

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Custody Facility and Property Inspection September 2019

Inspection # BI2019-0129

The Audits and Inspections Unit (AIU) of the Sheriff's Office Bureau of Internal Oversight (BIO) will conduct Custody Bureau Facility and Property Inspections on a bimonthly basis. The purpose for this inspection is to ensure compliance with Office Policies and to promote proper handling of Property and Evidence. To achieve this, inspectors will select for an on-site inspection one of the MCSO facilities/division and conduct an inspection using the *Custody Bureau Facility and Property Inspection Matrix* developed by the AIU.

Matrix Procedures:

Because of the size and complexity of the various facilities and other divisions, the inspector may randomly select up to five areas of the selected facility or division for inspection. When applicable, on the day of the inspection, using the "QueTel" Property and Evidence tracking system, a current printout of all outstanding Property and Evidence records for the facility/division being inspected will be obtained.

Criteria:

CP-2, *Code of Conduct*, paragraphs: 11.A, 12.C
CP-6, *Blood Borne Pathogens*, paragraphs: 5.C, 6.A, 9, 11.B.3, 11.C, 12.B, 11.C.
CP-9, *Occupational Safety Programs*, paragraphs: 1.B.1.b and 1.D.1.
DA-2, *Inspection and Testing of Emergency Equipment*, paragraph: 1.
DB-1, *Inmate Custody Records and Files*, paragraph: 7
DB-2, *Operations Journal and Logbooks*, paragraph: 1 and 2
DC-1, *Inmate Canteen*, paragraph: 2
DC-2, *Accountability of Monies and Negotiable Instruments*, paragraph: 1
DC-3, *Facility Safes*, paragraph: 6.A
DD-2, *Inmate Property Control*, paragraphs: 1.A and 1.E
DG-4, *Kitchen Security and Knife/Utensil Control*, paragraphs: 2.A and 2.B
DH-2, *Control Rooms and Security Equipment*, paragraph: 2.B and 2.B.2
DH-4, *Tool Control*, paragraphs: 1, 1.F, 2
DH-5, *Key Control*, paragraph: 1
DH-6, *Inmates Supervision, Security Walks, and Headcounts*, paragraph: 5
DL-2, *Jail Inspections*, paragraph: 2.A1
DL-3, *Inmate Hygiene*, paragraph: 3.B
DO-2, *Release Process*, paragraph: 1.B.9
GA-3, *Operations Manual Format*, paragraphs: 1.A and 1.A.3
GC-9, *Personnel Records and Files*, paragraphs: 4.B.2, 5, 12.B
GD-1, *General Office Procedures*, paragraphs: 11.A thru D
GD-4, *Use of Tobacco Products*, paragraph: 1.A
GD-14, *Access to Secured Office Buildings*, paragraphs: 2.A
GD-15, *Emergency Evacuation Plans*, paragraphs: 1, and 2.F
GF-3, *Criminal History Record Information and Public Records*, paragraphs: 2.K.2 and 2.K.3
GG-2, *Training Administration*, paragraphs: 3.D
GE-3, *Property Management*
GE-4, *Use, Assignment, and Operation of Vehicles*

Conditions:

On September 19, 2019, a Facility and Property inspection was conducted for the **Inmate Medical Services Division (IMSD)**. The Inmate Medical Services Division is located within the Lower Buckeye Jail (LBJ) but is an independent entity with a chain of command that is separate from the LBJ chain of command. In this arrangement, the IMSD relies on the LBJ

to provide certain support; including facility maintenance, property and evidence storage, key control, communications, and other facility type operational support.

Within the LBJ facility, the IMS has three primary areas of control: 1) The Mental Health Unit (MHU) which is comprised of six co-located housing units that house inmates of all security classifications that have been medically diagnosed with psychiatric conditions by the Correctional Health System (CHS) mental health providers. 2) The Infirmary which also houses inmates of all security classifications that have medical conditions, as determined by CHS providers, which prevent them from being assigned to regular housing commensurate with their security classification. 3) Administrative spaces, where command staff and other IMS support personnel maintain office and administrative space. Additionally, the IMSD has an additional sub-unit that operates remotely out of the Maricopa Medical Center. The Medical Transport Services (MTS) unit provides logistical and personnel support for various Emergency and Non-emergency transports of inmates requiring medical care by medical providers external to the Maricopa County Sheriff's Office jail system. The MTS was not included in this inspection and will be inspected independently on a different date.

The Inmate Medical Services is currently staffed by 80 detention officers, 2 Field Training Officers (FTOs), 1 Office Assistant and 15 supervisors (Sergeants, Lieutenants, and a Captain) assigned to the Mental Health Unit, Infirmary and Command Staff. Current housing data indicates that the IMSD is housing 98 male, 37 female, and 3 Juvenile inmates of various classifications in the psychiatric housing units as well as 37 male and 3 female inmates in the infirmary.

Upon arrival to the IMSD, the AIU inspection team was met by the executive officer for a short in-briefing where the inspection team was introduced to the facility personnel that were to assist during the inspection. In attendance was the executive officer, administrative sergeant, Facility Maintenance Officer, and FTO. After the in-brief, the inspection team and escorts broke into separate inspection teams to more efficiently conduct the inspection. After the inspection was completed, an informal briefing was conducted with the command and escorting personnel. The inspectors briefed on their findings and observations. A summary of the inspection findings and observations follows:

Section 1 Administration/Supervision:

The escorting personnel, as well as other staff on duty, expeditiously provided every document that was requested, answered all questions posed, and indicated where files, documents, and records were stored and the standards governing their safekeeping and retention.

During the inspection, **one** area was found to be noncompliant with the requirements in this section of the inspection. The noted deficiency involves the requirement that *"Areas occupied by inmates should be inspected on a daily basis"* (MCSO Policy DL-2.2.A.1).

The review of the Operations Journal for housing unit P2 revealed that there was no entry documenting that the required daily inspection took place during September 16, 2019.

All other areas were in compliance with the inspection requirements for this section.

Section 2 Facility and Jail Operations:

The facility was clean and presented a professional work environment. Doors were secured and our movement throughout the jail was restricted by locked doors that required access from the LBJ Security Control or through key access from our escorts. The Officers on duty were professional in their demeanor. They were courteous and patient as they answered various questions and facilitated access to the secure spaces within their control. This was done without compromising their primary duty of providing for the safety and wellbeing of inmates, officers, medical staff, and inspectors.

During the inspection team's movement throughout the facility, we had the opportunity to observe the movement of inmates as they were being escorted to and from various locations within the jail and/or performed work assignments. The inmates were courteous to escorting staff and inspection team members. Escorting personnel clearly communicated control of their charges in a calm, courteous, and professional manner.

Part of the inspection is focused on the proper documenting in the facility's Operations Journal (OJ) the various mandated activities for each housing unit. During the review of the Operations Journal of the psychiatric housing units, the inspection team identified **two** areas where proper and/or required entries were not found.

The first item involved the documenting of a noteworthy event that took place in housing unit P3 on September 16, 2019. The incident involved an inmate in "distress" that required medical attention. Research of additional records by the inspection team revealed that Correctional Health Services (CHS) medical staff was properly summoned, Phoenix Fire was called, an Incident Report number was obtained from the communications division, and the inmate was taken via Phoenix Fire ambulance to a local hospital with appropriate officer escorts; however, other than the initial entry identifying the inmate being in distress, the Operations Journal for housing unit P3 did not contain any additional entries referencing this event.

MCSO Policy DB-2, sub section 1.A. states that *"Information regarding the daily operations, incidents, or activities... shall be entered into the OJ..."* Sub section 1.A.6 specifies that entries will include *"Details of Incident Reports (IR) completed by officers assigned to the area. The entry shall consist of a synopsis of the incident including who, what, when, where, how, and the IR number."* Additionally, sub-section 1.A.7 requires documenting of *"All noteworthy incidents and emergency situations occurring within the area."*

The second identified deficiency involved the documenting of the issuing and the accounting of barbering equipment. MCSO Policy DL-3, sub section 3.B requires that *"Barber equipment shall be inventoried each day, by detention personnel, prior to distribution to the assigned barber, and re-inventoried and examined for damages upon return."*

During the inspection process, what appeared to be 2 barber sets were found in housing unit P2; however, the inspector was not able to determine if anything was missing because there was no record found that documented when the barbering equipment was last used or if it was inventoried. A similar circumstance was identified in housing unit P4. The inspector found what appeared to be 1 barber set and two barber set boxes. As in P2, no record was found that documented when the barbering equipment was last used or if it was inventoried, or if there was supposed to be 1 or 2 barber sets.

All other areas were in compliance with the inspection requirements for this section.

Section 3 Property and Evidence:

As previously mentioned, the IMSD is collocated in the Lower Buckeye Jail (LBJ). The processing of found property and the impounding of evidence by IMSD staff is coordinated with the LBJ property custodia. The inspection team was able to review all the processes followed by IMSD staff for handling Property and Evidence. The IMSD FTO briefed the inspection team on the procedures followed and the inspection team was also granted access to the LBJ storage space where property is secured while it awaits being taken to Property and Evidence by the LBJ property custodian.

It should also be noted that the division had recently updated their internal processes for safeguarding inmate cell property when, due to medical necessity and direction, property is removed from an inmate's cell for safekeeping until the inmate receives medical clearance to have property in their cell. Officers are still adjusting to the updated procedures. The new process, as reviewed by the inspection team, appears to be sound and, when fully and timely implemented,

should provide sufficient safeguards to properly account for inmate cell property and subsequently minimize potential liability to the Office.

All areas were in compliance with the inspection requirements for this section.

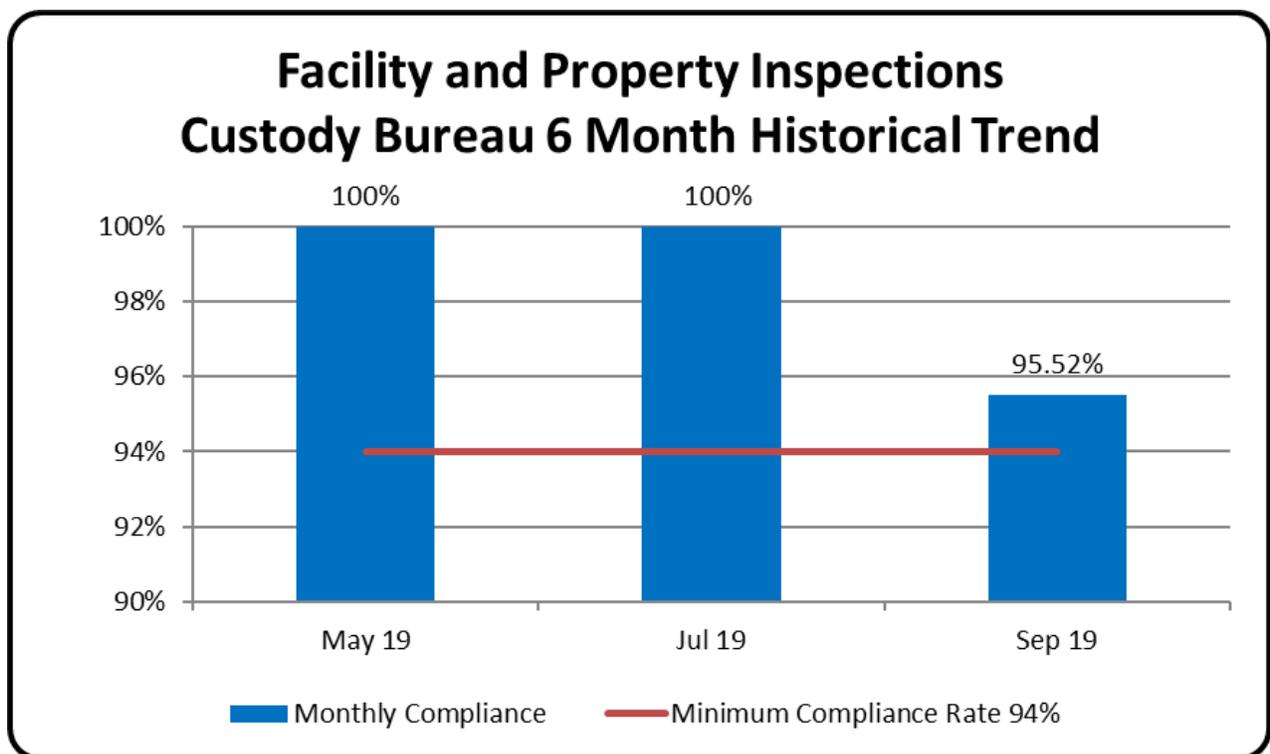
Additional Observation:

Throughout the visit, the inspectors were granted full access to all office spaces, storage rooms, filing cabinets, desk drawers, control rooms, maintenance accesses, and any other containers found in the areas under the purview of the IMSD.

During the inspection, no evidence was discovered indicating that MCSO, county facilities, and/or equipment were being used in a manner that discriminated or denigrated anyone on the basis of race, color, national origin, age, religious beliefs, gender, culture, sexual orientation, veteran status, or disability, or that property and/or evidence was being mishandled. Additionally, there were no indicators observed that would indicate that sensitive, protected, or confidential information and/or records were being mishandled or disposed of improperly.

The inspection resulted in **95.52%** overall compliance with the inspection requirements.

Below is the six-month historical comparison of compliance rates for Custody Facility and Property inspections.



Division Commander	Deficiency
Captain	<ol style="list-style-type: none"> 1. In Housing Unit P2, the Operations Journal did not include record that the required daily inspection of areas occupied by inmates should be inspected on a daily basis was conducted. 2. In Housing Unit P3 the Operations Journal did not include records of a noteworthy incident and emergency situation that occurred within the housing unit after an inmate was found to be in need of medical assistance. 3. In Housing Units P2 and P4 there was no record in the Operations Journal, or other records, to document that the Barbering Kits have been properly inventoried and/or accounted after being issued/used.

There are no prior BIO Action Forms similar in nature or supervisor notes addressing the noted deficiencies.

Action Required:

With the resulting **95.52%** compliance, Inspection BI2019-0129 requires **1** BIO Action Form **from the Division Commander or other responsible employee** addressing the **three deficiencies** identified during the inspection and documented in this report. The form shall be completed utilizing Blue Team.

Recommendations:

It is recommended that:

- Supervisor staff conduct required daily inspections of spaces occupied by inmates and that these inspections be documented in accordance with Poly DL-2.
- Supervisory and line staff be mentored on the importance of making complete, timely, and accurate entries into the Operations Journal and emphasizing the importance of documenting noteworthy events as well as other required entries in accordance with MCSO Policy DB-2 and the division's operations manual.
- The division establish a process whereby Barbering Equipment is accurately and properly accounted in accordance with MCSO Policy DL-3.

Date Inspection Started: September 15, 2019
Date Completed: October 22, 2019
Timeframe Inspected: September 15-19, 2019
Assigned Inspector: Sgt. Mario Rodriguez A9047

I have reviewed this inspection report.

Lt. D. Reaulo S1678

11/4/2019

Lt. Dominick Reaulo S1678
Commander, Audits & Inspections Unit
Bureau of Internal Oversight

Date