



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



October 13, 2020

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT NOTIFICATION OF NEGATIVE
IMPACTS TO CUSTODY DIVISION OPERATIONS DUE TO THE STAFFING
REDUCTIONS PROPOSED BY THE CHIEF EXECUTIVE OFFICER**

The Los Angeles County Sheriff's Department (Department) has been involved in ongoing discussions with the Chief Executive Office (CEO) regarding imposed budget cuts to the Department. As the discussions currently stand, the CEO's proposed cuts delete 1,005 personnel positions from Department's Custody Operations, which would result in a reduction in budgeted staffing of up to 19 percent. As the Sheriff of Los Angeles County (County), I have a duty to safeguard the individuals remanded to our custody by the courts. I, therefore, have an obligation to voice the dangers associated with reducing staffing by such severe levels in the County jail system based upon ongoing litigation, and in the midst of a pandemic.

It is crucial to address the legal ramifications the proposed staffing reductions would cause. As the Board is aware, the County entered into a settlement agreement with the United States Department of Justice (DOJ) in 2015, regarding the care of our mentally ill population. Additionally, the County entered into the Rosas Settlement Agreement with the ACLU in 2015 regarding allegations of excessive force, failure to appropriately address inmate grievances in a timely manner, and adverse conditions of confinement. The County entered into yet a third Federal settlement agreement, Johnson, which also went into effect in 2015, over a class action complaint related to the Americans with Disabilities Act. Due to the changing dynamics of the inmate population, these agreements approved by the County have led to additional staffing costs over time for which the Department has never been fully funded.

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Prior to the settlement agreements, the Report of the Citizens' Commission on Jail Violence (CCJV) addressed the, *"troubling culture in Custody, which has produced both on duty and off duty aggressive misconduct, is exacerbated by the Department's training, staffing, supervision, and discipline policies."* The CCJV pointed out the flaws of the past short staffing, training, and supervision, which culminated in sweeping reforms within the Department's Custody Divisions. The current proposed cuts to staffing, coupled with the already unfunded litigated mandates, would eradicate many of these reforms. This would occur by reducing the number of supervisors managing custody line operations and dramatically expanding their area of responsibility, increasing the turn-around-time of critical administrative functions including use of force investigations, increasing the response time to inmate grievances and requests, and reducing the opportunity to provide mandated training by eliminating training instructors.

Since my election to the Office of the Sheriff, Custody Operations has continued to work closely with the appointed Federal Monitors in all of these cases and has made great strides in achieving compliance with the settlement agreements. If the current budget cuts were forced upon the Department as directed by the CEO, Custody Operations would be challenged to meet many of the compliance measures, which were previously agreed to by the County. It is also important to point out that any short-term fiscal gains realized from these forced staff reductions would be diminished by extending the monitoring periods of our existing agreements, as well as increase the potential for future litigation. We as elected County leaders must find a way to meet our fiscal goals in a manner which places public safety first and continues to provide a constitutional level of care to the incarcerated population held in our custody in accordance with current County, State, and Federal law.

The CEO provided the Department a list of positions they intend to eliminate. In addition to the detrimental impact on maintaining compliance with the settlement agreements, the loss of these positions would result in the Department's inability to provide the inmate population with essential services needed to ensure the most basic level of care.

The elimination of more than half of the positions assigned to the Access to Care Bureau would significantly decrease the Department's ability to provide security for inmates being treated at Los Angeles County USC + Medical Center. This staff reduction would impact transportation of inmates to specialized medical appointments and eliminate the ability to provide security at the Urgent Care and various clinics inside the custody facilities. These cuts would essentially undue all of the improvements in medical care the Department and Correctional Health Services (CHS) have accomplished over the past several years.

The elimination of deputy and custody assistant positions assigned to Twin Towers Correctional Facility and Century Regional Detention Facility would gravely impact the

ability to provide crucial services for inmates suffering from mental health conditions. The impact would include a reduction of staff for escorts and assistance with CHS mental health clinicians, security for therapeutic programming and meeting DOJ mandated out-of-cell time for High Observation Housing individuals.

The elimination of numerous food service workers, cooks and dietitians, along with administrative support positions, would greatly reduce the Department's ability to meet Title 15 and operational mandates. Currently, the Department's Food Services Unit is already experiencing a critical staffing shortage which was caused by the CEO "freezing" the Department's ability to hire these critical positions during the last Fiscal Year. These same unfilled positions are now identified for elimination. This would significantly impact the Department's ability to feed the inmate population in the most cost effective and nutritionally sound manner possible. Additionally, the elimination of positions within the Department's Inmate Services Bureau would impact recruiting and vetting inmates into the appropriate programs, and it would also eliminate staffing for conducting classes, and for maintaining Fire Camp training and security. The true costs would include limiting the ability of inmates to learn life skills needed to assist them with transitioning to the community, eliminating a pathway to a career, and reducing the ability to earn "milestone" education and Fire Camp credits, thereby increasing their lengths of stay in custody.

There are other critical support positions slated for elimination, which are responsible for essential operational requirements of Custody Operations. They are an essential component for transparency and are responsible for researching, gathering, and providing information to the Office of the Inspector General, as well as other local, state and Federal entities. Without these positions, the Department would have no Custody personnel dedicated to respond to Public Record Act requests, write and review operational policies, directives and bulletins, track and report information related to inmate grievances, or conduct facility inspections and audits. In times of emergency, such as during the current COVID-19 pandemic, these positions have also been invaluable in tracking information, coordinating inmate movement and providing constant updates to CHS. Under the CEO's proposed cuts, the ability to complete any of these essential functions would be significantly impaired, if not completely eliminated.

The County is also currently engaged in litigation related to the impact of COVID-19 in the jails (Cullors). As you know, the COVID-19 pandemic is likely to continue throughout the current Fiscal Year and beyond. At the onset of the pandemic, the Department, with the assistance of our justice system partners, was able to reduce the inmate population in an effort to decompress the population in all facilities and provide additional space for isolation and quarantine, in order to greatly mitigate the impacts of COVID-19 on our County jail system. Thanks to these efforts, the Average Daily Inmate Population (ADIP) reached its lowest level on May 10, 2020. However, due to factors outside of the control of the Sheriff, the ADIP has again begun to steadily grow over

time and is now 23 percent above its lowest level. Diversion efforts have not been able to slow this steady increase in population, which is significantly impacted by a backlog of individuals awaiting transfer to state prison.

As we have repeatedly discussed with the Board offices and the CEO, our COVID-19 mitigation strategy relies on keeping all facilities and all housing areas open. The CEO's current budget mandates would require the closure of numerous housing areas due to staffing reductions, forcing the Department to displace individuals from curtailed facilities and condense them into the remaining facilities, operating at or above their intended capacities. While the Board has clearly expressed its desire to reduce the number of jail beds within the system and replace them with alternatives to incarceration, this effort to defund the jail system before any such alternatives are in place would put both the public and inmate population at risk.

In light of the fact that the County ended the current Fiscal Year with another surplus, rather than the anticipated deficit, it is difficult to understand taking a fiscal posture which intentionally defunds the County's jail system in the midst of a pandemic, and would undoubtedly have a negative impact on the quality of life for everyone working and living in the system on a daily basis.

For additional information or questions, please contact Assistant Sheriff Bruce Chase at (213) 893-5001.

Sincerely,



ALEX VILLANUEVA
SHERIFF