

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

338



FROM: Executive Office

SUBMITTAL DATE:
September 9, 2014

SUBJECT: Response to the 2013-14 Grand Jury Report: Riverside Sheriff's Department
Corrections Division

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve with or without modification, the attached response to the Grand Jury's recommendation regarding Riverside Sheriff's Department Corrections Division. Direct the Clerk of the Board to immediately forward the Board's finalized responses to the Grand Jury, to the Presiding Judge and the County Clerk-Recorder (for mandatory filing with the State).

BACKGROUND: On July 1, 2014, the Board directed staff to prepare a draft of the Board's response to the Grand Jury's report regarding the Riverside Sheriff's Department Corrections Division. Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to the matters under the control of the Board and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

90day11responseSheriffCorrections-09.14

Departmental Concurrence

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (per Exec. Office) |
|-----------------|----------------------|-------------------|-------------|---------------|---|
| COST | \$ N/A | \$ N/A | \$ N/A | \$ N/A | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST | \$ | \$ | \$ | \$ | |

| | |
|-------------------------|---------------------------|
| SOURCE OF FUNDS: | Budget Adjustment: |
| | For Fiscal Year: |

C.E.O. RECOMMENDATION: APPROVE

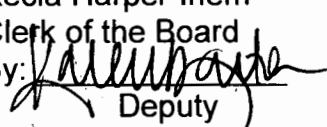
BY: 
George A. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: September 9, 2014
 xc: EO, Grand Jury, Presiding Judge, Sheriff, Recorder

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

Prev. Agn. Ref.: 3-3 of 07/01/14 | District: All | Agenda Number:

3-8

- A-30
- Positions Added
- 4/5 Vote
- Change Order

RIVERSIDE COUNTY

STANLEY SNIFF SHERIFF



Sheriff

P.O. BOX 512 • RIVERSIDE, CALIFORNIA 92502 • (951) 955-2400 • FAX (951) 955-2428

August 1, 2014

Honorable Mark A. Cope
Presiding Judge
Riverside County Superior Court
4050 Main Street
P.O. Box 431
Riverside, CA 92501

Reference: Response to 2013-2014 Grand Jury Report: Riverside Sheriff's Department Corrections Division.

Dear Judge Cope:

Pursuant to California Penal Code Section 933 et. seq., please find enclosed the response of the Riverside County Sheriff's Department to the above entitled Grand Jury Report within the designated 90 day period.

The Riverside County Sheriff's Department concurs only in part with the Grand Jury's findings. We appreciate the Grand Jury's assistance in identifying these issues, some of which had already been corrected prior to our receipt of this report.

As always please feel free to contact me should you have any questions regarding this or any other matter. I may be reached at (951) 955-0147.

Sincerely,

A handwritten signature in black ink, appearing to read "Stanley Sniff", written over a horizontal line.

STAN SNIFF, SHERIFF

CC: Clerk of the Board of Supervisors
County of Riverside

Mr. Jay Orr
County Executive Officer

SL.S:jth

Finding 1

Personnel Training 503.06 **Corrections Roll-Call Training (CRT)**

1. The Grand Jury conducted a random review of the CRT logs for the years 2012, 2013, and 2014. All five (5) jails do not follow the training set forth in the CRT Quarterly Manual as mandated in Sections 8.1 and 8.1.1 of Corrections Division Policy Manual 503.06. This policy states in part...

POLICY:

The Riverside County Sheriff's Department shall meet or exceed the minimum training standards for corrections personnel defined in Title 15 of the California Administrative Code.

- 8.1 Each correctional facility shall conduct daily briefing training as scheduled in the CRT manuals. CRT manuals are published quarterly and are designed to review specific corrections related topics.
 - 8.1.1 Each facility shall establish a procedure to track roll-call training. The information needed for tracking includes; who attended the training, who gave the training, the date, and the topic. These records shall be maintained for the current year, plus three years.

The Grand Jury investigation found:

- Training topics differed on the CRT logs from the CRT Quarterly Manual for that specific date.
- CRT logs were initialed/signed by someone other than the person listed and some were initialed by the same person for the whole shift. Nothing in the policy states that CRT logs get signed.
- In many instances, the CRT manual subject matter, which articulately describes the training with a full page scenario format, was abandoned in favor of another topic only documented by a single word on the CRT record. No other documentation to demonstrate the substance of what was discussed was ever documented to show why that subject was chosen. During our interviews with correctional jail personnel, the reason given was the sergeant giving the daily CRT had a "better topic" to discuss than the one assigned or the topic had already been addressed.

- Interviews conducted under sworn and unsworn testimony revealed that there is no follow-up to ensure the personnel who were absent ever received the required training.
- CRT logs for April and May 2013 for an entire team are missing and cannot be found.
- CRT logs are incomplete with no training topic listed and no sergeant listed as the trainer.
- Testimony from various staff revealed that some employees are identifying CRT logs as "Shift Training Logs." Corrections Division Policy Manual 500.01, Section 8.1, addresses the Shift Training Log.

8.1 Supervisors Responsibilities / Training

Each Supervisor shall be responsible to provide training of the revision(s) to all personnel as part of roll-call training.

To track employee notification, supervisors shall ensure all employees complete the Shift Training Log (503.06 Attachment #2).

Each employee signing the Shift Training Log will be accepting responsibility for reading their e-mail and making themselves aware of the changes made.

If an employee on any shift or specialty assignment is in training, on vacation, on sick leave, or for any other reason does not complete the Shift Training Log, it is the responsibility of the employee's supervisor to ensure the employee is aware of the policy and procedure changes within 15 days. The supervisor will have the employee sign a copy of the synopsis memorandum and forward the signed copy to the Facility Appointed Committee Chair. The committee member shall maintain the memorandum for current year plus two.

- During interviews and visits to the jails, no one knew what a "synopsis memorandum" was.
- At one (1) jail, each team is given an article from the County Safety Newsletter once a month to be used as a training topic. The sign-in sheet serves as documentation that training was conducted.
- A correctional deputy stated they have periodic roll-call training on safety issues.

Response:

Respondent agrees only in part with Grand Jury finding 1.

The Riverside County Sheriff is committed to providing its employees with the most advanced training possible. The Sheriff's Department meets and exceeds the state requirements for training. Employees who attend the Sheriff's Ben Clark Training Center (BCTC) Basic Academy receive hundreds of hours of rigorous training, and upon successful completion receive Police Officer Standards and Training (POST) and/or the Standards and Training for Corrections (STC) certification. Corrections employees also receive an additional twenty-four hours (24) of STC mandated continuing education training every year. The Department is currently compliant with all state mandated training standards and requirements.

The Sheriff agrees some Correctional Roll-Call Training (CRT) records reflected inconsistencies with policy statements. However, the Grand Jury is reminded that CRT is supplemental to required training, offered informally at daily roll-call/briefings, where other Corrections priorities permit. Because CRT is both informal and supplemental to formal standardized training, Sheriff's personnel are required to balance the regular offering of CRT with maintaining the operation, safety and security of the facilities.

Grand Jury Recommendation

1. The Grand Jury has the following recommendations regarding Personnel Training:

- Training topics as scheduled in the CRT Quarterly Manual shall be held on the scheduled date.
- The Shift Training Log shall only be used for Corrections Division Policy Manual 500.01, section 8.1 and not CRT training.
- All jails have adopted a procedure of having each staff sign/initial the CRT logs. No one other than the person who received the training shall sign / initial the CRT logs. (There is not a policy for the staff to sign/initial the CRT.)
- Supervisors shall be trained on what a synopsis memorandum is (Corrections Division Manual Policy 500.01, section 8.1).
- Jail supervisors shall ensure that when an employee is absent for any reason, he/she receives notice of the roll-call training that was held from the CRT Quarterly Manual for those days.
- The sergeant or correctional sergeant giving the daily briefing shall be knowledgeable in the policy and procedures.

Response to recommendation:

The Sheriff's Corrections Division is evaluating changes to CRT policy to better reflect the relationship between training priorities and management of other non-critical Corrections demands.

Finding 2

Headcount 504.07

2. Sworn testimony and documents reviewed revealed that headcount reconciliation was not in compliance with Corrections Division Policy Manual 504.07. When the Grand Jury began their investigation, Policy 504.07 was dated 4-4-08. As of 1-15-14, it had been revised; therefore, both revisions are shown.

Revision 1-15-14

POLICY:

Each Facility commander must establish and maintain a system to accurately account for all inmates under his/her jurisdiction at all times. A stat card to inmate count must be taken at least once during each twenty-four (24) hour period.

GUIDELINES:

- 1.0 Physical count of inmates may be random or routine based on the facility needs and the security classification of those confined.
 - 1.1 A physical count of the inmates shall be conducted at the beginning and end of each shift.
 - 1.1.1 The count at the beginning of the shift will ensure the count matches what is documented in JIMS and the amount of stat cards located in each housing unit.
 - 1.1.2 The count at the end of shift will ensure all inmate movements, releases, and courts have been accounted for and the physical counts match what is in JIMS and the amount of stat cards in each housing unit.
 - 1.2 The physical headcount will be used to order meals and to track the inmates assigned to the housing unit but signed out to court, appointments, programs, etc.
 - 1.3 This count will not be a substitute for the stat card to inmate headcount report.

Revised 8/1/14

2.0 Stat card to inmate Headcount Report

- 2.1 A stat card to inmate count will be conducted at least once within every 24 hour period.**
- 2.1.1 Staff members are required to compare the individual inmate with the information on the inmate's stat card and wristband.**
- 2.1.2 Each inmate will be called by his/her last name. The inmate shall respond by giving his/her first name.**
- 2.1.3 No inmate will be allowed to sleep to avoid taking part in the headcount.**
- 2.1.4 The staff member will make notation of any irregularity in the headcount and resolve any problem with the headcount, ensuring that an accurate count is obtained. A sergeant shall be notified immediately when discrepancies exist.**
- 2.2 A designated staff member will be responsible for compiling the headcount information from all housing units and holding areas into a single headcount report for the facility.**
- 2.2.1 The final report will be reviewed and approved by the on duty sergeant.**

The Grand Jury found through documentation and sworn testimony that physical headcounts were not being done at the beginning of the shift.

- Some correctional deputies stated they were not trained to do a physical headcount at the beginning of each shift.
- A Correctional Training Officer (CTO) stated it was not mandatory but "a good idea" to conduct a physical headcount, or that it was required by policy and procedure.
- A CTO considered "Headcount" a Security Check, which it is not.
- A senior correctional deputy falsely reported headcount as completed when it had not been done.
- Inmates were left out in two (2) day rooms prior to headcount and not secured.

- A CTO never observed his trainee conducting a headcount. The trainee stated "he was not familiar with policy and procedure and was left with a deputy in charge who also stated he didn't know it was required under policy." This deputy stated, "he never supervised a trainee, was unsure of his responsibilities and not familiar with current policies and procedures."
- Individual inmates are not compared to their wristband or stat cards.
- A correctional deputy stated "as long as they don't leave the unit, they don't have to check wristbands."
- Inmates were allowed to sleep during headcount. Testimony revealed that some correctional deputies stated, "it was okay as long as the inmate was breathing."
- Day room time for inmates was given priority over headcount completion.
- Sworn testimony revealed that after the January 15, 2014, revision (2), headcount is still not in compliance.

Response:

Respondent agrees only in part with Grand Jury finding 2.

The current Riverside County Sheriff's Corrections policy, procedure and practices are consistent with Title 15 requirements and guidelines for facility security and control; including physical counts of inmates. The Sheriff's Department requires personnel to adhere to all Department policies which include headcount policy and procedures.

The Sheriff agrees certain employees offered statements indicating a flawed understanding of Corrections policy and Department expectations. Prior to the Sheriff's Department receiving this Grand Jury report on June 17, 2014, we became aware of these issues several months prior. As a result, on January 15, 2014, the Corrections Division closed any gap in understanding and established a revised headcount policy that insured a greater level of understanding and compliance. Corrections staff also received update training to ensure complete understanding of and expectations for compliance with the policy. The updated policy requires supervisors and managers to conduct regular records audits to verify policy compliance.

Grand Jury Recommendation

2. The Grand Jury has the following recommendations regarding headcount:
 - Physical headcount shall be done at the beginning and end of the shift.
 - Headcount shall take priority over day room time for inmates to ensure that all inmates are accounted for.

Revised 8/1/14

- All staff shall be retrained on the policy for 504.07 so that all jails are in compliance.
- Supervisors and chain of command shall review computer reports or paper logs to ensure that headcount is no longer falsely reported.
- Staff members shall compare the individual inmate with the information on the inmate's stat card and wristband.
- Additional specialized training shall be provided to all CTOs ensuring they are in compliance with Corrections Division Policy Manual 504.07 and Title 15, section 1027 prior to supervising a trainee. Policy interpretation should be clarified and resolved.

Response to recommendation:

The Sheriff's Department had identified, addressed and corrected this issue prior to the receipt of this report.

Finding 3

Security Logs I Checks 502.10

3. The Grand Jury randomly selected and interviewed correctional deputies, senior correctional deputies, sergeants, lieutenants, and captains from five (5) jails.

When the Grand Jury began this investigation, the Corrections Division Policy Manual 502.10 was dated 8-3-11 (7). It has since been revised as of 1-15-14 (8); therefore, both revisions are shown in part...

Revision 8-3-11 (7)

POLICY:

Regular security checks shall be done to assure that there is intermittent, direct visual supervision of all inmates and to ensure implementation and operation of the programs and activities recommended by Title 15 guidelines.

Revision 1-15-14 (8)

POLICY:

Security checks shall be completed to ensure there is direct visual supervision of all inmates housed within a jail facility in accordance with Title 15 guidelines. Security checks are a fundamental duty of Corrections staff and a high priority shall be placed on their completion by each facility within the Corrections Division.

Revised 8/1/14

REFERENCE:

California Code of Regulations: Title 15; Sec. 1027, 1055, 1056, 1058; P.C. 6030, 6030.1, 6031. P.C. 4021, PREA § 115.15.

1.1 It is the responsibility of assigned personnel to conduct a physical security check in accordance with the following Title 15 guidelines:

1.1.1 Per Title 15, Section 1027, the entire jail shall be checked at least once every sixty minutes.

1.1.2 Employees assigned to complete security checks will ensure direct visual supervision occurs on all inmates at the jail except those who are absent due to court or other official business. The whereabouts of all inmates not present such as those who have court or other custody commitments, shall be accounted for.

1.1.6 Facilities may use a computer generated Security Check Log (Attachment 1), or the paper log version, to document security checks.

1.1.7 In the event an employee believes a security check will be late or cannot be accomplished, a sergeant will be notified immediately. Sergeants shall ensure adequate staff is present to complete the required security check.

During the course of this investigation, it was discovered that hourly security checks were not being done as mandated by Title 15, section 1027 of the California Code of Regulations and Division Policy. Title 15 requires documented direct visual supervision of all inmates at least hourly; more specifically, staff must be able to see each inmate without the aid of audio visual equipment to assure the inmate is alive and not experiencing any distress.

The Grand Jury found:

- Out of thirteen (13) security checks documented on the Security Check Log, only two (2) were actually performed in one (1) jail.**
- A deputy made ten (10) separate false entries into the jail Security Check Log.**
- A deputy failed to call other personnel to assist him resulting in security checks not being completed when he was alone.**
- An entry was not made in the Security Check Log notating a battery.**

- A correctional deputy stated security checks were entered prior to staff entering the day room to check on each inmate stating "this is routine here."
- Emphasis was placed on making a timely entry rather than an actual security check. Personnel stated, "this is common practice."
- Staff did not enter day rooms in some instances, therefore, did not confirm the welfare of each inmate.
- Staff left housing to complete reports because the computers did not provide adequate access to programs, which results in staff being left alone.
- Some staff placed clothing exchange as a priority instead of completing security checks.
- A deputy did not know there were two (2) inmates in a cell.
- Supervisors are not identifying training needs, which resulted in a problematic pattern of "this is the way we do it here," foregoing the division policy and the procedures for their jail.
- The lack of knowledge of the policies and procedures by some senior correctional deputies, correctional deputies, deputies and CTOs is resulting in unsafe habits, which is passed on to their trainees, adversely affecting their performance and the overall safety of the inmates and staff.
- All correctional deputies that were interviewed stated that additional personnel are needed.

Response:

Respondent agrees only in part with Grand Jury finding 3.

The current Riverside County Sheriff's Corrections policy, procedure and practices are consistent with Title 15 requirements and guidelines for facility security and control; including security checks. The Sheriff's Department expects all personnel to adhere to Department policies, including security check policy and procedures.

The Sheriff agrees certain employee statements and records indicated isolated evidence of a flawed understanding of Corrections policy and Department expectations. These issues were identified, addressed and corrected prior to our receipt of this report.

Grand Jury Recommendation

3. The Grand Jury has the following recommendations regarding Security Logs / Checks:

Revised 8/1/14

- The Corrections Division shall adhere to Division Policy 502.10 and California Code of Regulations Title 15, section 1027.
- Security checks shall be performed prior to being entered into the computer or on a paper log.
- Staff shall document the activity that took place at the time of the security check.
- Staff should not be alone when security checks are required to be done.
- Plan for security checks are going to be completed when clothing exchange is conducted.
- Re-train staff on Security Logs I Checks Policy 502.10 and Title 15, section 1027.
- Supervisors and chain of command shall review computer reports or paper logs to ensure that Security Logs I Checks are no longer falsely reported.
- Additional specialized training shall be provided to all CTOs ensuring they are in compliance with Corrections Division Policy and Title 15, section 1027 prior to supervising a trainee. Policy interpretation should be clarified and resolved.
- Priority should be placed on the recruitment of new personnel.
- Staff shall be aware of how many inmates are in a cell.

Response to recommendation:

Prior to the Sheriff's Department receiving this Grand Jury report on June 17, 2014, we became aware of these issues several months prior. On January 15, 2014, the Sheriff implemented policy that ensures practices consistent with the Grand Jury recommendations.