

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT



USE OF FORCE ACKNOWLEDGEMENT AND
AGREEMENT FORMS AUDIT
NO. 2014-11

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SHERIFF

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**Internal Monitoring, Performance Audits and Accountability Command
Use of Force Acknowledgement and Agreement Forms Audit
Project No. 2014-11-A**

PURPOSE

The Internal Monitoring, Performance Audits and Accountability Command (IMPAAC) performed this audit to address a recommendation by the Citizens' Commission on Jail Violence (CCJV), specifically related to training received and the Use of Force Policy Acknowledgement and Agreement Form. As a result, the Los Angeles County Sheriff's Department (LASD) revised its Use of Force Policy.

The IMPAAC conducted this audit under the guidance of generally accepted government auditing standards¹, specifically pertaining to obtaining sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. The IMPAAC has determined the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

BACKGROUND

On September 28, 2012, the CCJV made various recommendations pertaining to operations within Custody Division. The recommendations included a revision of the Use of Force policy, to include the following:

Recommendation No. 3.2 states:

"LASD personnel should be required to formally acknowledge, in writing, that they have read and understand the Department's Use of Force Policy."

Recommendation No. 3.3 states:

"All LASD Custody personnel should be provided training on a new comprehensive and easy to understand Use of Force Policy and how it applies to Custody."

Pursuant to the recommendations from the CCJV, Sheriff's Bulletin No. 591, *"Significant Changes to Use of Force Policy,"* December 7, 2012, was created pending a Manual of Policy and Procedures revision directed at all Department personnel. It states:

"All Department personnel are required to formally acknowledge, in writing, they have read and understand the Department's Use of Force Policy. Unit Commanders are required to conduct training for all of their assigned sworn personnel, Custody Assistants, Security Assistants, and Security Officers. Unit commanders are required to

¹ United States Government Accountability Office – By the Comptroller General of the United States, December 2011, Government Auditing Standards 2011 Revision.

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place a copy of the signed acknowledgement form into each employee's personnel file, and submit APIS Rosters to their respective Division Chief, no later than December 31, 2012."

The Department completed and issued a revised Use of Force Policy within the Department Manual of Policy and Procedures, including the various changes articulated in Sheriff's Bulletin No. 591. The beginning effective date of the Department policy was January 1, 2013². Sheriff's Bulletin 591 remains active and all required information within is in effect.

METHODOLOGY

Scope

Audit fieldwork was performed from January 26, 2015, to February 10, 2015. Telephonic and personal interviews were conducted with Department personnel, as well as the retrieval of training records from each custody facility.

Audit Time Period

The time period for this audit was January 1, 2013, to December 31, 2013. The various populations and/or samples were determined based on the objectives, and are further described within each respective objective.

Audit Population

A total population of 3,169 personnel were identified for all custody facilities. A stratified random sample resulted in 96 personnel reviewed for this audit.³ Personnel referenced within this population were identified with the assistance of Custody Operations staff.

Source Documentation

The following publications were used as the authoritative materials for the audit:

- *Department Manual of Policy and Procedures 3-10/000.00*
- *Sheriff's Bulletin No. 591, Significant Changes to Use of Force Policy*

² Manual of Policy and Procedures, Volume 3, Chapter 10

³ A one tail test, utilizing a 95% confidence level with a 4 percent error rate was used for the sample selection.

SUMMARY OF FINDINGS

Table No. 1 indicates the accumulated totals after analyzing the collected sample data.

Table No. 1 - Total Findings

Objective Description	Meeting the Standard/Total (%)
Objective No. 1 - Acknowledgement Forms Present in the File	88/96 (92%)
Objective No. 2 - Personnel Completing Training	96/96 (100%)

The required Use of Force Policy Acknowledgement and Agreement Form in the personnel file was found to be present in 92% of the audited sample. Facility Personnel are responsible for ensuring the proper archiving of the document(s).

Direct observation of each Custody Division facility's records indicated they had implemented a proper archiving procedure for the documents; However, North County Correctional Facility had not, placing the documents in either the employee's training file(s) and/or personnel file(s).

Custody Operations met the criteria of training Custody personnel on the revised Use of Force Policy (as it applies to Custody) per Sheriff's Bulletin No. 591. The Automated Personnel In-Service Roster (APIS), Training Records System (TRS), and Scheduling Management System (SMS) indicated 100% of the sample under evaluation for this audit had been formally trained.

Due to the recent implementation of the Learning Management System (LMS), the discontinuance of the TRS, and the continued use of APIS Rosters, units using any of the above mentioned systems for tracking the required training documentation were considered to have met the standard.

DETAILED FINDINGS

Objective No. 1 – Acknowledgement Forms Present in the File

Criteria

Sheriff's Bulletin No. 591, December 7, 2012, Significant Changes to Use of Force Policy, states, *"All Department personnel are required to formally acknowledge, in writing, they have read and understand the Department's Use of Force Policy."*

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“Unit commanders are required to place a copy of the signed acknowledgement form into each employee’s personnel file, and submit APIS Rosters to their respective Division Chief, no later than December 31, 2012.”

Audit Procedures

The IMPAAC reviewed Department personnel records, Use of Force Acknowledgement and Agreement Forms (for assigned Custody Division sworn personnel, Custody Assistants, Security Assistants, and Security Officers), to determine adherence to Department policy. Files that contained the Use of Force Policy Acknowledgement and Agreement Form met the standard.

Table No. 2 – Findings per Facility – Acknowledgement Forms Present in the File

Facility	Meeting the Standard/Total (%)
Century Regional Detention Facility	13/13 (100%)
Inmate Reception Center	12/12 (100%)
Los Angeles County Medical Center	4/4 (100%)
Men’s Central Jail	21/21 (100%)
North County Correctional Facility	6/12 (50%)
PDC North	7/7 (100%)
PDC South	6/8 (75 %)
Twin Towers Correctional Facility	19/19 (100%)
Total	88/96 (92%)

Objective No. 2 – Personnel Completing Training

Criteria

Sheriff’s Bulletin No. 591, December 7, 2012, states, *“Unit Commanders are required to conduct training for all of their assigned sworn personnel, Custody Assistants, Security Assistants, and Security Officers.”*

Audit Procedures

The Unit training records, specifically the SMS, LMS, TRS, and/or archived APIS Rosters were reviewed to determine whether each sampled employee attended the revised Use of Force Training.⁴

⁴ The IMPAAC did not perform an integrity check of the SMS, LMS, and/or TRS.

Table No. 3 – Findings per Facility - Personnel Completing Training

Facility	Meeting the Standard/Total (%)
Century Regional Detention Facility	13/13 (100%)
Inmate Reception Center	12/12 (100%)
Los Angeles County Medical Center	4/4 (100%)
Men's Central Jail	21/21 (100%)
North County Correctional Facility	12/12 (100%)
PDC North	7/7 (100%)
PDC South	8/8 (100%)
Twin Towers Correctional Facility	19/19 (100%)
Total	96/96 (100%)

Other Related Matters

During the analysis of this audit, the IMPAAC found inconsistencies in the archiving of the signed Use of Force Acknowledgement forms in each employee’s personnel file, as required by Department policy. The IMPAAC observed units were archiving the Use of Force Acknowledgement forms in the employees training file in lieu of their personnel file(s).

In addition, the IMPAAC identified units were not using the APIS Rosters to track employee training, which is required by Department Policy. However, as previously mentioned, units were considered to have met the standard if they used any of the three systems (APIS, LMS and/or TRS).

RECOMMENDATIONS

1. It is recommended Custody Support Services re-brief Sheriff’s Bulletin No. 591 to each Custody Division Unit Commander, regarding the documenting of individual acknowledgement, training completed by the unit, and the archiving of required documentation.
2. It is recommended all custody facilities utilize APIS Rosters and LMS for training documentation and record keeping to ensure consistency, transparency, and overall efficiency throughout the Department.