. Data on the number of in-custody births and outcomes, pregnancy terminations or miscarriages, and postpartum mothers (including access to baby bonding time);

⁵⁷ LASD Letter Regarding In Custody Deaths. 6.30.2022. Retrieved from <https://file.lacounty.gov/SDSInter/bos/supdocs/ConditionsofConfinement-LASDLetterInCustodyDeaths6.30.2022.pdf>

⁵⁸ LASD Letter Regarding Conditions of Confinement. 11.9.2022. Retrieved from <https://file.lacounty.gov/SDSInter/bos/supdocs/ConditionsofConfinement-LASDLetterJails11.9.2022.pdf>

- k. LASD efforts to release pregnant and postpartum people to ODR or other community-based programs; and
 - l. Data on the number and demographics of pregnant people released to the ODR or other community-based programs.
2. Request that LASD publish on the LASD public website, in accordance with Assembly Bill 2761, the annual In-Custody Deaths reports that LASD agreed to develop in collaboration with CHS and submit to the Commission by no later than the 2nd week of February of each year, effective 2023.
3. Request that LASD publish on the LASD public website the annual Homicide Investigations report and submit to the Commission by no later than the 2nd week of February of each year, effective 2023. The report should include, but not be limited to:
 - a. An overview of policies developed or changed, programs developed or changed, and related employee discipline (non-confidential information);
 - b. The number of and types of investigations, specify the difference between in-custody, patrol, use of force and others;
 - c. The status of investigations; and
 - d. 2-year statistics comparison.

GUEST SPEAKERS:

- SME, LASD
- SME, CHS
- SME, Sybil Brand Commission

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COC:tj



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



January 13, 2023

Brian K. Williams, Executive Director
Sheriff Civilian Oversight Commission
World Trade Center
350 South Figueroa, Suite 288
Los Angeles, California 90071

Dear Mr. Williams:

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT RESPONSE TO CIVILIAN OVERSIGHT COMMISSION STAFF REPORTS

Thank you for the Civilian Oversight Commission's staff reports regarding the Conditions of Confinement in our custody facilities, and management of "Street Takeovers." These two issues are of great concern for the Los Angeles County Sheriff's Department (LASD) and the communities we serve. The Department concurs in the Commission's overall goal that there can and should be more transparency on these issues, and that the Department will endeavor to comply with their request for periodic data disclosures.

CONDITIONS OF CONFINEMENT

The Civilian Oversight Commission (COC) recommends that the Department, along with the Department of Health Services Correctional Health Services (CHS), develop a written quarterly report on LASD's Conditions of Confinement, including information specified by the COC. The Department will explore the feasibility of providing a quarterly report, however, there are some challenges with including some of the COC's recommended information for the report, which are included below.

Below is a list of areas the COC recommends for inclusion in the proposed quarterly report, along with a response from LASD on what information is available and can be provided and what information is not readily available.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

COC Recommendations for Proposed Quarterly Report:

- Include LASD's efforts to reduce the jail population.

LASD RESPONSE: LASD utilizes methods such as; raising the minimum bail admittance from 25K to 50K, accelerating releases for all inmates by 30 days using CA Penal Code 4024.1, coordinating with the California Department of Corrections and Rehabilitation and State Hospitals for state inmate prison transfers, lowering release thresholds for non-violent, non-serious, non-sexual charges, and collaborating on felony bail deviation for the release of medically vulnerable individuals due to COVID-19 in an effort to reduce the jail population. The Department collects such information, and it can be included in the proposed report.

- Include any processing delays and overcrowding issues and efforts to resolve them.

LASD RESPONSE: LASD continues to reassess the above efforts and develop other strategies to reduce our current jail population, address overcrowding, and streamline processing procedures. The Department collects such information, and it can be included in the proposed report.

- Include any changes in the plan to resolve overcrowding in the jail system.

LASD RESPONSE: Ongoing reassessments are conducted to identify appropriate housing and to mitigate any unnecessary operational delays. The Department collects such information, and it can be included in the proposed report.

- Include number of grievances received related to processing delays and overcrowding, and conditions of confinement.

LASD RESPONSE: Currently, LASD's databases do not specifically capture grievances related to "processing delays" or "overcrowding in the jails" however the Department has submitted a funding request for a more modern jail management system, which can include these data points.

- Include number of Custody Facility Town Hall meetings conducted by facility, the issues derived from each meeting, and the status resolutions documented.

LASD RESPONSE: As of October 31, 2022, Custody Division has held 3,659 Town Hall Meetings in 2020, 4,044 in 2021, and 3,074 in 2022. This statistical information is available. Specific issues addressed in Town Hall Meetings can be made available.

- Include LASD and CHS efforts to mitigate transmission of communicable diseases.

LASD RESPONSE: LASD continues to seek guidance and implements recommendations provided by the Centers for Disease Control and the County's Department of Public Health. The Department collects such information, and it can be included in the proposed report.

- Include data on the number of incarcerated people with communicable diseases, including by communicable disease type, demographic data, and facility location.

LASD RESPONSE: This information is not captured by LASD and is only available from CHS. CHS has not yet been consulted on this.

- Include data on the number of vaccinations administered, by disease type and demographic data.

LASD RESPONSE: This information is not captured by LASD and is only available from CHS. CHS has not yet been consulted on this.

- Include data on the number and demographics of pregnant people in-custody.

LASD RESPONSE: The demographics for current pregnant inmates are: Hispanic (12), African-American (5), White (5), Other (1), Total (23). This information is available.

- Include data on the number of in-custody births and outcomes, pregnancy terminations or miscarriages, and postpartum mothers (including access to baby bonding time);

LASD RESPONSE: This information is not captured by LASD and is only available from CHS. CHS has not yet been consulted on this.

- Include LASD efforts to release pregnant and postpartum people to the Office of Diversion and Reentry (ODR) or other community-based programs.

LASD RESPONSE: The LASD Community Transition Unit actively monitors and provides case management to our pregnant inmate population by visiting each individual on a weekly basis, offering services, and connecting them with ODR. The Department collects such information, and it can be included in the proposed report.

- Include data on the number and demographics of pregnant people released to the ODR or other community-based programs.

LASD RESPONSE: There were twenty-five ODR releases, and thirteen non-ODR community-based releases, related to pregnancy, for calendar year 2022. The Department collects such information, and it can be included in the proposed report.

Additional COC Recommendations:

- Request that LASD publish on the LASD public website, in accordance with Assembly Bill 2761, the annual In-Custody Deaths reports that LASD agreed to develop in collaboration with CHS and submit to the Commission by no later than the 2nd week of February of each year, effective 2023.

LASD RESPONSE: The Department has created the mechanism to track and post the required AB 2761 information on the Department's public website and is currently being posted.

- Request that LASD publish on the LASD public website the annual Homicide Investigations report and submit to the Commission by no later than the 2nd week of February of each year, effective 2023.

LASD RESPONSE: Department agrees that such a report can be prepared and will work with the commission on the precise contents, but respectfully requests additional time in which to provide the information.

MANAGEMENT OF STREET TAKEOVERS

The Civilian Oversight Commission (COC) recommends that the Department initiate a Los Angeles County Street Takeover Management Plan. Below is a list of the COC's recommendations for inclusion in the plan, along with updated information and responses from LASD.

- **RECOMMENDATION:** LASD should develop a Street Takeover Management Plan in collaboration with the Office of Inspector General, District Attorney's Office, Department of Public Health's Office of Violence Prevention, Department of Public Works, California Highway Patrol, Los Angeles Police Department, Los Angeles County Highway Safety Commission, Los Angeles County Youth Commission, representatives from Los Angeles County contract cities and representative(s) from street racing prevention community-based organization(s) and provide a written report back to the Commission within 90 days on the status of that plan;

LASD RESPONSE: LASD is currently evaluating the feasibility of creating a Street Takeover Task Force to address this emerging crime trend, which would include collaborating with the above stakeholders and creating a plan. Some challenges for the Department include funding for the potential task force. Current efforts to address Street Takeovers have been conducted through the California Office of Traffic and Safety (OTS) Grant Program, which allows for 3-4 street racing/takeover operations per grant period. Street Takeover operations under this grant are conducted by Risk Management Bureau's Traffic Services Detail (TSD). Additionally, some contract cities such as Industry, Bellflower, Paramount, Palmdale, and Lynwood, have approved the hiring of additional deputies on overtime, to help mitigate the street racing/takeover problem in their cities.

- **RECOMMENDATION:** LASD should submit a written quarterly report to the Commission on street takeover related public safety activities that includes, but not limited to; a. Street takeover traffic statistics, b. Brief overview of street takeover related crimes, c. Collaborative efforts with other traffic/law enforcement agencies, d. Brief overview of street takeover elimination measures employed.

LASD RESPONSE: The Department believes that the creation of a Street Takeover Task Force will provide the means to create a report on Street Takeover statistics, crimes, collaboration, and the measures employed. Additionally, the Department currently does not have the means to track this unique crime for statistical purposes, however the development of a specific designated statistical (stat) code has been proposed.

Should you have questions regarding our response please contact Chief Jason A. Skeen at (213) 229-3001.

Sincerely,



ROBERT G. LUNA
SHERIFF