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Respondent
28 Anonymous

22:50
Time to complete

Inspection Information

1. Location *

North County Correctional Facility

2. Date of Previous Inspection *

7/18/2023 

3. Date of this Inspection *

5/9/2024 

4. Time *

11:45am

5. Location

	Courts	Jails	Sheriff Station
Location	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

6. Commissioner(s) - (Select all that Apply) *

- Ingrid Archie
- Haley Broder
- Norma Cumpian
- Wynter Daggs
- Mark - Anthony Clayton Johnson
- Bob Frutos
- Dr. Cheryl N. Grills
- Eric J. Miller
- Raymond Regalado
- Alexander Sherman
- Joahanna Terrones
- Mary Veral
- Other

Facility Information

7. Facility Name *

Courthouse names and locations: <https://www.lacourt.org/courthouse>

Patrol Names and locations Stations: <https://lasd.org/stations/>

LA County Jail Facilities names and locations: <https://lasd.org/custody/>

8. Facility Address *

Courthouse names and locations: <https://www.lacourt.org/courthouse>

Patrol Names and locations Stations: <https://lasd.org/stations/>

LA County Jail Facilities names and locations: <https://lasd.org/custody/>

9. Name and Title of LASD Supervisor Contacted *

Frank Huelga; K Initial

10. Census: Capacity *

4477

11. Current Census *

2966

12. Location(s) Inspected: *

900 Block, 700 Block; Inmate Processing Center

13. Issues reported to (Select all that Apply): *

- BOS
- Officer in Charge
- LASD
- ISD
- OIG
- COC
- Other

14. Name of the person(s) issues were reported to: *

Lt. Initial

15. Contact Information of the person(s) contacted: *

kinitial@lasd.org

Conditions of Confinement

16. **Condition of Confinement:** Cells/Toilets/Sinks

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

17. **Condition of Confinement COMMENTS RE:** Cells/Toilets/Sinks

Some sinks and toilets in the 700 Unit lacked water or had a black substance in them.

18. **Condition of Confinement:** Showers (water temperature, rust, mold etc.)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

19. **Condition of Confinement:** Crowding

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

20. **Condition of Confinement:** Cleanliness/Graffiti

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

21. **Condition of Confinement:** Safety, Conflict, Tension

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

22. **Conditions of Confinement COMMENT RE:** Safety, Conflict, Tension

Some people alleged retaliation in Unit 927.
However, others in the same unit commended Lt. Munoz (who was not present) for following through on concerns raised at town halls

23. **Condition of Confinement:** Common Areas

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

24. **Condition of Confinement:** Air Quality/Temperature

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

25. **Conditions of Confinement COMMENT RE:** Air Quality/Temperature

There was a strong smell of electrical fire in 700 block; and the Inmate Processing Center was very cold.

26. **Condition of Confinement:** Deputy/Detainee Relations (Including Specific Incidents or allegations of misconduct)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

27. **Conditions of Confinement COMMENT RE:** Deputy/Detainee Relations (Including Specific Incidents or allegations of misconduct)

Some people alleged retaliation in Unit 927.
However, others in the same unit commended Lt. Munoz (who was not present) for following through on concerns raised at town halls

28. **Condition of Confinement:** Strip Search Issues

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

29. **Condition of Confinement:** Access (Drinking Water)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

30. **Conditions of Confinement COMMENT RE:** Access (Drinking Water)

Reported lack of water in upstairs sink in Dorm712

31. **Condition of Confinement:** Access (Mail/Reading Materials/Law Library)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

32. **Conditions of Confinement COMMENT RE:** Access (Mail/Reading Materials/Law Library)

Lack of books in 935A

33. **Condition of Confinement:** Access (Toilets for Common Room)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

34. **Condition of Confinement:** Access (Toiletries, Appropriate Combs/Brushes)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

35. **Condition of Confinement:** Access (Exercise, Religious Practice)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

36. **Condition of Confinement:** Access (Legal Counsel)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

37. **Conditions of Confinement COMMENT RE:** Access (Legal Counsel)

The Direct Admit policy created confusion about court dates and access to counsel for the individuals incarcerated there (940A Unit)

38. **Condition of Confinement:** Access (Visitation, Correspondence)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

39. **Conditions of Confinement COMMENT RE:** Access (Visitation, Correspondence)

The Direct Admit policy created confusion about court dates and access to visitation for the individuals incarcerated there (940A Unit)

40. **Condition of Confinement:** Solitary Confinement

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

41. **Conditions of Confinement COMMENT RE:** Solitary Confinement

The Direct Admit policy allowed individuals to be held in a single cell for up to 72 hours without and information about their disciplinary status or release date.

42. **Condition of Confinement:** Privacy/Dignity (showers, bathrooms)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

43. **Condition of Confinement:** Special needs populations (pregnant, non-ambulatory, hearing impaired, mentally ill, medical conditions, developmental disability)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

44. **Condition of Confinement:** Module Information Postings (re: time calculations, complaint, developmental disability)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

45. **Conditions of Confinement COMMENT RE:** Module Information Postings (re: time calculations, complaint, developmental disability)

The Direct Admit policy did not provide time calculations for release from the disciplinary unit.

46. **Condition of Confinement:** Complaint Procedure (e.g., Deputy, Medical Complaints - Confidential Procedures to SBC, OIG, COC)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

47. **Condition of Confinement:** Fees Assessed/ Money on Books

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

48. **Condition of Confinement:** Other

49. **Condition of Confinement:** Other

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

Nutrition

50. **Nutrition:** Quality/Concerns

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

51. **Nutrition:** Access to special diets

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

Trustees

52. **Trustees:** Quarters

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

53. **Trustees:** Training and Selection

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

54. **Trustees:** Workload and Hours

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

55. **Trustees:** Calculation/Time Served

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

Medical Services

56. **Medical Services**

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Access	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wait Times	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Responsiveness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
TB and Other Medical Screening	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dental	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vision	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infectious Disease Protocol	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

57. **COMMENTS RE:** Medical

Mental Health

58. **Mental Health Services**

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Access	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wait Times	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Treatment Options	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assessment Procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

59. **COMMENTS RE:** Mental Health

Telephones

60. Telephones

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Access	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Functionality	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

61. COMMENTS RE: Telephones

There was a jail-wide problem with telephone connection that took so long it impacted on telephone time and so access.

Education Based Incarceration Programming (EBI)

62. Education Based Incarceration Programming (EBI)

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Availability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Type	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Access	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

63. COMMENTS RE: EBI Programming

We observed some individuals in an Education Based Incarceration class. While the class itself seemed satisfactory, the fact that there were so few people (4) taking advantage of the class seemed to under-utilize the space and raised some worries about the effectiveness of advertising classes or using classes that people find attractive.

64. EBI: Volunteer Services

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Type	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Concerns	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

65. **COMMENTS RE EBI:** Volunteer Services

Clean Clothing and Bedding

66. **Clean Clothing and Bedding** (including laundry practices)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

Facilities/Maintenance

67. **Facilities/Maintenance:** Back Log Unfilled Order(s)

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

68. **Facilities/Maintenance COMMENTS RE:** Back Log Unfilled Order(s)

69. **Facilities/Maintenance:** Kitchen/Laundry

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

Deputy Staffing

70. Deputy Staffing: Quality of Interactions w/Detainees

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Use of Force (Last 30 days)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assault on Staff (Last 30 days)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff Training (MH, trauma informed etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

71. Deputy Staffing COMMENTS RE: Quality of Interactions w/Detainees

72. Detainee Complaints/Concerns COMMENTS:

Some concerns over retaliation (preventing access to property and out-of-cell-time) in Unit 927
In addition, there were lots of concerns about the Direct Admit policy for detention in Unit 940A

73. Deputy Complaint/Concerns COMMENTS:

The Deputies explained that the Direct Admit policy worked with a lag in paperwork so that there were minimal records of disciplinary status and offense in the Direct Admit Disciplinary Unit

74. Prior Corrective Action Resolution:

75. **Detainee Documentations** (e.g., intake/release, procedures):

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Classification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Logs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Detainee management	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Exit interview - policies/procedure grievances	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Generated funds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

76. **Detainee Documentation COMMENTS:**

The Direct Admit policy is practiced in a manner that undermines the Constitution, Title 15, and the Custody Division Manual due to lack of records

77. **Discipline Proceedings:**

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

78. **Discipline Proceedings COMMENTS:**

The Direct Admit policy is practiced in a manner that undermines the Constitution, Title 15, and the Custody Division Manual

79. Emergency Preparedness/Systems:

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Fire Extinguishers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Airpack Tags	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Emergency Evacuation Routes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Control Centers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Emergency Lighting Fixtures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Safety Drills	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
First Aid and Suicide Kits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

80. Emergency Preparedness/Systems COMMENTS:

81. Grounds:

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Applicable
Conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unlawful postings on exterior grounds (e.g., if ever been convicted cannot visit a detainee, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

82. Grounds COMMENTS:

Inspection: Special Focus

83. Inspection: Special Focus

	Satisfactory	Unsatisfactory	Corrective Action Needed	Not Available
COC	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CHS	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
DMH	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
DPH	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilities	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Food Services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
OIG	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

84. Inspection: Special Focus Request (Select all that Apply):

- COC
- Community
- CHS
- DMH
- DPH
- Facilities
- Food Services
- OIG
- N/A
- Other

85. Inspection: Special Focus Request Comments:

Special attention is required to assess the practice of the Direct Admit policy

86. **Prison Rape Elimination Act (PREA) Issues:**

- Satisfactory
- Unsatisfactory
- Corrective Action Needed
- Not Applicable

INSPECTION DETAILS - ANCHORED TO SUMMARIZE #3 THROUGH #106

87. Inspection Detail for #:

88. Inspection Detail for #:

89. Inspection Detail for #:

90. Inspection Detail for **OIG** Request Related to:

91. Inspection Detail for **COC** Request Related to:

92. Inspection Detail for **Community Request** Related to:

93. **Inspection Detail:** EBI

94. **Inspection Detail:** Medical

95. **Inspection Detail:** Medical

96. **Inspection Detail:** Building and Maintenance *(Select all that apply)*

- Lawns
- Recreation Area
- Blacktop
- Asphalt
- General Condition
- Paint
- Roof
- Drains/Gutters
- Not Applicable
- Other

97. **Inspection Detail:** Building and Maintenance

INSPECTION DETAIL: INTERIOR OF BUILDINGS(S)

98. **Inspection Detail:** Interior of Building(s) and Maintenance *(Select all that apply)*

- Walls
- Paint
- Floors
- Drains
- Plumbing fixtures working
- Air Vents
- Windows
- Not Applicable
- Other

99. Inspection Detail **Interior of Building:**

100. Are Cleaning fluids and chemicals labeled and safely stored?

- Yes
- No
- Not Applicable
- Other

101. Weapons locker present?

- Yes
- No
- Not Applicable
- Other

102. Recreation/Sports Equipment:

103. Are the hallways clear, are doors propped open or closed?

- Yes
- No
- Not Applicable
- Other

104. Holding areas (cells/rooms), is there access to drinking water and toilet?

- Yes
- No
- Not Applicable
- Other

105. Condition of individual cells/rooms, or dormitories:

106. Beds - Type of bed and is it off the floor?

107. Adequate lighting:

108. Temperature:

109. Narrative Report

110. Narrative Continued

111. Narrative Continued

112. Narrative Continued

113. Narrative Continued

114. Narrative Continued

115. Overall, how would you rate this facility? *

- Satisfactory
- Unsatisfactory

NCCF 5/9/24
11:45 am
Eric and Mary
Frank Huelga
K Initial
kinitial@lasd.org
fahuelga@lasd.org
1145-145p
Count 2966
Capacity 4477

We initially spoke to Lt. Huelga, the watch commander when we entered. He informed us that the 800 building has been closed for at least 7 months. He stated that the facility was undergoing painting and other updates. However, because the institution is far from capacity, the unavailability of a block had no impact upon crowding in the facility (though it may have an impact on reassignment of individuals from other facilities).

We briefly saw a CTE(?) class for construction and job training being conducted by 5 keys. There were only 4 people (who are incarcerated) attending the class. We are glad to see these programs but wish the department was doing more to encourage attendance (see our EBI report).

900-Block

The commissioners went to the short-term moderate observation housing and some administrative-segregation dorms. The staff here was very helpful in answering questions. The main complaints here (and throughout the facility) were around telephone access. Several people stated they could not call their attorneys or their families because the phones were often broken. Some of the telephones were completely dysfunctional, but all of them took 5-10 minutes to establish a connection. These connection times were not credited to the 20 minutes of telephone time allotted to each incarcerated person. Staff confirmed this and stated all they can do is put in a work order, but no one seems to be addressing this on a larger scale. The functional unavailability of telephone communication and failure to credit connection time to the incarcerated people undermines the communications with families and attorneys that are essential to the mental health and legal rights of the people incarcerated at North County Correctional Facility.

Many of the incarcerated people complained of serious mail delays. We have heard this complaint before, and it continues to deeply concern us as this is one of the only ways people can communicate with their loved ones (especially since the phones are often malfunctioning).

Unit 940A Direct Admit

Unit 940A housed people who were being disciplined according to the “Direct Admit” policy. We have asked the Watch Commander, Lt. Inital, to provide the Sybil Brand Commission with a copy of the Direct Admit policy for attachment to this report. The commissioners did, however, observe the practice in the Unit, as well as speak to the people incarcerated there and the Deputies on duty. As practiced, the Commissioners have significant worries about the policy.

California Code of Regulations (“CCR”) Title 15 § 1081. Plan for Inmate Discipline requires that “[e]ach facility administrator shall develop written policies and procedures for inmate discipline.” Title 15 states that:

- “1. A copy of the report, and/or a separate written notice of the violation(s), shall be provided to the inmate.*
- 2. Unless declined by the inmate, a hearing shall be provided no sooner than 24 hours after the report has been submitted to the disciplinary officer and the inmate has been informed of the charges in writing....*
- 3. The inmate shall be permitted to appear on his/her own behalf at the time of hearing and present witnesses and documentary evidence. ...*
- 4. A charge(s) shall be acted on no later than 72 hours after an inmate has been informed of the charge(s) in writing....*
- 6. The inmate shall be advised in a written statement by the fact-finders about the evidence relied on and the reasons for the disciplinary action. A copy of the record shall be kept pursuant to Penal Code Section 4019.5.”*

Title 15 also contains a provision that allowing staff to “segregate[e] any inmate from the general population or program for reasons of personal, mental, or physical health, or under any circumstance in which the safety of the inmates, staff, program, or community is endangered, pending disciplinary action....” However, none of these reasons were applicable to any of the people held in Unit 940A under the Direct Admit policy, as explained to the Commission Staff by the deputies on duty and the watch commander at the end of our inspection.

To carry out its policy under Title 15, LASD adopted Los Angeles Sheriff Department Custody Division Manual (“CDM”), Volume 5. These policies require a period of “pre-discipline” which, under CDM 5-09/000.00 is “not to exceed 72 hours, during which an inmate who is being charged with a disciplinary violation is waiting for their Disciplinary Review Board (DRB) hearing. During this time, the inmate’s existing privileges shall not be revoked.” CDM 5-09/060.00, which governs the disciplinary review process, reiterates this aspect of pre-discipline, and states that during the prior to a hearing before the Disciplinary Review Board, the incarcerated person “is in the pre-discipline period and their existing privileges shall not be revoked.” CDM 5-09/060.00 acknowledges that the purpose of pre-discipline is a constitutionally significant one: “inmates involved in any disciplinary action...have the right to an administrative process (discipline hearing) that adheres to the constitutional principles of due process and equal protection.” According to these principles, prior to discipline “[t]he inmate shall be informed of the charge(s) in

writing through the Notice of Disciplinary Violation...[which they] shall acknowledge ...by writing.”

Especially important for the “Direct Admit” policy in North County Correctional Facility, CDM 5-09/060.00 stipulates that “[i]nmates have the right to a discipline hearing no sooner than 24 hours, and no later than 72 hours, after having been notified in writing that they are subject to discipline[, and that t]he 24-hour limitation following written notification will allow the inmate time to prepare a defense for the discipline hearing.” There is a provision by which to expedite the disciplinary hearing process: however, under CDM 5-09/060.00, that process requires the incarcerated person to “not contest [] the disciplinary violations with which they have been charged and sign [] the corresponding waiver field in the Notice of Disciplinary Violation.” The Deputies supervising the unit did not have any record of waiver of the disciplinary hearing process available to them.

As explained to the Commissioners by the Deputies on duty, the Direct Admit policy to discipline is problematic. 940A is a disciplinary unit, and so governed by the Due Process Clause of the Constitution, Title 15 and the procedures specified in CDM 5-09/060.00, as discussed above. However, the people placed in disciplinary housing subject to the Direct Admit policy lack paperwork and information about the most significant part of their incarceration. The deputies in charge of Unit 940A specifically told us that the purpose of the Direct Admit policy was to streamline procedures and that they did not have any paperwork on hand.

The Deputies on duty explained that the Direct Admit policy as they practice it does not require, they provide the incarcerated person with (1) written notice of the violation; (2) a hearing within 24 hours of being removed to the disciplinary unit; or (3) the incarcerated person being granted a due-process right to appear in their own behalf. As noted, above, these steps are required variously by the United States Constitution, Title 15, and the LASD Custody Division Manual. The Deputies explained that, as they practice the Direct Admit policy, so long as they act on the charge within 72 hours by releasing the person held in the disciplinary unit, then the Deputies need complete only a minimal written notice and record of the violation requiring discipline and admission in the unit.

In fact, the Deputies supervising the unit stated they were awaiting records of the disciplinary process to reach them. The only information regarding the status of the people incarcerated Direct Admit disciplinary unit 940A was the standard form describing the person’s status posted on the cell, and that form did not display the usual information contained in these records. As a consequence, many of the people in Unit 940A did not understand why they were there, and the paperwork available (on their cell door) did not, in most cases, provide any explanation. The Commissioners observed at least 5 people with admission dates of 5/7 (two days before our inspection) or no dates at all. None of the forms in Unit 940A recorded information about their release date or disciplinary status, and many lacked a record of their reason for being held in disciplinary segregation. None of the people in discipline had received their mandatory discipline review board hearings prior to placement in the disciplinary unit. After discussion with the disciplinary Custody assistant (who was very helpful) and a deputy in the 900 floor we discovered that several

of these people would be released the next day (5/10) for rehousing because there wasn't enough evidence, or the paperwork was insufficient to give them discipline.

Other problems raised during our inspection of the Direct Admit unit revealed that while the Deputies hold individuals in Direct Admit for up to 72 hours with no hearing, the people incarcerated there lose their property, lose their space in classes, and their dorm housing.

One gentleman described how he had been sleep-deprived while attending his recent 10-day trial. He was required to appear at the San Fernando courthouse. For 10 days, he would get up around 2am, go directly to court but then after court would be transported all the way downtown to MCJ before returning to NCCF, sometimes after 10pm only to do it all over again the next day. He averaged 1-3 hours of sleep per night. He was deeply sleep deprived for his serious felony trial.

Unit 927

We spoke to a number of people incarcerated in Unit 927. In addition to the jail-wide problems detailed, above, they complained of lack of access to EBI classes. They also complained that they did not have access to music. Furthermore, when there was a lockdown in one part of the jail, their unit was locked down as well, preventing with access to programs and yard facilities outside the unit. One of the incarcerated people commended Lt. Munoz (who was not present) for following through on concerns raised at town halls.

In Unit 927, the incarcerated people complained that a Deputy singled various people out for retaliation. Individuals complained that in Cell 9, one individual was on discipline and refused programming because he had argued with a deputy; however, his cell mate was also.

One of the administrative-segregation units here was for housing some gentleman who are awaiting classification by OSJ. As it is not a disciplinary dorm, they are still provided access to canteen, televisions, and phones. We were glad to see this as when we have inspected this kind of housing at MCJ they are restricted from those items even though they are not on disciplinary status.

Unit 935A

People incarcerated in Unit 935A complained that they lacked access to books and noted that there was a lot of trash on the floor.

Unit 700

As the Commissioners were leaving the jail, they noted a very strong and distinctive smell of something burning: the smell was similar to an electrical fire and was unmissable. The commissioners simply followed the smell to Unit 700, which housed people designated for general population. The Commissioners asked the Deputies on duty what was the

smell: they said they did not smell anything. The people incarcerated there said that it usually smelled this way.

When the Commissioners asked the watch commander, Lt. Inital, if he was aware of the fire, he blamed the incarcerated people for using batteries or buying items through the commissary to create "incense" which they would then burn in their dorms. The inspectors reviewed the commissary list and did not see anything of the sort for purchase. However, as the commissioners were discussing their inspection in the parking lot, Lt. Inital rushed out to tell us that the smell was actually from the staff the heater used to warm the 700 block. This response did not really address the Commissioners' concern that some sort of fire was occurring in the facility, just because the fire was caused by an electrical short rather than the people incarcerated there.

The incarcerated individuals we spoke with in Unit 713 complained that the all the telephones did not connect properly. One of the telephones was malfunctioning with the wires sticking out. The people complained that there was not enough cleaning products for the dorm and that the Deputies had removed bottles containing the cleaning solution from the dorm. Furthermore, the sinks took a long time to drain.

In Unit 712, individuals complained that the downstairs toilets were ingrained with some black substance and that the upstairs urinal and sink did not work: the sink lacked water.

Inmate Processing Center

The commissioners also visited the inmate processing center, which was very cold. The Deputy on duty was watching television when we arrived.

Organizational Abandonment

A core problem the Commissioners find when reporting problems is what might be called "organizational abandonment": the offloading of responsibility from one official or department to another and back again, so that where action or change does happen, it occurs in what seems to be a piecemeal, patchwork manner at the discretion of individuals with limited jurisdiction who decide to take a particular interested in the issue. In this way, it is very difficult to discern who might be accountable for jail conditions. Even though the Sheriff's Department has provided the commission with an organization chart that purports to present an integrated, hierarchical chain of authority, the officials represent responsibility for conditions in the jails as split among multiple officials, none with the ultimate responsibility for making systemic changes. Thus, when the Commissioners articulated the problems with the Direct Admit policy and the smell of fire in the jails, the Direct Admit policies were not to hand, take time to find, need to be photocopied, and so on; and the smell of fire is a problem attributable to the incarcerated people, or the HVAC system, but does not seem to be any person's responsibility to fix.

5-09/060.00 Disciplinary Review Process

Pursuant to California Code of Regulations, Title 15, Minimum Standards for Adult Detention Facilities, Article 7, inmates involved in any disciplinary action other than counseling or reprimand shall have the right to an administrative process (discipline hearing) that adheres to the constitutional principles of due process and equal protection and to ensure that disciplinary findings and conclusions are not erroneous. The discipline hearing is not a judicial or adversarial proceeding.

Unit commanders shall appoint at least two sergeants to act as the facility Disciplinary Review Board (DRB) who will conduct the disciplinary hearing. The DRB is charged with the disciplinary review process and shall have the authority, in conformance with policy and procedures, to take any of the following actions that are appropriate to the circumstances:

- Conduct a further investigation into the incident, including interviewing inmates and staff who may have pertinent information regarding the incident
- Impose discipline
- Change the disciplinary location
- Recommend a revocation of inmate credits (refer to CDM section 5-09/070.00, "Revocation of Inmate Credits")
- Terminate the discipline and/or expunge the inmate's disciplinary record
- Consult with mental health staff regarding inmates who are in mental health housing or inmates who are receiving psychotropic medications
- Consult with medical staff regarding inmates who are being treated for a medical condition, have disabilities requiring accommodation under the Americans with Disabilities Act, and/or may have special needs

Discipline guidelines for inmates under the care of mental health staff, inmates who require accommodations under the Americans with Disabilities Act (ADA), or those with special needs are referenced under CDM section 5-09/020.00, "Discipline Involving Mental Health Inmates, Inmates Requiring Accommodations Under the Americans with Disabilities Act (ADA), and/or Inmates Who Have Special Needs."

The DRB shall ensure the following guidelines are adhered to:

- An inmate who has been charged with a disciplinary offense but has not had a DRB hearing is in the pre-discipline period and their existing privileges shall not be revoked
- The inmate shall be informed of the charge(s) in writing through the Notice of Disciplinary Violation
- The inmate shall acknowledge the Notice of Disciplinary Violation by writing "yes" or "no" in the respective lines and signing the Notice of Disciplinary Violation. A refusal to sign shall be annotated on the Notice of Disciplinary Violation, and witnessed by a line supervisor or sergeant.
- Inmates have the right to a discipline hearing no sooner than 24 hours, and no later than 72 hours, after having been notified in writing that they are subject to discipline
- The 24-hour limitation following written notification will allow the inmate time to prepare a defense for the discipline hearing
- The inmate may agree by written waiver that the hearing be conducted within 24 hours of being informed of the charges

- In exigent circumstances, the hearing may be postponed beyond the 72 hours after the inmate has been informed of the charges. Exigent circumstances include inmate court appearances, unforeseen shifts/schedule changes of necessary personnel, or the need for more information/investigation).
- The inmate may waive a DRB hearing by not contesting the disciplinary violations with which they have been charged and signing the corresponding waiver field in the Notice of Disciplinary Violation. If the inmate waives the DRB process, any disciplinary sanctions imposed shall commence as soon as practicable.
 - If an inmate is in pre-disciplinary housing when they elect to waive the DRB hearing and there is no available space in disciplinary housing to house them, the inmate may serve their discipline time in pre-disciplinary housing facility (i.e. the facility may impose the disciplinary sanctions in the pre-disciplinary housing location)
- The inmate shall be permitted to appear on their own behalf at the time of the hearing, make a statement, and present evidence and/or witnesses to appear on their behalf
- The DRB shall determine if the charges are founded and shall impose discipline when warranted in accordance with CDM section 5-09/030.00, "Limitations on Disciplinary Actions"
- The inmate shall be advised of the action taken by the DRB through the Notice of Action by Disciplinary Review Board. The inmate shall sign the Notice of Action by Disciplinary Review Board. A refusal to sign shall be witnessed by a line supervisor or sergeant.
- DRB personnel shall not be personally involved in the original violation or infraction of the rules
- Pursuant to California Code of Regulations, Title 15, Minimum Standards for Adult Detention Facilities, Article 7, section 1084, and Penal Code section 4019.5(e), records shall be kept of all disciplinary violations and discipline imposed by the DRB. Inmate disciplinary records are automatically generated and recorded in the Inmate Reports Tracking System (IRTS).

The unit commander or a designated lieutenant shall review the final disposition of disciplinary charge(s) and the action taken within IRTS to ensure that discipline is administered fairly and impartially.

APPEALS

- If an inmate desires to appeal the DRB's decision, an appeal hearing shall be conducted by the unit commander or their designee (at the rank of lieutenant)
- The inmate shall be provided with an appeal form located within IRTS
- Inmates shall have 72 hours from the time they have been provided the appeal form to appeal the decision by the DRB
- The unit commander or a designee shall have up to seven (7) days from the DRB hearing to conduct the appeal hearing with the inmate
- The inmate shall be notified of the findings
- The findings shall be documented in IRTS

Appeals Involving Revocation of Credits

If the discipline imposed by the DRB includes the revocation of inmate credits, the inmate shall be advised of the right to an appeal review by the Restrictive Housing Panel (CDM section 3-20/000.00, "Restrictive Housing Panel). Procedures for handling these appeals are referenced in CDM section 5-09/070.00, "Revocation of Inmate Credits."

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5-09/050.00 Disciplinary Guidelines

The California Code of Regulations, the California Penal Code, and State and Federal Constitutions expressly prohibit all cruel and/or unusual punishment. The following limitations shall be applied to disciplinary actions:

- No inmate shall receive more than 30 consecutive days in disciplinary segregation for any one occurrence of a jail rule violation unless the inmate commits another jail offense while in disciplinary housing. If an inmate is subject to discipline for more than 30 consecutive days, the concerned inmate shall be referred to the Complex Case Committee (CCC) for assessment of the appropriateness of continued discipline. Refer to section 3-19/000.00, "Complex Case Committee."
- Disciplinary limitations involving inmates under the care of mental health staff, inmates requiring accommodations under the Americans with Disability Act (ADA) or those inmates with special needs are referenced under Custody Division Manual (CDM) section 5-09/020.00, "Discipline Involving Mental Health Inmates, Inmates Requiring Accommodations Under the Americans with Disabilities Act (ADA), and/or Inmates Who Have Special Needs."
- Inmates who are pregnant, postpartum, have recently had a miscarriage, or have recently had a terminated pregnancy, **shall not** be housed in an isolated cell. Custody staff shall collaborate with medical staff to ensure these inmates are placed in an appropriate housing location that is conducive to their access to necessary prenatal and/or medical care.
- Inmates shall not be deprived of the implements necessary to maintain an acceptable level of personal hygiene.
- Correspondence privileges shall not be withheld except in cases where the inmate has violated correspondence regulations, in which case correspondence may be suspended for no longer than 72 hours without the approval of the unit commander or a designee.
- Legal correspondence or access to counsel shall not be suspended.
- Pro Per inmates shall not be prohibited from working on their own defense. Access to the law library and communication, through approved channels, with persons pertinent to their case, shall not be restricted.
- Inmates in disciplinary housing shall be issued standard bedding and clothing. Exceptions are those inmates who engage in the destruction of these items. The decision to deprive inmates of such articles shall be reviewed by the unit commander or the concerned watch commander during each 24-hour period.
- Food shall not be withheld as a disciplinary measure.
- Pursuant to Penal Code section 4019.5, "Kangaroo Court and Sanitary Committee," the delegation of authority to any prisoner or group of prisoners to exercise the right of punishment over any other prisoner or group of prisoners is prohibited.
- Custody personnel are strictly prohibited from issuing mass discipline to inmates. Individual violators of jail rules shall be identified and expedited through the disciplinary process, according to the procedures which have been established at each facility, and in accordance with CDM section 5-09/010.00, "Inmate Discipline." This shall include making an entry in the Inmate Reports Tracking System (IRTS) and the attendance of a Disciplinary Review Board (DRB) for any inmate who is confined in their cell for disciplinary reasons for longer than 24 hours.

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5-09/000.00 Inmate Disciplinary Procedures

This chapter outlines the procedures to be followed by the Custody Services Divisions relating to inmate disciplinary procedures, in accordance with the California Code of Regulations, Title 15, Minimum Standards for Adult Detention Facilities, Article 7, Discipline.

DEFINITIONS:

(For definitions of terms related to discipline of specialized program inmates, refer to CDM 5-09/020.00, "Discipline Involving Mental Health Inmates, Inmates Requiring Accommodations Under the Americans with Disabilities Act [ADA], and/or Inmates with Special Needs.")

"Discipline" defined: punitive action taken against an inmate who violates or refuses to comply with jail rules and regulations and may consist of any or all of the following: segregation in a disciplinary housing area, loss of privileges, removal from work detail, revocation of inmate credit.

"Disciplinary housing" defined: housing area designated by the facility for those inmates on disciplinary status, which consists of single, double, or multi-person cells and shall have space and minimum furnishings as specified in the California Code of Regulations, Title 24, Part 2 1231.2.7 and 2.8 (i.e., bunk, toilet, wash basin, and source of drinking water).

"Discipline in place" defined: inmates having their privileges revoked within their current housing location.

"Disciplinary cell" defined: a cell for inmates on disciplinary status who have been determined, based on their classification and/or disciplinary violation, to be highly dangerous to staff or other inmates and/or pose a security risk for the facility. Refer to CDM section 5-01/010.00, "Inmate Classification Responsibilities and Policies" and 5-01/030.00, "Inmate Classification and Identification" for inmate classification criteria. The cell is equipped with a solid hard door with limited visual and verbal access to others. The cell shall have space and minimum furnishings as specified in California Code of Regulations, Title 24, Minimum Standards for Adult Detention Facilities, Part 2, sections 1231.2.6 and 1231.2.7 (i.e. bunk, toilet, wash basin, and source of drinking water).

"Jail rules" defined: a list of prohibited conduct by an inmate which may result in punitive action. Jail rules are outlined in the Custody Division - Inmate Rules and Regulations (SH-J-386).

"Loss of privileges" defined: a punitive action taken against an inmate for violations of jail rules and regulations and consists of any or all of the following: access to phones, television, hot water pot, vending, commissary, dayroom, outdoor recreation yard, visiting and/or removal from work detail.

"Pre-discipline" defined: the period, not to exceed 72 hours, during which an inmate who is being charged with a disciplinary violation is waiting for their Disciplinary Review Board (DRB) hearing. During this time, the inmate's existing privileges shall not be revoked. An inmate may waive the DRB hearing by not contesting the charged disciplinary violations. If the inmate waives the DRB hearing, the pre-discipline period ends, and any disciplinary sanctions shall commence as soon as practicable.

"Pre-disciplinary housing" defined: a designated housing location, typically consists of single- or double-person cells, to which an inmate who is in the pre-discipline period may be moved while waiting for the DRB,

when the violation is one necessitating the inmate's removal from their current housing location (e.g., involving an assault against staff or another inmate, gang activity, a jail-made weapon, an attempt escape, arson, etc.). While waiting for the DRB in pre-disciplinary housing, the inmate shall retain all existing privileges until disposition of the case by the DRB, unless exceptional circumstances warrant the suspension of certain privileges prior to the DRB (e.g., temporary suspension of telephone access if the inmate coordinated an assault by communicating via telephone call).

- Inmates in general population may be removed from their housing location and into designated pre-discipline housing for the pre-discipline period.
- Inmates in mental health housing may be removed from their housing location for the pre-discipline period depending on the severity of the charged offense, in accordance with CDM sections 5-09/020.00, "Discipline Involving Mental Health Inmates, Inmates Requiring Accommodations Under the Americans with Disabilities Act [ADA], and/or Inmates with Special Needs," and 5-09/030.00, "Limitations on Disciplinary Actions."

UNIT COMMANDER RESPONSIBILITIES

Unit commanders shall ensure the following:

- Unit orders are established to address facility-specific needs relating to inmate disciplinary procedures, including but not limited to:
 - Designation of housing locations utilized for disciplinary housing
 - Designation of isolation cells utilized for disciplinary housing
 - Unique needs relating to mental health inmates, inmates requiring accommodations under the ADA, and inmates with special needs (refer to CDM 5-09/020.00, "Discipline Involving Mental Health Inmates, Inmates Requiring Accommodations Under the Americans with Disabilities Act [ADA], and/or Inmates with Special Needs")
 - NOTE: unit orders shall be forwarded to Custody Support Services Bureau (CSSB) for review
- Jail rules (Inmate Rules and Regulations [SH-J-386]) in English and Spanish are clearly posted in housing and booking areas, and/or issued to each inmate at the time of booking or initial housing at a facility. For those inmates who are unable to read English or Spanish, and for persons with disabilities, provisions shall be made for the jail staff to verbally instruct them or provide them with material (in an understandable form) regarding jail rules and disciplinary procedures and penalties.
- A Disciplinary Review Board (DRB) is established per CDM section 5-09/060.00, "Disciplinary Review Process."
- Review and approval of DRB findings.
- When inmates are transferred to any new housing location within the facility or to another facility, all personal property is transferred with the inmate.
- Female inmates who are pregnant, who are postpartum, those who have recently had a miscarriage, or those who have recently had a terminated pregnancy **shall not** be housed in an isolated cell. Custody personnel shall collaborate with Correctional Health Services (CHS) staff to ensure these inmates are placed in an appropriate housing location that is conducive to their access to necessary prenatal/medical care. Further policy and procedures regarding pregnant inmates are delineated in CDM sections 5-09/030.00, "Limitations on Disciplinary Actions," and 7-02/010.00, "Pregnant Inmates."
- Inmates who have been identified by mental health staff as suicidal shall be under unobstructed visual

observation, or in a suicide-resistant location with safety checks conducted every 15 minutes. Unobstructed visual observation is continuous but not necessarily uninterrupted observation within a reasonable physical distance of the inmate. Absent security concerns or exigent circumstances, suicidal inmates shall not be placed in an isolated cell unless such housing is determined by mental health staff to be appropriate.

Credit Revocation

- Ensure timely notification is made to inmates who have credits revoked, including an explanation.
- The DRB findings and completed Inmate Incident/Discipline Report generated in the Inmate Reports Tracking System (IRTS) shall be submitted to the Inmate Reception Center (IRC) Records Unit specifying the number of good-time, work-time, and/or early release credits to be revoked. Only the IRC Records Unit has the authority to change an inmate's release date.
- Upon the Records Unit's final approval of credits revoked, the housing unit shall ensure the inmate is notified of his/her new release date.
- All information and results are updated in the IRTS.

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