



Los Angeles County Sheriff's Department

Audit and Accountability Bureau



INMATE GRIEVANCES AUDIT
CENTURY REGIONAL
DETENTION FACILITY



Robert G. Luna, Sheriff

Project No. 2023-2-A

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**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
Audit and Accountability Bureau**

**INMATE GRIEVANCES AUDIT
CENTURY REGIONAL DETENTION FACILITY
Project No. 2023-2-A**

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Inmate Grievances Audit – Century Regional Detention Facility (CRDF) 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), CRDF complied with the policies and procedures related to the processing, investigation, and response to inmate grievances.

The AAB conducted this audit under the guidance of Generally Accepted Government Auditing Standards.¹ The AAB determined that the evidence obtained was sufficient and appropriate to provide reasonable assurance for the results based on the audit objectives.

BACKGROUND

Volume 8 of the Custody Division Manual (CDM) and the Inmate Grievance Policy Handbook relates to the processing, investigation, and resolution of inmate grievances. The 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.

Any inmate desiring to file a grievance regarding an issue related to his or her confinement within a Department custody facility shall be permitted, and instructed as necessary, to initiate an Inmate Grievance Form (SH-J-420), through the established procedures. Completed forms are submitted by placing them in any of the secured inmate grievance boxes located throughout the jail, or by handing them to any custody staff member, or supervisor.

Grievance Collection

Line sergeants are responsible for collecting inmate grievances from all secured inmate grievance boxes located throughout the jail. The number of forms retrieved shall be recorded in the appropriate section of the electronic Uniform Daily Activity Log (e-UDAL).

¹ United States Government Accountability Office, Government Auditing Standards, July 2018.

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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 in the Title 15 Uniform Daily Activity Log and accessed through the Custody Information Portal.

Grievance Review

As part of their review, line sergeants shall identify any grievances requiring priority handling; confirm the dates of submission and verify that only one issue is addressed per form; sign, date, and timestamp the forms; and ensure the inmate has taken his or her copy. If the filing inmate has checked off more than one box for the grievance issue to be addressed, the collecting sergeant will need to return the form to the inmate and explain that only one issue per form will be accepted. Each additional grievance issue needs to be filed separately.

Healthcare and ADA-related grievances shall be delivered promptly to the on-duty supervising staff nurse. General grievances (those that are not emergent and not against staff) shall be time stamped and placed in secured collection bins centrally located in each floor, area, or building, pending retrieval by Inmate Grievance Team personnel.

Priority grievances (emergency grievances, and those against staff, alleging retaliation, or concerning PREA) shall be reviewed by the collecting line sergeant to determine whether the situation requires prompt action to protect the life or safety of the inmate, and, if so, the sergeant shall take any appropriate action. The sergeant shall promptly ensure that a reference number is issued to the priority grievance through the Custody Automated Reporting and Tracking System (CARTS) and shall promptly deliver the grievance to the watch commander. The sergeant shall further ensure that a copy of the priority grievance is placed in a secured collection bin, pending retrieval and tracking by Inmate Grievance Team personnel.

CARTS is the data system platform for all electronic filing, assignment, handling, and storage of inmate grievances. It is accessed through the Custody Information Portal.

Grievance Assignment

Watch commanders presented with any of the grievances requiring priority handling shall review them with priority, assign their handling to an appropriate supervisor, and ensure they are addressed in accordance with the procedures set forth in the Inmate Grievance Policy.

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Inmate Grievance Team personnel shall collect grievances from the centralized collection bins. The Inmate Grievance Team shall also be responsible for scanning and entering these into CARTS, assigning them reference numbers, and forwarding each grievance to the appropriate person or unit for investigation and handling. In addition, Inmate Grievance Team personnel shall generate Acknowledgment of Grievance Notices and ensure their delivery to the facility's In-Custody Mail Handler for distribution to the concerned inmates.

Grievance Handling

Line staff and sub-units assigned to handle grievances shall ensure that they are reasonably addressed and/or responded to within fifteen (15) calendar days from the day they are received by the Department. Handling personnel must ensure that the final disposition is entered into CARTS and the inmate is notified of the results of the grievance via a CARTS-generated Inmate Notification of Disposition. An inmate's signature is required for the disposition portion of all grievances. Signed Notifications of Disposition shall be scanned and uploaded into CARTS.

The Unit Inmate Grievance Coordinator shall be responsible for ensuring that grievances are collected from collection bins, and that Acknowledgment of Grievance Notices are delivered, as delineated in the Inmate Grievance policy. They shall also be responsible for regularly tracking the facility's handling of inmate grievances to ensure that the investigations are completed reasonably and within established time frames, and that inmates are notified of the results of the investigations within the requisite time frames.

Inmates who are not satisfied with the disposition, or with the action(s) taken to address their grievance, may appeal to the next level of review. Only one (1) appeal process may be initiated per grievance. Appeals must be submitted within fifteen (15) calendar days of the inmate's receipt of the written results and disposition of their grievance, or the appeal will be denied as a late submission. However, if the inmate receives a written response to his or her grievance while in disciplinary segregation, the inmate shall have fifteen (15) calendar days after release from segregation to file the appeal. An appeal shall be submitted on the appropriate appeal form, which is provided with the Notice of Disposition.

PRIOR AUDITS

This audit follows one previous audit completed by AAB on the topic of Inmate Grievances for CRDF. In the prior audit (2019-6-A), the Department met the criteria in two of the seven requirements evaluated within the four objectives. Two of the five remaining requirements had adherence of 90 percent or greater. The remaining three requirements had adherence of 46 to 83 percent.

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AAB made four recommendations designed to improve grievance assignment, timely completion of the grievance investigations, and to eliminate duplication of submitted grievances. Of these previous recommendations, three have been implemented by the Department.

One recommendation was not implemented:

- Recommendation No. 4 - AAB recommended that duplicate grievances be linked to the original grievance without creating an additional facility reference number. Assigning new facility reference numbers to duplicate inmate grievances inflates the grievance count at the facility.
 - Implementation Decision - The CRDF CARTS team made the decision not to implement the recommendation because they determined that if implemented, the CRDF CARTS team will not have the ability to track inmates who abuse the system by submitting multiple inmate grievances.

METHODOLOGY

Scope

The scope of this audit is general inmate grievances, which did not include grievances against staff.

This audit will encompass four main objectives:

- **Objective No. 1 - Proper Categorization and Routing of Inmate Grievances**
 - To determine if the grievance was properly categorized as an emergency or non-emergency and identified as requiring priority handling.
 - To determine if the inmate grievance was properly processed and routed after the initial review.
- **Objective No. 2 - Completeness of the Inmate Grievance Investigation**
 - To determine if the nature of the inmate's complaint was documented.
 - To determine if the disposition of the grievance documented a finding and relief.
- **Objective No. 3 - Timeliness**
 - To determine if non-emergency inmate grievance results were responded to within 15 calendar days or by the extended due date.
 - To determine if emergency inmate grievance results were responded to within five calendar days.
 - To determine if the inmate was notified of a grievance modification within five calendar days.
 - To determine if the inmate was provided a grievance extension notification when a grievance investigation was extended.

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- **Objective No. 4 - Appeals Process**
 - To determine if notification of the disposition of a non-emergency grievance appeal was provided to the inmate.
 - To determine if notification of the disposition of an emergency grievance appeal was provided to the inmate.

Audit Time Period

The audit time period was July 1, 2022, through October 31, 2022.

Audit Population

Below are details of the audit population that was evaluated to examine the different aspects of the four audit objectives:

For Objective No. 1 through 4, auditors identified the number of inmate grievances submitted at CRDF from July 1, 2022, through October 31, 2022, via CARTS.

The number of grievances submitted at CRDF for the audit time period was 374. Of the 374 grievances, 138 were not complete, and therefore could not be evaluated within this audit. Table No. 1 below shows the status of the incomplete grievance investigations.

Table No. 1 – Status of Incomplete Grievance Investigations

Status (at time of testing)	No. of Investigations
In Progress	100
Extended	25
Submitted, but not Completed	8
Approved, but not Completed	3
Interim Status (requiring investigation from another unit or bureau, or initiation of an administrative investigation)	1
Rejected and Awaiting Resubmission	1
No. of Inquiries Not Evaluated in this Audit	138

Based on the above information, the number of completed grievance investigations was 236. Of the 236, 35 were grievances against staff, and not included in the scope of this audit. Therefore, the final population was identified as 201 grievance investigations.

Auditors selected a statistically valid random sample of 65 from the identified grievance population.² This sample was utilized to examine the different aspects of the objectives, which are described in the Audit Objectives and Results section of this report.

² Using a statistical one-tail test with a 95% confidence level and a 4% error rate, a statistically valid random sample was identified.

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During testing of the sample, auditors identified four grievances against staff that were miscategorized, and one request for information that should have been re-categorized upon collection as a general request. Therefore, these five investigations were replaced from the remaining population.

SUMMARY OF RESULTS

The audit yielded the following results:

Table No. 2 – Summary of Audit Results

Objective No.	Audit Objectives	Met the Criteria
1	PROPER CATEGORIZATION AND ROUTING OF INMATE GRIEVANCES	
1(a)	<i>To determine if the grievance was properly categorized as a priority grievance.</i>	97%
1(b)	<i>To determine if the inmate grievance was properly processed and forwarded for investigation after the initial review.</i>	100%
2	COMPLETENESS OF THE CARTS ENTRY	
2(a)	<i>To determine if the nature of the inmate’s complaint was documented.</i>	95%
2(b)	<i>To determine if the disposition of the grievance documented a finding and relief.</i>	89%
3	TIMELINESS	
3(a)	<i>To determine if non-emergency inmate grievance results were responded to within 15 calendar days or by the extended due date.</i>	71%
3(b)	<i>To determine if emergency inmate grievance results were responded to within five (5) calendar days.</i>	N/A
3(c)	<i>To determine if the inmate was notified of a grievance modification within five (5) calendar days.</i>	83%
3(d)	<i>To determine if the inmate was provided a grievance extension notification when a grievance investigation was extended.</i>	100%
4	APPEALS PROCESS	
4(a)	<i>To determine if notification of the disposition of a non-emergency grievance appeal was provided to the inmate.</i>	N/A
4(b)	<i>To determine if notification of the disposition of an emergency grievance appeal was provided to the inmate.</i>	N/A

DETAILED FINDINGS

Objective No. 1 – Proper Categorization and Routing of Inmate Grievances

Objective 1(a) – To Determine if the Grievance was Properly Categorized as a Priority Grievance

Criteria

Custody Division Manual, Section 8-03/005.00, Inmate Grievances (September 2018), states:

PRIORITY GRIEVANCES

Personnel collecting, sorting, and processing completed Inmate Grievance Forms shall be careful to identify grievances requiring priority handling and to ensure they are handled according to protocols established in this policy. Examples of grievances which require priority handling include, but are not limited to:

- *Emergency Grievances*
- *Healthcare Grievances*
- *Americans with Disabilities Act (ADA)-Related Grievances*
- *Grievances Against Staff*
- *Grievances of Retaliation*
- *Prison Rape Elimination Act (PREA)-Related Grievances*

Custody Division Manual, Section 8-03/010.00, Emergency Grievances (January 2018), states:

An emergency grievance is defined as an urgent matter wherein a disposition according to the regular time limits could subject the inmate to immediate risk of death, personal injury, or irreparable harm...

Additionally, in order to mitigate the possibility of an inmate being over-detained, any claim by an inmate wherein he or she alleges to have been held in custody beyond his or her release date shall be handled as an emergency grievance...

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if they were properly categorized as priority grievances.

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Results

Sixty-three of the 65 (97%) grievances met the criteria for this objective. Two of the grievances did not meet the criteria because they should have been identified as priority grievances because they were PREA-related. Table No. 3 below shows the number of priority grievances and grievance issues evaluated in the audit sample.

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Table No. 3 – No. of Priority Grievances and Grievance Issues

Type of Grievance / Grievance Issue	Priority	Non-Priority
Emergency	0	
Healthcare	0	
ADA-Related	0	
PREA-Related	3	
Service Related – Procedural		18
Mail		14
Food Services		7
Property		6
Living Conditions		4
Other (Court, Transportation)		3
Dietary		2
Telephone		2
Commissary / Account Balance		2
Harassment by Inmate		1
Visitation		1
Showers		1
COVID-19 NON-Medical Related		1
Total Number of Grievances	3	62

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Objective 1(b) – To Determine if the Inmate Grievance was Properly Processed and Forwarded for Investigation After the Initial Review

Criteria

Custody Division Manual, Volume 8, Inmate Grievance Policy Handbook – Version 1.5, Custody Support Services (January 2017) states:

PERSONNEL RESPONSIBILITIES

Priority requests and grievances (emergency grievances, and those against staff, alleging retaliation, or concerning PREA) shall be reviewed by the collecting line sergeant to determine whether the situation requires prompt action to protect the life or safety of the inmate, and, if so, the sergeant shall take any appropriate action. The sergeant shall promptly ensure that a reference number is issued to the priority request or grievance through CARTS, and shall promptly deliver the request or grievance to the watch commander. The sergeant shall further ensure that a copy of the priority request or grievance is placed in a secured collection bin, pending retrieval and tracking by Inmate Grievance Team personnel.

Watch commanders presented with any of the requests, grievances, or appeals requiring priority handling shall review them with priority, assign their handling to an appropriate supervisor, and ensure they are addressed in accordance with the procedures set forth in the Inmate Grievance Policy.

Inmate Grievance Team personnel shall collect requests, grievances, and appeals from the centralized collection bins. Each Inmate Grievance Team shall also be responsible for scanning and entering these into CARTS, assigning them reference numbers, and forwarding each request, grievance, or appeal to the appropriate person or unit for investigation and handling. In addition, Inmate Grievance Team personnel shall generate Acknowledgment of Grievance Notices and ensure their delivery to the facility's In-Custody Mail Handler for distribution to the concerned inmates.

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if they were forwarded to the appropriate person or unit (i.e., line staff, Food Service Bureau, staff nurse, other jail facility, other law enforcement entity, etc.) for investigation and handling after the initial review based upon the categorization of emergency or non-emergency, and/or required priority handling.

Results

All 65 (100%) grievances met the criteria for this objective.

Objective No. 2 – Completeness of the CARTS Entry

Objective 2(a) – To Determine if the Nature of the Inmate’s Complaint was Documented

Criteria

Custody Division Manual, Section 8-01/020.00, Responsibilities (October 2018), states:

UNIT INMATE GRIEVANCE COORDINATOR RESPONSIBILITIES

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

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if the nature of the inmate’s complaint was documented.

The grievance met the criteria when the information entered into CARTS was reflective of the information that was documented on the Inmate Grievance Form.

Results

Sixty-two of the 65 (95%) grievances met the criteria for this objective. Three grievances did not meet the criteria because the complaint documented in CARTS did not fully reflect the inmate’s complaint documented on the Inmate Grievance Form. The three grievances are detailed below:

- Sample No. 5. The inmate documented on the Inmate Grievance Form concerns regarding mold on the bread, meat containing yellow liquid, snacks bags that were open, and having high blood pressure and needing a low sodium diet, but still being served peanut butter.
The complaint regarding the inmate’s high blood pressure, and still being served peanut butter was not documented in CARTS.
- Sample No. 8. The inmate documented on the Inmate Grievance Form concerns regarding a bunk mate smelling of urine, the cell fan not circulating air, and not being allowed to shower.
The complaint regarding the cell fan not circulating air was not documented in CARTS.

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- Sample No. 16. The inmate documented on the Inmate Grievance Form concerns regarding being denied use of a shower for days, lunch and breakfast consisting of carrots and bread, the cell being flooded for days due to old pipes, not being moved to a different cell, being denied bedding for days, being given a blanket and it being taken away, staff ignoring the concerns, and mold on the sinks and walls which can cause health problems due to inmate's asthma & bronchitis.
The complaint regarding mold on the sink and walls was not documented in CARTS.

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Objective 2(b) – To Determine if the Disposition of the Grievance Documented a Finding and Relief

Custody Division Manual, Section 8-04/010.00, Dispositions, Interim Status Responses, and Inmate Notifications (October 2020), states:

Personnel assigned to handle inmate requests or grievances shall make a determination of an appropriate disposition based on information available and/or established through their investigative efforts...

Dispositions for general grievances which are not against staff shall be determined based both on the findings and the relief to be provided, as follows:

FINDINGS

- *Sustained – the reviewer has determined the facts and circumstances obtained during the inquiry appear to support the claim in the grievance.*
- *Not sustained – the reviewer has determined the allegations and circumstances set forth in the grievance could not be substantiated.*
- *Sustained in part – the reviewer has determined the facts and circumstances obtained during the inquiry appear to support some but not all claims in the grievance.*
- *Inconclusive – the inquiry fails to resolve the grievance, and there is insufficient evidence to either affirm or refute the inmate’s grievance.*
- *Released prior to inquiry – the inquiry cannot be initiated as the inmate has been released and reasonable efforts to contact the inmate have not been successful, which shall be documented in the Custody Automated Reporting and Tracking System (CARTS).*
- *Outside Custody Services Division – the grievance concerns a matter under the jurisdiction of a unit outside of the Custody Services Divisions.*
- *Not processed (inmate on restricted status) – grievance will not be processed, as the inmate has been approved for a restriction of filing privileges. (Refer to 8-04/050.00, “Duplicate or Excessive Filings of Grievances and Appeals, and Restriction of Filing Privileges.”)*
- *Not processed (exceeds limit) – the grievance will not be processed, as it exceeds the established weekly/monthly filing limits.*

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RELIEF

- *Granted – the reviewer is granting all requested relief, if applicable.*
- *Granted in part – the reviewer determined some of the requested relief should be granted or a comparable alternative be provided, if applicable.*
- *Denied – the reviewer will not grant any part of the requested relief.*
- *Relief unavailable – the reviewer determined no relief is available.*
- *Referred to contract vendor – the reviewer has referred the grievance to a contract vendor for relief.*
- *Referred to Department of Mental Health – the reviewer has referred the grievance to the Department of Mental Health.*
- *Referred – Court Services – the reviewer has referred the grievance to any unit of the Court Services Division.*
- *Referred – Other station/agency/entity – the reviewer has referred the grievance to an outside station, agency, or entity.*
- *Not processed (inmate on restricted status) – grievance will not be processed, as the inmate has been approved for a restriction of filing privileges. (Refer to 8-04/050.00, “Duplicate or Excessive Filings of Grievances and Appeals, and Restriction of Filing Privileges.”)*
- *Not processed (exceeds limit) – the grievance will not be processed, as it exceeds the established weekly/monthly filing limits.*

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if the disposition of the grievance investigation documented a finding and relief based on the investigation information presented.

Results

Fifty-eight of the 65 (89%) grievances met the criteria for this objective. One grievance did not meet the criteria because it was a duplicate grievance that was not linked to the original grievance, and therefore no investigation was conducted, and no finding or relief was provided. Two grievances did not meet the criteria because investigations were not conducted and therefore the dispositions did not document an appropriate finding and relief. Four grievances did not meet the criteria because the dispositions did not fully address the inmate’s complaint. Table No. 3 below shows a summary of the dispositions that did not document a finding and relief.

Also noted in one of the grievances that did not meet the objective criteria, CRDF did not follow the unit order when processing an inmate’s legal mail. CRDF Unit Order 5-10-010 "Inmate Mail and Correspondence" (CSS Policy 03/15/2022) states that, All incoming legal/confidential mail shall remain sealed and placed in the Legal Unit sorting slot located in the Cashier/Mail room. Personnel assigned to the CRDF Legal Unit shall retrieve the mail at least once per day and shall be responsible for the following:

- All legal mail shall be opened in the presence of the inmate...

The inmate’s legal mail was not opened in their presence.

Table No. 4 – Summary of Dispositions That Did Not Document a Finding and Relief

No. of Grievances	Findings
4	Investigation did not fully address the inmate's complaint
2	Investigation was not conducted
1	Duplicate grievance not referenced to the original grievance
7	Total

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Objective No. 3 – Timeliness

Objective No. 3(a) – To Determine if Non-Emergency Inmate Grievance Results were Responded to Within 15 Calendar Days or by the Extended Due Date

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.*

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if the non-emergency grievances were responded to within fifteen (15) calendar days from the Department's receipt of the grievance, or by the extended due date.

Results

Forty-six of the 65 (71%) grievances met the criteria for this objective. Five grievances did not meet the criteria because the grievance responses to the inmate were not within 15 calendar days of the collection of the grievance. Fourteen grievances did not meet the criteria because those grievances were granted an extension and the response to the inmate was after the due date of the first-level extension. Table No. 5 below shows a summary of the late completion of the grievance investigations.

Table No. 5 – Summary of Grievances Not Responded To by the Required Date

No. of Grievances	No. of Days Grievance Response was Overdue
13	1 to 30 Days
2	31 to 60 Days
3	61 to 90 Days
1	91 to 120 Days
19	Total

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Objective No. 3(b) – To Determine if Emergency Inmate Grievance Results were Responded to Within 5 Calendar Days

Criteria

Custody Division Manual, Section 8-03/010.00, Emergency Grievances (January 2018), 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.

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if the emergency grievances were responded to within five (5) calendar days from the Department's receipt of the grievance. All 65 grievances in the sample were non-emergency and were not applicable to this objective.

Results

Since there were no emergency grievances selected for this sample population, there were no results.

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Objective No. 3(c) – To Determine if the Inmate was Notified of a Grievance Modification Within Five (5) Calendar Days

Criteria

Custody Division Manual, Section 8-03/010.00, Emergency Grievances (January 2018), 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...

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if the inmates were provided with a Notice of Grievance Modification within five calendar days of collecting the initial grievance, when the grievance was modified from an emergency to a non-emergency. Six of the 65 grievances were applicable to the criteria for this objective. Fifty-nine grievances were not applicable because they were not considered to be an emergency by the inmate.

Results

Five of the six (83%) grievances met the criteria for this objective. One of the grievances did not meet the criteria because the Notice of Grievance Modification was not provided to the inmate within five calendar days of collecting the grievance.

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Objective No. 3(d) – To Determine if the Inmate was Provided a Grievance Extension Notification when a Grievance was Extended

Criteria

Custody Division Manual, Section 8-04/040.05, Extensions (July 2016), states:

Under exceptional circumstances wherein the investigation of a request or a grievance cannot be completed within the established time frames, a supervisor of the minimum rank of sergeant, may extend the requisite response time by fifteen (15) calendar days.

Examples of exceptional circumstances include:

- *Unavailability of inmate(s), staff, or witnesses necessary to conduct an appropriate investigation*
- *The nature of the investigation, decision, or action requires additional research*
- *Necessary involvement of specialized units or other departments, agencies, or jurisdictions*
- *An extended disruption of normal facility operations, including those affecting technological infrastructure*
- *The investigation requires the interview of multiple witnesses...*

Any additional extensions shall require the approval of the unit commander or designee, which shall be documented.

Custody Division Manual, Volume 8, Inmate Grievance Policy Handbook – Version 1.5, Custody Support Services (January 2017) states:

Upon the approval of each level of extension, a Grievance Extension Notification must be generated in CARTS and promptly provided to the inmate.

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if the inmates were provided a Grievance Extension Notification when a grievance investigation was extended. Fifty-three of the 65 grievances were applicable to the criteria for this objective. Twelve grievances were not applicable because the grievance investigation was not extended by CRDF personnel.

Results

All 53 (100%) grievances met the criteria for this objective.

Objective No. 4 – Appeals Process

Objective No. 4(a) – To Determine if Notification of the Disposition of a Non-Emergency Grievance Appeal was Provided to the Inmate

Criteria

Custody Division Manual, Section 8-04/030.05, Appeals of Grievances – Not Against Staff (January 2018), states:

First Level Appeal Review

...The inmate shall be advised, in writing, whether the appeal was upheld (granted) or denied, within fifteen (15) calendar days of the Department's receipt of the appeal...

Second Level Appeal Review

...The inmate shall be advised, in writing, whether the second appeal was upheld (granted) or denied, within fifteen (15) calendar days of the Department's receipt of the appeal...

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if the inmates were advised of the results of the grievance, in writing, within 15 calendar days for first-level and second-level appeals. None of the 65 grievances were applicable to this criteria because the inmate did not submit an appeal.

Results

Since there were no appeals to non-emergency grievances in this sample population, there are no results.

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**Objective No. 4(b) – To Determine if Notification of the Disposition of an
Emergency Grievance Appeal was Provided to the Inmate**

Criteria

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

First Level Emergency Appeal Review

...The unit commander shall make a determination of the resolution of an emergency appeal within five (5) calendar days of receipt...

Second Level Emergency Appeal Review

...The concerned area commander, or designee, shall make the final determination of the resolution of an emergency appeal within ten (10) calendar days of receipt...

Procedures

Auditors evaluated the 65 grievances in the audit population to determine if the inmates were advised of the results of the grievance, in writing, within 5 calendar days for first-level appeals and 10 calendar days for second-level appeals. There were no emergency grievances in the sample population. Therefore, no grievances were applicable to this objective.

Results

Since there were no emergency grievances selected for this sample population, there were no results.

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OTHER RELATED MATTERS

Other related matters are pertinent issues discovered during the audit or requested by the auditee but were not objectives which were measurable against Department policies and procedures.

Daily Grievance Collection Count

During completeness testing of the audit population, auditors evaluated the e-UDAL to determine if the daily grievance collection count was recorded, as required by the Custody Division Manual. Auditors compared the e-UDAL grievance count for October 2022 to the CARTS grievance count for October 2022. Auditors noted a substantial difference in the 578 grievances documented in the e-UDAL compared to the 82 grievances recorded in the CARTS system. Regarding this discrepancy, CRDF indicated that many times after collection of the Inmate Grievance Form, line staff count the forms and enter the total into the e-UDAL without realizing that the inmate may have put a request on the form instead of using an Inmate Request Form (SH-J-437). Once the grievance form is received by Inmate Grievance Team personnel, they review it and enter it into CARTS based on it being an actual request or grievance. Inaccurate documentation of grievances negatively affects the reliability of information about inmate concerns.

Improper Classification of Inmate Grievances

During the gathering of the audit population, auditors noted that some inmate requests and inmate grievances against staff were improperly classified as general grievances. One inmate request was classified as a grievance, and four grievances against staff were classified as general grievances. Improper classification of requests and grievances inhibits the appropriate investigation of the inmate's concern.

Proper Preparation of the Inmate Grievance Form

Proper preparation and subsequent review of the Inmate Grievance Form is needed to ensure the appropriate resolution of the grievance. Three grievance forms in the sample population had more than one issue checked. The Inmate Grievance Policy Handbook states that if the filing inmate has checked off more than one box, for the grievance to be addressed, the collecting sergeant needs to return the form to the inmate and explain that only one issue per form will be accepted, and each additional grievance needs to be filed separately. Auditors also noted that two inmate grievances were submitted on the Inmate Request Form, not on the Inmate Grievance Form. A thorough supervisory review of the forms would prevent potential processing errors.

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CARTS Entry Should Reflect Accurate Information from the Inmate Grievance Form

During the analysis of this audit, auditors evaluated the grievances to determine if the information entered in CARTS accurately reflected the information on the Inmate Grievance Forms. Through this evaluation, the auditors determined that the overall information entered reflected the Inmate Grievance Form. However, other than the findings noted in Objective Nos. 1 through 4, auditors noted 40 grievances that showed discrepancies between the incident date documented on the Inmate Grievance Form and the incident date documented in CARTS. Three grievances were not entered into CARTS as emergency grievances, as indicated on the Inmate Grievance Form by the inmate, one grievance documented the wrong collection date in CARTS, and one grievance was a group grievance, however all of the respective inmates were not documented in CARTS.

Documentation of Comprehensive Findings

The type of grievance determines the steps required to properly resolve a grievance. The Inmate Grievance Policy Handbook states that once the grievance details have been gathered and the investigation has been conducted, details of the investigation should be recorded in the "Notes" field. Auditors reviewed CARTS to determine if the findings in the "Notes" concisely described the complaint, including the statement and evidence that support and/or refute the complaint. Auditors determined that information was not recorded in the "Notes" field for the grievances evaluated during this audit. This absence of information makes it difficult to determine the steps taken during the investigation, and what evidence was acquired to support and/or refute the complaint.

CONCLUSION

Auditors performed analyses and made assessments to identify areas in need of improvement. The evidence presented provides reasonable assurance that Department personnel are not adhering to policies and procedures regarding the inmate grievance process at CRDF.

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RECOMMENDATIONS

When Departmental policies and procedures are not adhered to, it results in an increased risk of liability and noncompliance with the Agreement. Department management should disseminate the results of this audit to its personnel. Additionally, as best practice, Department management is encouraged to conduct recurring and ongoing briefings of policies and procedures. The AAB considers the results of this audit to be a helpful management tool and therefore, makes the following recommendations:

1. To enforce the importance of accounting for inmate concerns and issues documented on grievance forms, it is recommended that CRDF management prepare a standardized recurring briefing on properly preparing the e-UDAL daily grievance count. (Other Related Matters)
2. To ensure the proper classification of requests and grievances, and proper preparation of the grievance form, it is recommended that a thorough supervisory review is performed for each collected form and the filing inmate correct any errors. (Other Related Matters)
3. To ensure consistency, it is recommended that an additional review of the information entered into CARTS is performed so that it accurately reflects the information documented on the Inmate Grievance Form. (Other Related Matters)
4. To provide documentation of thorough and complete investigations, it is recommended that reviewing supervisors require personnel handling grievance investigations document the steps taken and the evidence gathered during the investigation within the "Notes" field in CARTS. (Other Related Matters)

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Views of Responsible Officials

On August 24, 2023, Century Regional Detention Facility command staff submitted a formal response to the AAB concurring with the audit results.

Audit and Accountability Bureau presented the final audit report to the Division Director, Office of Constitutional Policing.

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This audit was submitted on this 30th day of August 2023, by the Audit and Accountability Bureau.

Original signature on file at AAB

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