

[Click Here To Close This Window](#)

---

## Economy & Efficiency Commission Presentation

---

*Editorial Note: Although every effort has been made to insure the accuracy of the material in this presentation, the scope of the material covered and the discussions undertaken lends itself to the possibility of minor transcription misinterpretations.*

**PRESENTATION BY**  
**Mr. Robert Taylor**  
**Ombudsman**  
**Los Angeles County**

**Topic: The Role of the Ombudsman in Los Angeles County**

**November 6, 2003**

---

Chairman Philibosian introduced Mr. Taylor and welcomed him to the Commission.

### **What is an Ombudsman?**

Mr. Taylor began his presentation by noting that the office has been in existence for about ten years. An ombudsman is actually a representative of government – he doesn't necessarily represent the constituent or the department, but instead he tries to represent good government. Sometimes the Ombudsman's bottom line is doing what's best for the County and its constituents. The term ombudsman is a Swedish term coined in the 18th century, in response to conflicts between the King of Sweden and Parliament. The ombudsman tried to take care of the interests of the people amidst this conflict. It was made a permanent position in the 19th century. The ombudsman does not report to the Legislative or Executive branches – but is approved by both. Here, the Los Angeles County Ombudsman reports to the Board of Supervisors.

### **The Ombudsman's Relation to County Government**

In a County of 10 million people that has a budget of \$17 billion, the Ombudsman's office has only five investigators to work on cases. The Office's budget is approximately \$690,000, and the Office of the Ombudsman recently saved an additional \$50,000 by moving from leased space to County owned space. The Ombudsman was originally created from a recommendation that the Los Angeles Sheriff's Department have an independent authority insure that personnel complaints were handled efficiently and thoroughly.

### **What does the Ombudsman do?**

County constituents contact the Ombudsman through a variety of mediums, including telephone calls, emails, U.S. mail, and through intermediaries such as the Board of Supervisors. The process by which requests for assistance are evaluated begins with the intake process. During intake the Ombudsman tries to understand the nature and scope of the request for assistance. What types of requests does the Ombudsman receive? Due to the nature of the Office of the Ombudsman, the requests vary markedly, from a prisoner

requesting that his orthopedic shoes be return to him to a senior citizen requesting assistance in removing tree roots that threatened to damage the foundation of her residence. Once the nature of the complaint is understood, then the Ombudsman can determine whether there is sufficient authority to act on the complaint, whether the Ombudsman could contribute to a solution to the complaint, or whether a referral to another agency is warranted. All complaints are recorded and reviewed by the Ombudsman, including records about the complaints.

### **The Role of Jurisdiction**

Often times, one of the predicate questions that must be answered before acting on a complaint, is whether the Ombudsman's office has jurisdiction to act. Oftentimes, the complainant is from another physical location outside of Los Angeles County, or they request services that are offered by another County agency or entity. The authority for the Ombudsman's Office is covered in the County Charter, although there has been discussion of late (including two prior grand juries) that perhaps a reexamination of the authority and language of the original charter is due.

Additionally, the Ombudsman's office will generally not involve itself in areas where alternative administrative remedies exist (e.g., referring a complaint re internal LA Sheriff's Department concerns to the LASD's own ombudsperson).

Investigators will also ask whether the complaint is being made in good faith. Investigators must evaluate whether the complaint is fair and equitable, or whether it reflects some degree of personal acrimony. Also, some complaints require little or no investigation where the resolution is clear and apparent, and can be acted upon by the Ombudsman quickly.

### **Ombudsman Can Also Act in Concert with Other County Agencies**

The Ombudsman's office also will not only refer cases to other county agencies, but will also spearhead an effort involving two or more county agencies in trying to provide solutions to people in need. A recent case involving a 79-year-old woman who asked for help after her conservator committed her to a high-security facility illustrates this point. This complaint required that the Ombudsman's office work directly with a judge in order to remove the attorney and conservator who had committed the woman to the facility, and to move her to an assisted-living facility that would be more suited to the woman's abilities and would allow her greater freedom. The efforts of the Ombudsman and the judge involved in the case also helped conserve the woman's assets, by saving her \$1,200 monthly when she left the secured facility.

Sometimes, the Ombudsman's office will be asked to review actions taken by other agencies, e.g., the Sheriff's Department. If a complaint alleges that an investigation was lacking, witnesses weren't interviewed, etc., the Ombudsman's office will investigate the complaint, and if warranted, will request that the Sheriff's Department Internal Affairs Division reconsider the complain. Without exception, the Sheriff's department has undertaken additional investigation at the request of the Ombudsman. This responsiveness demonstrates the ongoing commitment of the Sheriff's Department's to transparency and accountability in their duties.

### **Actions Available to the Ombudsman**

Once it has been determined that a complaint should be acted upon, and that the Ombudsman's office is the proper agency to take do so, the nature and scope of the action need to be determined. The Ombudsman's Office will consider the best way to address the issues, and whenever necessary, will seek outside advice from other agencies or authorities.

At this point, a preliminary report is issued, and is discussed with the appropriate department. However, there are times when the Ombudsman's office finds that the complaint lacks validity. In either instance, the reports will reflect the Office's desire for fairness to the County department involved, to the complainant, and to the County of Los Angeles. A letter is sent to the complainant at the beginning and at the conclusion of the investigation.

## **Community Outreach**

The Ombudsman's office participates in other activities designed to raise the awareness of this function. This community outreach might take the form of speaking to County agencies, such as the Economy and Efficiency Commission, or participating in local community events such as fairs and festivals. The Ombudsman also has quarterly meetings with the Sheriff's Department Office of Independent Review, as well as periodic attendance at the Sheriff's Executive Staff weekly meetings. The Ombudsman's Office also does audits of agencies, including the Sheriff's Department that often results in policy changes. For example, the Ombudsman's Office requested that all station commanders submit a copy of the letter they sent out to citizen's in response to a complaint. The Ombudsman discovered that the letters were quite diverse, reflecting numerous different styles and levels of proficiency. In response, the Ombudsman drafted a standard letter, which was adopted by the Sheriff's Department. Another audit found that the internal investigations made by the Sheriff's Department averaged 45 days, rather than the goal of 30 days which was set by the Department. The Ombudsman didn't opine as to whether 45 days was an adequate period of time for a thorough investigation – only noting the disparity between the stated goal and the reality of the investigation window. The question of whether to change the goal or try to speed up the investigation process was, of course, left to the Sheriff's Department.

The Ombudsman's office also participates in special presentations with other agencies or entities, such as NOBLE (National Organization of Black Law Enforcement Executives) concerning racial profiling and other pressing issues.

Part of the mission of the Ombudsman is to market its services, and to make the citizenry aware of the goals and duties of the Office, and what it can do for them. The Ombudsman also seeks to provide a robust and active review process. The Ombudsman's Office will also look at the complaint resolution services at a "macro" level – trying to observe larger trends, and glean pertinent indications for bias or other impropriety.

The Office of the Ombudsman has also begun distributing a weekly newsletter, and co-hosts conferences, such as the recent conference co-hosted with the National Association of Citizens' Oversight on Law Enforcement. The Ombudsman's Office has also standardized their case procedures, and the letters sent to complainants in addition to distributing accurate information about Police Policies and Procedures to Los Angeles County youth.

## **Ombudsman's Office Goals for the Future**

The Ombudsman's Office hopes to participate in a review the enabling ordinance. The Ombudsman's office also hopes (when the economic climate permits) to address staffing issues, and possibly add another investigator to the staff, and update some of their failing computer equipment.

## **Commissioner Questions**

Commissioner Thierer asked how many County agencies have Ombudspersons. Mr. Taylor responded that the Los Angeles Sheriff's Department has one, as does the County Probation Department – there are probably three or four.

Commissioner Padilla was concerned about the difference between the above ombudsmen and a countywide Ombudsman. Mr. Taylor responded that most of the other ombudspersons are solely focused on the internal operations of their agencies, whereas the County Ombudsman's services are broader and open to the public. The Ombudsman for the County is uniquely qualified to assist persons dealing with multiple government agencies simultaneously.

Commissioner Padilla inquired whether there were any jurisdictional issues for the Ombudsman's Office between incorporate and unincorporated Los Angeles County. Mr. Taylor responded that the office's jurisdiction extends over everyone within the County, without regard to incorporation status.

Commissioner Padilla asked how the Office overlaps with other agencies such as the Department of Consumer Affairs or the Sheriff's Department Office of Internal Review. Mr. Taylor noted that the Office of Internal Review is internal to the Sheriff's Department, whereas the County Ombudsman's Office covers everyone in the County. With regard to the Department of Consumer Affairs, while the processes of intake and working with the constituent customer are very similar, Consumer Affairs' focus is on the consumer, and making sure the consumer paid a fair price.

Commissioner Padilla asked what leverage points the Ombudsman uses to garner results in its investigations. Mr. Taylor responded that if he receives an unsatisfactory response from one department employee, he will usually follow the chain of command upwards.

Commissioner Padilla was interested in what happens when a citizen takes their complaint against the Sheriff's Department to the Ombudsman first, without going through the proper channels. Mr. Taylor responded that he would take down the full complaint, and then bring it to the appropriate station commander, etc., and "let him tend his own garden," before getting more involved.

Commissioner Thierer raised the question about what the Board had done with the recommendation of the two grand juries vis-à-vis reexamining the enabling ordinance. Mr. Taylor yet to hear anything back from the Board on this matter.

Commissioner Hill asked if the Ombudsman's Office had had the opportunity to monitor the cost savings/cost avoidance resulting from keeping many complaints from litigation. Mr. Taylor responded that it hasn't been done in the past, but it is something they're looking into.

Chairman Philibosian observed in regard to the staff shortages at the Ombudsman's Office, there might be personnel within the Sheriff's Department that, although they may not be available for active duty, they might be able to assist with the Ombudsman's duties. Mr. Taylor noted that in the wake of the grand jury investigation of several months ago, there were many people from the grand jury interested in volunteering their time and efforts on the Ombudsman's behalf. Mr. Taylor remarked that the Office is developing volunteer programs.

Commissioner Thierer asked whether early return to work from workmans' compensation for employees of the Sheriff's Department might be a source of staffing. Mr. Taylor observed that he was concerned about being too closely affiliated with the Sheriff's Department, and that he would hesitate to implement such an idea since it could negatively impact the independence of his office.

Chairman Philibosian thanked Mr. Taylor for his time and his informative presentation.

[Return to Top of Presentation](#)



Kenneth Hahn Hall of Administration, Room 163, 500 West Temple St.,  
Los Angeles, CA 90012  
Phone (213) 974-1491 FAX (213) 620-1437 [EMail EEComm@co.la.ca.us](mailto:EEComm@co.la.ca.us)  
WEB [eec.co.la.ca.us](http://eec.co.la.ca.us)