

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT



EVALUATION OF PROBATIONARY
DEPUTY SHERIFFS - MEN'S CENTRAL JAIL
AUDIT
No. 2016-4-A

JIM McDONNELL
SHERIFF

June 1, 2016

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
Audit and Accountability Bureau

Evaluation of Probationary Deputy Sheriffs Audit - Men's Central Jail
Project No. 2016-4-A
AUDIT REPORT

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Evaluation of Probationary Deputy Sheriffs Audit – Custody Services Division (CSD), Men's Central Jail (MCJ) under the authority of the Sheriff. This audit was performed to determine how the Los Angeles County Sheriff's Department (Department) complied with the Department policies and procedures regarding the evaluation of Probationary Deputy Sheriffs assigned to MCJ. This audit will also satisfy, in part, the requirements of the Citizens' Commission on Jail Violence (CCJV)¹ recommendations and to satisfy, in part, the requirements of the Rosas Settlement Agreement (Rosas).²

The AAB conducted this audit under the guidance of Generally Accepted Government Auditing Standards.³ The AAB determined the evidence obtained was sufficient and appropriate, providing a reasonable basis for the findings and conclusions based on the audit objectives.

BACKGROUND

The CCJV submitted its report regarding an array of concerns in the jails. In it, they presented several significant findings and issued a series of recommendations for corrective actions in the operations of the Department. The Department agreed to implement the recommendations. CCJV Recommendation 6.4, states the following:

New deputies should have a meaningful probationary period during their first twelve months in Custody. The Department must rigorously assess each new deputy's abilities and fitness for service and terminate deputies who cannot meet the requisite standards.

The Department entered into Rosas pursuant to a United States District court case where plaintiffs filed a complaint alleging they were subjected to and/or witnessed violence and threats of violence towards inmates, while in the custody and care of the Los Angeles County Sheriff. Rosas Paragraph 3.6 of the agreement states the following:

¹ On September 28, 2012, the Citizens' Commission on Jail Violence published 64 recommendations for reforms in the Department. Then Sheriff Lee Baca agreed to implement all of the recommendations.

² 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.

³ United States Government Accountability Office – By the Comptroller General of the United States, December 2011, Government Auditing Standards 2011 Revision.

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To ensure a meaningful probationary period, new Department members assigned to Custody Operations should be reviewed within six months of being assigned to Custody and again before their first post-probationary assignment.

PRIOR AUDITS

This was the first Evaluation of Probationary Deputy Sheriffs Audit at MCJ conducted by the AAB.

METHODOLOGY

Scope

The audit encompassed three objectives including a review of training records and personnel files for those deputy personnel who began their one year probationary period within CSD at MCJ.

Audit Time Period and Audit Population

The time period for this audit includes deputy personnel who began service as newly sworn Deputy Sheriffs between January 1, 2014, and December 31, 2014. The applicable Manual of Policies and Procedures (MPP), Custody Division Directive (CDD) and the Custody Division Manual (CDM) sections were reviewed for this audit.

This audit time period was chosen because Probationary Deputy Sheriffs normally complete their probationary periods on corresponding dates in 2015. A total population of 74 Probationary Deputy Sheriffs assigned to MCJ during the audit period was identified using the Employee Human Resources (eHR) database. A statistically valid sample⁴ was selected from the list yielding 42 Probationary Deputy Sheriffs whose records were selected for review.

Summary of Audit Findings

The MCJ management was cooperative in providing the necessary information to complete the analysis for the audit objectives. The orientation day for newly assigned deputy personnel was successfully administered. However, the audit identified areas for improvement regarding documentation of: probationary assessments for deputy personnel, a probationary evaluation, and training administered at MCJ.
(See Table No. 1)

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

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Table No. 1: Summary of Audit Findings

Objective No.	Description	Met the Standard
1	PROBATIONARY PERIOD FOR DEPUTY PERSONNEL	
1(a)	SIX-MONTH PROBATIONARY ASSESSMENT	
	<i>Shift lieutenant conducted six-month assessment of Probationary Deputies and drafted a memorandum</i>	38%
1(b)	ANNUAL ASSESSMENT	
	<i>Unit Commander or designee shall conduct a face-to-face meeting and draft a memorandum</i>	31%
2	PROBATIONARY EVALUATION	
	<i>Probationary employees evaluated at least once prior to the end of their period of probation</i>	42%
3	STANDARDIZED ORIENTATION AND TRAINING PROGRAM	
3 (a)	ORIENTATION DAY	
	<i>Orientation day for newly assigned deputy personnel</i>	100%
3 (b)	TRAINING PROGRAM ADMINISTERED AT MCJ	
	<i>Training Records included all required documentation</i>	0%

AUDIT OBJECTIVES

Objective No.1 – Probationary Period for Deputy Personnel

Objective No. 1(a) – Six-Month Probationary Assessment

Criteria

CDD 12-005, Probationary Period for Custody Personnel, states:

...at the completion of the employee’s sixth month, the shift lieutenant shall conduct an assessment of the employee’s overall career performance, which will be documented in a memorandum...

Audit Procedures

Memorandums and training records were reviewed to determine if the shift lieutenant documented a six-month assessment of the Probationary Deputy Sheriff.

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Findings

Of the 42 employees’ training records selected, 2 training records were excluded because one employee resigned⁵ and the other employee transferred before the six-month evaluation period and could not be rated.⁶ Therefore, a total of 40 employees’ training records were reviewed. Fifteen of the 40 (38%) met the standard for this objective. Twenty-five did not meet the standard because the six-month assessment (memorandum) was not found in the training records.

Objective No. 1(b) – Annual Assessment

Criteria

CDD 12-005, Probationary Period for Custody Personnel, states:

Three to four weeks prior to the employee’s one year anniversary the Unit Commander or designee shall conduct another personnel performance review and schedule a face to face meeting... the Unit Commander shall draft a memorandum to memorialize the employee’s successful completion of the probationary period. (Note: This directive was rescinded on November 12, 2015)

CDM Section 3-01/020.15, Probationary Period for Custody Personnel, states:

New Department members assigned to the Custody Services Divisions shall have an additional review prior to the end of their one year probationary period... This shall be documented in the electronic Line Operations Tracking System (e-LOTS) by creating an entry under the “Probationary Assessment” drop down box. The evaluation of the employee’s performance and the face-to-face meeting ... (Note: This policy went into effect on November 12, 2015)

Audit Procedures

There were two applicable policies during this audit. The CDD 12-005, was in effect for those Probationary Deputy Sheriffs who completed their probation during the first 10½ months of 2015. A review of the training records was conducted to determine if the Unit Commander documented a face-to face assessment and authored a memorandum.

On November 12, 2015, CDM Section 3-01/020.15 replaced CDD 12-005. Therefore, for the final 1½ months of 2015, a review of e-LOTS was conducted to determine if the Unit Commander documented an assessment.

⁵ During the separation interview, the employee indicated he did not want to be a deputy. Since he was no longer under the span of control of MCJ he was not evaluated further for this Objective.

⁶ Deputy was transferred outside the span of control of MCJ and was not evaluated further for this Objective.

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Findings

Of the 42 employees’ training records selected, 6 were excluded because one employee resigned and 5 employees transferred to a new unit of assignment before the one year probationary period.⁷ Therefore, a total of 36 employees’ training records were reviewed.

Overall, 11 of the 36 (31%) met the standard for this objective. Of these:

- Three of 26 (12%) annual assessment memorandums were completed in compliance with CDD 12-005.
- Eight of 10 (80%) e-LOTS entries were completed in compliance with CDM 3-01/020.15.

Objective No. 2 – Probationary Evaluation

Criteria

MPP Section 3-02/090.10, Probationary Evaluation, states:

Probationary employees must be evaluated at least once prior to the end of their period of probation.

Audit Procedures

The unit personnel files were reviewed to determine if a final evaluation of the Probationary Deputy Sheriff was completed prior to the end of the probationary period.

Findings

Of the 42 employees’ personnel files selected, 6 were excluded because one employee resigned and 5 employees transferred before the one year probationary period.⁷ Therefore, a total of 36 employees’ probationary evaluations were reviewed. Fifteen of the 36 (42%) met the standard for this objective. Twenty-one employees’ probationary evaluations did not meet the standard as they were dated subsequent to the end of the probationary period.⁸

⁷ Refer to footnote #5 and #6 for reasons of exclusion for this Objective

⁸ Although all probationary evaluations were not completed on time, all of the 36 deputy personnel successfully completed the probationary period.

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Objective No. 3 – Standardized Orientation and Training Program

Objective No. 3(a) – Orientation Day

Criteria

CDM Section 3-02/010.00, Standardized Orientation and Training Program, states:

Each unit commander shall implement the Custody Services Division “Standardized Orientation and Training Program” for newly assigned custody personnel. This program includes:

- *Orientation day*

Audit Procedures

A review of documents signed by the Probationary Deputy Sheriffs during the Orientation Day and a review of the Scheduling Management System (SMS) were conducted to determine if they attended orientation at MCJ.

Findings

All of the 42 (100%) documents reviewed met the standard for this objective.

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Objective No. 3(b) – Training Program Administered at MCJ

Criteria

CDM Section 3-02/010.00, Standardized Orientation and Training Program, states:

Each unit commander shall implement the Custody Services Division “Standardized Orientation and Training Program” for newly assigned custody personnel. This program includes:

- *Training of three (3) months duration*
- *Training Officer/Trainee Relationship Acknowledgement*
- *Checklist of training objective*
- *Eight (8) written tests*
- *Eight (8) performance tests*
- *Fifteen (15) report scenarios*
- *Evaluation every two weeks (6 total)*
- *Recommendations to release from training or extend the training period...*

There shall be a two year retention of these records.

Audit Procedures

The training records at MCJ were reviewed to determine if they included documentation of three months of training and completed training officer/trainee relationship acknowledgement, checklist of training objectives, written and performance tests, report scenarios, evaluations completed by appropriate dates and final recommendation to release from training or documentation to extend the training period.

If the Probationary Deputy Sheriffs transferred to a new unit of assignment or resigned from the Department, an attempt was made to obtain the above listed items from their official Department training records and new unit of assignment, if applicable.

Findings

None of the 42 (0%) training records met the standard for this objective. All 42 training records were missing one or more of the required documents as outlined in Table No. 2.

Per discussion with MCJ management, training documents are sometimes purged after the completion of the deputy’s training program based on the facility’s limited storage space for a high volume of documents.

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Table No. 2: Summary of Findings, Objective No. 3

Training Program Administered at MCJ	Met the Standard
<i>Training of three (3) months duration</i>	97%
<i>Training Officer/Trainee Relationship Acknowledgement</i>	51%
<i>Checklist of training objectives</i>	2%
<i>Eight (8) written tests</i>	17%
<i>Eight (8) performance tests</i>	15%
<i>Fifteen (15) report scenarios</i>	32%
<i>Evaluation every two weeks (6 total)</i>	0%
<i>Recommendations to release from training or extend the training period</i>	12%

Other Related Matters

Transfers Prior to End of Probation

Five Probationary Deputy Sheriffs were transferred to a new unit of assignment prior to the end of their probationary period. When this occurs, documentation of their overall probationary status may not be shared in a timely manner with their new unit of assignment. This may be problematic for supervisors at the new unit of assignment responsible for rating deputies for the entire probationary period.

Meaningful Probationary Period

In response to the CCJV recommendations and Rosas regarding establishing a “meaningful probationary period”, the Department responded by developing policy requiring reviews of the Probationary Deputy Sheriffs’ progress and status within six months and before their first post-probationary assignment (CDD 12-005). This was later modified to require the first review within 90 days (CDM 3-01/020.15). However, during the review of training records at the MCJ, it was difficult to determine if the probationary period was “meaningful” because a large amount of probationary assessments and training records were not located.

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Conclusions and Recommendations

The AAB considers the results of this audit to be a helpful management tool for the Department and therefore makes the following conclusions and recommendations:

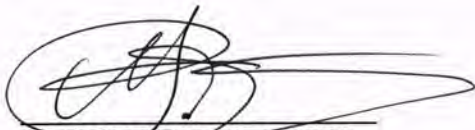
1. Implement a procedure and/or tracking mechanism at MCJ to assist management with monitoring the progress of Probationary Deputy Sheriffs and to ensure the assessments and evaluations are completed in compliance with existing policy time requirements. (Objective No.1 and No. 2)
2. Establish procedures at MCJ to retain all training documents for two years as required by Department policy. (Objective No. 3 & Other Related Matters)
3. When a Probationary Deputy Sheriff transfers, establish procedures to include a transfer assessment and immediately forward it to the new unit of assignment. (Other Related Matters)

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This audit was submitted on this 1st day of June 2016, by the Audit and Accountability Bureau.



EVELYN VEGA
Project Manager
Audit and Accountability Bureau
Los Angeles County Sheriff’s Department



M. ROWENA NELSON
Head Compliance Officer
Audit and Accountability Bureau
Los Angeles County Sheriff’s Department



STEVEN E. GROSS
Captain
Audit and Accountability Bureau
Los Angeles County Sheriff’s Department

