

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT



**AMERICANS WITH DISABILITIES ACT AUDIT –
NOTIFICATION OF PROGRAMS AND HOUSING
RENOVATIONS
NO. 2016-7-A**

**JIM McDONNELL
SHERIFF**

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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
Audit and Accountability Bureau

**AMERICANS WITH DISABILITIES ACT AUDIT– NOTIFICATION OF PROGRAMS
AND HOUSING RENOVATIONS – CUSTODY OPERATIONS**

Project No. 2016-7-A
Audit Report

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Americans with Disabilities Act (ADA) Audit – Notification of Programs and Housing Renovations, under the authority of the Los Angeles County Sheriff. This audit was performed to determine how the Los Angeles County Sheriff's Department (Department) complied with the notification of programs and housing renovations components of the *Peter Johnson, et al., vs. County of Los Angeles, et al.*,¹ Settlement Agreement (Agreement).

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, providing a reasonable basis for the findings and conclusions based on the audit objectives.

BACKGROUND

On June 10, 2010, a class action complaint entitled, *Peter Johnson, et al., vs. County of Los Angeles, et al.*, was filed with the United States District Court. The complaint outlined a number of alleged deficiencies within the County Jail system regarding the handling of inmates with disabilities. Subsequently, the Department entered into the Agreement to modify and/or renovate certain housing locations to meet compliance for ADA qualified inmates, and to provide training for personnel involved with supervising these inmates.

In order to meet the requirements outlined in the Agreement, Facility Planning Bureau (FPB) and Custody Operations created the "Americans with Disabilities Act: Compliance and Vision Project"³ implementation plan. The implementation team identified two housing locations in the Twin Towers Correctional Facility (TTCF), Modules 231 and 232, to be renovated and retrofitted to meet the terms of the Agreement and implementation plan. The housing locations were originally under the command and control of TTCF. Custody Operations management elected to use Module 231 as a medical transfer housing area pending inmate classification, and Module 232 as a permanent housing area. To meet the separate functions, the command and control of

¹ *Peter Johnson, et al. vs., County of Los Angeles, et al.*, U.S.D.C. Case No. CV 08-03515 (SHX) - Settlement Agreement, referencing Part V. Injunctive Relief. Section A, Programming; and Section C, Physical Accessibility were used as criteria for this audit.

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

³ The "Americans with Disabilities Act: Compliance and Vision Project" was an internal document approved by the then Custody Operations Chief Alexander Yim, on June 14, 2012.

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Module 231 was transferred to the Inmate Reception Center (IRC)⁴. The implementation plan included reasonable changes needed for Modules 231 and 232, including installation of ADA compliant beds, showers, and toilets. The newly renovated housing locations allowed the Department to provide better accessibility and service for the ADA inmate population. These renovations were completed on November 4, 2013.

In addition, the Department was required to notify the ADA inmate population of their right to access inmate programs.

PRIOR AUDITS

This was the first ADA Audit - Notification of Programs and Housing Renovations conducted by the AAB.

METHODOLOGY

Scope

The audit assessed if ADA qualified inmates were notified of programs in either paper or electronic format, or both. It also included a physical inspection of TTCF Modules 231 and 232, which were renovated by the Department for the ADA inmate population. Auditors met with a Custody Operations subject matter expert and the Director of Facilities Services Bureau (FSB) who were assigned to the "Americans with Disabilities Act: Compliance and Vision Project." They confirmed that the installation of ADA fixtures (which were identified in both the Agreement and the implementation plan as ADA accessible combo toilets, showers, frames on upper tier showers, and beds) were reviewed and approved by FPB, and met the standards of the California Disabled Accessibility Guidebook 2011.

The Department's Manual of Policy and Procedures (MPP), Section 2-07/140.60, the Agreement, and the Americans with Disabilities Act: Compliance and Vision Project implementation plan were evaluated for this audit. It is important to note that while the Agreement specifically requires these renovations to Module 231 during Phase 2, the renovations were expanded to Module 232 in the implementation plan.

Audit Time Period

On March 9, 2016, the auditors reviewed the process to notify ADA inmates of available programs⁵ and performed a physical inspection of modifications to housing areas.

⁴ Module 231 is within the TTCF, but is operated by the IRC. The module is not a permanent housing location, but is utilized as a temporary holding area for inmates who require additional medical evaluation during processing. It is also utilized for contingency housing to manage an overflow of inmates with disabilities.

⁵ Programming is a quality educational curriculum for inmates to decrease recidivism and is conducted by Education-Based Incarceration Bureau (EBIB).

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Audit Population

Objective No. 1 involved the verification of notifying ADA inmates of programs during processing and while housed in Module 232. Pertaining to Objective No. 2, the population consisted of the housing areas located in Modules 231 and 232. Each module consisted of six pods referred to as pods A through F, containing 16 cells each, for a total of 96 cells in each module.

SUMMARY OF AUDIT FINDINGS

The IRC and TTCF management staff were helpful in providing the necessary information to complete the audit objectives. Los Angeles County Counsel, Custody Compliance Sustainability Bureau (CCSB), and Custody Training and Standards Bureau (CTSB) provided insight regarding training standards applicable to the Agreement.

Both IRC and TTCF did well in the following areas:

- ADA qualified inmates were notified of access to programming
- Renovations and/or modifications to Module 232

However, the audit identified the following area in need of improvement:

- Showers in Module 231 did not meet ADA standards

Table No. 1 – Summary of Audit Findings

Objective No.	Audit Objectives	Met the Standard	
1	NOTIFICATION OF PROGRAMS		
	ADA qualified inmates provided with notification of available programs	100%	
2	RENOVATIONS AND MODIFICATIONS	MODULE 231 Pods A-F	MODULE 232 Pods A-F
2(a)	ADA Accessible Toilets	100%	100%
2(b)	ADA Accessible Showers	50%	100%
2(c)	ADA Stainless Steel Frames on All Upper Tier Showers	100%	100%
2(d)	ADA Accessible Beds	N/A ⁶	100%

⁶ The renovation of Module 231 did not require the installation of accessible beds as in Module 232 (Phase 2 – B of Agreement).

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AUDIT OBJECTIVES

Objective No. 1 – Notification of Programs

Criteria

Peter Johnson, et al., vs. County of Los Angeles, et al., Paragraph V., Injunctive Relief, Section A, Programming, Item Number 6 states:

Defendants agree to notify Class Members of the programs available to them in either paper or electronic format, or both

Audit Procedures

Auditors determined if IRC and/or TTCF facilities personnel made notification to ADA qualified inmates about programs by interviewing IRC Operations staff. They provided a copy of the “Los Angeles County Sheriff’s Department Inmate Orientation Video” and auditors viewed the video⁷. Auditors also observed signage of information regarding available programs posted throughout Modules 231 and 232. Additionally, Education Based Incarceration (EBI) personnel verbally informs ADA inmates of available programs on an ongoing basis.

Findings

Both, IRC and TTCF (100%) met the standard for this objective.

Objective No. 2 – Renovations and Modifications

Objective No. 2(a) – ADA Accessible Toilets

Criteria

Peter Johnson, et al., vs. County of Los Angeles, et al., Paragraph V., Injunctive Relief, Section C, Physical Accessibility, Item Number 4 states:

Phase 2 - B: Closing of Module 231... the installation of 24 accessible toilets

In addition, the “Americans with Disabilities Act: Compliance and Vision Project implementation plan states:

The installation of 24 new ADA combo toilets to TTCF 232

⁷ IRC Operations staff explained all inmates receive notification of programs during the orientation video which is shown upon arrival to the facility. The video is shown in English and Spanish, with a sign language interpreter.

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Auditors inspected Modules 231 and 232 to determine if accessible toilets were installed and operational. Refer to “Methodology” regarding the inclusion of renovations for Module 232.

Findings

All 24 (100%) of the accessible toilets in Modules 231 and 232 were installed and operational, meeting the standard for this objective.

Objective No. 2(b) – ADA Accessible Showers

Criteria

Peter Johnson, et al., vs. County of Los Angeles, et al., Paragraph V., Injunctive Relief, Section C, Physical Accessibility, Item Number 4 states:

Phase 2 - B: ... the installation of 6 accessible showers

In addition, the “Americans with Disabilities Act: Compliance and Vision Project implementation plan states:

The installation of 6 new ADA showers to TTCF 232

Audit Procedures

Auditors inspected Modules 231 and 232 to determine if six accessible showers were installed and operational, in each module, for a total of 12 accessible showers. Refer to “Methodology” regarding the inclusion of renovations for Module 232.

Findings

In the IRC, three of six (50%) pods in Module 231 (pods B, D, E) did not meet the standard for this objective because the ADA showers did not have an attached supply line with a shower head to accommodate inmates with mobility issues. All six (100%) of the accessible showers in TTCF’s Module 232 were installed and operational, meeting the standard for this objective.

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Objective No. 2(c) – ADA Stainless Steel Frames in Upper Tier Showers

Criteria

Peter Johnson, et al., vs. County of Los Angeles, et al., Paragraph V., Injunctive Relief, Section C, Physical Accessibility, Item Number 4 states:

Phase 2 - B: ... the installation of 6 new stainless steel frames in the upper tier showers

In addition, the “Americans with Disabilities Act: Compliance and Vision Project implementation plan states:

The installation of 6 new stainless steel frames on all upper showers in TTCF 232

Audit Procedures

Auditors inspected Modules 231 and 232 to determine if six stainless steel frames were installed in the upper tier showers, in each module, for a total of 12 stainless steel frames. Refer to “Methodology” regarding the inclusion of renovations for Module 232.

Findings

All 12 (100%) of the stainless steel frames in Modules 231 and 232 were installed and operational, meeting the standard for this objective.

Objective No. 2(d) – ADA Accessible Beds

Criteria

Peter Johnson, et al., vs. County of Los Angeles, et al., Paragraph V., Injunctive Relief, Section C, Physical Accessibility, Item Number 4 states:

Phase 3: Repurposing of Module 232 and construction of approximately 60 accessible beds

Audit Procedures

Auditors inspected Module 232 to determine if 60 accessible beds were installed and operational.

Findings

All 60 (100%) of the accessible beds in Modules 232 were installed and operational, meeting the standard for this objective.

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Other Related Matters

Americans with Disabilities Act: Compliance and Vision Project

During the development and implementation phase of the Agreement, Facilities Planning Bureau and Custody Operations created the “Americans with Disabilities Act: Compliance and Vision Project” to include renovations to Modules 231 and 232 beyond the Agreement. This project was created to improve conditions for the ADA inmate population and included:

- 192 air registers for Modules 231 and 232 (96 cells in each module).
- 12 Liquid Crystal Display flat screen televisions for Modules 231 and 232 (6 in each module).
- 96 handcuffing ports were installed in Module 232.

The auditors determined these additional requirements were present and functional.

Training per Agreement

According to Los Angeles County Counsel and CCSB personnel, two training courses were conducted in June 2015 and September 2015 for custody personnel whose assignments were particular to inmates with disabilities. Both Plaintiff and Defendant Counsels agreed these training courses met the criteria of the Agreement. No further training was required and this condition was deemed to have been completed. Additional training for all custody line personnel has since been developed, but is currently being reviewed by the Los Angeles County Office of the Inspector General (OIG). As of August 10, 2016, personnel assigned to CTSB and CCSB are prepared to proceed with the ADA training for line staff as soon as it is approved by the OIG.

Maintenance of Modules 231 and 232

Auditors reviewed a written proposal by FSB personnel, approved by Custody Operations, which included a provision to convert several large corner cells into ADA restrooms. Those corner cell doors were to be secured open with a padlock affixed to the floor. This would ensure the doors remained open and clear to provide unrestricted access to ADA inmates housed in the dayroom. During a walkthrough of Module 231 and 232, the auditors observed several corner cell doors were modified, but were not padlocked in the open position. Auditors inquired about pending repair or work orders regarding the padlocks for the doors. At that time, no work orders had been submitted.

Conclusions and Recommendations

The AAB personnel performed inspections and made assessments to identify areas of improvement. The AAB considers the results of this audit to be a helpful management tool for all Department personnel; therefore, makes the following conclusions and recommendations:

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1. It is recommended CSD perform regular inspections and submit work orders when necessary to ensure all ADA fixtures are up to ADA standards and remain in working order. (Objective No. 2, Other Related Matters)
2. It is recommended the ADA training for appropriate jail personnel be approved and implemented. (Other Related Matters)

Views of Responsible Officials

On April 19, 2016, the unit commander of IRC concurred with the audit findings. On May 5, 2016, the unit commander of TTCF concurred with the audit findings.

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This audit was submitted on this 16th day of September 2016, by the Audit and Accountability Bureau.

Original signature on file at AAB

DOUG MURAKAMI
Project Manager
Audit and Accountability Bureau
Los Angeles County Sheriff's Department

Original signature on file at AAB

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

Original signature on file at AAB

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