



Office of Inspector General County of Los Angeles

Inspector General

Reform and Oversight Efforts: Los Angeles County Sheriff's Department

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INTRODUCTION

This report encompasses the monitoring, auditing and review of activities related to the Los Angeles County Sheriff's Department (Department) that occurred from October 1, 2018 until December 31, 2018.¹ The Office of Inspector General (OIG) has four primary functions as follows:

- Monitoring the Department's operations and conditions in the jail facilities, including the Department's response to prisoner and public complaints.
- Periodically reviewing data on the Department's use of force, the Department's investigations of force incidents, allegations of misconduct and the disciplinary decisions.
- Conducting periodic audits and inspections of Department operations and reviewing the quality of the Department's audits and inspections.
- Regularly communicating with the public, the Board of Supervisors, the Civilian Oversight Commission (COC) and the Sheriff's Department regarding the Department's operations.

¹ This report will note if the data reflects something other than what was gathered between October 1, 2018 and December 31, 2018.

MONITORING

Department Use of Unmanned Aircraft Systems

The Department's Unmanned Aircraft System (UAS) was deployed one time this quarter on October 17, 2018. The Unmanned Aircraft System was used to assist the Major Crimes Bureau and the Lost Hills Station with a "Public Safety Sweep." The system searched areas in the mountains where explosive caches could be hidden. This search was done as a follow-up to an arrest of a serial burglary suspect. The Department did not locate any evidence of explosive caches. The Office of Inspector General reviewed the usage of the system and it appeared to be within Department policy. The Department deployed the UAS a total of three times this year and all deployments appear to have been within Department Policy.

Deputy Involved Shootings

The Office of Inspector General categorizes a Deputy Involved Shooting as any shooting in which: 1) a person was intentionally shot at by a Department member, whether injured by the gunfire or not; 2) a person was injured, including fatally, by the Department member's gunfire, whether intentionally or not; or 3) the Department member shot at a vehicle occupied by a person, unless it is clear from the circumstances that the purpose of the use of the firearm was to disable the vehicle (i.e. shoot tires).

The Department's definitions of Deputy Involved Shootings differ slightly from those of the Office of Inspector General and can be found in the Manual of Policies and Procedures section 3-10/300.00. The Department, for instance, categorizes accidental shootings of persons by the tactical nature of the shooting itself. The Department has added to its data sharing web site a "Persons Accidentally Struck by Gunfire" table to identify those shootings in which a person was accidentally struck by a Department member's gunfire in tactical situations or in situations in which the gun was discharged unintentionally. The Office of Inspector General Deputy Involved Shootings statistics referenced below include these shootings and classify them as "accidental hit" shootings.

The Department's Homicide Bureau investigates all Deputy Involved Shootings in which a person is injured, regardless of the shooting's category.²

From October 1, 2018 to December 31, 2018, the Office of Inspector General responded to four investigations of Deputy Involved Shootings. Four people were injured by deputy gunfire. No deputies were injured by gunfire but one deputy suffered an abrasion to the outer portion of his arm. A narrative description of each shooting is offered below to provide an understanding of situations that commonly lead to Deputy Involved Shootings. In both the June 2018 and October 2018 Quarterly Reports, the Office of Inspector General recommended similar narrative descriptions be provided on the Department's website for all Deputy Involved Shootings. To date, however, no such narratives have been posted.

Compton The Department reported that on October 7, 2018, at about 6:50 a.m., a deputy spotted a stolen vehicle in a parking lot. Upon approaching the vehicle, deputies found a Hispanic man in the driver's seat of the vehicle. The deputies ordered the man to exit the van, but he refused. The Department reports the man eventually jumped out of the van and pointed a fixed blade knife towards one of the deputies. The man advanced with the knife in hand as the deputy attempted to back away. The deputies told the suspect to drop the weapon, which the suspect refused to do. As he continued to advance towards one of the deputies, one deputy fired three rounds from his duty weapon and the other deputy fired his Taser at the man. Two of the rounds struck the man in the abdomen, but it is unknown whether either of the two Taser darts made contact.

The man was transported to the hospital for further treatment. His knife was recovered from the scene. Video depicting the shooting was secured as part of the investigation. The deputy who discharged his firearm had not been involved in any prior shootings.

South Los Angeles The Department reported that on October 27, 2018, at about 3:30 a.m., deputies were attempting to detain a Hispanic man suspect for a drinking in public investigation. During the contact, the Department

² See Los Angeles County Sheriff's Department Manual of Policies and Procedures section 3-10/440.00.

reports the suspect produced an assault rifle from his waistband area. Fearing for his safety, one of the deputies fired eleven rounds from his duty weapon. The suspect suffered several gunshot wounds to both of his legs and was transported to the hospital where he was listed in stable condition. The suspect's unloaded weapon was recovered from the scene. The deputy who discharged his firearm had not been involved in any prior shootings.

City of Industry The Department reported that on November 1, 2018, at about 3:22 a.m., a deputy was inside a convenience store when he heard a loud collision in the parking lot outside. The deputy exited the store and saw a sedan had crashed into a parked vehicle. The female front seat passenger quickly exited from the sedan and ran screaming past the deputy. The driver, an African American man, exited the sedan and walked quickly towards the deputy. The man refused to follow the deputy's commands to stop. The man then lunged at the deputy and attempted to take the deputy's firearm. The deputy was able to break free of the suspect's grip and fired his duty weapon striking the man in the torso at least one time.

The man fled into the store, grabbed a hold of the female clerk and forced the clerk into a storage room. After a brief stand-off, he freed the clerk and was transported to the hospital for further treatment. The deputy sustained an abrasion to his left forearm. Video depicting the shooting was secured as part of the investigation. The deputy who discharged his firearm had not been involved in any prior shootings.

Lancaster The Department reported that on November 25, 2018, at about 4:03 p.m., deputies responded to an "assault with a deadly weapon" call. According to witnesses, the suspect, a Hispanic man, had approached a female with a knife in his hand. The female ran and sought refuge in her garage. The suspect followed her and stated that he was going to kill her. The female ran across the street as the suspect continued to follow her. A male civilian saw what was happening and tried to calm the suspect down. The suspect turned his attention on this new person and told the male that he was going to kill him. It was at this juncture that the deputy arrived on scene. The suspect saw the deputy and approached the deputy stating that he was going to kill the deputy. The deputy gave commands for the suspect to drop the weapon, but the suspect refused and continued to advance

towards the deputy. At that time, the deputy fired three rounds from his duty weapon.

The suspect sustained five gunshot wounds to the body and left wrist. He was transported to the hospital, where he was listed in fair condition. The suspect's folding knife was recovered from the scene. The deputy who discharged his firearm had not been involved in any prior shootings.

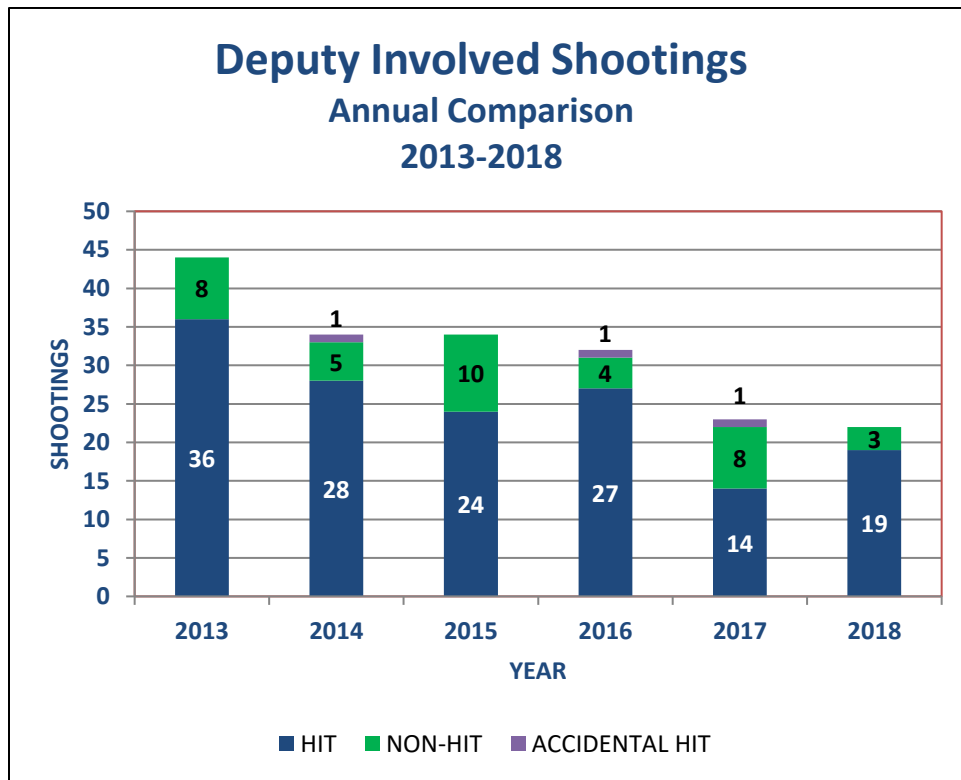
Unintentional Discharges

The Department defines an unintentional discharge as an incident in which a firearm is discharged without the deliberate intention of the user. All unintentional discharges result in an administrative investigation and are investigated by either the unit to which the deputy is assigned or the Internal Affairs Bureau, depending upon the circumstances. At the conclusion of the administrative investigation, the unintentional discharge will be classified as either an accidental discharge or a negligent discharge. A discharge of a firearm that is not caused by any negligence or failure to follow established safety procedures, but is instead due to mechanical failure is classified as an accidental discharge. A discharge of a firearm caused by negligence or failure to follow established safety procedures is classified as a negligent discharge and subjects the deputy to discipline which ranges from a 1 day suspension on up depending on the level of negligence involved, the nature of the damage caused, the deputy's prior related-discipline, and whether or not alcohol was involved. From October 1 through December 31, 2018, there were a total of two unintentional discharges. A brief narrative of the circumstances in all of the incidents is set forth below.

La Verne The Department reported that on November 17, 2018, at about 6:15 p.m., a deputy unintentionally discharged his weapon. The single expended round did not cause physical injury, but caused minor damage to property at the facility.

San Dimas The Department reported that on December 11, 2018, at about 3:22 p.m., a deputy unintentionally discharged his weapon. The deputy was trying to ensure that the weapon was clear of a live round. However, there was a live round in the chamber which discharged into a safety barrel. There were no injuries to persons or property as a result of this incident.

Comparison to prior years



Since January 2015, the Department has been reviewing, monitoring and in some cases removing deputies involved in multiple or concerning shootings from field duties.³ In 2016, 34% of deputies involved in shootings had been involved in one or more previous shooting. That percentage dropped in 2017 to 19%, and in 2018 the percentage of deputies involved in a shooting who had been involved in a prior shooting dropped to 3%.

³ See Manual of Policies and Procedures section 3-09/330.00 Critical Incident Review Panel.

District Attorney Review of Deputy Involved Shootings

The Sheriff's Department Homicide Bureau submits the investigation of each Deputy Involved Shooting which occurred in the County of Los Angeles and in which a person has been injured for review and possible filing of criminal charges by the District Attorney's Office.

Between October 1, 2018, and December 31, 2018, the Los Angeles County District Attorney issued findings in four Deputy Involved Shooting cases.

- In the December 12, 2016, non-fatal shooting of Jonathan Salas, the District Attorney opined in a memorandum dated October 11, 2018, that the deputy acted lawfully in self-defense and the defense of others.
- In the August 17, 2016, non-fatal shooting of Gerry White, the District Attorney opined in a memorandum dated November 1, 2018, that the deputy acted lawfully in self-defense and used reasonable force to apprehend a dangerous fleeing felon.
- In the June 22, 2017, fatal shooting of Armando G., the District Attorney opined in a memorandum dated November 7, 2018 that the shooting was accidental and that there is no criminal liability in the case.
- In the September 11, 2017, fatal shooting of Vincent Hernandez Jr., the District Attorney opined in a memorandum dated November 19, 2018 that the deputies acted lawfully in self-defense and in defense of others.

The District Attorney's findings memoranda setting forth a summary of the investigations and the rationale for their decisions in the above four cases may be found at the District Attorney's website, <http://da.lacounty.gov/reports/ois>.

In addition to the four cases mentioned above where the District Attorney found the deputies involved in the shootings acted lawfully and/or without criminal liability, the District Attorney found there was sufficient evidence to file felony Voluntary Manslaughter charges against Deputy Luke Liu in the February 24, 2016, fatal shooting of Francisco Garcia. The shooting occurred on-duty and involved the killing of an unarmed motorist at a convenience store gas station in Norwalk.

Homicide Bureau's Investigation of Deputy Involved Shootings

Homicide Bureau is responsible for conducting the investigation into all hit shootings. Regardless of whether the deputy shot intending to strike a person or a person was injured as a result of an unintentional discharge. If a person is hit by a firearm round, the Homicide Bureau is responsible for conducting that investigation. After completing its investigation, the Homicide Bureau submits its investigation to the Los Angeles County District Attorney's Office for consideration of filing of criminal charges. If the District Attorney's Office declines to file the case, the Department's Internal Affairs Bureau will then begin its investigation into whether the involved personnel violated any departmental policies when using force.

For this present quarter, the Homicide Bureau reports having 12 open shooting cases that it is still investigating that involve Department personnel. Out of those cases, the Department reports that it has sent one case this quarter to the District Attorney's Office for consideration of filing criminal charges. The oldest case at the District Attorney's Office awaiting a filing determination is a February 11, 2016 shooting in Lancaster. The Department reports that this case has been at the District Attorney's Office since August of 2017.

The oldest case that the Homicide Bureau is still investigating is the July 19, 2018, fatal shooting of Carmelo Pizarro, Jr.

Internal Criminal Investigations Bureau

Internal Criminal Investigations Bureau (ICIB) reports to the Sheriff and Undersheriff/Executive Officer. The Bureau is responsible for investigating allegations of criminal misconduct by members of the Department which do not otherwise fall under the jurisdiction of another law enforcement agency.

For this present quarter,⁴ the Department reports that ICIB has 93 pending cases, 80 Department cases and 13 cases being investigated for outside law

⁴ These numbers are based on statistics prepared by the Department and provided to the OIG. These numbers do not include cases which were investigated by other law enforcement agencies.

enforcement agencies. Out of those 93 cases, 24 have been sent to the Los Angeles County District Attorney's Office for consideration of filing of criminal charges and are pending a decision. The District Attorney filed one case this quarter for a total of five cases filed in 2018. There are six pending ICIB criminal cases that have been filed. Those cases were filed on April 16, 2014, February 21, 2018, June 4, 2018, June 21, 2018, July 19, 2019 and November 9, 2018. The oldest open case that ICIB has on its books is from January 15, 2015, and it is pending review by the District Attorney.

In addition to the state court cases discussed above, this quarter the United States Attorney's Office filed felony charges against two employees for distribution of controlled substances. That case is currently pending in federal court.

Executive Force Review Committee

The Department outlines in its Manual of Policies and Procedures, 3-10/140.00 the tasks and duties of Executive Force Review Committee (EFRC). The Committee evaluates every shooting and force incident to which an IAB Force/Shooting Response Team is required to respond and determines whether the force and tactics were in or out of policy.⁵

This quarter, the Department held five EFRC meetings. In those meetings they heard 12 force cases involving a total of 29 employees. The EFRC heard two hit shooting cases, three non-hit shooting cases and seven significant use of force cases. The cases stemmed from incidents that occurred as far back as 2015 to as recently as 2018. Out of those 12 cases heard, the panel found that the force and tactics were within policy for all deputies involved in 8 of the cases (1 hit shooting, 2 non-hit shootings and 5 significant force cases). While the force and tactics were within policy in these 8 cases, the panel made training and/or briefing recommendations in almost all of the cases.

⁵ For the detailed description of how EFRC is conducted, please refer to the OIG's June 2018 report "Reform and Oversight Efforts: Los Angeles County Sheriff's Department June 2018."

In one significant force case, the panel found that the force and tactics were out of policy for one of the six deputies who used force and recommended the deputy be discharged. The deputy retired before the discipline could be imposed. In the same case, the force and tactics of the other five deputies were found to be within policy but their supervisor was found to have violated policy relating to the duties of a supervisor and received a five-day suspension. In the remaining cases (1 non-hit shooting and 1 significant force case), the deputies were found to have acted within the force policy but their tactics were found out of policy and the panel recommended seven-day suspensions for the two deputies involved in the shooting and a four-day suspension for the deputy involved in the force.

Civil Service Commission Dispositions

The Civil Service Commission hears employee appeals of disciplinary decisions by the Department which imposes suspension from service of six or more days, demotion or discharge. This quarter, the Commission issued a final decision in three discharge cases, one demotion case and one 15-day suspension case. The Department's disciplinary decisions in two out of the three discharge cases were upheld by the Commission. The third discharge involved a deputy who had been convicted of driving under the influence and had previously been arrested for driving under the influence but pled no contest to a lesser charge commonly known as a "wet-reckless" which carries with it some of the same probationary conditions as a driving under the influence case. Due to the fact that the Department mistakenly used the wrong date of the conviction when it imposed discipline for the first driving under the influence arrest, the Commission in a 3 to 1 decision reduced the discharge to a 30-day suspension.

The demotion case involved a civilian employee who was demoted two ranks for misconduct relating to the performance of his fiscal responsibilities. The Commission upheld the demotion but agreed to demote the employee by only one rank rather than two.

The suspension case involved a deputy who engaged in a verbal altercation with an outside law enforcement agency while engaged, without the Department's permission, in outside employment. The Commission reversed both the findings of misconduct and the suspension imposed because the

deputy was not served with his letter imposing the discipline in a timely manner as required by Government Code section 3304. The Department is considering whether to appeal the case to Superior Court.

“Truth and Reconciliation”

Upon the new Sheriff being elected, this office made a formal request to be notified of any action on “truth and reconciliation,” the term the Sheriff has used to describe his planned desire to rehire some deputies who have been fired for dishonesty or other misconduct, so that we could monitor the process. As of December 31, 2018, the Office of Inspector General has received no response. The Office of Inspector General has reason to believe the Sheriff has commenced the process and we are currently conducting an inquiry to gather information regarding whether that process is evidence based and reasonable.

The Office of Inspector General urges the Department to cooperate in this inquiry and to take steps to be certain any such process is evidence-based and objective. In order to prevent the appearance of bias, such a process would ideally be conducted through some external body or with the consultation of persons other than those who report directly to the Sheriff and can be removed at will.

As this is a matter of great public concern, the Inspector General will present any non-confidential information gathered to the Civilian Oversight Commission. However, because SB1421 makes public the facts of all cases resulting in a finding of dishonesty through administrative appeal, all instances in which deputies were fired for dishonesty and rehired should ultimately be publicly available for everyone to draw their own conclusions.

Service Comment Reports

Per Department policies, the Department accepts and reviews any and all comments from members of the public that are germane to departmental service or individual performances.⁶ The Department categorizes these comments into three categories:

⁶ See Manual of Policies and Procedure section 3-04/10.00 Department Service Reviews.

- "External Commendation: an external communication of appreciation for and/or approval of service provided by Department members;
- Service Complaint: an external communication of dissatisfaction with Department service, procedure or practice, not involving employee misconduct; and
- Personnel Complaint: an external allegation of misconduct, either a violation of law or Department policy, against any member of the Department."

The chart below lists the number and types of complaints received by each station and/or unit this quarter.

Station/Bureau ⁷	Commendation	Personnel ⁸ Complaint	Service Complaint
ACCESS TO CARE BUREAU	0	1	0
CENTRAL PATROL ADM HQ	1	0	0
CW SRVS ADM HQ	0	1	0
FOR I HQ	1	0	0
AERO BUREAU	1	1	0
ALTADENA	4	3	0
OFFICE OF THE ASST SHERIFF II	1	0	0
OFFICE OF THE ASST SHERIFF I	1	0	0
AVALON	3	0	0
COMM & FLEET MGMT BURUEA	1	0	0
COMMUNITY COLLEGE BUREAU	3	1	0
CENTURY	4	11	1
CERRITOS	7	4	1
CIVIL MANAGEMENT BUREAU	11	5	5
COURT SERVICES CENTRAL	2	1	1
COMPTON	5	9	1
COMMUNITY PARTNERSHIP BUREAU	4	1	1
CENTURY REG DETENTION FACILITY	1	0	1
CRESCENTA VALLEY	11	4	2
COUNTY SERVICES BUREAU	4	1	0
CARSON	8	5	2
COURT SERVICES TRANSPORTATION	1	0	0
EAST LA	9	8	2

⁷ If a station or bureau does not appear on this chart, the station or bureau did not receive any reports from October 1, 2018 until December 31, 2018. This data reflects the information reported through 11:30 a.m., December 31, 2018.

⁸ It is possible for there to be a Service Complaint Report and Personnel Complaint Report based on the same incident in question.

Station/Bureau ⁷	Commendation	Personnel ⁸ Complaint	Service Complaint
EMERGENCY OPERATIONS BUREAU	1	1	0
COURT SERVICES EAST	0	2	1
FRAUD & CYBER CRIMES BUREAU	2	0	0
HOMICIDE BUREAU	4	2	1
HUMAN TRAFFICKING BUREAU	2	0	0
INTERNAL AFFAIRS BUREAU	1	2	3
INTERNAL CRIME INVESTIGATION BUREAU	0	1	1
INDUSTRY	9	5	4
INMATE RECEPTION CENTER	4	0	0
INMATE SERVICES BUREAU	2	0	0
LANCASTER	13	27	3
LAKESWOOD	3	6	3
LOMITA	9	2	2
MARINA DEL REY	6	7	2
MAJOR CRIMES BUREAU	1	0	0
MEN'S CENTRAL JAIL	0	0	1
MALIBU/LOST HILLS	11	4	1
METROLINK	1	0	0
NARCOTICS BUREAU	2	0	0
NORTH CO. CORRECTIONAL FACILITY	0	1	0
PITCHESS NORTH FACILITY	1	0	0
NORWALK REGIONAL	15	6	5
OPERATION SAFE STREETS BUREAU	0	4	3
PARKS BUREAU	0	0	1
PALMDALE	29	18	3
PICO RIVERA	6	7	1
RECORDS & IDENTIFICATION	1	0	0
TRAINING BUREAU	2	0	0
SANTA CLARITA VALLEY	18	5	2
SAN DIMAS	7	5	2
SPECIAL ENFORCEMENT BUREAU	2	2	0
SHERIFF INFORMATION BUREAU	1	0	0
SOUTH LOS ANGELES	6	8	3
SCIENTIFIC SERVICES BUREAU	2	0	0
SPECIAL VICTIMS BUREAU	3	1	1
TRAINING BUREAU	0	0	1
TEMPLE CITY	6	5	1
TRANSIT SERVICES BUREAU	5	1	0
TWIN TOWERS	2	0	0
WALNUT/SAN DIMAS	7	6	4
WEST HOLLYWOOD	7	12	1
COURT SERVICES WEST	1	5	0

In Custody Deaths

Between October 1 and December 31, 2018, six people died while incarcerated by the Los Angeles County Sheriff's Department. The Office of Inspector General responded to the scene of those deaths which occurred in the detention facilities.

On October 27, 2018, an individual died at Men's Central Jail. The individual was discovered unresponsive in a multi-person cell during distribution of medication. Emergency aid was rendered, paramedics were called, and they pronounced the individual dead at the scene.

On October 31, 2018, a patient died at Los Angeles County/USC Medical Center (LCMC). The patient was under evaluation in the Correctional Treatment Center inside of the Twin Towers Correctional Facility for several months prior to being admitted to LCMC on October 30, 2018.

On November 21, 2018, an individual died at Twin Towers Correctional Facility. The individual was discovered unresponsive in a cell during a Title-15 safety check. Sheriff's deputies and medical personnel rendered emergency aid until paramedics arrived and pronounced the individual dead at the scene.

On November 28, 2018, an individual died at Century Regional Detention Facility (CRDF). The individual was discovered unresponsive in a cell during a Title-15 safety check. Emergency aid was rendered, paramedics were called, and they pronounced the individual dead at the scene.

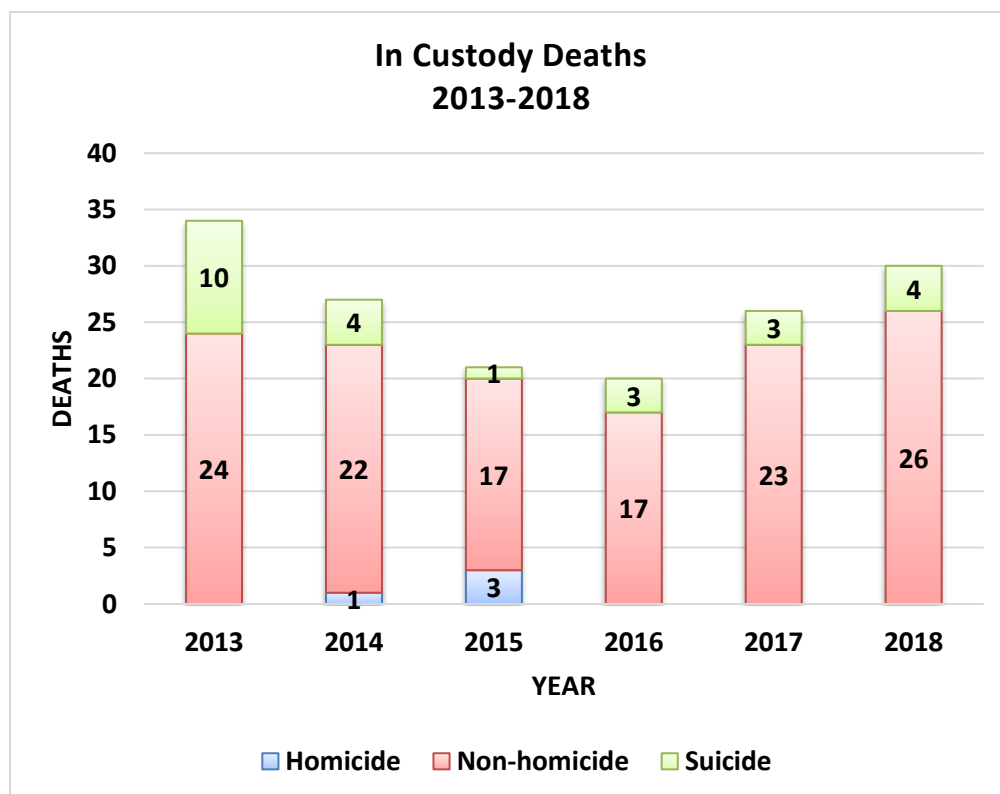
On November 30, 2018, an individual died at Industry Patrol Station Jail. The individual was reportedly discovered by Sheriff's deputies in a cell during what was described as a suicide attempt. Emergency aid was rendered, paramedics were called, and they pronounced the individual dead at the scene.

On December 2, 2018, a patient died at LCMC. The patient was under evaluation in the Correctional Treatment Center inside of the Twin Towers

Correctional Facility for several hours prior to being admitted to LCMC on November 21, 2018.

There were Custody Services Division administrative death reviews into the death of each of these six individuals. There were no deaths of individuals in the custody of the Sheriff's Department during this quarter which occurred outside of a jail or hospital setting and there is no evidence that a use of force by personnel immediately preceded any of the deaths or otherwise contributed to them. The Office of Inspector General is nonetheless concerned about the quality of medical and mental health care provided, poor coordination and communication between Correctional Health Services and Custody Services personnel, sufficiency of the safety checks and the timeliness and quality of life saving efforts. The Office of Inspector General attended the administrative death reviews and continues to monitor the quality and thoroughness of the reviews as well as the ongoing efforts of the Department and Correctional Health Services to improve patient care.

Comparison to prior years



The number of in custody deaths the Office of Inspector General reports may vary slightly from historical data provided by the Department because the Department identifies in custody deaths by custody status and the location of an individual's death.

CUSTODY OPERATIONS

Use of Force Incidents in Custody Division

The Office of Inspector General monitors the Department's Custody Services Division data on use-of-force incidents, prisoner-on-prisoner violence and assaults on Department personnel.

In July of 2017, the Office of Inspector General issued the report A Review of the Jail Violence Tracking and Reporting Procedures of the Los Angeles County Sheriff's Department. In that report, we published our findings that data collecting and reporting methodologies of the Department resulted in significant error rates in the reporting of Prisoner-on-Prisoner Assaults (an underreporting of 9.7% in our sample), Prisoner-on-Staff Assaults (an underreporting of 17.7% in our sample), and Use-of-Force on Prisoners (an underreporting of 0.9% in our sample).

The Office of Inspector General found that "[t]he Department's system of tracking jail violence is comprised of a confusing collection of databases and processes. Each database is stand alone and there is no uniform procedure for reconciliation to ensure that subsequent additions, deletions or amendments are input to each database and are tracked consistently."

The Office of Inspector General recommended, among other actions, that the Department "[n]ot release any data unless it is sure of its accuracy within a certain and identified margin of error" and that "margins of error, qualifying variables, or potential discrepancies be clearly identified and reported with the data."

Valid year-to-year comparisons before 2018 cannot be made using Department collected and reported data without taking into account that there are significant error rates in the collection and reporting of the data from prior years. After the July 2017 report was issued, the Department changed its collection and reporting methodologies to reflect more accurately

the true numbers of these incidents. The Department's efforts were reported in the Office of Inspector General's July 24, 2018 report back to the Board of Supervisors on the Department's actions to implement the Office of Inspector General's recommendations. The Office of Inspector General has not audited the Department's data reported for 2018.

With that caveat, we publish here the jail violence data that the Department has previously released through the years 2014 to 2018. This data has changed over time as investigations have resulted in the reclassification of some incidents. The numbers in parenthesis reflect the numbers as most recently revised by the Department due to further investigation.⁹

Prisoner on Staff Assaults		Prisoner on Prisoner Assaults		Use of Force on Prisoners	
2014	349 (353)	2014	2,849 (2,750)	2014	684 (691)
2015	404 (429)	2015	3,104 (3,119)	2015	1,103 (1,113)
2016	567 (595)	2016	3,716 (3,497)	2016	1,833 (1,858)
2017	643 (643)	2017	3,266 (3,266)	2017	1,928 (1,929) ¹⁰
2018	577 (577)	2018	3,632 (3,632)	2018	2,120 (2,120)

Jail Conditions

Currently, our jails contain too many prisoners to be properly run by the number of staff, custody and medical, assigned to them. This condition generates a variety of unacceptable results for staff and prisoners and should be corrected.

Examples of this include the increasing prevalence of force documented elsewhere in this report, ongoing sub-standard safety checks and insufficient attention to prisoner welfare, repeated negative outcomes in the medical and mental health care of prisoners, and a variety of other problems that will continue. The collapse of the Inmate Reception Center medical screening process last year resulted in prolonged chaining of mentally ill individuals to

⁹ The data reflected for the years 2014 to 2016 was reported by the Department to the Office of Inspector General in 2017. The data reflected for 2017 came from information presented at the annual Sheriff's Critical Issues Forum (SCIF). The data for 2018 was issued by the Custody Support Services Bureau January 29, 2019.

¹⁰ In October 2017, the Department added a new category of force called Non-Categorized Incident (NCI.) The totals since October 1, 2017, reflect the total of all NCI, Category 1, Category 2 and Category 3 uses of force.

benches. Recently, women housed in CRDF were provided only paper underwear for approximately two months, reportedly due to inadequate monitoring of large supply orders.¹¹

The Department has engaged with the COC in an effort to comply with federal guidelines on preventing prison rape. If this process is done properly, it should increase sexual safety and may help improve conditions generally. Appropriate expertise in gender responsive practices and other issues is desperately needed. This may include retention of an expert to conduct a comprehensive gender responsive needs assessment and reform implementation plan. The underwear example above and other deficiencies that the OIG has identified and reported on demonstrate the complexity of the challenge and the need for immediate solutions. The Office of Inspector General has participated in this process and trained its own staff to be prepared to conduct PREA audits when the Department has implemented changes. Changes in this regard require the continued strong commitment of the Department, Correctional Health Services, the COC, the Office of Inspector General and other county departments.

Office of Inspector General Site Assessments

Office of Inspector General personnel regularly conduct site visits and inspections to identify matters requiring attention. All site visits result in extensive follow up. Office of Inspector General personnel completed 65 site assessments and logged 109 monitoring hours inside the seven jail and lockup facilities in the fourth quarter of 2018. Typically during these visits, Office of Inspector General staff meet with Department personnel at all ranks, from security and custody assistants, civilian staff, clergy and volunteers to facility captains and commanders. As part of the Office of Inspector General's jail monitoring, Office of Inspector General personnel attended 73 Custody Services Division executive and administrative meetings and met with division executives for 102 monitoring hours.

Office of Inspector General personnel also continued to meet with prisoners in the general population, administrative segregation units, disciplinary

¹¹ A future report will provide more detail. Although it is no longer the case that all women at CRDF are receiving paper underwear, as of the beginning of this year some prisoners were still receiving paper underwear who should not be.

units, and medical and mental health housing and with civil detainees. Monitors met with and received input from individuals at cell front, during recreation and treatment group time, and in private interview rooms when necessary to ensure confidentiality. The following chart represents facilities visited from October 1, 2018, through December 31, 2018.

Facility	Site Visits
Century Regional Detention Facility (CRDF)	15
Inmate Reception Center (IRC)	6
Men's Central Jail (MCJ)	24
North County Correctional Facility (NCCF)	4
Pitchess Detention Center North (PDC North)	4
Pitchess Detention Center South (PDC South)	4
Twin Towers Correctional Facility (TTCF)	8
Total	65

CITIZEN'S COMMISSION ON JAIL VIOLENCE UPDATES

CCJV Recommendation 3.12: The Department should purchase additional body scanners

The Department continues to operate body scanners at the IRC, CRDF, PDC – North, PDC – South, PDC – East, and NCCF.

It was previously reported that assigned personnel would be receiving advance image evaluation training in the near future, the training of 80 custody personnel was completed from December 11 through December 14, 2018. This training was exclusive and intense training, specifically to aid employees in image evaluation and detecting anomalies within a scan to improve their ability to detect contraband. These personnel are now being assigned as dedicated image evaluators for the machines, with the goal of ensuring a maximum amount of contraband is detected by the machine and identified by the evaluator to create the safest jail environment.

It was also previously reported that the Department installed three body scanners in the Inmate Processing Area (IPA) and one scanner near the vocational shops at NCCF. The scanner installed near the vocational shops required security based installation enhancements which the Department reported would be completed immediately after the Office of Inspector General's October 2018 Third Quarter report was published. The vendor in fact repositioned the equipment on October 24, 2018. However, when Facilities Services Bureau attempted to move the employee work station and

test the equipment, personnel discovered a damaged control cable. The Department reports that they have contacted the vendor to create a work ticket for repair but an estimated timeframe for repair has not yet been established.

CCJV Recommendation 5.8: The Department should discourage participation in destructive cliques

Due to their impact on force in the jails, the CCJV recommended that “high level Department leaders should actively discourage membership in deputy cliques and avoid promoting or condoning a culture of allegiance to a subpart of the Department.” Although the Department initially took action in this regard, that action has been limited primarily to the jails.

The Department failed to follow through in all of the divisions with Department-wide appropriate corrective action. As this office has pointed out, this failure has been going on for fifty years and is not the fault of any one Sheriff or of the employees of the Department. However, because we have a new administration, we have an opportunity to resolve the problem permanently now.

The Department should consult with deputy unions and the COC and implement a policy prohibiting membership in organizations which advocate violation of laws, policy, and civil rights or which conceal their nature and membership. The absence of such a policy is a failure of leadership that must be corrected. For fifty years secret societies have been allowed to operate because of a centrally organized Code of Silence in the Department.

A current example of the centrally implemented Code of Silence is management’s response to allegations of misconduct surrounding secret societies. Under the previous administration, deputies who did not wish to provide information against their fellow deputies in criminal investigations as required by Department policy, were not compelled to do so. There are currently multiple internal investigations relating to secret societies. This office believes that the number of deputies who have been asked to date about the membership of these groups or their nature is **zero**. This is the case despite the fact that the membership and nature of several such societies is a critical fact in each of those investigations. The new administration has been advised of this problem and should take corrective action immediately.

CCJV Recommendation 7.14: The grievance process should be improved to include added checks and oversight

The Department is still in the process of installing iPads in all jail facilities to capture information related to prisoner requests and, eventually, grievances. There are now 155 iPads installed which are operational, an increase of 36 iPads since last quarter. There are now a total of 60 iPads at CRDF, 47 iPads at MCJ and 48 iPads at TTCF. The Department also reports that it has completed the Wi-Fi upgrades needed at TTCF and CRDF for the iPads to fully function. However, the newly installed access points continue to require refinements to improve connectivity issues. The Wi-Fi connectivity has been a challenging process due to the highly technical configuration requirements with multiple user types accessing multiple databases. Nonetheless, the Department is continuing to take measures to overcome the connectivity issues and refine the Wi-Fi system.

The Department has advised that iPads have automatically responded to 4,084,943 requests for information from January 1 through December 31, 2018. As previously reported, the Department has expanded the types of information that can be accessed from the iPads and will continue to add information as feasible.

As reported in the Office of Inspector General's Reform and Oversight Efforts January 2018, the Department initiated a "Duplicate or Excessive Filings of Grievances and Appeals and Restriction of Filing Privileges Policy." The Department reports that between October 1 and December 31, 2018, 18 individuals were restricted from filing 43 grievances according to this policy. The Office of Inspector General reviews the restricted grievances to ensure that restrictions comply with Department policy. The Office of Inspector General will continue to monitor the restrictions on access to the grievance system and the implementation of this policy.

CCJV Recommendation 7.15: The use of lapel cameras as an investigative tool should be broadened

As previously reported, the Department opted for an alternative implementation of this recommendation and embarked on a five-year program to install fixed cameras in the jail facilities. The Department continues to install Closed Circuit Television cameras at Pitchess Detention Center (PDC) South. As previously reported, the Department completed installation of 190 cameras throughout the PDC South compound and was still anticipating the installation of cameras in the classrooms, vocational shops, and laundry areas. The Department reports that cameras have been installed and are fully operational in the visiting area and in the classrooms. However, the cameras in the vocational shops and laundry areas are still in the installation process. The Department was initially expecting to have all cameras installed and fully operational by December 2018, but the anticipated completion date is unknown at this time. PDC South reports that they have already had multiple instances where the cameras that are operational have been utilized to identify suspects, recover jail made weapons, and identify narcotics activity.

As also previously reported, the Department has installed 190 cameras at PDC North and all staff stations are equipped with display screens that show multiple camera angles inside the dorm and outdoor recreation areas. During this quarter, Office of Inspector General personnel again viewed the cameras via several staff stations on all site visits. All cameras appeared to be in working order and each had a live and clear picture of the dorms, recreation areas, and classrooms.

COMMENTS REGARDING DEPARTMENT OPERATIONS AND JAILS

The Office of Inspector General received 84 new complaints in the fourth quarter of 2018 from members of the public, prisoners, prisoners' family members and friends, community organizations and County agencies.¹² Each complaint was reviewed by Office of Inspector General staff. Of the 84 new complaints, 66 were related to conditions of confinement within the Department's custody facilities, as shown below:

Complaint/ Incident Classification	Totals
Personnel Issue	
Use of Force	2
Failed to Take Action	2
Discrimination	1
No Discernable subject	3
Medical/Dental Issue	11
Mental Health Services	3
Housing	4
Dietary	5
Other Service Issue	35
Total	66

Thirty complaints were related to civilian contacts with Department personnel by persons who were not in custody.

Complaint/ Incident Classification	Totals
Personnel Issue	
Rude/Abusive Behavior	2
Discrimination	3
Unlawful Search	1
Unlawful Detention	2
Failed to Take Action	4
Off Duty Conduct	3
Other Service Issue	15
Total	30

Two complaints were not about the Department or Department personnel and were referred to the appropriate agency or the complainant was directed to seek legal advice.

¹² When complaints raise multiple issues, the OIG tracks and monitors the Department's response to each issue. As such, a single complaint may receive more than one classification as reflected in the referenced tables.