

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT



**Inmate Grievances Policies and Procedures Audit
Custody Services Division: General Population
Men's Central Jail
No. 2017-9-A**

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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
Audit and Accountability Bureau

**INMATE GRIEVANCES POLICIES AND PROCEDURES AUDIT – CUSTODY
SERVICES DIVISION: GENERAL POPULATION – MEN'S CENTRAL JAIL**

Project No. 2017-9-A
Audit Report

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Inmate Grievances Policies and Procedures Audit – Custody Services Division: General Population – Men's Central Jail, under the authority of the Sheriff of Los Angeles County. The audit was performed to determine how the Los Angeles County Sheriff's Department (Department) Men's Central Jail (MCJ) adhered to the Department's policies and procedures related to the collection, processing, investigation, and response to general inmate grievances. The audit did not include "grievances against staff," which will be addressed in a subsequent audit. This audit satisfied, in part, the requirements of the Citizens' Commission on Jail Violence (CCJV) recommendations and provisions related to the implementation plan of the *Rosas Settlement Agreement* (Agreement).¹

The AAB conducted this audit under the guidance of Generally Accepted Government Auditing Standards.² The AAB determined the evidence obtained was sufficient and appropriate to provide a reasonable basis for the findings and conclusions based on the audit objectives.

BACKGROUND

In 2012, the Los Angeles County Board of Supervisors, in response to the *Rosas* federal class-action lawsuit alleging the Department condoned a long-standing and widespread pattern of violence by deputies against inmates in the jails, convened the CCJV to investigate the allegations. The civil action resulted in the Agreement and implementation plan which included recommendations addressing training, reporting, and tracking incidents involving uses of force as well as inmate complaints and grievances. Prior to the Agreement, the Department collected, tracked, and addressed inmate grievances in a manner found to be insufficient by the CCJV.

¹ On September 26, 2014, then Sheriff John L. Scott entered into a Settlement Agreement regarding Alex Rosas, et al. v. Leroy D. Baca, Case No. CV 12-00428 DDP.

² United States Government Accountability Office – By the Comptroller General of the United States, December 2011, Government Auditing Standards, 2011 Revision.

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As a result of the Agreement’s recommendations, the Department’s inmate grievance policy was revised and resulted in the creation of Volume 8 of the Department’s Custody Division Manual (CDM).³ The revised policy expands upon the manner in which Form SH-J-420 (Inmate Grievance Form) is made accessible, collected, tracked, assigned, and investigated.

Requisite timelines are outlined in Volume 8 of the CDM, as well as procedures for extending response due dates and processing inmate appeals. The Division Inmate Grievance Coordinator⁴ at Custody Support Services (CSS)⁵, communicates with each of the facilities, bureaus, and units regarding inmate grievances and Inmate Grievance Team⁶ activities. Per CDM, Section 8-01/020.00, Responsibilities, the Division Inmate Grievance Coordinator is responsible for coordinating the review of appeals, communicating with each of the facilities, bureaus, and units regarding inmate grievances and Inmate Grievance Team activities, and for conducting regular audits.⁷

By partnering with the Court appointed Agreement Monitors, the Department has refined the policies and procedures with the expressed purpose of ensuring the Department’s implementation of policy changes, adherence in practice to the policy changes throughout the monitoring time period, and investigation of any alleged or potential violations of the revised policies.⁸ When the Agreement’s implementation plan was entered into, the accompanying recommendations had an expected implementation completion date of December 31, 2015. At the completion of this audit, the current status of those revisions remains in progress.

³ Per CDM, Section 8-01/000.000 – Preamble to the Inmate Grievance Policy (Non-Medical/Non-Mental Health), states the purpose of the inmate grievance policy is to establish and maintain a fair, objective and effective grievance process through which resolutions of inmate grievances are achieved at the lowest possible administrative level with timely responses to the aggrieved, and affording reasonable opportunities to appeal to the next level of review.

⁴ Per CDM 8-01/020.00 Responsibilities, The Division Inmate Grievance Coordinator, at the minimum rank of lieutenant is assigned to Custody Support Services (CSS).

⁵ Per CDM 2-00/060.00 Custody Services Division – Administration, The Custody Support Services unit provides administrative support, in-depth research, independent auditing, critical incident review, and policy development for the Custody Services Divisions.

⁶ Per CDM 8-01/020.00 Responsibilities, the Inmate Grievance Teams shall be responsible for reviewing, categorizing, tracking and forwarding requests, grievances, and appeals to the appropriate person or unit for investigation and handling, and shall assist with responding to inmates as appropriate. In addition, they shall scan and enter all non-electronic grievances, general requests, and appeals forms they collect into CARTS, including collection times, and assign them reference numbers.

⁷ The CDM refers to monthly and quarterly statistical reports as audits. However, these reports are not audits as defined by government auditing standards.

⁸ The presiding United States District Judge appointed monitors to develop and oversee Department compliance with the Agreement Implementation Plan.

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PRIOR AUDITS

This was the first Inmate Grievances Policies and Procedures Audit – Custody Services Division: General Population – Men’s Central Jail, performed by AAB.

METHODOLOGY

Scope

This audit encompassed five objectives:

- Inmates Accessibility to Submit Grievances – To determine availability and reasonable access to grievance forms.
- Daily Collection of Grievances – To determine if line sergeants documented the collection of handwritten inmate grievances forms in the Electronic Uniform Daily Activity Log (e-UDAL)⁹ from all housing unit secured boxes.
- Timeliness – To determine if the inmate was notified of modification to an emergency grievance; to determine if non-emergency grievances were investigated, resolved and responded to within 15 calendar days of the Department’s receipt; and to determine if emergency grievances were investigated, resolved and responded to within five calendar days of the Department’s receipt.
- Grievance Investigations – To determine if the unit grievance coordinator ensured investigations were completed reasonably within established timeframes, and the inmates were notified of the results.
- Appeals Process – To determine if notification of disposition to a non-emergency grievance appeal was provided to the inmate in writing, within 15 calendar days of the Department’s receipt; and to determine if notification of disposition to an emergency grievance appeal was provided to the inmate in writing, within five calendar days of the Department’s receipt.

⁹ Per CDM 4-11/025.00 Electronic Uniform Daily Activity Log (e-UDAL), the e-UDAL is a web application utilized within Custody Division and all station jails in Patrol Operations for record keeping, inmate tracking, as well as accurate and timely data entry. The e-UDAL is located in the Title 15 Uniform Daily Activity Log and accessed via the Custody Information Portal.

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Source documentation included e-UDALs, and a review of inmate grievances (emergency and non-emergency) from the Custody Automated Reporting and Tracking System (CARTS)¹⁰, and the associated scanned documentation located therein. The CDM, specifically Volume 8, was utilized in the analysis of this audit. Additionally, auditors evaluated recommendations from the Agreement which are required through the implementation plan and pertain directly to the scope of this audit.

Audit Time Period

For Objective No. 1, the accessibility inspection of MCJ housing locations for inmate grievance forms was completed on October 13, 2017.

For Objective Nos. 2 through 5, the audit time period was from June 1, 2017, through June 30, 2017.

Audit Population

Regarding Objective No. 1, auditors were provided a list from the Division Inmate Grievance Coordinator at CSS of locations at MCJ containing collection bins for inmate grievances. These collection bins are referred to as “grievance boxes.” Auditors identified 52 locations which are mandated per policy to have grievance boxes.

Regarding Objective No. 2, auditors extracted a list of e-UDAL entries from the identified locations in Objective No. 1. During the audit time period, a total of 1,560 e-UDAL entries were made by MCJ personnel. A statistically valid random sample of 90 e-UDAL entries was selected for review.¹¹

Regarding Objective Nos. 3, 4, and 5, auditors identified 458 grievances submitted at MCJ from June 1, 2017 through June 30, 2017, via CARTS. A statistically valid random sample of 80 grievances was selected for review.¹² The report was reconciled with a Structured Query Language (SQL) report from the CSS Grievance Team.¹³

¹⁰ CARTS is a data system designed to provide a means of consistently and accurately collecting Management Information and to present it in such a way as to facilitate the identification of deficiencies and trends that increase the Department’s exposure to criminal and civil liabilities in the custody environment. The data in CARTS updates daily and the information may vary from day to day, based on the updates.

¹¹ Using a statistical one-tail test with 95% confidence level and a 4% error rate, a statistically valid sample was identified.

¹² Ibid

¹³ The CSS Grievance Team under the direction of the Division Inmate Grievance Coordinator, was provided with a set of report parameters by auditors to perform a CARTS query in SQL Server Management Studio, an application through which authorized users can access and retrieve data. SQL Server Management Studio provided a data file, which reconciled the grievances auditors obtained from CARTS.

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SUMMARY OF AUDIT FINDINGS

The management and Inmate Grievance Unit staff at MCJ were accommodating and cooperative in providing the necessary information, and in validating the findings.

MCJ achieved excellent results in the following areas:

- Accessibility of inmates to file grievances
- Notification provided to inmates regarding Appeal Dispositions

MCJ achieved varied results for the audit objectives, which did not meet the desired standard. The results are summarized in Table No. 1.

Table No. 1 - Summary of Audit Findings

Objective No.	AUDIT OBJECTIVES	Met the Standard
1	ACCESSIBILITY AND AVAILABILITY OF GRIEVANCE FORMS	
	<i>To determine the reasonable accessibility and availability of inmate grievance forms</i>	100%
2	DAILY COLLECTION OF GRIEVANCES DOCUMENTED IN THE E-UDAL	
	<i>To determine if the collection of grievance forms were documented in the e-UDAL by a line sergeant at least once per day</i>	18%
REVIEW OF GRIEVANCES		
3	TIMELINESS	
3(a)	<i>To determine if notification of Emergency Grievance Modification was given to the inmate</i>	81%
3(b)	<i>To determine if grievances were investigated, resolved, and responded to within 15 calendar days for Non-Emergency Grievances</i>	53%
3(c)	<i>To determine if grievances were investigated, resolved, and responded to within 5 calendar days for Emergency Grievances</i>	20%
4	COMPLETENESS OF GRIEVANCE INVESTIGATIONS	
	<i>To determine if grievance investigations were completed reasonably, within established time frames, and inmates were notified of the results</i>	51%
5	APPEALS PROCESS	
5(a)	<i>To determine if notification of Disposition to an Appeal was provided to the inmate, in writing, within 15 calendar days for Non-Emergency Grievances</i>	100%
5(b)	<i>To determine if notification of Disposition to an Appeal was provided to the inmate, in writing, within 5 calendar days for Emergency Grievances</i>	100%

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Objective No. 1 – Accessibility and Availability of Grievance Forms

Criteria

Custody Division Manual, Section 8-01/020.00, Responsibilities, (July 2016), states:

It shall be the responsibility of line personnel on each shift to ensure an adequate supply of Inmate Request Forms, Inmate Grievance Forms, and medical envelopes are available and reasonably accessible to inmates in the housing location.

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.2 states:

The Department must ensure that grievance forms are reasonably available to inmates at all times.

Audit Procedures

On October 13, 2017, auditors conducted a visual inspection of each grievance box at all 52 housing locations at MCJ to determine if inmates had reasonable access and availability to grievance forms.

Findings

Fifty-two of 52 (100%) housing locations at MCJ met the standard for this objective. Reasonable access to grievance forms were found at all housing locations.

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Objective No. 2 – Daily Grievance Collection Documented in e-UDAL

Criteria

Custody Division Manual, Section 8-01/020.00, Responsibilities, (July 2016), states:

Line Sergeant Responsibilities

Line sergeants shall be responsible for collecting inmate requests, grievances, and appeals, from all secured inmate grievance boxes located throughout the jail, in keeping with the collection times established in the respective facility’s unit orders, but no less than once per day. The number of forms retrieved shall be recorded in the designated section of the electronic Uniform Daily Activity Log (e-UDAL).

Priority Handling

In the event that a line sergeant is not available to perform the collection as noted, he or she shall notify the watch commander who shall reassign this task to another line sergeant(s).

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.1 states:

Inmate grievances and inmate requests should be reported on separate forms, whether on paper or electronically.

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.10 states:

Grievances should be collected from the locked grievance boxes on each living unit no less frequently than once per day. The time of the collection and the person doing the collection should be recorded in the living unit log and in a separate grievance collection log maintained by the Inmate Grievance Coordinator. Grievances should be reviewed by the Department within 24 hours of the collection of the grievance.

Audit Procedures

Auditors reviewed the e-UDAL entries of the selected housing locations, to determine if the collection of grievance forms were documented by a line sergeant no less than once per day. The documentation of grievance collection in the e-UDAL entries was verified with the documentation located in CARTS.

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Findings

Sixteen of the 90 (18%) e-UDALs reviewed by auditors met the standard for this objective. Seventy-four of the e-UDALs reviewed did not contain documentation that a line sergeant collected grievance forms that day.

Objective No. 3 – Timeliness

Objective No. 3(a) – Notification of Emergency Grievance Modification to Inmate

Criteria

Custody Division Manual, Section 8-03/010.00, Emergency Grievances, (July 2016), states:

If it is determined an emergency does not exist, the watch commander or designated sergeant shall notify the inmate as soon as practical, but not later than five (5) calendar days, that the grievance will be handled as a non-emergency grievance and document why it was determined not to be an emergency. In addition, any aspects of an emergency grievance deemed to not be an emergency shall be subject to the general inmate grievance process and deadlines set forth in the Inmate Grievance Policy.

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.8 states:

If the Department determines that a non-medical emergency does not exist, it should notify the inmate as soon as practical that the grievance will be handled as a non-emergency grievance and document why it was determined not to be an emergency.

Audit Procedures

Auditors reviewed all 80 grievances for this objective. Fifty-nine were excluded, because they were not filed as emergency grievances or if filed as emergency grievances were not modified. Therefore, 21 grievances remained for this objective. Auditors determined if the inmate was notified within five calendar days from the date an emergency grievance was collected, it would be handled as a non-emergency.¹⁴ Auditors also determined if the reason for the modification was documented in CARTS.

¹⁴ Auditors confirmed with Division Inmate Grievance Coordinator the five calendar day limit standard began on the date of collection.

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Findings

Seventeen of the 21 (81%) modified grievances met the standard for this objective. Auditors found no documentation the inmate was notified in the remaining four grievances.

Objective No. 3(b) – Grievances Investigated, Resolved, and Responded to within 15 Calendar Days (Non-Emergency)

Criteria

Custody Division Manual, Section 8-04/040.00, Time Frames, (July 2016), states:

Grievances

- *Inmate grievances shall be investigated, resolved, and responded to within fifteen (15) calendar days from the date the grievance was received by the Sheriff’s Department, absent exceptional circumstances, which must be documented. (Refer to section 8-04/040.05, "Extensions.") In cases wherein the inmate grievance cannot be resolved within this time frame, the inmate must be provided with a written response advising him or her of the status.*

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.19 states:

The Department should adhere to the requirements in Custody Division Manual 5-12/000.00 and 5-12/010.00 and respond to inmate grievances “within 15 calendar days after the submission of the grievance,” absent exceptional circumstances, which must be documented.

Audit Procedures

All 80 inmate grievances were reviewed for this objective. Five of the 80 inmate grievances were filed as an emergency and therefore were excluded from this objective. Auditors determined if the remaining 75 non-emergency grievances were responded to within fifteen days.

Findings

Forty of the 75 (53%) non-emergency grievances met the standard for this objective. Auditors found no entries in CARTS, nor any additional documentation to explain the delayed responses to those grievances that exceeded the established timeframes.

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Objective No. 3(c) – Grievances Investigated, Resolved, and Responded to within 5 Calendar Days (Emergency)

Criteria

Custody Division Manual, Section 8-03/010.00, Emergency Grievances, (July 2016), states:

The sergeant shall promptly notify the watch commander of the emergency grievance, who shall confirm the emergency exists and, if so, shall ensure appropriate action has been taken to protect the inmate and to resolve the issues which gave rise to the emergency. The watch commander shall further ensure a written response is provided to the inmate within five (5) calendar days documenting what action was undertaken to address the situation which gave rise to the emergency.

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.7 states:

The Custody Division Manual should provide that Department members should give all grievances marked “emergency” to a supervisor as soon as possible. Supervisors should review all emergency grievances as soon as possible to determine if the situation requires immediate action to protect the life or safety of the inmate and, if so, should immediately notify the Watch Commander/Shift Supervisor of the non-medical emergency. The Watch Commander/Shift Supervisor should immediately confirm that the non-medical emergency exists, take such action as is necessary to protect the inmate, and as soon as time and circumstances permit provide the inmate with a written response documenting what action was taken to address the emergency.

Audit Procedures

All 80 inmate grievances were reviewed for this objective. Seventy-five of the 80 inmate grievances were non-emergency grievances and therefore were excluded from this objective. Auditors determined if the remaining 5 emergency grievances were responded to within five days.

Findings

One of the 5 (20%) emergency grievances met the standard for this objective. Auditors found no entries in CARTS, nor any additional documentation to explain the delayed responses to those grievances that exceeded the established timeframes.

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Objective No. 4 – Completeness of Grievance Investigations

Criteria

Custody Division Manual, Section 8-01/020.00, Responsibilities, (July 2016), states:

Unit Inmate Grievance Coordinator Responsibilities

Unit Inmate Grievance Coordinators shall be responsible for regularly tracking the facility’s handling of inmate grievances to ensure the investigations are completed reasonably and within established time frames, and inmates are notified of the results of the investigations.

Unit Inmate Grievance Coordinators shall ensure all pertinent information regarding grievances is entered and tracked in CARTS and the entries reflect the nature and status of each grievance and personnel assigned to address the concerns.

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.9 states:

All emergency grievances should be forwarded to the Inmate Grievance Coordinator along with information about the decision made and when the inmate was notified about that decision. The Inmate Grievance Coordinator should review the emergency grievance to determine if it was handled in accordance with policy and should notify the Unit Commander if it was not handled properly.

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.13 states:

The Inmate Grievance Coordinator should regularly track the Department’s handling of inmate grievances to ensure that the investigations are completed timely and reasonably, and that inmates are notified of the results of the investigations.

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.16 states:

The Department should establish a centralized unit with a sworn supervisor, custody assistants and civilian personnel to be responsible for collecting the inmate grievances and requests from inmates or from secured boxes; reviewing and categorizing the grievances and requests; forwarding them for investigation or handling; and responding to inmates.

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Audit Procedures

Auditors reviewed the scanned grievance forms and CARTS entries for all 80 grievances to determine if the unit grievance coordinator ensured investigations were completed reasonably, within established time frames, and if inmates were notified of the results of the investigations.

Findings

Forty-one of the 80 (51%) grievances reviewed by auditors met the standard for this objective.

Non-Emergency Grievances: Thirty-nine of the 75 non-emergency grievances reviewed by auditors met the standard for this objective. Thirty-six of the non-emergency grievances reviewed did not meet the standard for those reasons listed in Table No. 2.

Emergency Grievances: Two of the 5 emergency grievances reviewed by auditors met the standard for this objective. Three of the emergency grievances reviewed did not meet the standard for those reasons as listed in Table No. 2.

Table No. 2 - Non-Compliant Grievances

Non-Compliant Grievances (Non-Emergency)	No. of Grievances
Response was unjustifiably late or too late to be of any help to the inmate	12
Mail Issues-Responses over two months past due date	7
Failure to appropriately investigate/resolve grievance	5
No response given to inmate	4
Closed out as duplicate grievance but referenced duplicate grievance was not completed	3
Possible over-detention, not handled as emergency as per policy	2
Grievance submitted as a Grievance Against Staff but was handled as a General Grievance	2
Failure to look at page two of the grievance form to find inmate booking number	1
Non-Compliant Grievances (Emergency)	No. of Grievances
Late response to Emergency Grievance	3

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Objective No. 5 – Appeals Process

Objective No. 5(a) – Notification of Disposition of Appeal Provided to Inmate within 15 Calendar Days (Non-Emergency)

Criteria

Custody Division Manual, Section 8-04/030.00, Appeals Process and Structure, (July 2016), states:

After reviewing the inmate's grievance documentation and the Department's previous decision(s) and response(s), respective command staff shall render a decision and indicate if the inmate appeal will be upheld or denied.

Unit Inmate Grievance Coordinators shall be responsible for ensuring that decisions rendered during appeal reviews are updated in the Custody Automated Reporting and Tracking System (CARTS) and the aggrieved inmate is provided a CARTS-generated Notification of Appeal Disposition, and a blank appeal form for the next level of review, as applicable.

Custody Division Manual, Section 8-04/030.05, Appeals of Grievances – Not Against Staff, (July 2016), states:

When an inmate submits an appeal regarding a non-medical or a non-mental health grievance, which has been adjudicated by the handling sergeant, the appeal shall be subject to the following levels of review:

First Level Appeal Review

- *First level appeals shall be reviewed by the respective unit commander, or a designee with a minimum rank of lieutenant. The inmate shall be advised, in writing, whether the appeal was upheld or denied, within fifteen (15) calendar days of the Department's receipt of the appeal. First level appeal reviews shall be coordinated by the Unit Inmate Grievance Coordinator.*

Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.6 states:

The Department's inmate grievance forms should have a check box indicating whether the complaint was upheld or denied and a statement next to the "denied" box that the inmate has the right to appeal and how long he or she has to appeal.

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Rosas, et al. v. Baca, Case No. CV 12-00428 DDP, Provision 6.20 states:

Inmates should have 15 days from receipt of a denial of a grievance to file an appeal of the grievance; however, if the inmate receives the denial while in punitive segregation, the inmate should have 15 days after release from segregation to file the appeal.

Audit Procedures

As identified in the previous objective, auditors reviewed all 75 non-emergency grievances and found that five non-emergency grievances involved appeals. The five appealed non-emergency grievances were reviewed to determine if the unit commander (or designee) advised the inmate in writing, whether an appeal was upheld or denied within fifteen calendar days of the Department’s receipt of the appeal.

Findings

All five (100%) appealed non-emergency grievances met the standard for this objective.

Objective No. 5(b) – Notification of Disposition of Appeal Provided to Inmate within 5 Calendar Days (Emergency)

Custody Division Manual, Section 8-04/030.15, Appeals of Emergency Grievances, (July 2016), states:

When an inmate submits an appeal regarding an emergency grievance, which has been adjudicated by the watch commander, or a supervising lieutenant, the appeal shall be subject to the following levels of review:

First Level Emergency Appeal Review

- *If the inmate is not satisfied with the action(s) taken to address the situation, the inmate must submit an appeal of the Department’s action within two (2) calendar days of receipt of the written response. The unit commander shall make a determination of the resolution of an emergency appeal within five (5) calendar days of receipt.*

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As identified in the previous objective, auditors reviewed all five emergency grievances and found that one emergency grievance involved an appeal. The appealed emergency grievance was reviewed to determine if the unit commander (or designee) advised the inmate in writing, whether the appeal was upheld or denied within five calendar days of the Department’s receipt of the appeal.

Findings

The appealed emergency grievance (100%) met the standard for this objective.

OTHER RELATED MATTERS

Other related matters are pertinent issues discovered during the audit, but were not objectives measurable against the CDM and the Agreement.

Deficiencies in CARTS

Auditors identified several deficiencies in the CARTS database which similarly challenge the integrity of the inmate grievance management process. Specifically, auditors observed the following conditions: scanned documents missing the appropriate signatures; data entry fields left incomplete or contained dates which were inconsistent with the scanned forms; post-dating entries occurring after cases were deemed to have been concluded; inability to timestamp data entries and/or changes in the system; and lack of administrative controls over who can update or change data entries:

Inmate Grievance Form

Inmate Grievance forms were found to be comprehensive data collection tools if utilized correctly. However, because inmates complete the forms, several inconsistencies resulted during the review and data entry phases of the grievance process. Specifically, because the form provides an opportunity to check multiple boxes, grievances were often incorrectly categorized at the onset and therefore tracked and investigated improperly, including but not limited to the “emergency grievance” classification.

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Data Collection Errors

Auditors found that grievance submission dates, collection dates, incident occurrence dates, and dates listed in the narrative portion of the grievance forms were often incorrectly recorded in CARTS creating inconsistencies in the database. CDM Section 8-01/005.00, Filing of Requests, Grievances, and Appeals states, if an inmate submits a written request or grievance on some other form, personnel who retrieved it shall return it to the inmate along with the correct blank form and provide the inmate with assistance to complete it as needed. On occasion, auditors found that incorrect forms were scanned into CARTS instead of the Inmate Grievance forms, therefore incomplete information was recorded.

Duplicate Grievances

Auditors found deficiencies in MCJ’s ability to track and monitor duplicate grievances which led to inadequate investigations and delays. Specifically, auditors found duplicate grievances that were simultaneously investigated by different sergeants. Not only did this create redundancy and wasted resources, but also illustrated how two different sergeants arrived at different results when given the same information. Additionally, auditors found instances where both the original and duplicate grievances were cleared out as duplicates which referenced each other and ultimately neither grievance was investigated.

Extensions

The CDM, Section 8-04/040.50, Extensions, allows for sergeants to self-initiate an extension for grievances they determine will exceed the original due date. Auditors found that among the grievances which qualified for extensions, none were initiated by the handling sergeants. Failure to initiate an extension caused some grievance investigations to be unnecessarily overdue.

Systemic CARTS Errors

When an inmate grievance pertains to a contracted vendor, such as commissary or telephone services in the jail, CARTS erroneously advises the data entry user that upon notification to the vendor of the issue, no further notifications are required by the grievance investigator. Additionally, when an investigative extension is approved and entered into CARTS, the system does not update the new due-date, thereby creating tracking errors. Additionally, it is unknown if CARTS is able to accurately display a complete audit trail of all user activity nor is it capable of distinguishing between the different categories of inmates grievances.

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Unit Orders

The CDM, Section 8-01/020.00, Responsibilities, requires the unit commander to establish unit orders to address the operations of their facility's Inmate Grievance Team, and the handling of inmate requests, inmate grievances, and appeals, according to the specific needs of the facility. The unit orders at MCJ regarding inmate grievances were not in effect during the audit time period as they were rescinded on February 7, 2017.

CONCLUSION

During the course of this audit, auditors assessed the policies, procedures, and practices related to inmate grievances, and identified several areas in need of improvement.

RECOMMENDATIONS

The resulting recommendations coincide with the findings and conclusions from the objectives and other related matters. They are intended to provide Department management with a tool to correct deficiencies and improve performance.

1. To ensure consistency among inmate grievance investigations, it is recommended line sergeants receive training on CDM, Section 8-01/020.00, Responsibilities, CDM, Section 8-03/010.00, Emergency Grievances, CDM, Section 8-04/030.00, Appeals Process and Structure, CDM, Section 8-04/030.05, Appeals of Grievances Not Against Staff, CDM, Section 8-04/030.15, Appeals of Emergency Grievances, and CDM, Section 8-04/040.00, Time Frames, regarding the Inmate Grievance policies. (Objective Nos. 2 and 5)
2. To ensure CARTS contains all of the necessary documentation, it is recommended the CDM be reviewed to consider the requirement of scanning all pertinent documents into the database before closing a grievance investigation. (Objective No. 4 and Other Related Matters)
3. To reduce duplication of efforts and prevent potential assignment conflicts and premature and/or errant investigation closure, it is recommended Inmate Grievance Coordinators create a unit order to address the process for handling duplicate grievances. (Other Related Matters)
4. It is recommended the Inmate Grievance Form be redesigned to decrease the likelihood of data entry errors caused by inmates incorrectly filling out the Inmate Grievance Form. (Other Related Matters)

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5. It is recommended CARTS be revised to address errors to notification messages and extension date modifications. Additionally, CARTS should have the capability to query grievances based on distinct classifications. (Other Related Matters)
6. It is recommended the Department develop a program to log all user activity within CARTS for purposes of accountability. (Other Related Matters)
7. To provide Department personnel with specific guidelines for processing inmate grievances at MCJ and to be compliant with the Agreement implementation plan, it is recommended unit orders related to the processing of inmate grievances be revised and published without delay. (Other Related Matters)

Views of Responsible Officials

On March 21, 2018, the Custody Services Administration Command Staff submitted a formal response to AAB concurring with the audit findings. A copy of the audit was provided to the Office of the Inspector General.

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This audit was submitted on the 14th day of March 2018, by the Audit and Accountability Bureau.

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