Office of Inspector General
1st Quarter 2016

Introduction

The majority of tasks during the first quarter were focused on identifying systems associated with community complaints. To better understand the complaint process a cursory review was conducted of the intake, tracking, investigative, and findings portions of the process. All of the Sheriff's Department staff involved have been collaborative and many of the recommendations have either been implemented or under review for implementation.

Complaint/Commendation Intake Process

The accessibility of the public to report misconduct was reviewed and included the methods with which a community member can make a complaint about a sheriff's employee, or services provided by the department. The review included the complaint process for both the Office of Inspector General and the Sheriff's Department.

The review revealed that the complaint process was difficult for the public to access. A community member wising to make a complaint was required to go to Sheriff's Headquarters or request a form by mail. An on-line search revealed that the only discoverable link was on the County's OIG site that required the community member to download and print a poorly scanned PDF of the Sheriff's complaint form. The complainant was then required to complete and submit the form to the Sheriff's Department either in-person or by US Mail.

Included in the complaint form was a significant amount of personal information about the complainant, most of which is not necessary to initiate an investigation of misconduct.

Working with Department of Technology staff, and in collaboration with the Sheriff's Department, the OIG began offering the following options for the public to make a complaint or commend a member of the Sheriff's Department.

- o A web based form that allows the complainant to submit directly to the OIG. The form may also be emailed, mailed, faxed, or hand delivered.
- o A fillable PDF document that can be completed electronically or printed and completed. The complaint can be sent electronically, mailed, faxed, or delivered in-person.
- o Telephone complaints are also received by the OIG.

The ability of the community to submit a complaint has been enhanced with the new OIG process as well as recent revisions to the Sheriff's Department web site. However, the primary use of a hard copy form by the Sheriff's Department may unintentionally dissuade people from making a complaint directly to the Department and push them to the OIG. As more data becomes available, the effect of increased accessibility on the OIG site will be better known.

Complaint/Commendation Intake Recommendations

The following recommendations were offered to the Sheriff's Department to improve accessibility of the community to commend or make a complaint. Sheriff's staff have been extremely collaborative in this process.

1. Review printed material and website to reinforce the openness of the complaint process including a listing of all locations where a complaint is accepted and the ability of a citizen to make a complaint.

2. Develop a web based submittal form for both commendations and complaints that allows a community member to remain anonymous. The OIG accepts anonymous complaints.

3. Review, edit, and supplement the current hard copy complaint form with a fillable field document for both complaints and commendations. The form could then can be submitted via email, US Mail, faxed, or hand delivered. The form should include only the fields necessary to investigate the complaint.

Complaint Summary for December 2015 and the First Quarter 2016

The following charts represent the method complaints were received by the Office of Inspector General and the actions taken, such as referred to another agency for non-Sheriff's Department personnel, sent to the Sheriff's Professional Standards Division (PSD) for investigation, or investigated by the OIG. With a very limited number of investigations completed, the data does not represent the findings of cases sent to the PSD.

The actions taken once a complaint is received are varied. At times the complaint can be directly addressed by the OIG, in which case the complaint is classified as "inquiry." When the complainant does not provide adequate information to begin an inquiry and does not respond to requests for additional information the complaint is categorized as "no response." Officer involved shootings are identified as "OIS" and investigations requested by the Board of Supervisors, Sheriff, or County Executive are categorized as "OIG Investigation."

December 2015

The December data represents the first month of work for the Office of Inspector General. There were 15 complaints received during the month which includes complaints or incidents that occurred prior to December 1, 2015. As illustrated, the majority of complaints were received by telephone. The ability to submit a complaint electronically was not available until the end of December 2015.
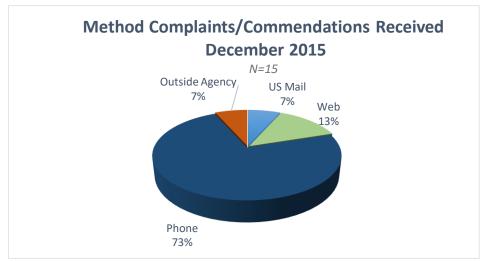
Method Complaints/Commendations Received December 2015

N=15

- Outside Agency 7%
- US Mail 7%
- Web 13%
- Phone 73%

Figure 1

The referrals to outside agencies are for several different agencies including complaints regarding inmate treatment at CDCR facilities (Figure 4). The "OIG investigation" reflects a request from Sheriff Jones to review the officer involved shooting from October 2015. That review is awaiting the Coroner's report and District Attorney's conclusion.
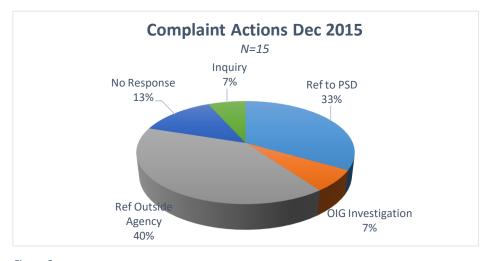
Complaint Actions Dec 2015

N=15

- Inquiry 7%
- No Response 13%
- Ref to PSD 33%
- Ref Outside Agency 40%
- OIG Investigation 7%

Figure 2

1ˢᵗ Quarter 2016

The Office of Inspector General received 38 complaints and 2 commendations during the 1ˢᵗ quarter of 2016. Nearly 50% of the complaints and both commendations were submitted on-line using the OIG web form. Of the total complaints received, less than half (44%) were sent to the Professional Standards Division for investigation and 33% were forwarded to other agencies or county departments. Complaints involving county departments include personnel complaints, service assistance, and complaints about private sector entities that a county department has inspection/enforcement responsibility, such as Environmental Management. All complaints involving the County were forwarded to the appropriate department manager.
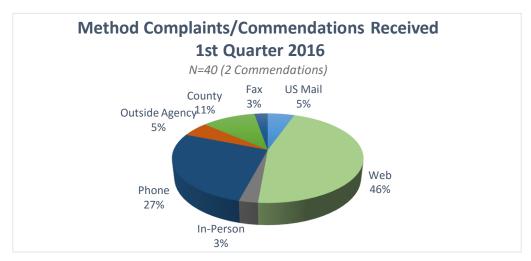
Method Complaints/Commendations Received 1st Quarter 2016

N=40 (2 Commendations)

- County 11%
- Fax 3%
- US Mail 5%
- Outside Agency 5%
- Web 46%
- Phone 27%
- In-Person 3%

Figure 3

Complaint Actions 1st Quarter 2016

N=40

- Inquiry 15%
- OIS 3%
- No Response 3%
- Ref to PSD 44%
- Ref County Dept. 18%
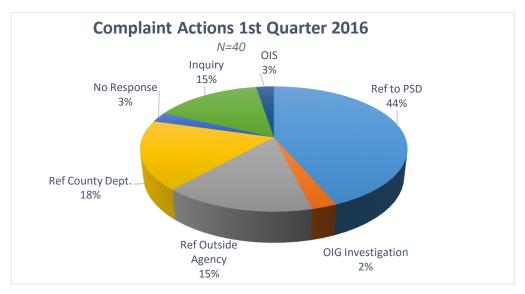- Ref Outside Agency 15%
- OIG Investigation 2%

Figure 4

The "OIG Investigation" in Figure 4 includes a review of an incident at the Family and Children Court facility. That investigation has been completed. The officer involved shooting (OIS) is in the investigative stage awaiting the Coroner's report and District Attorney's finding.

Tracking of Community Complaints

The Office of Inspector General has completed a data collection system that will be used to record, track, and report basic complaint information received by the OIG. The system will be used in conjunction with reports generated by the Sheriff's Departments complaint case management system.

The Sheriff's Department's familiarity and use of their case management software is limited which hampers the ability of staff to easily record, track, and report information. While the case management software has the ability to provide accurate reporting of complaints, investigators and staff assigned to PSD have not received comprehensive training on the capabilities of the system. The rotation of staff over the years has created a lack of familiarity with the system and resulted in unnecessary workarounds that reduce efficiency, effectiveness, and potential accuracy of the data. The following recommendations were provided to the Sheriff's Department.

Tracking Recommendations

1. The Department should work with the software vendor to develop a compressive plan that will better utilize how information is categorized, tracked, and reported. The plan should include a strategy for legislative reporting requirements.
2. Personnel assigned to the PSD should receive additional training specific to the software. This should include ways to identify trends that may be of concern to the community and Department. The training should include standardized curriculum for all new investigators and staff.
3. The Department should work with regional law enforcement agencies to create a software users' group to facilitate the sharing of best practices. A users' group would benefit all agencies in the sharing of best practices and serve as a resource to help maintain proficiency.

Tasks in-progress

- Outreach to community groups and organizations
- Data entry of complaints received into the OIG Database
- Review of the Sheriff's Department complaint investigative and findings process
- Work with the Sheriff's Department in the development of an early warning system
- Review of the Officer Involved Shooting response protocol
- Review of two fatal officer involved shootings
- Work with Sheriff's staff to complete 2015 Annual Report