



# **BUREAU OF INDEPENDENT REVIEW SEMI-ANNUAL REPORT**

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**OFFICE OF THE  
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ROBERT A. BARTON  
INSPECTOR GENERAL

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# FOREWORD

This marks the 13<sup>th</sup> semi-annual report issued by the Office of the Inspector General's Bureau of Independent Review (bureau), and the first since my appointment as the California Inspector General. Many significant events occurred during this reporting period, including an unprecedented weak recovery from the recession coupled with dwindling state resources and the tightening of department budgets impacting our staffing resources. Furthermore, legislative action refocused the responsibilities of the office and converted personnel to non-peace officer status. However, despite these challenges, the Office of Inspector General's continued monitoring activities and other related work was instrumental in bringing an end to the more than 20 year old *Madrid* litigation.

As a result of the *Madrid* litigation, in 2004 the bureau was formed to provide oversight to the California Department of Corrections and Rehabilitation's (department) employee disciplinary process, including internal affairs investigations and discipline decisions. At the time of the bureau's creation, the litigation had dragged on for almost 15 years. After approximately five years of bureau oversight, the federal court determined that the state of California had implemented a sufficient process to address issues raised in the litigation, thus federal court oversight was no longer needed. With sustained cooperation and commitment to maintaining reform, from the department's Office of Internal Affairs, Employment Advocacy and Prosecution Team, and hiring authorities, I am confident that the Office of Inspector General will continue to assist the department with maintaining the reformed disciplinary process reflected in this report. In doing so, the State of California can continue proactively to prevent any risk that the department's disciplinary process is subject to failure and future civil rights litigation.

A key component of the Office of the Inspector General's mission is to assist in bringing transparency to the department's processes. This semi-annual report serves as the vehicle to provide the public with critical information concerning the handling of allegations involving misconduct against employees within the state correctional system. For more information about the Office of the Inspector General, including all reports, please see our website at [www.oig.ca.gov](http://www.oig.ca.gov).

— **ROBERT A. BARTON, INSPECTOR GENERAL**

# INTRODUCTION

As the Chief Assistant Inspector General (A) during this reporting period, it is with great pleasure that I present the Bureau of Independent Review's (bureau) 13<sup>th</sup> semi-annual report. This report documents the bureau's case monitoring and oversight activities which concluded during the January 1, 2011 to June 30, 2011 time period. This semi-annual report provides the Governor, the Legislature, and the public an overview of the bureau's mission to ensure that the most serious allegations of misconduct in our state correctional system are investigated and addressed with integrity.

This semi-annual report includes expanded information not included in prior reports. First, the Appealed Cases table now includes the outcome of all cases in which an appeal of the discipline was filed, irrespective of whether the discipline imposed was significantly modified. Second, the Distinguished Cases and Satisfactory Cases tables have been augmented to include a text assessment by the bureau, in addition to the symbol ratings. Finally, the rating formula has been improved so that if the investigation was not completed at least 35 days before the time to take disciplinary action or to file criminal charges expired, the investigative component receives a failure to comply rating. Previously, if this critical time line was not met, the investigative component could still receive a substantially or partially compliant rating by being included in an averaged formula.

For the January to June 2011 reporting period, the bureau assessed 253 cases involving the most serious allegations of misconduct by California Department of Corrections and Rehabilitation (department) employees. Overall, the majority of cases were found to have a satisfactory outcome. Of the 253 cases, 9 were found to have resulted in unreasonable outcomes. In addition, 36 cases received the bureau's highest rating of distinguished, meaning the outcome of the case was reasonable and the department substantially complied with the policies and procedures mandated by the *Madrid* reforms in conducting its investigation and determining whether discipline should be imposed. This represents a decrease in the number of cases with unreasonable outcomes and a decrease in the number of cases with distinguished ratings when compared to the previous semi-annual report.

The bureau's ability to fully carry out its mission continued to remain impacted by the State of California's unprecedented fiscal crisis during this reporting period, resulting in a high volume of vacancies and overall changes in resource allocations. However, despite the challenges faced since 2009, the bureau was instrumental in assisting the correctional system to reach the *Madrid* closure milestone. I wish to thank the bureau's many talented professionals and the department's executives and staff members for their daily dedication to our mutual goal of maintaining the *Madrid* reforms and moving closer to a model correctional system for California.

— **ROY W. WESLEY, CHIEF DEPUTY INSPECTOR GENERAL (A)**

# SUMMARY OF MONITORING ACTIVITIES

The Bureau of Independent Review's (bureau) primary function is to monitor the California Department of Corrections and Rehabilitation's (department) disciplinary process. This includes monitoring of the department's internal affairs investigations into alleged employee misconduct, as well as the disciplinary decisions related to sustained employee misconduct. In addition, the bureau monitors the department's response to critical incidents. The bureau's evaluation of cases and critical incidents it monitors are contained in the bureau's semi-annual reports.

In this report, the bureau reports its initial evaluation of 253 monitored cases and 94 monitored critical incidents which reached a stage of completion allowing them to be publicly evaluated.<sup>1</sup> The bureau also provides updated information regarding 119 monitored cases in which an appeal of the discipline imposed by the department was filed with the State Personnel Board.

For the disposition of cases, this report represents a decrease in both the number of cases with unreasonable outcomes and the number of cases with distinguished ratings when compared to the previous semi-annual report. Additionally, the cases for which the investigative component failed to comply with critical policies and procedures increased by 20 percent, largely due to a change in the bureau's rating formula. The cases for which the advocacy component substantially complied with critical policies and procedures increased by 7 percent, and the cases for which the hiring authority component substantially complied with critical policies and procedures decreased by 2 percent. The department showed improved critical incident notification to the bureau by decreasing delayed notifications in this reporting period to 19 percent from 28 percent in the prior reporting period. Finally, the bureau found the final outcome of appealed cases to be unreasonable in 17 percent of the reported cases, while 59 percent of the cases had the disciplinary penalty imposed on the employee modified during the appeal phase.

## Monitoring Employee Misconduct

Whenever the department reasonably believes that employee misconduct may have occurred, the matter is forwarded to the department's Office of Internal Affairs' (OIA) central intake panel for evaluation. The central intake panel determines if an internal affairs investigation is warranted, whether enough information exists for the department to proceed with a disciplinary action without an investigation, or if no further action is warranted. The bureau participates in the central intake panel meetings to monitor the

*"Rat" Picture Case Distinguished*  
A picture of a rat with the words "Dirty Rat Bastard" was posted in a housing unit including on the officers' podium. An officer allegedly was involved in contraband trafficking and dissuading others from reporting misconduct, which included posting the picture. Initially, the Office of Internal Affairs rejected the case for investigation. On reconsideration, the Office of Internal Affairs identified a contraband misconduct allegation and considered again rejecting the case. The bureau recommended an investigation, which also included a misconduct allegation related to dissuading reporting via the picture. After collaborative consultation, the department opened an investigation. Subsequently, the department excelled in handling the case and this case is reported in the Distinguished Cases table of this report as case number 11-0046.

<sup>1</sup> Monitored cases are those cases approved by the department for an administrative investigation, criminal investigation, or disciplinary action not requiring an investigation. Critical incidents include serious events, such as riots or homicides, which require the department's immediate response.

process, provide recommendations on central intake panel determinations, and determine which cases the bureau will accept for monitoring.

Once a case is accepted for monitoring, the bureau follows the case through the various stages of the disciplinary process. If an internal affairs investigation is conducted, the bureau consults with the investigators, attends key interviews, reviews evidence, and provides recommendations regarding the investigative report. Department officials who are responsible for determining whether or not to impose discipline on an employee are referred to as hiring authorities. When a hiring authority determines what, if any, discipline will be imposed on an employee, the bureau provides feedback regarding the hiring authority's proposed course of action. If the hiring authority and the bureau representative have a significant disagreement regarding the appropriate outcome of a case, the matter may be elevated to the next supervisory level through a process called executive review. If the department's attorneys have been assigned to provide legal representation for the case, the bureau consults with them regarding legal issues and reviews any disciplinary documents drafted on behalf of the department. Once the department's internal disciplinary process has concluded, the bureau provides its assessment of the case in the tables that follow in this report.

Employees who are disciplined have a right to challenge the discipline imposed against them by filing an appeal with the State Personnel Board, which is an independent state agency. The bureau continues to monitor cases through this appeal process. During this process, a case can be completed by way of an agreement between the department and employee, a unilateral action by one party withdrawing the appeal or disciplinary action, or a State Personnel Board decision. Once the case is completed, the bureau publicly reports the outcome of the appealed cases in the Appealed Cases table of this report.

## Monitoring Appealed Cases

### *Department Preserves Dismissal*

A lieutenant was dismissed after being arrested for domestic violence and possession of assault rifles. On the date of the State Personnel Board hearing, the department withdrew the disciplinary action due to a lack of witnesses as neither the victim, nor the outside law enforcement officer who responded to the domestic violence incident, were properly subpoenaed to testify at the hearing. The department's exposure for back pay to the lieutenant could have been significant. The bureau recommended the department take a second disciplinary action based on the lieutenant's felony convictions for possession of an assault rifle resulting from the arrest, and the department initiate a non-punitive dismissal for failure to meet job qualifications due to the convictions. The department agreed. The lieutenant did not appeal the second disciplinary action, nor did he seek back pay from the department. This case is reported in the Appealed Cases table of this report as case number 08-0422.

The bureau provides an update to a previously reported monitored case when the case concludes after the employee challenges the disciplinary action by filing an appeal with the State Personnel Board. There are many reasons for the discipline imposed against an employee to be modified during the appeal process. For example, key witnesses may change their statements at hearing or not be available to testify. Facts previously unavailable may also be discovered. In addition, the department may agree to settle a case with the employee such that the employee receives an agreed upon penalty in exchange for withdrawing the challenge to the disciplinary action.

In prior reporting periods, the bureau only provided updated information about cases in the Appealed Cases table if the disciplinary penalty

initially imposed by the department was significantly modified after an employee filed an appeal. In this report, the bureau has expanded its reporting of appealed cases to include all cases coming to conclusion irrespective of the outcome. The bureau believes that this expanded reporting provides a more complete picture of the ultimate outcome of cases for the stakeholders, as the reader is not left to assume that the discipline did not change by the absence of the case.

During this reporting period, the bureau includes 119 cases within the Appealed Cases table, compared to 32 cases in the last reporting period. In 59 percent, the discipline originally imposed by the department against at least one employee was modified after an appeal was filed with the State Personnel Board. In the remaining cases, the length of time the action remained in the employee's file or the language of the action was modified, or the disciplinary penalty remained unchanged. The bureau found the final outcome resulting from a settlement agreement or decision of the State Personnel Board to be unreasonable in 17 percent of the reported cases. These cases are labeled deficient outcome or deficient decision in the appeal update section for each case in the Appealed Cases table. This percentage is significantly lower than the 50 percent of reported cases found to have unreasonable final outcomes during the prior reporting period. However, this change can be attributed to the fact that only cases with a significant change in penalty were included in the percentage for the prior period. The Appealed Cases table begins on page 19 of this report.

## **Monitoring Deadly Force Investigations**

The department defines deadly force as either the use of lethal force, such as a firearm, or any force that is likely to result in death. Department policy provides for criminal and administrative investigations to be immediately conducted on all deadly force incidents, excluding warning shots fired in an institutional setting. Occasionally, an outside law enforcement agency will conduct the criminal investigation.

Any time department staff use deadly force, the department is required to promptly notify the bureau. Once the bureau receives notice of a deadly force incident, bureau staff respond to the incident scene to evaluate the department's management of the incident and the department's subsequent deadly force investigations.

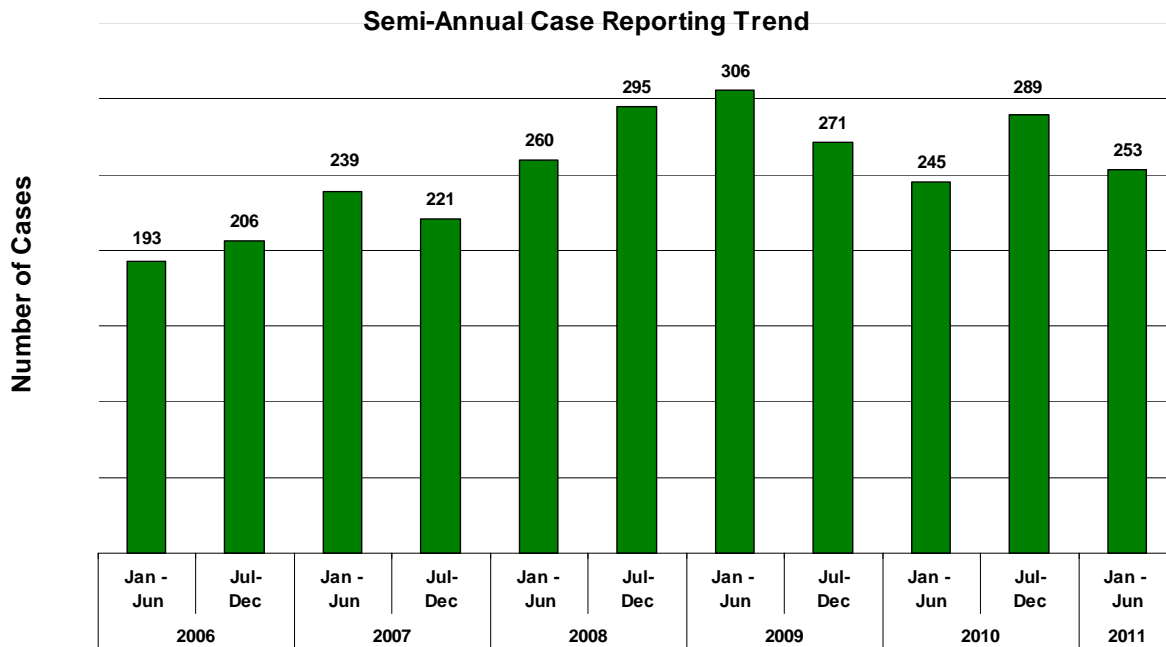
The bureau also participates as a non-voting member of the department's Deadly Force Review Board (DFRB). The DFRB is an independent body comprised of outside law enforcement officials and one department executive officer. Generally, once the administrative investigation is complete, the investigative report is presented to the DFRB. The DFRB examines the incident to determine the extent to which the use of force complied with department policies and procedures, and to determine the need for department modifications to policy, training, or equipment. The DFRB's findings are then presented to the department.



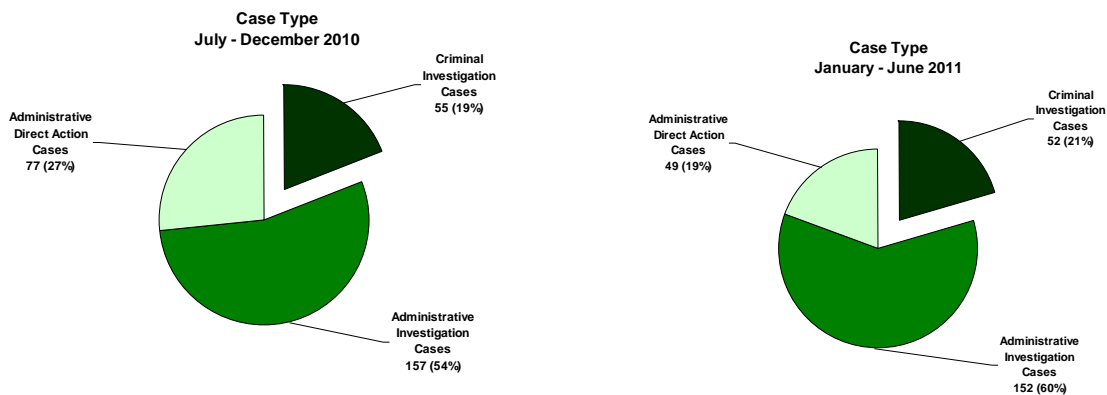
Because the use of deadly force has such serious implications, the department’s use of deadly force has always received the bureau’s highest level of scrutiny. The bureau monitored 15 deadly force investigations that concluded during the reporting period, which included 5 criminal investigations and 10 administrative investigations. The department had zero deadly force cases with a deficient outcome during this reporting period. This is an important improvement over the prior reporting period when 33 percent of the deadly force cases which received disposition ratings for the final outcome were found to be deficient. The bureau’s assessment of deadly force cases is presented in a separate Deadly Force Cases table so that the cases are publicly identified and easy to distinguish. The Deadly Force Cases table begins on page 64 of this report. The bureau’s assessment of the department’s initial management of deadly force incidents are presented, amongst other serious incidents, in the Critical Incidents table beginning on page 185.

## Caseload Trends

Currently, the bureau accepts for monitoring 20 percent of the cases opened by the department each month. Cases are reported when they reach a certain level of conclusion. This report includes an evaluation of 253 monitored cases completed between January and June 2011. The chart that follows illustrates the bureau’s monitored cases from January 2006 to June 2011. At the end of 2009, a decline is seen as a result of mandated furloughs. Although furloughs were not in effect during this reporting period, due to decreased staffing and impacts of the budget crises on all state agencies, the bureau has not yet returned to its pre-furlough number of reported cases.



The department characterizes allegations of misconduct as administrative, criminal, or both. Most of the cases monitored by the bureau involve allegations of administrative misconduct. This includes cases for which the department conducts an internal affairs investigation and then determines if disciplinary action is appropriate, as well as direct action cases wherein the department determines there is enough evidence to impose discipline without an internal affairs investigation. The following charts demonstrate the case type of the cases monitored by the bureau during this, and the prior, reporting periods.

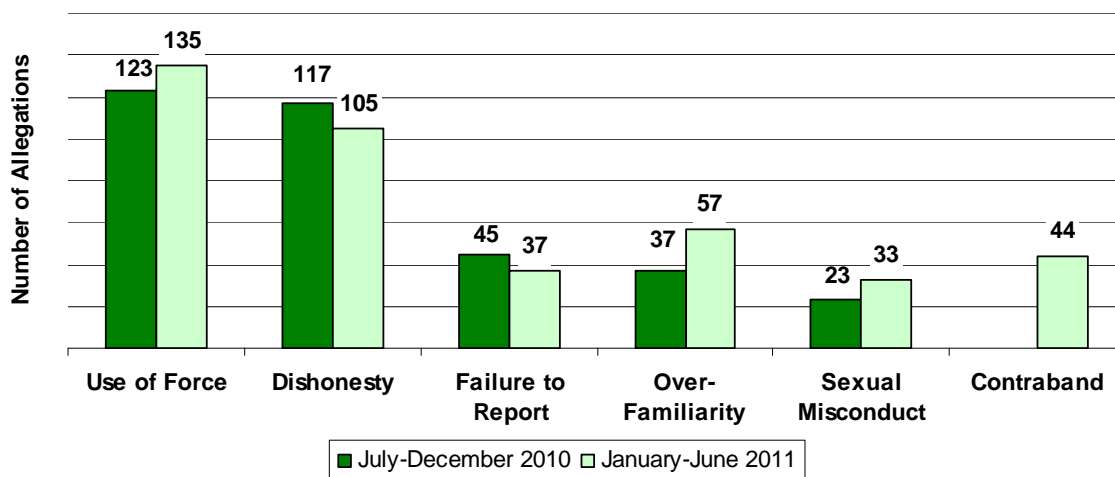


In this report, the bureau provides an assessment of 201 administrative cases, including 152 administrative investigation cases and 49 direct action cases. The number of administrative investigation cases reported by the bureau increased this reporting period to 60 percent, from 54 percent in the prior reporting period. At the same time, the number of direct action cases decreased by 8 percent since the prior reporting period, from 27 percent to 19 percent. The bureau also assesses 52 criminal investigation cases in this report. The percentage of criminal investigations showed little change from the prior reporting period with only a 2 percent increase in this reporting period, for a total of 21 percent of reported cases.

### ***Allegation Type Distribution***

Consistent with prior reporting periods, the bureau focused a large portion of its monitoring activities during this reporting period on cases involving six allegation types: (1) improper use of force; (2) dishonesty in official reports or during investigative interviews; (3) failure to report misconduct; (4) overly familiar conduct between employees and inmates, wards, or parolees; (5) sexual misconduct, and (6) contraband trafficking. The first three types of allegations are of concern because, if true, serious civil rights violations may have occurred. The other three types of allegations are of concern because they affect the safety and security of a correctional institution or the exploitation of the potentially vulnerable population served by the department.

### Allegation Type Distribution

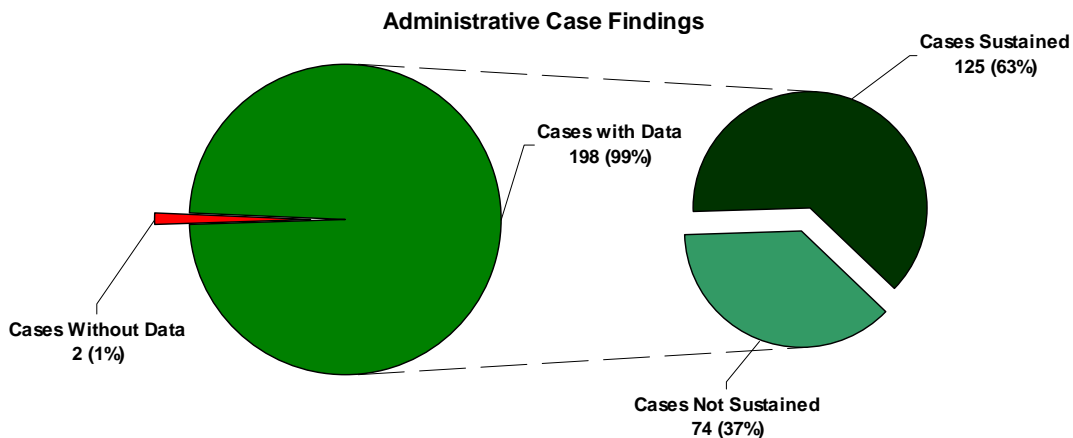


The chart above illustrates the number of times each of the six types of allegations were at issue in the 253 cases assessed in this report, compared to the number of times each allegation type was at issue in the cases reported in the last reporting period. Although the bureau has consistently monitored contraband trafficking allegations, contraband has not been included in the semi-annual report allegation type distribution chart in prior reporting periods, therefore, no comparison with the prior reporting period is provided. As illustrated in the chart above, the number of use of force allegations, conduct central to the concerns in the *Madrid* lawsuit, increased during this reporting period, as did overly familiar and sexual misconduct by staff with inmates and parolees. On the other hand, dishonesty allegations decreased over the last reporting period, however, the number of dishonesty allegations were still higher than during the January to June 2010 reporting period.

It is important to note that a single case often addresses many allegations of misconduct, thus, the number of allegations may exceed the number of cases reported. Additionally, the cases monitored by the bureau also include other allegations not contained in the five listed above.

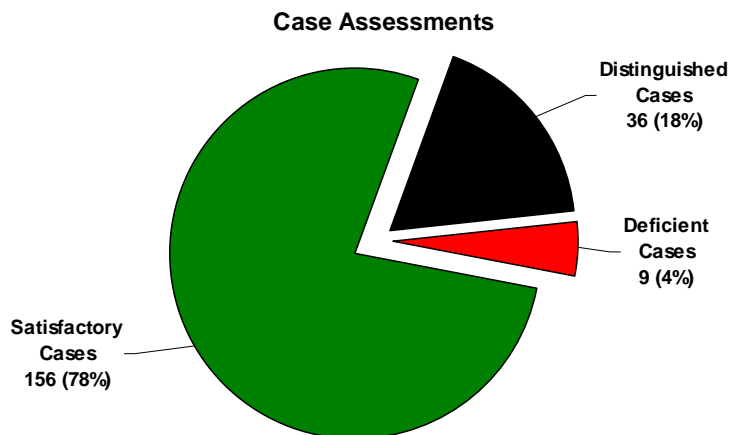
#### ***Administrative Case Findings***

One of the most important steps in the disciplinary process occurs when a hiring authority determines whether or not to sustain allegations of administrative misconduct against an employee. The department is required to document this information in its case management computer system. In 2008, the bureau reported this information was missing in 40 percent of monitored cases. However, since 2009, the department has dramatically increased the number of cases for which this critical information was entered and electronically recorded into its case management computer system. In both this current and the last reporting periods, the department entered this information in 99 percent of the cases. In this reporting period, 37 percent of the cases had no allegations of misconduct sustained, while 63 percent of the cases had at least one allegation of misconduct sustained.



### ***Bureau Assessment***

The bureau assesses cases in two ways. One way is by evaluating the disposition, which is the outcome, of the case. This disposition takes into account the appropriateness of disciplinary charges, the bureau’s recommendations regarding the disposition of the case, and the degree to which the department’s authorities agreed with the bureau’s recommendations. The other way is by assessing the department’s compliance with disciplinary processes resulting from the *Madrid* lawsuit, including those related to the quality of the investigations. There are three critical components to the department’s disciplinary process: (1) investigations; (2) advocacy which is the legal advice and representation of the department during the disciplinary process from investigation through appeal; and (3) the hiring authorities, who are department officials responsible for determining whether or not to impose discipline.



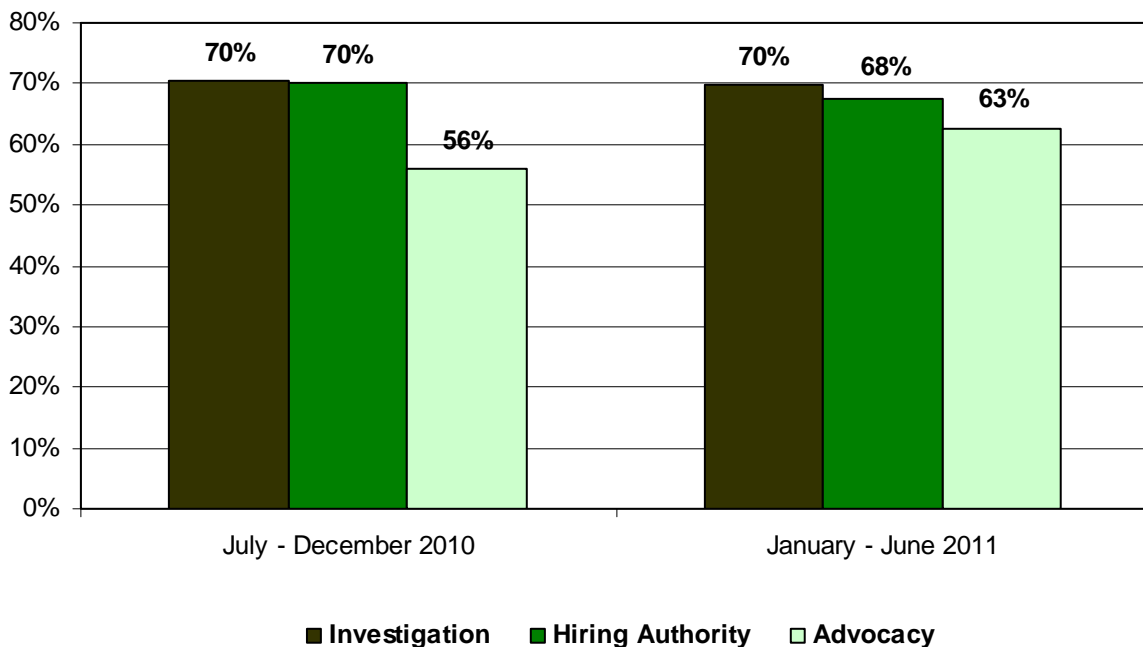
For this six-month reporting period, the bureau identified 4 percent of the cases as deficient, which means the initial outcome of the case was unreasonable. These cases include administrative cases for which the department controls the disciplinary process. This reporting period there were no criminal cases completed after the deadline to file criminal charges expired. The bureau did not evaluate criminal case dispositions because the decision to file criminal charges is made by district attorney’s offices or the attorney general’s office, not the department. The cases found to have a deficient initial outcome are presented in the Deficient Cases table, beginning on page 88. The bureau also found the final outcome of 20 additional cases to be deficient as a result of penalty modifications that occurred after an appeal was filed with the State Personnel Board. These cases are presented within the Appealed Cases table, beginning on page 19.

The bureau identified 18 percent of the administrative cases as being distinguished, which means the initial outcome of the case was reasonable and the department substantially complied with its procedures for all components of the process. Most of these cases are presented in the Distinguished Cases table, beginning on page 73, with one being presented in the Deadly Force Cases table, beginning on page 64. The bureau also assessed 78 percent of the administrative cases as satisfactory, meaning the case resulted in a reasonable outcome despite procedural problems. These cases are presented in both the Satisfactory Cases and Deadly Force Cases tables, beginning on pages 95 and 64 respectively.

For procedural compliance assessment, it should be noted that the bureau does not assess the department’s procedural compliance in some cases because there is not enough information available to provide a meaningful assessment. For example, if an employee who is under investigation resigns before the investigation is completed, the disciplinary process may be significantly streamlined, leaving too few applicable procedures for the bureau to assess.

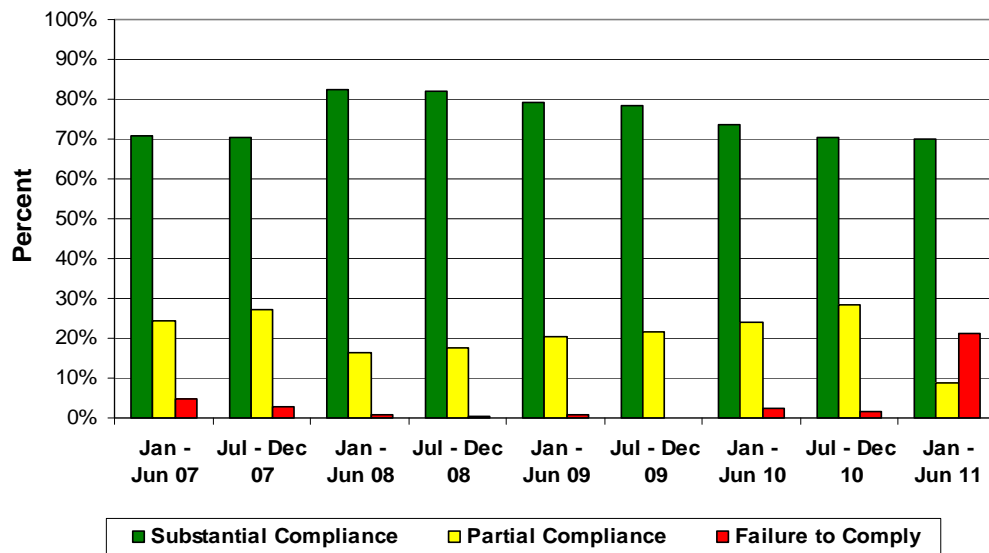
Consistent with the findings in the prior reporting period, the department was procedurally compliant with its own policies and procedures more often than not for all three components of the disciplinary process. At the same time, the number of cases which substantially complied with policies and procedures decreased during this reporting period. Of note is that the hiring authority component is the only one showing a decrease in substantial compliance during this reporting period, while the advocacy component showed an increase. The information demonstrating substantial compliance is contained in the chart which follows.

**Percent of Cases Assessed  
Substantial Compliance**



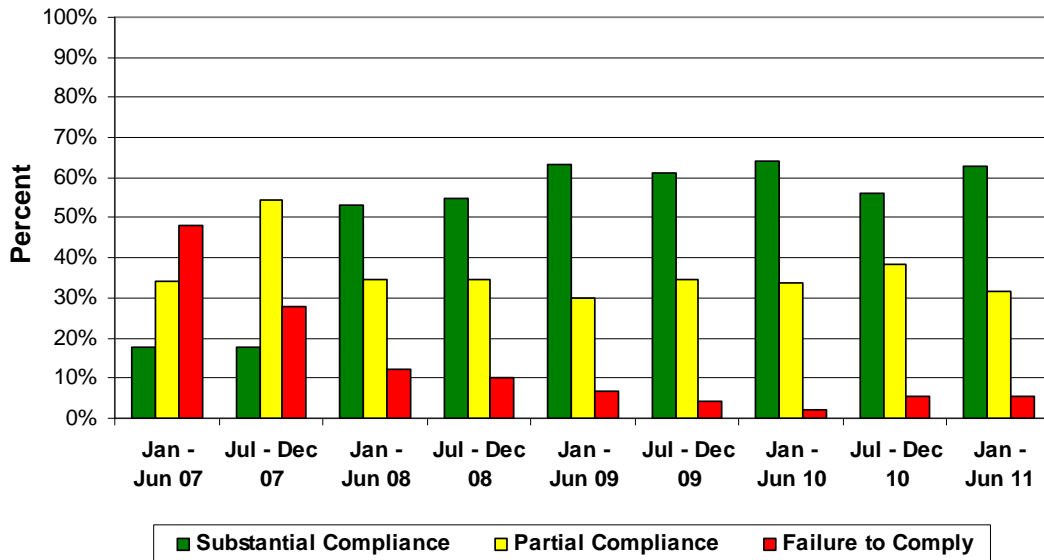
The following chart illustrates the overall procedural compliance for the investigative component as reported by the bureau since 2007. This reporting period, the bureau found the department to be substantially compliant in 70 percent of cases, which is the same as the prior reporting period. However, the department saw a drastic change in the partial compliance and failure to comply categories. The department failed to comply in 21 percent of cases, as compared to 1 percent in the prior reporting period, which caused partial compliance to decrease from 28 percent to 9 percent. During this reporting period, the bureau modified its rating formula. If the investigative report was not completed at least 35 days before the deadline for taking disciplinary action or filing criminal charges, the investigation received a deficient rating. In prior reporting periods, failure to complete the investigation within that time frame did not automatically generate a deficient rating, but was averaged with other questions to generate the rating. The increase in deficient ratings for the investigative component is primarily attributable to this rating formula change. The department has indicated that it is addressing staffing issues, which may have impacted the number of deficient ratings, to ensure increased compliance in the future.

**Investigation Assessment Ratings**



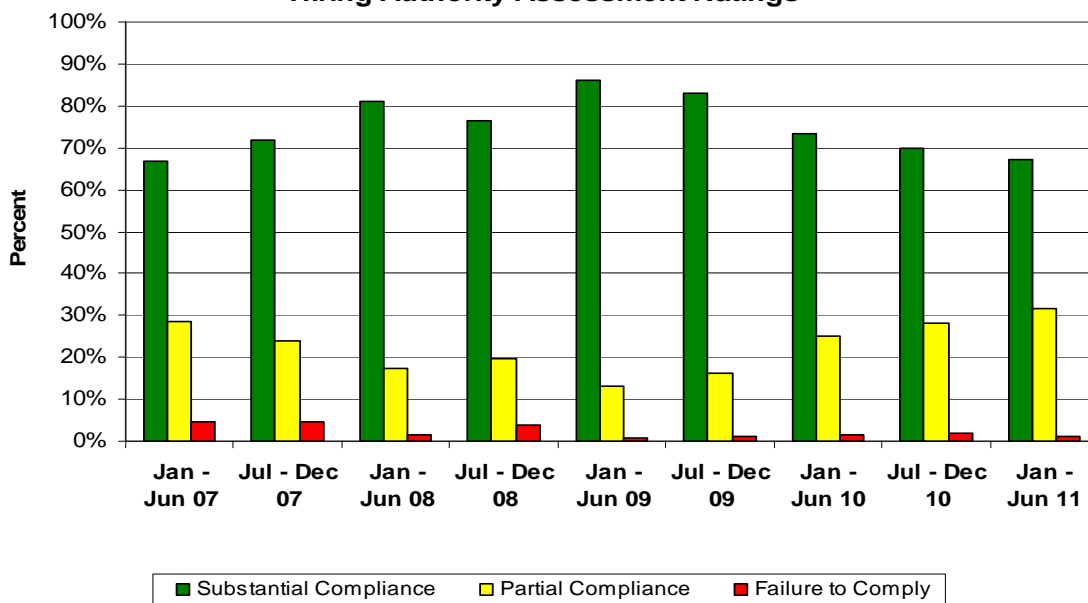
The following chart illustrates the overall procedural compliance for the advocacy component as reported by the bureau since 2007. This reporting period, the bureau found the department to be substantially compliant in 63 percent of cases, to be partially compliant in 32 percent of cases, and failed to comply in 5 percent of cases. This represents a 7 percent increase in substantial compliance over the prior reporting period, and no decrease in failure to comply with such representing 5 percent of cases in both reporting periods. As there was no decrease in deficient cases, the increase in substantially compliant cases resulted from a decrease in partially compliant cases.

### Advocacy Assessment Ratings



The chart on the following page illustrates the overall procedural compliance for the hiring authority component as reported by the bureau since 2007. This reporting period, the bureau found the department to be substantially compliant in 68 percent of cases, to be partially compliant in 32 percent of cases, and failed to comply in 1 percent of cases. This represents a slight change from the prior reporting period with 2 percent decrease in substantial compliance and a 1 percent decrease in failure to comply. However, this continues a decrease in substantial compliance for the hiring authority component for the fifth consecutive reporting period, which is of concern to the bureau.

### Hiring Authority Assessment Ratings



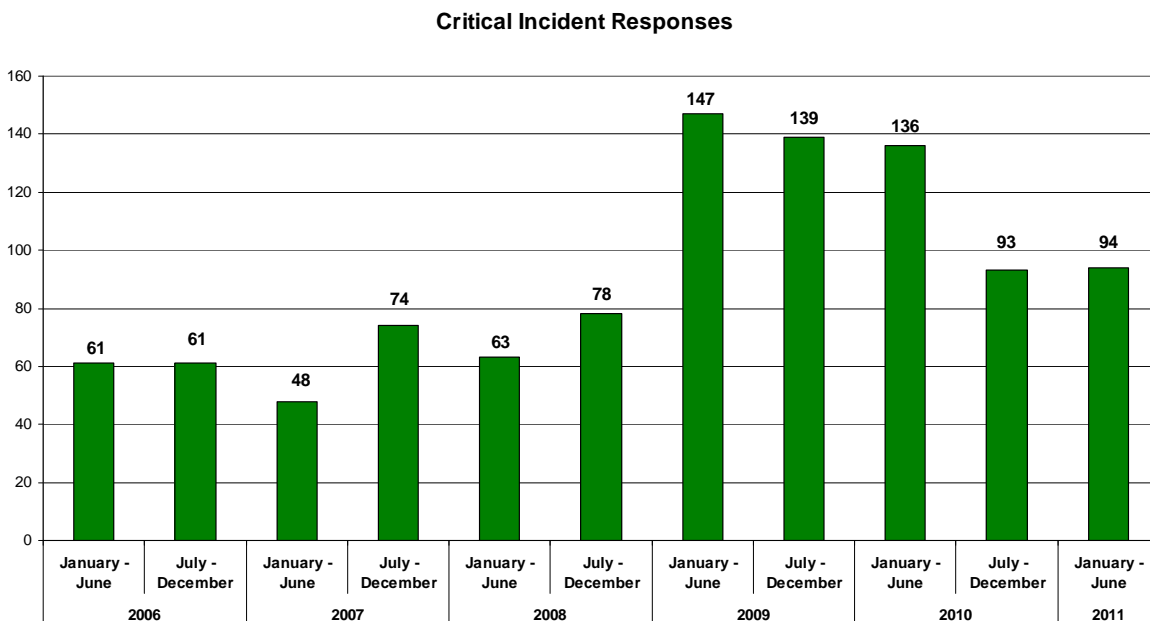
## Monitoring Critical Incidents

The department is required to notify the bureau of all critical incidents immediately following the event. Critical incidents include serious events that require an immediate response by the department, such as riots, homicides, escapes, uses of deadly force, and unexpected inmate deaths. The department's hiring authorities and those under their supervision are primarily responsible for responding to critical incidents.

After notification, the bureau monitors the department's management of the incident, usually by deploying bureau monitors to the site of the incident. More specifically, the bureau evaluates the department's immediate response to the incident, the subsequent determination of whether the incident should be referred to the OIA, and the OIA's decision regarding any referral. The bureau's evaluations of these critical incidents are contained in the Critical Incidents table, beginning on page 185.

### *Caseload Trends*

During this reporting period, the bureau assessed 94 critical incidents. This represents an end to the continuing decrease in reported critical incidents observed in the reporting periods since furloughs were imposed in 2009. It is important to note that the number of critical incidents within any period is dependent upon the events taking place within the department. Additionally, in order for the bureau to monitor an incident, the bureau relies on the department to provide notification that an incident meeting the notification criteria has occurred.



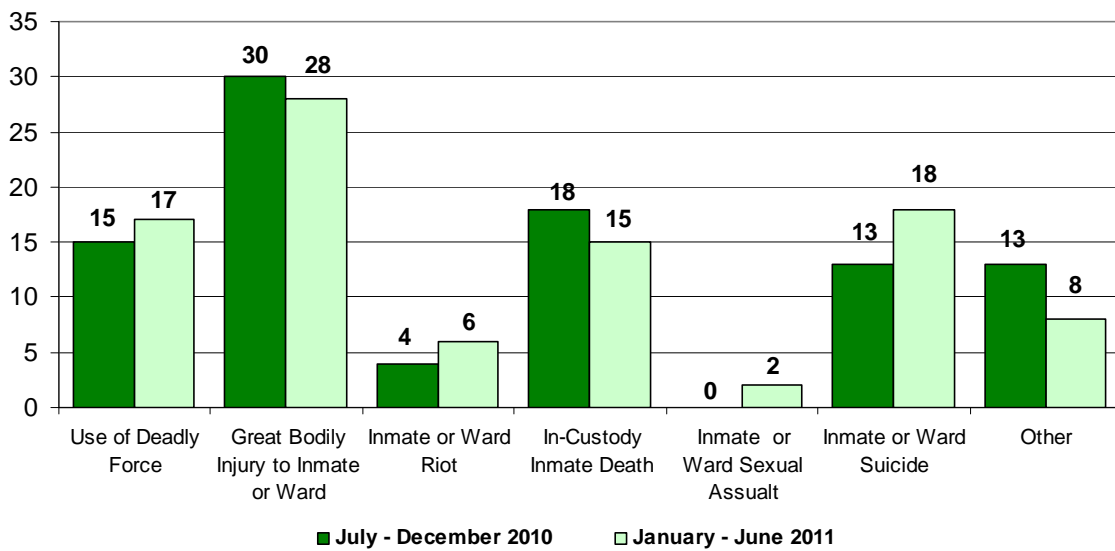


During this period, the department failed to provide the bureau with timely notification for 19 percent of the reported critical incidents as required. Although this represents a 9 percent decrease in delayed notifications since the last reporting period, the delay is still unacceptably high. Delays continue to impact the bureau’s ability to provide robust on-site monitoring for these very serious events. However, the bureau continued to focus on safety and security issues affecting the department and provided on-site assistance when provided the opportunity to do so during these particularly challenging critical incidents.

***Type of Critical Incident***

Consistent with past reporting periods, the bureau most often monitored critical incidents involving great bodily injury to inmates and wards. As in the prior reporting period, the bureau noted an increase in the number of critical incidents involving the department’s use of deadly force. The following chart provides a comparison of the number of critical incidents of each type between this reporting period and the prior reporting period

**Type of Critical Incidents Comparison**




# EXPLANATION OF TABLE FORMAT

The tables that follow provide the bureau's assessment of individual cases and critical incidents it monitored. The Appealed Cases table provides an update regarding the resolution of monitored cases in which discipline was initially imposed and the employee filed an appeal with the State Personnel Board. The majority of the bureau's monitoring activities can be found in the Deadly Force Cases, Distinguished Cases, Deficient Cases, and Satisfactory Cases tables. These tables provide the bureau's assessment of the department's internal affairs investigations and employee discipline actions related to alleged misconduct. Finally, the Critical Incidents table provides an assessment of how the department handled a variety of serious incidents.

## Format of Appealed Cases Table

The Appealed Cases table provides updated information regarding cases monitored by the bureau and already reported in one of the other tables. The bureau initially publishes its assessment of a monitored administrative case once the department determines whether or not to impose discipline on an employee; and, if discipline is to be imposed, the department serves the employee with a disciplinary action. However, employees may request a hearing before the State Personnel Board, an independent state agency, to challenge the discipline taken against them. The bureau continues to monitor the case through this appeal process and at the conclusion publicly reports the outcome in the Appealed Cases table.

Each case in the Appealed Cases table is listed in ascending order by the case's number, as published in the semi-annual report in which it first appeared. The first two digits of the case number reflect the year the case was reported, and the second number reflects the order in which the case was reported during that year. For example, case number **08-0606** was the 606th case appearing in the 2008 semi-annual reports.



Case No. 08-0606 (South Region)	
FACTS OF CASE	On May 24, 2006, inmates assaulted officers during a cell search. As the inmates were taken into custody, other inmates housed in three nearby cells made verbal death threats against staff members. The incident commander authorized staff to contact the inmates to determine if they would voluntarily go to administrative segregation. However, several sergeants formulated a plan whereby three teams of officers were to rush into the cells to either contact the inmates for voluntary placement or to conduct cell searches. The existing control booth officer was replaced with another officer who could be "trusted." Four of the sergeants then led the three teams into the housing unit. As the teams approached the three cells, the cell doors opened, necessitating the use of force against four inmates. It was alleged that the officers used unnecessary force while conducting the unauthorized cell extractions. The incident commander was never apprised of the plan prior to its execution and over 40 officers were identified as possible subjects.
DISPOSITION OF CASE	After an investigation, the hiring authority sustained allegations against 29 employees. Three employees were dismissed and five sergeants were demoted. Four employees, including an associate warden, received salary reductions. One employee received a 60 working day suspension. Fifteen employees received letters of reprimand. One action was not served timely and, therefore, did not take effect. After the Skelly hearings, one dismissal was reduced to a salary reduction of 5 percent for 12 months and the salary reduction for the associate warden was reduced to a letter of reprimand. All 28 employees who received discipline filed appeals with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME:</b> While the matter was pending before the State Personnel Board, the department withdrew 23 of the 28 disciplinary actions. Also, the letter of reprimand for the associate warden was reduced to a letter of instruction. The department proceeded to hearing on four employees; an officer who was suspended for 60 working days, a sergeant who was demoted, and a sergeant and officer who were dismissed. During the State Personnel Board hearing, the department entered into settlement agreements with all four employees. The department modified the wording of the disciplinary action for the officer who was suspended. The department modified the sergeant's demotion to a temporary demotion. The sergeant and officer who were dismissed each agreed to receive a 60 working-day suspension. The department's attorneys were not prepared to represent the department before the State Personnel Board. As a result, the bureau concurred with the modifications, given the limited options available at the time.






The length of time needed to resolve a case once an appeal has been filed can vary greatly from one case to another. Although cases are reported with the same number as the original reporting, the cases will not necessarily be published in the Appealed Cases table in the same sequential order as they were originally published.

## Format of Case Tables

The bureau’s approach to assessing individual cases focuses on the outcome, or disposition, of each case. A case in which the outcome was reasonable is presented as either a **distinguished** case or a **satisfactory** case, depending on how well the department complied with its policies and procedures in handling the case. Cases in which the disposition of the case was unreasonable are presented as **deficient** cases.

## Assessing the Disposition of Cases

The disposition in each case, which includes the allegations, findings, and penalty imposed, if any, has been given one of the following ratings:

Symbol	Rating Explanation
	Given the totality of the circumstances, the disposition of the case was reasonable and substantially consistent with the bureau’s recommendations. In addition, the department substantially complied with critical policies and procedures applicable to the case for all three components of the process, even though there may have been minimal deviations from policies and procedures which are discussed in the case assessment.
	Given the totality of the circumstances, the disposition of the case was reasonable and substantially consistent with the bureau’s recommendations. However, the department failed to comply with some critical policies and procedures applicable to the case.
	Given the totality of the circumstances, the disposition of the case was unreasonable and inconsistent with the bureau’s recommendations.
	The disposition of the case was unreasonable and inconsistent with the bureau’s recommendations but later rectified as the result of executive review, a process that elevates the unreasonable decision to the hiring authority’s superior within the department; or,  The case eventually resulted in a finding that there was insufficient evidence of misconduct. However, had actionable misconduct been found, no action could have been taken because the time for a prosecutor to file charges in a criminal case or for the department to take disciplinary action in an administrative case expired before the case was resolved.
	The case monitored was a criminal case, so there were no administrative charges, findings, or penalties imposed by the department for the bureau to assess.

The DISPO column shows the rating for the disposition of each monitored case.

Case No. 06-0335 (South Region) 10/18/05 06-003771-R Administrative Case		BUREAU ASSESSMENT			
FACTS OF CASE	On October 18, 2005, officers used force against an inmate after removing the inmate from a cell. The officers filed incident reports alleging that the inmate became combative, requiring their use of force, but the officers failed to mention the presence of a sergeant in their incident reports. On October 20, 2005, the inmate alleged that the sergeant and two officers had assaulted the inmate with their hands, feet, and batons.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority concluded that based on the administrative investigation there was insufficient evidence to sustain any of the allegations against the employees.				

## Assessing the Department's Compliance

This report also provides an assessment of the department's compliance with policies and procedures governing its internal investigations and employee discipline. Three critical components are involved in the department's disciplinary process: (1) investigation (INV); (2) legal advice and advocacy (ADV); and the hiring authorities (HA), who determine if discipline is warranted and if so, the penalty to be imposed.

Each critical component is assessed with one of the following ratings:

Symbol	Rating Explanation
	There was substantial compliance with critical policies and procedures.
	There was partial compliance with critical policies and procedures.
	There was a failure to comply with critical policies and procedures.
	There was insufficient data to provide an assessment or, because of the nature of the case, the individual component was not involved.

The rating for each critical component appears in the INV, ADV, and HA columns for each case the bureau monitored.

Case No. 09-0656 (Central Region) Administrative Case		BUREAU ASSESSMENT			
FACTS OF CASE	It was alleged that on June 23, 2008, while escorting an inmate to his cell, five officers used physical force to subdue the inmate and stop him from kicking the officers and then placed him in a holding cell. The officers allegedly failed to activate an alarm, alert the control booth officer of the incident, contact a supervisor, report the use of force, and request medical attention for the inmate in the holding cell. It was also alleged that upon discovery of the incident, the officers provided false or misleading statements about it.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority found insufficient evidence to sustain the allegations. Four of the five officers received corrective action to address their failure to have a personal alarm with them at the time of the incident.				
BUREAU ASSESSMENT	The department's attorneys did not attend investigative interviews for key witnesses, nor did they provide legal consultation to the assigned investigator. The department's attorneys also did not timely review the investigative report or provide written confirmation summarizing the critical discussions concerning it. Finally, the department's attorneys did not provide written confirmation summarizing critical discussions about the disciplinary decisions made in this case.				

An explanation of the issues leading to a partial compliance or failure to comply appears in the “bureau assessment” box.

As previously mentioned, unless the case is presented in the Deadly Force Cases table, the bureau’s monitored cases are presented in separate tables representing the following three categories:

- **Distinguished cases** – cases that resulted in *reasonable* outcomes that were handled well by each critical component.
- **Deficient cases** – cases that initially resulted in *unreasonable* outcomes or cases in which the applicable statutory deadline expired before the case was resolved.
- **Satisfactory cases** – cases that resulted in *reasonable* outcomes despite not being handled well by one or more of the critical components.

### **Format of Critical Incidents Table**

The Critical Incidents table provides a text-based description of the incident, the disposition of the case, and the bureau’s assessment of how the department responded to the incident. The bureau’s assessment addresses the following critical components of the department’s response:

- Did the department appropriately respond to the incident?
- Was the bureau properly consulted, as mandated by the *Madrid* reforms?
- Did the department properly determine whether to refer the matter for investigation?
- If the matter was referred for investigation, did the OIA properly handle the referral?

When the bureau monitors an investigation opened as a result of a critical incident, it is reported in the case tables of the semi-annual report upon completion of the department’s internal disciplinary process.

## APPEALED CASES

Case No. 07-0411 (North Region)	
FACTS OF CASE	After allegedly seeing an off-duty officer interacting with a suspected drug dealer, on August 24, 2006, outside law enforcement officials executed a search warrant at the officer's residence. As a result of the warrant, officials seized drug paraphernalia and a banned assault rifle.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the officer seen with the suspected drug dealer and dismissed the officer. The officer appealed his dismissal to the State Personnel Board.
APPEAL UPDATE	<b>Following a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>
Case No. 08-0233 (North Region)	
FACTS OF CASE	On November 29, 2006, a sergeant began to remove an assaultive inmate from a holding cell. A lieutenant reportedly advised the sergeant that the inmate had attempted to spit on staff members and directed the sergeant to place a spit hood on the inmate. The sergeant allegedly ignored the lieutenant's directive, handcuffed the inmate, and escorted him out of the building. It was alleged that the sergeant falsely reported that he and the inmate were assaulted by staff members during the escort.
DISPOSITION OF CASE	The hiring authority sustained the allegations and concluded that dismissal was the appropriate penalty. Meanwhile, the sergeant was dismissed for actions in a prior case, and thus no disciplinary action was taken regarding this case.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: After a hearing, the State Personnel Board modified the dismissal to a 12 month suspension without pay and demotion from sergeant to officer. The bureau did not concur with the modification. The department then entered into a settlement agreement with the officer in which he agreed to resign and not seek future employment with the department. The bureau found the agreement to be reasonable.</b>
Case No. 08-0422 (South Region)	
FACTS OF CASE	On February 12, 2008, a lieutenant was arrested for domestic violence and possession of illegal assault rifles.
DISPOSITION OF CASE	The hiring authority sustained all of the allegations and the lieutenant was dismissed. An appeal was filed with the State Personnel Board.
APPEAL UPDATE	<b>Prior to the State Personnel Board hearing, the lieutenant was acquitted at trial of the domestic violence charges but was convicted on two felony counts of possession of an assault weapon. The department attorney failed to adequately prepare for the State Personnel Board hearing. On the day of the hearing, the department attorney withdrew the action on the grounds that no witnesses were present to prove the department's case. However, the department attorney decided not to subpoena the victim and failed to timely subpoena the outside law enforcement officer who responded to the scene of the domestic violence incident. The State Personnel Board granted the department's motion to withdraw the action and reserved jurisdiction over back pay. The bureau determined that liability for back pay could be significant. Due to the bureau's recommendation, a second disciplinary dismissal as well as a non-punitive dismissal were taken against the lieutenant as a result of the felony convictions and the firearms restriction. The lieutenant did not appeal the second disciplinary action, nor did he seek back pay.</b>

## APPEALED CASES

Case No. 08-0441 (Central Region)	
FACTS OF CASE	On December 14, 2007, an office technician and an office assistant allegedly used state equipment to photocopy and distribute information about a supervisor's discipline case to other staff.
DISPOSITION OF CASE	The hiring authority sustained the allegations. The office technician received a salary reduction of 5 percent for 24 months. The office assistant received a salary reduction of 5 percent for 6 months because the hiring authority determined she had a secondary role in the incident. An appeal was filed with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the office assistant and reduced the discipline from a 5 percent salary reduction for 6 months to a letter of reprimand, while the office assistant waived back pay and withdrew her appeal. The bureau found the agreement to be reasonable.</b>
Case No. 08-0475 (North Region)	
FACTS OF CASE	It was alleged that on November 6, 2007, an officer and a sergeant failed to properly secure contraband that was located during a search of an inmate's cell. Additionally, it was alleged the sergeant was dishonest during his investigative interview.
DISPOSITION OF CASE	The hiring authority sustained the allegations. The sergeant was dismissed and the officer received a letter of instruction. The sergeant filed and appeal with the State Personnel Board.
APPEAL UPDATE	<b>This action was served upon the sergeant after he had been dismissed in a previous case. The State Personnel Board refused to hear the case as there was no jurisdiction over the sergeant because he was no longer a state civil servant. The bureau concurred with the decision. This case may be reserved if the sergeant is reinstated to a civil service position.</b>
Case No. 08-0510 (North Region)	
FACTS OF CASE	It was alleged that on September 12, 2007, a sergeant taunted an inmate and challenged him to a fight. The sergeant allegedly pushed the inmate in the forehead with his finger and failed to report his use of force. It was also alleged that officers witnessed the incident and improperly documented the incident in written reports.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the sergeant, and he received a suspension without pay for two working days. The sergeant filed an appeal with the State Personnel Board. The allegations against the officers were not sustained.
APPEAL UPDATE	<b>This action was served upon the sergeant after he had been dismissed in a previous case. The State Personnel Board refused to hear the case as there was no jurisdiction over the sergeant because he was no longer a state civil servant. The bureau concurred with the decision. This case may be reserved if the sergeant is reinstated to a civil service position.</b>

## APPEALED CASES

<b>Case No. 09-0020 (Central Region)</b>	
FACTS OF CASE	On May 21, 2008, a sergeant allegedly jumped onto the back of an inmate who was compliant and lying face down on the ground. The sergeant allegedly landed on his knees, breaking the inmate's ribs and causing significant back injuries, which required multiple surgeries.
DISPOSITION OF CASE	The hiring authority sustained the allegation that the sergeant used unreasonable force that was likely to cause injury and imposed a 48 working-day suspension. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department and the sergeant entered a settlement agreement which reduced the penalty from a 48 working-day suspension to a 27 working-day suspension. The bureau found the agreement to be reasonable as the penalty was still significant and the sergeant had no prior misconduct. The penalty reduction was further justified because the State Personnel Board dismissed a prior disciplinary action against the sergeant, which had been considered when selecting the penalty in this case, during the pendency of this action.</b>
<b>Case No. 09-0034 (North Region)</b>	
FACTS OF CASE	On February 11, 2008, a sergeant and three officers allegedly used pepper spray unnecessarily on an inmate who was threatening to swallow portions of two spoons.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation against the sergeant and imposed a 48 working-day suspension. The hiring authority did not sustain the allegations against the three officers. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>This action was served upon the sergeant after he had been dismissed in a previous case. The State Personnel Board refused to hear the case as there was no jurisdiction over the sergeant because he was no longer a state civil servant. The bureau concurred with the decision. This case may be reserved if the sergeant is reinstated to a civil service position.</b>
<b>Case No. 09-0127 (South Region)</b>	
FACTS OF CASE	On May 23, 2008, an officer allegedly used profanity when addressing his watch commander because he was not consulted about bed moves for two inmates. It was also alleged the officer conducted a retaliatory search of the inmate's locker; removed a radio and other property from the locker without leaving a receipt as required; then threw the property on the ground during a confrontation with the inmate a short time later. In addition, it was alleged the officer was dishonest during his investigatory interview when he claimed that he had received approval from the watch commander to search the inmate's locker and that the box containing the inmate's property accidentally slipped from his grasp. A lieutenant also allegedly failed to properly supervise the officer when he was advised by the watch commander about the officer's actions.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations against the officer and served him with a notice of dismissal. The officer filed an appeal with the State Personnel Board. The hiring authority did not sustain the allegations against the lieutenant.
APPEAL UPDATE	<b>After a hearing, the State Personnel Board upheld the officer's dismissal. The bureau concurred with the decision.</b>



## APPEALED CASES

<b>Case No. 09-0128 (Headquarters)</b>	
FACTS OF CASE	On May 22, 2008, a parole agent allegedly entered the residence of a private citizen without permission while attempting to locate a parolee-at-large who was wanted in connection with a home invasion robbery.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and imposed a 5 percent salary reduction for 12 months. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: Following a hearing, the State Personnel Board revoked the disciplinary action against the parole agent. The bureau did not concur with the revocation.</b>
<b>Case No. 09-0134 (Central Region)</b>	
FACTS OF CASE	On May 3, 2008, a sergeant allegedly used pepper spray against an inmate who was a mental health patient in a manner not authorized by departmental policy. Specifically, the sergeant used emergency force protocols when departmental policy and training required him to use calculated use of force protocols.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and imposed a 5 percent salary reduction for six months. The officer filed an appeal with State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: Following a hearing, the State Personnel Board revoked the discipline against the sergeant. The bureau did not concur with the revocation. The department failed to keep the bureau informed of developments during the appeal process. The department also did not assign an attorney to represent its interest before the State Personnel Board, and therefore, an employee relations officer represented the department in the hearing against an opposing attorney.</b>

## APPEALED CASES

Case No. 09-0158 (South Region)	
FACTS OF CASE	On March 29, 2008, an officer allegedly grabbed an inmate from behind and slammed him to the ground, causing a cut to the inmate's chin and chipping his teeth. While the inmate was on the ground, the officer allegedly kicked the inmate and kned him in the ribs. The officer reported his use of force to another officer, who failed to report it. Another inmate told a third officer about the incident, which he failed to report. A control booth officer allegedly failed to observe and report the incident. The inmate reported the allegations to a lieutenant who allegedly gave the inmate the option of returning to his cell or being placed in administrative segregation if he persisted in making a complaint. The lieutenant also allegedly falsified his time sheet. A senior psychiatric technician allegedly falsified a medical report regarding the inmate's injuries.
DISPOSITION OF CASE	The hiring authority initially sustained the allegations against the lieutenant and all the officers. The officer who used force was dismissed. The lieutenant was demoted to officer. The officer who learned of the use of force and failed to report it received a 60 working-day suspension. The officer who learned of the use of force from an inmate and failed to report it received a 5 percent salary reduction for 13 months. The control booth officer initially received a 5 percent salary reduction for 12 months; however, her penalty was withdrawn after a Skelly hearing. The senior psychiatric technician received a demotion to a psychiatric technician and a 5 percent salary reduction for 24 months. The lieutenant and officers each filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: The department entered into settlement agreements with four of the five subjects of the investigation. The lieutenant's demotion was withdrawn and he received a 10 percent salary reduction for 12 months. The officer who learned of the use of force and failed to report the incident had his penalty reduced from a 60 working-day suspension to a 10 percent salary reduction for six months. The penalty was withdrawn against the officer who learned of the use of force from an inmate and failed to report the incident. The senior psychiatric technician's penalty was modified to a demotion and a 5 percent salary reduction for six months. The bureau found the settlement agreements to be reasonable. A State Personnel Board hearing was held regarding the officer who used force. The State Personnel Board revoked the dismissal. The bureau did not concur with the revocation.</b>
Case No. 09-0168 (North Region)	
FACTS OF CASE	On March 7, 2008, a sergeant allegedly slammed handcuffs on the wrists of an inmate, tightened them as tight as they would go, and applied unnecessary pressure on the inmate's head, even though the inmate was on the ground and compliant with the orders being given. The sergeant then allegedly jerked the inmate to his feet. It was further alleged that the sergeant was dishonest in his reporting of the incident. Two other officers allegedly witnessed the event and failed to document the sergeant's actions.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and served the sergeant with a notice of dismissal. The sergeant filed an appeal with the State Personnel Board. The hiring authority also sustained the allegations against the two officers. They both received corrective action in the form of letters of instruction.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: Following a hearing, the State Personnel Board dismissed the charges of inexcusable neglect of duty, discourteous treatment and other failure of good behavior. The charge of dishonesty was not sustained. The State Personnel Board revoked the dismissal and ordered the department to pay the sergeant all back pay, benefits and interest that would have accrued had he not been dismissed. The bureau did not concur with the revocation.</b>

## APPEALED CASES

<b>Case No. 09-0177 (North Region)</b>	
FACTS OF CASE	On February 25, 2008, a youth counselor allegedly failed to comply with an order to stay away from a ward's cell resulting in the ward kicking his cell door. The youth counselor then allegedly used pepper spray on the ward. It was further alleged that the youth counselor's use of pepper spray was unreasonable.
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a 5 percent salary reduction for 18 months against the youth counselor. The youth counselor filed an appeal with the State Personnel Board. The case was settled at hearing. The salary reduction was modified to a 5 percent salary reduction for 9 months. The officer agreed to withdraw his appeal and waive all legal actions against the department.
APPEAL UPDATE	<b>The department agreed to a settlement in which the 5 percent salary reduction for 18 months was modified to a 5 percent salary reduction for 9 months. The officer agreed to withdraw his appeal and waive all legal actions against the department. The bureau found the settlement agreement to be reasonable.</b>
<b>Case No. 09-0182 (South Region)</b>	
FACTS OF CASE	On February 14, 2008, a high-risk sex offender parolee was found in a bedroom with two minor children. One of the children was three years old and was nude from the waist down. It was alleged that the parole agent assigned to monitor the parolee failed to discover that the parolee had visited the children's home on at least 60 occasions, despite the parolee being monitored by a GPS device. It was also alleged the parole agent was untruthful about his monitoring activity and was insubordinate when he refused to attend an investigative interview.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and served the parole agent with a notice of dismissal. An appeal was not filed with the State Personnel Board.
APPEAL UPDATE	<b>When this case was originally reported, the bureau believed that no appeal had been filed. Subsequently, the bureau received information that the parole agent had in fact filed an appeal. After a hearing, the State Personnel Board upheld the dismissal of the parole agent. The bureau concurred with the decision.</b>
<b>Case No. 09-0207 (South Region)</b>	
FACTS OF CASE	On January 16, 2008, it was alleged a captain made changes to the master assignment roster without seeking proper authorization from the warden. The changes benefitted union leaders as they were given preferred positions. The captain made the changes even after he was present during a meeting with other administration officials in which it was made clear that such changes were not to be made. It was also alleged that the captain lied during his interview with internal affairs investigators.
DISPOSITION OF CASE	The hiring authority sustained the allegations that the captain was insubordinate and neglected his duties by making unauthorized changes to the master assignment roster and imposed a 10 percent salary reduction for 12 months. The dishonesty allegation was not sustained. An appeal was filed.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the captain whereby the time period for his 10 percent salary reduction was reduced from 12 months to seven months. Additionally, the captain resigned and agreed never to work for the department. The bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 09-0218 (North Region)</b>	
FACTS OF CASE	From January to March 2008, a lieutenant allegedly failed to follow orders to properly document sick leave and allegations of misconduct against other supervisors. Additionally, from February 19 to March 7, 2008, the lieutenant allegedly was inefficient in processing inmate file reviews related to housing assignments.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations against the lieutenant and imposed a 10 percent salary reduction for 24 months. The lieutenant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>After a hearing, the State Personnel Board upheld the penalty. The bureau concurred with the decision.</b>
<b>Case No. 09-0226 (Central Region)</b>	
FACTS OF CASE	On December 14, 2007, a potentially suicidal inmate was allegedly placed into a holding cell that was near an open exterior door when the temperatures outside were below freezing. The inmate was allegedly left naked and with no blanket or suicide vest for over three hours. It was alleged a lieutenant, a sergeant, and two officers were aware of the situation and failed to act.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the lieutenant, the sergeant and both officers. The lieutenant received a letter of reprimand and the sergeant received a 5 percent salary reduction for six months. Both officers received a letter of reprimand, which were reduced to letters of instruction after Skelly hearings. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the sergeant which included the department reducing the 5 percent salary reduction for six months to a letter of instruction and the sergeant waiving any claims to back pay. The bureau found the agreement to be reasonable.</b>
<b>Case No. 09-0232 (North Region)</b>	
FACTS OF CASE	On December 8, 2007, an inmate threw a powdered substance out of his cell onto an officer. A sergeant and another officer responded to the scene and allegedly entered the inmate's cell and punched him several times and then slammed him into a holding cell. It was further alleged that the sergeant failed to report the use of force and interfered with other officers in reporting the incident. The sergeant and the responding officer were also allegedly dishonest in their interviews about the incident. Two additional officers who witnessed the incident allegedly failed to initially report the use of force and then subsequently submitted false reports. A fourth officer also allegedly witnessed the incident and failed to report it.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the sergeant and served him with a notice of dismissal. The sergeant filed an appeal with the State Personnel Board. The hiring authority sustained allegations against the responding officer for failing to report the force used by the sergeant and for being dishonest in his interview, and served him with a notice of dismissal. He filed an appeal with the State Personnel Board. The hiring authority sustained the allegations against the second and third officers. The second officer initially received a 10 percent salary reduction for 24 months, which the hiring authority later reduced to a 10 percent salary reduction for 18 months. The third officer, who had been promoted to sergeant, initially was demoted back to officer and received a 5 percent salary reduction for 24 months. Later, the hiring authority agreed to reduce the penalty to a 10 percent salary reduction for 18 months. The hiring authority sustained the allegations against the fourth officer and initially imposed a 10 percent salary reduction for six months, which the hiring authority later agreed to modify to a letter of reprimand.
APPEAL UPDATE	<b>Following a hearing, the State Personnel Board upheld the dismissals of the two officers. The bureau concurred with the decision.</b>

## APPEALED CASES

<b>Case No. 09-0237 (South Region)</b>	
FACTS OF CASE	On December 4, 2007, a sergeant and several officers allegedly encouraged inmates to create and participate in incidents in their housing unit that would have to be managed by another sergeant in retaliation for his issuing one of the officers a letter of instruction and for giving on-the-job training to the staff. The inmates allegedly received several perks, including receipt of unauthorized packages, new laundry, new shoes, and extra time to watch television. In addition, the inmates were allegedly told that inmate disciplinary reports would not be filed against them if they participated. It was also alleged the sergeant and officers attempted to conceal the misconduct and that the sergeant and one of the officers lied during their internal affairs interviews. It was also alleged a licensed vocational nurse knew the officers encouraged inmates to stage incidents and failed to report it.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the sergeant and two of the officers. They were dismissed and each filed an appeal with the State Personnel Board. The hiring authority did not sustain the allegations against the two remaining officers. The allegation against the licensed vocational nurse were sustained, but no action was taken against her as she had previously resigned from state service while another, unrelated disciplinary action was pending.
APPEAL UPDATE	<b>One of the officers was dismissed pursuant to another disciplinary action and therefore did not proceed to a hearing on this matter. A State Personnel Board hearing was held regarding the sergeant and the other officer. The State Personnel Board upheld the dismissals of both the sergeant and the officer. The bureau concurred with the decision.</b>
<b>Case No. 09-0251 (South Region)</b>	
FACTS OF CASE	On October 31, 2007, a parole agent allegedly repeatedly punched a youth counselor while they were both on duty. It was further alleged that the parole agent used profanity against other staff members and was dishonest during his investigatory interview.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the parole agent and he was dismissed. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>After a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>

## APPEALED CASES

Case No. 09-0266 (North Region)	
FACTS OF CASE	On August 27, 2007, two officers submitted separate reports documenting the use of force against an inmate. One officer reported he personally used pepper spray against the inmate and the other officer reported he did not utilize force but observed force being used. Both officers reported the pepper spray was used because the inmate took an aggressive stance toward one of the officers. The following day an uninvolved officer reported to the department that the alleged force was used because the inmate directed a racial slur at one of the officers, and that the inmate did not take an aggressive stance but was sitting on a bunk when the officer used force. It was further alleged that both officers tried to dissuade the uninvolved officer from reporting the incident, and that both officers were dishonest during their investigative interviews.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and served each officer with a notice of dismissal. Each officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: The State Personnel Board found that the first officer, who used pepper spray, did so in self-defense but failed to follow policies and procedures as to the inmate's property and use of alternatives to force in order to deescalate the situation. The penalty of dismissal was modified to a 20 working-day suspension. The bureau did not concur with the modification. The State Personnel Board upheld the dismissal of the second officer, who witnessed the use of force falsely reported the incident and urged another officer to help in covering up the false reporting. The bureau concurred with the decision as to the second officer.</b>
Case No. 09-0276 (North Region)	
FACTS OF CASE	On July 17, 2007, it was alleged that two sergeants and two officers did not follow the use of force policy when they opened an inmate's cell door after the inmate refused to relinquish a food tray. It was also alleged that one of the sergeants was dishonest during an administrative interview.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the sergeant who was dishonest and served him with a notice of dismissal. The sergeant filed an appeal with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the allegations against the other sergeant and two officers.
APPEAL UPDATE	<b>This action was served upon the sergeant after he had been dismissed in a previous case. The State Personnel Board refused to hear the case as there was no jurisdiction over the sergeant because he was no longer a state civil servant. The bureau concurred with the decision. This case may be reserved if the sergeant is reinstated to a civil service position.</b>
Case No. 09-0305 (South Region)	
FACTS OF CASE	It was alleged that between May 2005 and July 2007, a correctional business manager misused and misappropriated state property. Also, he and a mechanic allegedly used their positions to solicit gratuities from companies that conducted business with the institution. It was further alleged that the correctional business manager made false and misleading statements to investigators. He also contacted witnesses in the investigation after being ordered not to.
DISPOSITION OF CASE	The hiring authority sustained the allegations. The correctional business manager was dismissed and the mechanic received a 5 percent salary reduction for 24 months, which he appealed to the State Personnel Board.
APPEAL UPDATE	<b>Following a hearing, the State Personnel Board upheld the disciplinary action. The bureau concurred with the decision.</b>

## APPEALED CASES

<b>Case No. 09-0459 (Central Region)</b>	
FACTS OF CASE	On August 21, 2008, an officer allegedly pushed a handcuffed inmate to the concrete floor while he was being escorted to his cell. As a result, the inmate received a serious brain injury.
DISPOSITION OF CASE	The hiring authority sustained the allegation and served the officer with a notice of dismissal. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The hiring authority and the officer settled the case after additional medical evidence was discovered indicating that it was possible the inmate's injuries were sustained in a manner described by the officer. The parties agreed to modify the dismissal to a six month suspension without pay. As a result of the new medical information, the bureau found the agreement to be reasonable.</b>
<b>Case No. 09-0499 (Central Region)</b>	
FACTS OF CASE	It was alleged that on July 16, 2008, an officer brought marijuana, tobacco, and mobile phones into the institution and provided these items to inmates. It was further alleged that the officer was engaged in a conspiracy with family members of inmates to bring tobacco, mobile phones, and marijuana into the institution for inmates.
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the officer. He filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Following a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>
<b>Case No. 09-0510 (North Region)</b>	
FACTS OF CASE	On May 20, 2008, an inmate allegedly faked chest pains and told the responding sergeant that he needed to leave the housing unit due to safety concerns. The inmate then provided staff with a written note stating his life was in danger over drug and gambling debts; thus, he could no longer stay in his housing unit. The information was allegedly provided to a lieutenant, who initiated the process for moving the inmate into an administrative segregation unit for his protection. Upon being told that no cell was available, the lieutenant allegedly decided to confine the inmate to his current cell until another cell could be identified. At the end of his shift, the lieutenant allegedly left paperwork to initiate the inmate's move and a note explaining that the inmate was confined to his cell. The next day, another lieutenant allegedly saw the paperwork and asked an officer to locate an administrative segregation cell and instructed that the inmate be brought to his office. Two officers allegedly opened the inmate's cell door, and the inmate was subsequently stabbed by other inmates. The inmate was treated for his non life-threatening injuries.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain an allegation against the lieutenant for failing to ensure the inmate was moved to a different housing unit. The department joined this case with another disciplinary action and imposed a 10 percent salary reduction for 24 months, which he appealed to the State Personnel Board. The allegations were not sustained against the sergeant because she appropriately conveyed the inmate's safety concerns to the lieutenant. The hiring authority did not sustain the allegations against the two officers who let the inmate out of his cell because they were not aware of the inmate's safety concerns.
APPEAL UPDATE	<b>The department agreed to a settlement which changed the disciplinary action for neglect of duty from a 10 percent salary reduction for 24 months to a 10 percent salary reduction for 12 months. In addition, this case was combined with a second separate case in which the lieutenant was demoted to the position of sergeant. The department agreed to reinstate the employee from the demoted position of sergeant back to the rank of lieutenant after 11 months. The bureau found the settlement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 09-0526 (Central Region)</b>	
FACTS OF CASE	It was alleged that on July 15, 2008, a sergeant forcibly removed an inmate from his cell using emergency procedures, which were not warranted given the circumstances. It is also alleged that the sergeant directed four officers to remove information from their reports so that the misconduct would go unnoticed. It was further alleged that the four officers removed the information from their reports and then submitted the reports to supervisors.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the sergeant and demoted him to officer. The hiring authority also sustained the allegations against three of the officers and issued each of them a letter of reprimand. The hiring authority determined the fourth officer did not alter his report and, therefore, did not sustain the allegations against him. Following a Skelly hearing, the hiring authority withdrew the disciplinary action against the three officers and issued each of them a letter of instruction. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>On the day of the State Personnel Board hearing for the sergeant, the department and the sergeant entered into a settlement agreement pursuant to which some language was removed from disciplinary action and the sergeant withdrew his appeal. The penalty remained unchanged. The bureau found the agreement to be reasonable.</b>
<b>Case No. 09-0560 (Central Region)</b>	
FACTS OF CASE	On March 2, 2009, it was alleged that an officer was arrested for driving under the influence and fleeing the scene of an accident. It was further alleged that the officer made dishonest statements to outside law enforcement officers during his arrest and to the Office of Internal Affairs officer during his investigative interview.
DISPOSITION OF CASE	The hiring authority sustained the allegations and served the officer with a notice of dismissal. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Following a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>
<b>Case No. 09-0572 (North Region)</b>	
FACTS OF CASE	On January 14, 2009, it was alleged that a cook at a juvenile facility was engaged in an ongoing sexual relationship with an adult parolee.
DISPOSITION OF CASE	The hiring authority sustained the allegation and served the cook with a 60 working-day suspension.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the cook in which the disciplinary action was reduced from an 60 working-day suspension to a 40 working-day suspension in exchange for a withdrawal of the appeal. The bureau found the agreement to be reasonable.</b>
<b>Case No. 09-0619 (South Region)</b>	
FACTS OF CASE	On September 22, 2008, an officer was arrested for assault with a deadly weapon and spousal abuse. Specifically, it was alleged that the officer was discourteous and brought discredit to the department when he injured the mother of his child during a physical fight in front of his home.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a salary reduction of 10 percent for 13 months. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer failed to appear for the State Personnel Board hearing. As a result, the State Personnel Board dismissed the officer's appeal and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>



## APPEALED CASES

<b>Case No. 09-0638 (South Region)</b>	
FACTS OF CASE	On or about August 1, 2008, it was alleged that a sergeant intentionally omitted the names of several officers in a report regarding a use of force incident. A lieutenant noticed the error and requested that the sergeant obtain the missing reports from the officers. The sergeant allegedly forged reports from the other officers and submitted them to the lieutenant. The reports were nearly identical and even included the same typographical errors. It was also alleged that the sergeant was dishonest during his investigative interview.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the sergeant. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>After a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>
<b>Case No. 09-0650 (North Region)</b>	
FACTS OF CASE	On July 13, 2008, a lieutenant, three sergeants, and six officers allegedly conducted an unauthorized cell extraction, used unnecessary force by using pepper spray on the inmate, allowed the inmate to repeatedly fall to the ground, and failed to completely document the incident.
DISPOSITION OF CASE	The hiring authority sustained the allegation that the lieutenant approved an unauthorized cell extraction. The department joined this case with another disciplinary action pending against the lieutenant and imposed a 10 percent salary reduction for 24 months, which he appealed to the State Personnel Board. The hiring authority did not sustain the allegations against the sergeants and officers.
APPEAL UPDATE	<b>The department agreed to a settlement which changed the penalty from a permanent demotion to a demotion for 11 months and the lieutenant agreed to withdraw the appeal. In addition, the appeal was combined with a second separate case in which the lieutenant received a 10 percent salary reduction for 24 months which was modified to a 10 percent salary reduction for 12 months. The bureau found the agreement to be reasonable.</b>
<b>Case No. 09-0652 (North Region)</b>	
FACTS OF CASE	On July 9, 2008, an inmate attempted to escape from an outside hospital. Officers apprehended the inmate in a nearby parking lot. It was alleged that four officers were negligent in allowing the inmate to escape. In addition, another officer allegedly punched the inmate after the inmate was apprehended and restrained. Lastly, all of the officers allegedly completed false reports concerning their involvement in the incident.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the two officers who were directly responsible for supervising the inmate at the time he escaped. Both officers were dismissed. One officer resigned prior to the discipline becoming effective. The other officer filed an appeal with the State Personnel Board. The allegations against the other two officers were not sustained. The allegations against the officer who allegedly punched the inmate and who reportedly falsified his report were sustained. He was dismissed from state service and he filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreements with the officers in which they agreed to resign in lieu of dismissal. The officers also agreed to not seek future employment with the department and to withdraw their appeals. The bureau found the settlement agreements to be reasonable.</b>

## APPEALED CASES

<b>Case No. 09-0656 (South Region)</b>	
FACTS OF CASE	On June 21, 2008, it was alleged that a youth counselor watched two wards engage in consensual sexual misconduct and did not stop or report the misconduct. Additionally, the youth counselor allegedly attempted to dissuade another youth counselor from reporting the wards' misconduct and made false or intentionally misleading statements during an investigative interview.
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the youth counselor. The youth counselor filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Following a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>
<b>Case No. 09-0704 (South Region)</b>	
FACTS OF CASE	On August 1, 2007, an officer allegedly removed an inmate from a cell for spitting on him. Two other officers allegedly used unnecessary and excessive force on the handcuffed inmate when they took him to the ground. The inmate allegedly received several injuries, including teeth that were knocked out, a cut on the left side of his face, and a bloody mouth. Another officer was allegedly present at this time and failed to report the use of force observed. The officers allegedly threatened the inmate and told him he would receive "special treatment" if he did not lie and say that another inmate caused the injuries. It was also alleged that a control booth officer failed to witness the use of force.
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain allegations against the two officers for unnecessary and excessive force. The hiring authority initially sustained the allegation that the officers violated the institution's spit mask policy, but withdrew the allegation after it was determined that there were conflicting policies regarding the use of spit masks at the institution. The hiring authority sustained the allegation that the control booth officer neglected his duties by failing to observe and report the use of force incident. The control booth officer received a 10 percent salary reduction for 12 months. He did not file an appeal with the State Personnel Board. The hiring authority sustained the allegation against the two officers who allegedly failed to report the use of force. One officer received a 5 percent salary reduction for 12 months. The other received a 10 percent salary reduction for 24 months, which he appealed to the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: After a hearing, the State Personnel Board revoked the disciplinary action against the officer. The bureau did not concur with decision.</b>

## APPEALED CASES

<b>Case No. 10-0033 (Central Region)</b>	
FACTS OF CASE	On March 5, 2009, it was alleged that a sergeant used physical force on an inmate resulting in a head injury and that he failed to report it. Two officers allegedly witnessed the force and failed to report it. Additionally, the two officers allegedly threatened to place the inmate in administrative segregation housing if he complained about the use of force. The sergeant was also allegedly dishonest when describing the incident to a supervisor and during his investigatory interview.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations against the sergeant and dismissed him. The sergeant filed an appeal with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the allegations against the two officers. However, the hiring authority issued the two officers letters of instruction for failing to take the inmate's complaint and for failing to report a possible inmate complaint.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: On the day of the hearing, the department and the sergeant entered into a settlement agreement pursuant to which the penalty was reduced from a dismissal to a two year temporary demotion from sergeant to officer. The sergeant agreed to waive the back pay as a result of the penalty reduction. The department further agreed to remove dishonesty and discourteous treatment from the allegations sustained in the action. The bureau did not find the agreement to be reasonable as the department cited evidentiary problems as the reason for settlement. The bureau determined that the perceived evidentiary flaws were not significant and were known at the time of the preparation of the action.</b>
<b>Case No. 10-0036 (Central Region)</b>	
FACTS OF CASE	On February 22, 2009, two officers were escorting an inmate when one of the officers allegedly used excessive force on the inmate. The officer who used force allegedly failed to report it. The other escorting officer initially failed to report the incident, but then reported it a few days later. Both officers also allegedly made false statements about the incident. Two other officers allegedly witnessed the incident, failed to report it, and made false statements concerning the incident.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the two escorting officers. The officer who used force was dismissed. The hiring authority served the other escorting officer with a notice of dismissal but he retired before the disciplinary action took effect. The hiring authority sustained allegations of dishonesty against one of the witnessing officers and dismissed her. The hiring authority sustained the allegations against the other officer who witnessed the incident. However, the hiring authority determined that due to his lack of experience relative to the other three officers, his demonstrated remorse for his involvement, and his minimal involvement, plus his honesty when interviewed, the officer's penalty should be less than dismissal. As a result, the hiring authority imposed a 60 working-day suspension against him. Following a Skelly hearing, the department and the officer entered into a settlement agreement, pursuant to which the officer received a 10 percent salary reduction for 16 months in exchange for waiving his right to file an appeal with the State Personnel Board. The two officers who were dismissed filed appeals with the State Personnel Board.
APPEAL UPDATE	<b>After a hearing, the State Personnel Board upheld the dismissal of the officer, who used the excessive force and failed to report it. The other officer, who was originally dismissed for failing to report the use of force, entered into a settlement agreement with the department prior to the hearing. The department modified the dismissal to a 12 month suspension, while the officer waived any back pay and withdrew her appeal. This officer also then testified at the hearing of the primary offending officer. The bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0040 (North Region)</b>	
FACTS OF CASE	On January 30, 2009, an officer allegedly grabbed an inmate by the back of his neck and failed to report it. A social worker reportedly witnessed the incident but failed to report it until a week later.
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the officer. However, the hiring authority sustained an allegation against the social worker for failing to timely report what the social worker believed was an inappropriate use of force, as required. The social worker received a letter of reprimand, which he appealed to the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the social worker whereby the department agreed to remove the letter of reprimand from the social worker's official personnel file after 24 months. The social worker agreed to withdraw his appeal. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0043 (North Region)</b>	
FACTS OF CASE	On January 12, 2009, an officer allegedly made false statements in an official report by claiming that an inmate threatened him with physical harm. In addition, on March 2, 2009, the officer allegedly endangered the safety of an inmate by telling other inmates that the first inmate was a sexual predator. It was further alleged that the officer was dishonest when reporting the initial threat to his supervisor and during his investigative interview.
DISPOSITION OF CASE	The hiring authority sustained the allegations that the officer disclosed confidential information about an inmate and was dishonest about his actions in an official report and during his investigative interview. The hiring authority, however, did not sustain the allegation of dishonesty stemming from the officer's report that an inmate had threatened him. Based on the sustained allegations, the officer was dismissed. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Following a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>
<b>Case No. 10-0049 (North Region)</b>	
FACTS OF CASE	On several occasions during December 2008, a correctional counselor responsible for meeting face-to-face with inmates and processing official paperwork for them allegedly filled out paperwork and forged their signatures without meeting with them.
DISPOSITION OF CASE	The hiring authority sustained allegations that the correctional counselor falsified inmate records and was dishonest. The counselor was dismissed. The counselor filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>After a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>

## APPEALED CASES

Case No. 10-0053 (Central Region)	
FACTS OF CASE	On November 16, 2008, a sergeant allegedly engaged in a confrontation with two inmates who were in their cell, then challenged them to fight. A control booth officer then allegedly opened the inmates' cell door, allowing the sergeant access to the inmates. The control booth officer also allegedly failed to report the sergeant's actions and the sergeant was allegedly dishonest during his investigatory interview.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations against the sergeant and dismissed him. The hiring authority sustained the allegation that the control booth officer failed to report the matter, but exonerated her on the allegation that she had neglected her duty by inappropriately opening the cell door. The hiring authority imposed a 5 percent salary reduction for 13 months on the officer. Both the sergeant and the officer appealed their discipline to the State Personnel Board.
APPEAL UPDATE	<b>The sergeant and the department entered into a settlement agreement. Specifically, the hiring authority agreed to allow the sergeant to retire in lieu of being dismissed, conditioned upon the sergeant agreeing to never seek or maintain employment in the future with the department in any capacity, and waiving all back pay other than the minimum required to allow him to retire from state service. The department also entered into a settlement agreement with the officer whereby the department reduced the time period for the 5 percent salary reduction from 13 months to nine months and the officer withdrew the appeal. The bureau found both agreements to be reasonable.</b>
Case No. 10-0057 (Central Region)	
FACTS OF CASE	On August 22, 2008, an officer allegedly used unnecessary force on an inmate while escorting him, resulting in a head injury to the inmate. Another officer was allegedly dishonest when he indicated he had not observed how the inmate was injured by the other officer. A third officer in the overhead observation area allegedly failed to observe how the inmate had been injured by the first officer during the escort.
DISPOSITION OF CASE	The allegations against the officer who allegedly used force were addressed in a separate investigation. The hiring authority determined that the second officer had not performed his duties within the scope of his training when he failed to observe how the inmate was injured; however, the hiring authority determined there was insufficient evidence to sustain the allegation of dishonesty. The officer received a 5 percent salary reduction for 12 months. The hiring authority also sustained the allegation against the observation officer that he had neglected his duty and issued him a letter of reprimand. Both of the officers filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The observation officer and the department entered into a settlement agreement wherein the letter of reprimand was removed from the officer's personnel file several months earlier than it would have been otherwise. The other officer and the department authority also entered into a settlement agreement which reduced the time period for the 5 percent salary reduction from 12 months to three months. The bureau found both agreements to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0060 (North Region)</b>	
FACTS OF CASE	On June 3, 2008, during a vehicle stop conducted by an outside law enforcement agency, medication and dental tools from a facility were found in a dental assistant's vehicle. The dental assistant's brother, who was a parolee and an alleged gang member, and her husband were in the vehicle at the time of the stop. It was alleged that the dental assistant removed the medication and dental tools from the facility without authorization. It was further alleged that two supervising dentists attempted to conceal the dental assistant's misconduct and poor oversight in the institutions dental unit.
DISPOSITION OF CASE	The hiring authority found there was insufficient evidence to establish the dental assistant removed dental tools without authorization. However, the hiring authority sustained an allegation that the dental assistant removed medication from the facility without authorization and issued her a letter of reprimand. The hiring authority found one of the supervising dentists failed to ensure that dental tools and medication were timely returned to the facility. He received a 5 percent salary reduction for 6 months. The hiring authority did not sustain allegations against the other supervising dentist.
APPEAL UPDATE	<b>The hiring authority agreed to withdraw the letter of reprimand from the dental assistant's personnel file after 18 months instead of 36 months in order to resolve the matter. The bureau found the agreement to be reasonable. Ultimately, the supervising dentist did not file an appeal with the State Personnel Board.</b>
<b>Case No. 10-0130 (Central Region)</b>	
FACTS OF CASE	It was alleged that on May 8, 2009, two officers violated departmental policies when they entered the cell of a psychiatric inmate patient and used force to remove him without notifying or obtaining approval from a supervisor. It was further alleged that when the officers entered the cell, one of them used unreasonable force when no emergency existed. Additionally, it was alleged that both officers failed to report the force used.
DISPOSITION OF CASE	The hiring authority sustained the allegations that the two officers violated departmental policies when they entered the cell of a psychiatric inmate patient and used force to remove him without first notifying or obtaining approval from a supervisor. The hiring authority also sustained allegations that the officers entered the cell and used force when no emergency existed, and that the officers failed to report the force used. The hiring authority did not sustain the allegation that the use of force was unreasonable. The officer who used the force received a 10 percent salary reduction for four months. The officer filed an appeal with the State Personnel Board. The other officer received a 5 percent salary reduction for four months. The other officer did not file an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the officer who used the force reducing the penalty from 10 percent salary reduction for four months to a 5 percent salary reduction for four months. Additionally, the officer was removed from his post and bid assignment. The bureau found the settlement to be reasonable.</b>
<b>Case No. 10-0135 (South Region)</b>	
FACTS OF CASE	On April 26, 2009, an officer allegedly used excessive and unnecessary force when he struck an inmate multiple times. It was also alleged that the officer later lied in his interview with the Office of Internal Affairs and that he was also dishonest about the incident by filing a false workers' compensation claim.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: After a hearing, the State Personnel Board reduced the dismissal to a one year suspension and reinstated the officer to his former position. The bureau did not concur with the modification.</b>

## APPEALED CASES

<b>Case No. 10-0142 (South Region)</b>	
FACTS OF CASE	On April 12, 2009, an officer allegedly used pepper spray on an inmate even though the inmate did not pose a threat to him. It was further alleged the officer falsified his report regarding the incident. It was also alleged that another officer witnessed the incident and also falsified his report. Furthermore, it was alleged that both officers failed to notify their supervisor of the incident as required by the institution's policy.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation that the officers violated policy by failing to notify their supervisor of the incident and imposed a 5 percent salary reduction for six months against one officer and a 5 percent salary reduction for three months against the other officer. The hiring authority determined there was insufficient evidence to sustain the other allegations. Both officers filed appeals with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: The department entered in to a settlement agreement with the officers which modified the salary reductions to letters of reprimand. The officers also received back pay from the department. The bureau did not concur with the agreement.</b>
<b>Case No. 10-0160 (Central Region)</b>	
FACTS OF CASE	On or about February 20, 2009, an inmate alleged that he was assaulted by an officer at the direction of a sergeant, and that the assault was retaliation for something the sergeant believed the inmate said about him. Two other officers allegedly witnessed the assault and failed to report it. It was further alleged that the inmate advised a social worker that he had been assaulted and the social worker failed to report the allegations. Another inmate alleged that he was similarly assaulted on February 28, 2009, by the same officer in retaliation for allegedly kicking a cell door. Another officer allegedly witnessed the second assault and failed to report it. Further, it was alleged that the sergeant failed to maintain accurate timekeeping by not reflecting officer assignment switches in department records and failed to ensure staff signed administrative segregation logs.
DISPOSITION OF CASE	The hiring authority sustained allegations against the sergeant for failing to ensure officers under his supervision were signing the officer's roster within the unit and for failing to maintain accurate timekeeping an accountability records. The sergeant was served with a letter of reprimand. The hiring authority sustained the allegation against the clinical social worker for failing to properly report the inmate's allegations. The hiring authority issued a letter of instruction to the social worker and provided on-the-job training. The hiring authority determined there was insufficient evidence to sustain the remaining allegations against the sergeant and all allegations against the other officers.
APPEAL UPDATE	<b>The department entered into a settlement agreement wherein the department agreed to remove the letter of reprimand from the sergeant's file after two years, instead of three years. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0161 (North Region)</b>	
FACTS OF CASE	On February 16, 2009, an officer allegedly told an inmate that she searched his cell because he was black and his mother would like the pornographic pictures she found. The officer also allegedly made misleading statements during an investigative interview.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a 60-day suspension. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the officer in which she accepted a 20 working-day suspension and agreed to withdraw her appeal. The bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0165 (Headquarters)</b>	
FACTS OF CASE	It was alleged that on February 5, 2009, a specialized team consisting of a special agent, a sergeant, and two officers engaged in an unauthorized cell extraction of two inmates at an out-of-state correctional facility. It was alleged that the specialized team was providing training to employees at the correctional facility when they were asked to assist in contacting two inmates who were possibly in possession of weapons. Allegedly, the team conducted the cell extractions without authorization from the warden.
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain allegations against the sergeant and two officers. The hiring authority sustained allegations against the special agent and imposed a salary reduction of 5 percent for six months. The agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Following a hearing before the State Personnel Board, the board upheld the disciplinary action. The bureau concurred with the decision.</b>
<b>Case No. 10-0172 (North Region)</b>	
FACTS OF CASE	On January 14, 2009, a citizen reported that a parole agent came to his home looking for a parolee. When he told the parole agent that the parolee did not live there a verbal argument ensued at which point the agent allegedly unholstered his gun and pointed it at the citizen. The agent then drove off but called 911 to report the citizen was belligerent and under the influence. The next day the agent wrote a memo about the incident that was inconsistent with his call to 911.
DISPOSITION OF CASE	After an investigation, the hiring authority sustained the allegation that the agent violated policy by inappropriately displaying his weapon at the citizen. The agent was suspended without pay for 36 days. The agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department and the parole agent entered into a settlement agreement after evidentiary issues developed when the only witness was unavailable to testify. The department agreed to reduce the penalty from a 36 day suspension to an 18 day suspension without pay. The agent agreed to withdraw his appeal. The bureau found the settlement agreement to be reasonable.</b>
<b>Case No. 10-0174 (Headquarters)</b>	
FACTS OF CASE	It was alleged that in January 2009, a parole agent made several inappropriate comments about President Barack Obama. Allegedly, the parole agent stated that he hated the President and hoped that someone would shoot and kill him. It was further alleged that he stated that he would have a celebration party when the President was assassinated.
DISPOSITION OF CASE	The hiring authority sustained the allegation and issued the parole agent a letter of reprimand. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department and the parole agent entered into a settlement agreement. The department withdrew the letter of reprimand and issued a letter of instruction and the parole agent agreed to withdraw his appeal. The bureau found the agreement to be reasonable.</b>



## APPEALED CASES

<b>Case No. 10-0183 (South Region)</b>	
FACTS OF CASE	Between December 2008 through October 16, 2009, a lieutenant allegedly used a state mobile phone for personal calls amounting to \$2,671 in phone charges. When questioned, he allegedly lied to a supervisor regarding his use and possession of the phone.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the lieutenant. The lieutenant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: The department attorney and hiring authority settled the case a day before the scheduled State Personnel Board hearing without notification to the bureau. The dismissal was modified to a one month suspension and the employee was permitted to resume his duties as a lieutenant at the institution. The department did not seek restitution from the lieutenant even though he used a state mobile phone to make personal phone calls totaling \$2,671 in phone charges. The bureau did not concur with the agreement.</b>
<b>Case No. 10-0194 (South Region)</b>	
FACTS OF CASE	From November 1, 2008, through January 31, 2009, a lieutenant and several officers allegedly conducted an unauthorized investigation into staff misconduct. A captain allegedly knew about the unauthorized investigation, yet did not prevent it from occurring. Additionally, the lieutenant and officers allegedly received unauthorized overtime pay for conducting the investigation.
DISPOSITION OF CASE	The hiring authority sustained the allegation that the lieutenant conducted an unauthorized investigation and imposed a 5 percent salary reduction for six months. The lieutenant filed an appeal with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the other allegations against the lieutenant or any of the allegations against the captain and the officers.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: At the State Personnel Board hearing, the department attorney and the lieutenant's representative agreed to enter into settlement negotiations despite the fact witnesses were available to testify. The department agreed to withdraw the disciplinary action and the employee agreed to withdraw the appeal and not request back pay. The disciplinary action was removed from the employee's official personnel file and the written agreement generally outlining the terms of the settlement replaced the disciplinary action. The bureau did not concur with the settlement agreement.</b>
<b>Case No. 10-0197 (South Region)</b>	
FACTS OF CASE	On October 22, 2008, it was alleged that a parole agent who had a dispute with his former landlord, conducted an unauthorized parole search of his former residence. The residence he searched was located in the jurisdiction of another parole region and involved parolees who were not under the parole agent's supervision. It was also alleged that the parole agent was dishonest during his investigative interview.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the parole agent. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: After a hearing, the State Personnel Board sustained most of the allegations, including several dishonesty allegations, yet decided to modify the parole agent's penalty from dismissal to demotion to an officer position. The bureau did not concur with the modification. During the hearing, the department attorney did not make any attempt to introduce tape recorded interviews as evidence of the prior inconsistent statements by witnesses, declined to provide a rebuttal closing argument, and appeared to have difficulty formulating follow-up questions.</b>

**APPEALED CASES**

<b>Case No. 10-0204 (South Region)</b>	
FACTS OF CASE	On September 30, 2008, a parole unit supervisor discovered that a parole agent had a parolee on her active caseload who was found to have died on February 16, 2008. It was alleged that the parole agent falsified her records to reflect that the parolee had reported to the parole office on several occasions for five consecutive months after the parolee's death.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations of dishonesty and falsification of official records and dismissed the parole agent. The agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: On the day of State Personnel Board hearing, after consultation with the bureau, the department agreed to a settlement agreement whereby the parole agent resigned in lieu of dismissal, waived any back pay, and promised to never to return to the department. However, when the terms of the agreement were entered into the record and in the absence of the bureau, the department attorney also agreed to remove the disciplinary action from the parole agent's official personnel file and replace it with the agreement, and that the agreement could be removed from the file after a letter of resignation was received from the parole agent, thereby completely removing any reference to any act of misconduct by the parole agent. The bureau brought this to the attention of the department attorney who indicated a confirmation of resignation letter would be placed into the parole agent's official personnel file essentially outlining the acts of misconduct that constituted the disciplinary action. The bureau pointed out concerns that the department would be violating the agreement with the parole agent. When the former parole agent discovered the inclusion of the confirmation of resignation letter in her file, she asked the State Personnel Board to order the removal of the letter from the official personnel file. The State Personnel Board ordered the department to remove the confirmation of resignation letter from the parole agent's file, finding that it violated the intent of the agreement. Additionally, the bureau requested documentation required by the department's operations manual relating to the settlement agreement from the department attorney, who agreed to provide that documentation but took an inordinately long time to complete a one-page form. The bureau found the original settlement for which it was consulted to be reasonable, but was not consulted regarding the removal of any reference to the parole agent's misconduct from her personnel file, and did not concur with such removal.</b>

## APPEALED CASES

<b>Case No. 10-0390 (South Region)</b>	
FACTS OF CASE	On December 16, 2009, a parole agent accidentally discharged his firearm inside a private residence during a parole search. The parole agent failed to notify the residents of the home and failed to immediately contact both outside law enforcement or a supervisor. Approximately two hours later at another location in the presence of other parole agents and outside law enforcement officers, the parole agent discharged his firearm a second time while performing a safety inspection of his firearm. The parole agent did not immediately notify his supervisor or report the second discharge to outside law enforcement.
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found that the agent's discharge of his weapon was not in compliance with policy. The hiring authority sustained the allegations that the parole agent carelessly handled his firearm resulting in the weapon discharging and that the parole agent failed to perform within the scope of his training when he failed to immediately notify a supervisor and outside law enforcement. The hiring authority imposed a 10 percent salary reduction for six months. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: The department entered into a settlement agreement with the supervising parole agent in which the disciplinary action and all other documentation related to the action were withdrawn 18 months early from the official personnel file. The department attorney failed to consult with the bureau on the provision of the agreement that required the department to prematurely withdraw both the disciplinary action and the settlement agreement from the supervising parole agent's official personnel file. The bureau did not concur with the settlement agreement.</b>
<b>Case No. 10-0403 (Headquarters)</b>	
FACTS OF CASE	On January 21, 2010, it was alleged that the department failed to timely send lay-off notices to thousands of employees costing the state millions of dollars. Three staff services managers allegedly failed to timely send out the notices, used incorrectly dated envelopes, and failed to include a proof of service with the notices, as required. It was further alleged that the staff services managers and an associate director failed to notify their supervisors that the deadline had been missed.
DISPOSITION OF CASE	The hiring authority sustained allegations against two of the staff services managers. One staff services manager received a 10 percent salary reduction for 18 months. The other received a 10 percent salary reduction for 16 months, which was later reduced to five percent salary reduction for 12 months following a Skelly hearing. Both staff services managers who were disciplined filed appeals with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the allegations against the third staff services manager and associate director.
APPEAL UPDATE	<b>The department entered into settlement agreements with both the staff services managers. The staff services manager that initially received a 10 percent salary reduction for 18 months settled for a 10 percent salary reduction for 13 months. The staff services manager that initially received a 5 percent for salary reduction for 12 months settled for 5 percent salary reduction for nine months. Both staff services managers withdrew their appeals. The bureau found the agreements to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0404 (North Region)</b>	
FACTS OF CASE	An inmate alleged that on December 27, 2009, an officer struck him in the face with the officer's forearm. The inmate further alleged that another officer witnessed the incident. Finally, both officers allegedly wrote false reports documenting the incident.
DISPOSITION OF CASE	The allegations of battery on an inmate and dishonesty in an official report were sustained against the officer who used force, while the allegation that the officer failed to report the use of force was not sustained. The officer was dismissed and he filed an appeal with the State Personnel Board. The allegations against the other officer were not sustained by the hiring authority.
APPEAL UPDATE	<b>The department agreed to a settlement agreement which allowed the officer to resign from his position effective the day of his dismissal. The officer agreed to never seek reinstatement or accept a job with the department. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0409 (South Region)</b>	
FACTS OF CASE	On November 29, 2009, an inmate walked away from a confrontation and a sergeant allegedly allowed the inmate to enter an office after being told repeatedly, and refusing, to submit to restraints. While in the office, the inmate became verbally aggressive and uncooperative, and a forced extraction became necessary. A lieutenant allegedly failed to ensure that during the extraction proper equipment was issued or utilized by staff. During the extraction, it was alleged that pepper spray was used inappropriately, and unnecessary force was utilized to place the inmate in restraints. Further, during the decontamination process, it was alleged an officer continued to pour water from a hose on the inmate's face even after the inmate asked that the water be stopped. The sergeant allegedly failed to adequately write a complete report and allegedly included dishonest statements. It was also alleged that another sergeant was dishonest about the distance from which he sprayed the inmate.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain allegations against the sergeant for allowing the inmate to walk unrestrained away from the area of a confrontation, not writing a clear report rather than being dishonest in his report, and cancelling an alarm before he could assess the immediate situation which was discovered during the investigation. The hiring authority imposed a 10 percent salary reduction for 24 months on the sergeant, which he appealed to the State Personnel Board. The hiring authority also sustained an allegation against a lieutenant for failing to ensure that the extraction team sent to detain the inmate was utilizing proper equipment, and issued a letter of instruction to the lieutenant. The hiring authority determined there was insufficient evidence to sustain the allegations that inappropriate force was used by officers or that an officer inappropriately continued to pour water on the inmate.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the sergeant in which the time period for the 10 percent salary reduction was modified from 20 months to 12 months. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0420 (North Region)</b>	
FACTS OF CASE	On August 18, 2009, while off-duty at a bowling alley, an officer allegedly made rude and discourteous comments regarding other custody staff and inmates.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation. This case was consolidated with another disciplinary action involving use of force, failure to report, and dishonesty, and the officer was dismissed. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer filed an appeal with the State Personnel Board. However, the appeal was dismissed due to the officer's failure to appear at the hearing and the dismissal remained unchanged. The bureau concurred with the decision.</b>

**APPEALED CASES**

<b>Case No. 10-0421 (Central Region)</b>	
FACTS OF CASE	On August 16, 2009, while on security detail at an outside hospital, a sergeant allegedly ripped an intravenous device out of an inmate-patient, and grabbed the inmate by the throat, and then submitted a false report regarding the incident. In addition, an officer who was also on the security detail allegedly failed to properly secure his duty firearm and ammunition, and submitted an inaccurate report regarding the use of force by the sergeant.
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the sergeant and the officer. Both filed appeals with the State Personnel Board.
APPEAL UPDATE	<b>During a Skelly hearing after the officer had filed his appeal, he presented evidence that the reason for the inaccurate reporting was that he had worked several double shifts prior to the incident and was physically exhausted. The department then entered into a settlement agreement with the officer which reduced the dismissal to a 60 working- day suspension in exchange for the officer withdrawing his appeal to the State Personnel Board. The bureau found the agreement to be reasonable. The sergeant appealed her matter to the State Personnel Board. Following a hearing, the State Personnel Board upheld the dismissal. The bureau concurred with the decision.</b>

## APPEALED CASES

<b>Case No. 10-0444 (North Region)</b>	
FACTS OF CASE	On June 29, 2009, an inmate suffering a psychotic episode was forcibly removed from his cell. During the removal, the inmate fought with officers and hid under his bed. The inmate was allegedly exposed to chemical agents, removed from under his bunk by his hair, and placed in wrist and leg restraints. Thereafter, staff allegedly dragged the inmate down the tier by his restraints and decontaminated him with water while he was lying on the ground face up. Then, while restrained on a gurney for transportation to medical, an officer allegedly placed a chemically contaminated tee shirt and the officer's gloved hand over the inmates mouth. Six officers allegedly engaged in misconduct during the incident. A sergeant and lieutenant allegedly failed to properly supervise the extraction or to intervene in the incident. The officers, sergeant, and lieutenant allegedly failed to report the use of force. A captain allegedly failed to be present at the extraction as required by policy. An associate warden, who reviewed the extraction video, allegedly did not properly act on the incident which exhibited deviations from policy and procedure.
DISPOSITION OF CASE	The hiring authority sustained allegations against two officers for unreasonable use of force, failing to report use of force, and neglect of duty. One officer received a 60 working-day suspension and the other received a 10 percent salary reduction for 12 months. Both officers filed appeals with the State Personnel Board. The hiring authority sustained allegations against two other officers for failing to report use of force and neglect of duty. Both officers initially received a 5 percent salary reduction for 6 months. However, following a Skelly hearing, the hiring authority reduced the penalties to a 5 percent salary reduction for 3 months. The hiring authority did not sustain any allegations against the two remaining officers. The hiring authority also sustained allegations against the sergeant for failing to report use of force witnessed and neglect of duty and imposed a 24 working-day suspension, which he appealed to the State Personnel Board. The hiring authority sustained allegations against the lieutenant for failure to report unreasonable use of force witnessed and neglect of duty. The lieutenant was demoted to an officer and he filed an appeal with the State Personnel Board. The hiring authority further sustained allegations against the captain for neglect of duty and imposed a 48 working-day suspension. The captain did not file an appeal with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain allegations against the associate warden, who had brought the incident to the attention of the warden as required.
APPEAL UPDATE	<b>The department entered into settlement agreements with the officers, sergeant, and lieutenant. One officer's 10 percent salary reduction for 12 months was modified to a 5 percent salary reduction for 6 months. The other officer's 60 working-day suspension was modified to a 30 day suspension without pay. The sergeant and department entered into a settlement agreement which reduced his 24 working-day suspension to an 18 working-day suspension. The lieutenant's demotion was modified to a temporary demotion. However, the lieutenant resigned after he was served with a notice of dismissal resulting from another investigation conducted by the Office of Internal Affairs. The bureau found the agreements to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0447 (South Region)</b>	
FACTS OF CASE	On May 2, 2009, two inmates engaged in a fight. Subsequently, five officers allegedly failed to write rule violation reports for the inmates regarding the fight and a sergeant allegedly failed to ensure the officers wrote the reports. The sergeant also allegedly failed to ensure that the inmates were no longer housed together after the fight, and did not properly document the inmates' enemy concerns. Further, a lieutenant also failed to ensure that the two inmates were housed separately after the altercation. As a result, the inmates remained in the same housing unit and engaged in a second fight resulting in serious injury to one of the inmates. A correctional counselor and a captain were allegedly aware of the sergeant's misconduct and failed to report it.
DISPOSITION OF CASE	The hiring authority sustained one allegation against the sergeant for failing to properly document the enemy concerns of the inmates and imposed a 5 percent salary reduction for nine months, which was appealed to the State Personnel Board. The hiring authority also sustained the allegation against the lieutenant and imposed a 5 percent salary reduction for three months. However, the disciplinary action against the lieutenant could not be imposed because it was not taken before the deadline. The hiring authority did not sustain the allegations against the five officers, the correctional counselor, or the captain.
APPEAL UPDATE	<b>The sergeant's appeal of the discipline to the State Personnel Board was dismissed after he failed to show up for a mandatory hearing. The sergeant's motion for reconsideration of the dismissal of his appeal was denied by the State Personnel Board and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 10-0451 (South Region)</b>	
FACTS OF CASE	On January 6, 2009, an officer allegedly used excessive force when he struck a handcuffed inmate in the back of the head during an escort, and failed to report the incident. A second officer, who was stationed in the observation tower, allegedly failed to adequately observe the escort. Moreover, a third officer who responded to the scene, allegedly failed to provide all relevant information about the incident during the investigation into the matter.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the first officer and dismissed him. The officer did not file an appeal with the State Personnel Board. The hiring authority determined the evidence was insufficient to sustain the allegation against the officer in the observation tower. As to the third officer, the hiring authority sustained the allegation and imposed a two working-day suspension. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer, who received a two working-day suspension and was the only one to file an appeal, failed to appear for his hearing before the State Personnel Board. His appeal was dismissed and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 10-0454 (North Region)</b>	
FACTS OF CASE	On August 18, 2010, an officer was following behind other officers escorting an inmate when he sprayed the inmate with pepper spray and stated "take this bitch." The escorting officers were also struck with the pepper spray.
DISPOSITION OF CASE	The hiring authority sustained the allegation and imposed a 10 percent salary reduction for 24 months. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Pursuant to a settlement agreement, the time period for the 10 percent salary reduction was modified from 24 months to 18 months and the officer withdrew his appeal to the State Personnel Board. The bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0462 (South Region)</b>	
FACTS OF CASE	On June 3, 2010, a parole agent allegedly raised a handcuffed parolee off a couch, pushed him into a wall, and removed him from a residence. The parole agent also allegedly used profanity while addressing the parolee.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a 5 percent salary reduction for 12 months. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the parole agent in which his penalty was reduced from a 5 percent salary reduction for 12 months to 5 percent salary reduction for four months. The bureau found the settlement agreement to be reasonable.</b>
<b>Case No. 10-0466 (Central Region)</b>	
FACTS OF CASE	On May 19, 2010, an officer was arrested for committing a battery on his girlfriend and breaking her mobile phone when she attempted to call for help.
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a 10 percent salary reduction for 18 months. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department and the officer entered into a settlement agreement. The department reduced the penalty from a 10 percent salary reduction for 18 months to a 10 percent salary reduction for 15 months and the officer agreed to withdraw his appeal. The settlement was based on the evidentiary risks in the case regarding the officer's claim of self-defense, and the district attorney's office declining to file charges in the case. The bureau found the settlement agreement to be reasonable in light of the fact that it was not a significant change in penalty.</b>
<b>Case No. 10-0477 (Central Region)</b>	
FACTS OF CASE	On April 17, 2010, an outside law enforcement agency was investigating an illegal animal fight in an orange grove. An off-duty officer allegedly drove his vehicle in the orange grove, crashed into a marked patrol vehicle injuring an outside law enforcement officer, then crashed into an orange tree, and ran from the area. The officer then allegedly filed a false police report and filed a false insurance claim indicating his vehicle had been stolen. The officer was arrested for felony hit and run, filing a false police report, defrauding an insurance company, and being present at an illegal animal fight.
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the officer. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer's appeal was dismissed when the subject failed to appear at a scheduled prehearing settlement conference and failed to file the required statement. Thus, the dismissal remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 10-0482 (South Region)</b>	
FACTS OF CASE	On March 27, 2010, an officer was arrested after he allegedly grabbed his girlfriend's neck, then threw her onto a bed causing her to strike her head on the headboard.
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a salary reduction of 5 percent for six months. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer failed to appear for a prehearing settlement conference and the State Personnel Board dismissed the officer's appeal. Thus, the disciplinary action remained unchanged. The bureau concurred with the decision.</b>



## APPEALED CASES

<b>Case No. 10-0497 (South Region)</b>	
FACTS OF CASE	On January 23, 2010, a sergeant was arrested for allegedly punching and assaulting his fiance. Outside law enforcement officers reported that they observed visible injuries and fresh blood on the face and clothes of the fiance. No criminal charges were filed against the sergeant.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and imposed a 10 percent salary reduction for 24 months. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: Without consulting the bureau, the department entered into a settlement agreement with the sergeant pursuant to which the sergeant's 10 percent salary reduction for 24 months was modified to a 10 percent salary reduction for 12 months. The bureau did not concur with the agreement.</b>
<b>Case No. 10-0510 (South Region)</b>	
FACTS OF CASE	It is alleged that on December 27, 2009, a youth counselor used unnecessary force on a ward who refused to get out of a chair that belonged to the officers' station. After giving the ward several orders to get up, the youth counselor sprayed the ward in the face with pepper spray. Further, the youth counselor failed to activate his personal alarm before using force on the ward.
DISPOSITION OF CASE	The hiring authority sustained the allegations that the youth counselor inappropriately used force against the ward and failed to activate his alarm as required. The youth counselor was issued a letter of reprimand, which was appealed to the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the youth correctional counselor in which the letter of reprimand was reduced to a letter of instruction. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0532 (Central Region)</b>	
FACTS OF CASE	On November 4, 2009, following a traffic stop, an officer was arrested by outside law enforcement for possession of steroids without a prescription, vehicle registration fraud, and other traffic violations. During the course of the traffic stop, the officer allegedly displayed his department-issued credentials in an attempt to influence the actions of the local law enforcement officer. It was further alleged that the officer was dishonest during the course of the traffic stop when he said he had recently purchased his car, and as a result had not been able to register it with the Department of Motor Vehicles.
DISPOSITION OF CASE	The hiring authority sustained allegations that the officer possessed the steroids without a prescription, engaged in illegal activity, and was dishonest to law enforcement during the investigation. The allegation that the officer had misused his authority by displaying his peace officer credentials was not sustained. The hiring authority dismissed the officer. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The hiring authority and the officer entered into a settlement agreement. The hiring authority agreed to a modify the dismissal to a one year suspension without pay. The employee agreed to dismiss his appeal and waive any claims to back pay. The officer successfully completed a diversion program for the possession of the steroids without a prescription. The bureau found the agreement to be reasonable because there were significant evidentiary issues regarding the dishonesty allegation that was the primary basis for dismissal and the penalty imposed was still significant.</b>

## APPEALED CASES

<b>Case No. 10-0540 (North Region)</b>	
FACTS OF CASE	On October 14, 2009, a registered nurse was allegedly under the influence of alcohol while on duty.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and dismissed the nurse, who filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the nurse in which he was allowed to resign in lieu of dismissal. The nurse also agreed to not seek future employment with the department and to withdraw his appeal. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0573 (North Region)</b>	
FACTS OF CASE	On August 18, 2009, it was alleged that a lieutenant was bringing tobacco, mobile phones, and heroin into the institution for sale to inmates. It was also alleged that the lieutenant engaged in overly familiar conduct with both an inmate and a parolee. The lieutenant allegedly utilized the department's inmate information system to obtain information about the inmate and parolee, and allegedly sent the inmate letters and money. The lieutenant also allegedly engaged in an extensive relationship with the parolee, which included travelling to Las Vegas together, picking the parolee up at his home, dining out with the parolee, making over 60 telephone calls to the parolee, and sending 100 text messages to the parolee. When seen in Las Vegas with the parolee by a sergeant who recognized the parolee as a former inmate, the lieutenant allegedly lied to the sergeant by indicating he was not on parole. Additionally, outside law enforcement found the lieutenant travelling in a vehicle with the parolee, and the lieutenant was allegedly dishonest about his connection to the parolee. Finally, the lieutenant was allegedly dishonest about the allegations during his interview with the Office of Internal Affairs.
DISPOSITION OF CASE	The hiring authority found insufficient evidence to sustain the allegation that the lieutenant brought contraband into the institution. However, the hiring authority determined there was sufficient evidence to sustain the remaining allegations that the lieutenant was overly familiar with both an inmate and a parolee, and was dishonest to the sergeant, outside law enforcement and the Office of Internal Affairs. The hiring authority dismissed the lieutenant, who filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the lieutenant in which he agreed to resign in lieu of dismissal. The lieutenant also agreed to not seek future employment with the department and to withdraw his appeal. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0575 (North Region)</b>	
FACTS OF CASE	On August 16, 2009, an officer was allegedly at a parolee's residence under the influence of drugs and dishonest with outside law enforcement officers. During the investigation of the officer's alleged misconduct, additional information was received indicating that the officer allegedly used and bought methamphetamine from a parolee and his girlfriend.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer failed to appear at the hearing. The State Personnel Board dismissed his appeal and the officer's dismissal remained unchanged. The bureau concurred with the decision.</b>

## APPEALED CASES

<b>Case No. 10-0578 (Central Region)</b>	
FACTS OF CASE	On August 7, 2009, it was alleged that an officer forcefully shoved an inmate's face into a steel door while in the shower, causing an injury to the inmate's cheek. The officer also allegedly threatened another inmate and used profanity. The officer failed to report the use of force and the inappropriate statements. It was further alleged that the officer has been engaging in a pattern of overall inappropriate use of verbal and physical intimidation toward inmates.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations against the officer and dismissed him. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department and the officer entered into a settlement agreement that modified the dismissal to a suspension without pay for eight months. The department settled the matter because the former trial attorney assigned to this case failed to adequately prepare for the hearing, and then left state service before any action could be taken to correct the neglect. As a result, a new attorney was assigned and the new attorney managed to negotiate the above settlement agreement. As a result of the new attorney's diligence, a significant portion of the discipline originally imposed by the department was preserved. The bureau concurred with the settlement, in light of the situation.</b>
<b>Case No. 10-0579 (South Region)</b>	
FACTS OF CASE	On August 6, 2009, two officers searched the cell of an unruly inmate and his cellmate. After the search, one of the officers allegedly entered the cell and struck one of the inmates several times. The inmate reported that the officer stomped on his head when the inmate was laying down on the cell floor. The second officer allegedly ran into the cell and deployed his pepper spray on both inmates, who were lying in a prone position. Both officers reported that the officer who first entered the cell was dragged into the cell by the inmate after the officer attempted to grab a book away from the inmate. The officer who struck the inmate reported that he struck the inmate in self-defense. A control booth officer, who observed the incident, reported that he did not see the officer and inmate struggle over a book but, rather, observed the officer follow the inmate into the cell. It was further alleged that both officers lied to investigators when they stated that the inmate dragged the officer into the cell and that the officer was acting in self-defense, and also that both officers were insubordinate when they discussed the case with each other prior to being interviewed by investigators.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed both officers. The officers filed appeals with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: On the first day of the hearing, the officer who allegedly struck the inmate presented proof that he had retired from state service. The department entered into a settlement agreement with the officer and agreed to withdraw the disciplinary action from the officer's official personnel file in exchange for the officer's agreement to waive all back pay and promise to not seek employment with the department again in the future. With respect to the second officer who was dismissed, the department entered into a settlement agreement that modified the dismissal to a nine month suspension. The department also agreed to withdraw the disciplinary action from the officer's official personnel file in exchange for the officer's waiver of any back pay. Although the bureau recognized that the department was unable to locate the inmate who was allegedly assaulted and call him as a witness, the bureau did not concur with the agreement as sufficient other evidence existed to prove the misconduct.</b>

## APPEALED CASES

<b>Case No. 10-0582 (South Region)</b>	
FACTS OF CASE	On August 4, 2009, a parolee alleged that a parole agent had touched her breasts and thighs. The parolee also alleged that the parole agent suggested that they go to a motel room and, when the parolee stated she charged for sex, the parole agent asked about the price for the service. It was also alleged that the parole agent arrived at home visits in overly casual dress.
DISPOSITION OF CASE	The hiring authority sustained the allegations except an allegation that the parole agent dressed inappropriately during parole visits and dismissed the parole agent. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department and the parole agent entered into a settlement agreement in which the parole agent resigned in lieu of dismissal. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0583 (Central Region)</b>	
FACTS OF CASE	On July 30, 2009, a parole agent allegedly admitted he had been using, and was addicted to, methamphetamine. The agent also allegedly failed to properly perform his duties for more than 60 days, and falsified signatures on official documents.
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the parole agent, who filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The appellant abandoned his appeal and failed to appear for the hearing, therefore, the State Personnel Board dismissed the appeal and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 10-0603 (Central Region)</b>	
FACTS OF CASE	On June 12, 2009, an officer allegedly used unnecessary force on an inmate. The inmate was being escorted to his cell by several officers when he allegedly became combative and kicked an officer in the chest. After officers subdued the inmate and had him lying on the ground, an officer allegedly kicked the inmate twice in the head. The officer then allegedly failed to report the use of force, made false or intentionally misleading statements in his subsequent incident report, and was dishonest during his investigative interview.
DISPOSITION OF CASE	The hiring authority sustained the allegations concerning the officer's inappropriate use of force and his failure to report his use of force. The hiring authority determined there was insufficient evidence to sustain dishonesty allegations. The officer was dismissed and did file an appeal with the State Personnel Board. When the employee was unable to establish posttraumatic stress disorder as a basis for his request for disability retirement, he negotiated a resignation in lieu of termination.
APPEAL UPDATE	<b>The department agreed to accept a resignation in lieu of dismissal to settle the case. The bureau found the agreement to be reasonable. However, during the post appeal process, the department attorney failed to advise the bureau regarding the prehearing settlement conference continuance in a timely manner.</b>

## APPEALED CASES

<b>Case No. 10-0604 (Central Region)</b>	
FACTS OF CASE	On June 5, 2009, it was alleged that two officers in a housing unit failed to follow appropriate procedures concerning the movement of inmates. As a result, an inmate was stabbed by inmates from a rival gang who had not been properly searched, secured, or escorted in the housing unit as required.
DISPOSITION OF CASE	The hiring authority sustained allegations that both officers were neglectful in the performance of their duties. The hiring authority imposed a penalty of a 5 percent salary reduction for two months for the first officer, who had a prior adverse action, and issued a letter of reprimand for the second officer. The first officer filed an appeal with the State Personnel Board but the second officer did not.
APPEAL UPDATE	<b>The department and the officer entered into a settlement agreement whereby the 5 percent salary reduction for two months was reduced to a letter of reprimand. The officer agreed to waive any claim to back pay and to withdraw the appeal. The bureau found the agreement to be reasonable, as it was not a significant modification of the penalty.</b>
<b>Case No. 10-0605 (Central Region)</b>	
FACTS OF CASE	On June 3, 2009, a riot occurred on an exercise yard. Responding officers formed a skirmish line. An officer allegedly violated policy when he ran from the skirmish line into the middle of the riot. The officer fell to the ground, causing other officers to break from the skirmish line to help him. After the riot ended, the officer allegedly kicked an inmate two or three times in the shoulder and back area after the inmate was prone on the ground to prevent the inmate from getting up.
DISPOSITION OF CASE	The hiring authority sustained the allegation that the officer violated policy by failing to remain in the skirmish line. Several witnesses reported that the officer did not kick the inmate, but rather placed his foot on the inmate's back as the inmate was trying to get up. As a result, the hiring authority did not sustain the allegation that the officer kicked the inmate. However, the hiring authority determined that the officer violated policy by using his foot to keep the inmate on the ground. The officer received a letter of reprimand. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the officer in which the department agreed to remove the letter of reprimand from the officer's personnel file upon the effective date of the officer's retirement if this occurs less than three years from the effective date of the discipline. The officer agreed to withdraw his appeal. The bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0612 (South Region)</b>	
FACTS OF CASE	On May 22, 2009, a parole agent allegedly engaged in a verbal dispute with a citizen while both were on the road and driving personal vehicles. The citizen exited his vehicle to further confront the parole agent, at which time the parole agent displayed his firearm. The parole agent then drove away without identifying himself as a law enforcement officer. Subsequently, the parole agent allegedly lied to outside law enforcement and the Office of Internal Affairs regarding the incident.
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain allegations that the parole agent lied to outside law enforcement. However, the hiring authority determined there was sufficient evidence to sustain allegations that the parole agent inappropriately displayed a firearm, that he was discourteous to the private citizen, and that he was less than honest during his interview with the Office of Internal Affairs. The hiring authority imposed a 60 working-day suspension. The hiring authority elected not to dismiss the parole agent because he had years of service without any prior disciplinary issues and the parole agent was prompted to draw his weapon by a genuine fear for his safety. The parole agent appealed the suspension to the State Personnel Board.
APPEAL UPDATE	<b>The State Personnel Board dismissed the appeal after the parole agent failed to appear for the hearing and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 10-0619 (South Region)</b>	
FACTS OF CASE	On April 20, 2009, after an officer's girlfriend vomited in a casino, security guards asked the officer and his girlfriend to leave. The intoxicated officer allegedly became belligerent, waved his departmental badge, and announced he was an armed law enforcement officer and that if anyone came close to him he would shoot them. The officer was arrested for disorderly conduct by outside law enforcement.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a 10 percent salary reduction for 24 months. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer failed to appear for a prehearing settlement conference before the State Personnel Board. As a result, the State Personnel Board dismissed the appeal and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 10-0621 (South Region)</b>	
FACTS OF CASE	On April 10, 2009, it was alleged that between 2007 and 2009, a chief psychiatrist had been engaged in a pattern of discourteous treatment toward subordinate staff members. Numerous staff members reported that the chief psychiatrist demeaned others by calling them "losers," making inappropriate sexual comments, and making rude gestures. One staff member reported that the chief psychiatrist rudely tapped her on the back of her head on several occasions. It was further alleged that the chief psychiatrist was dishonest during his interview with the Office of Internal Affairs.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the chief psychiatrist. The chief psychiatrist filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>At a prehearing settlement conference, the department entered into a settlement agreement with the chief psychiatrist. The department agreed to reinstate the employee with modifications to his job duties and provide back pay for the time that the chief psychiatrist was dismissed. In exchange, the chief psychiatrist agreed to retire from state service by December 31, 2011. The bureau initially expressed concern about the department's ability to present compelling evidence to sustain the allegations in this case. Based on those concerns, the bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0623 (South Region)</b>	
FACTS OF CASE	On April 3, 2009, an officer allegedly took an inmate into the sally port to counsel him and threw him up against a wall. The officer then allegedly took the inmate outside and shoved him into a wall. A sergeant allegedly arrived on the scene, and placed his arm on the inmate to have the inmate transition from a standing to kneeling position. Additionally, the officer allegedly witnessed the sergeant's use of force and also failed to report it. It was also alleged the officer violated policy by counseling the inmate in an area that was not within sight of other officers.
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence that the officer engaged in the alleged use of force, but sustained the allegations that the officer violated policy by counseling the inmate in an inappropriate area and that he failed to report the sergeant's use of force. The hiring authority initially imposed a 10 percent salary reduction for 12 months. However, following a Skelly hearing, the hiring authority agreed to settle the case for a salary reduction of 10 percent for seven months and the officer agreed not to file an appeal with the State Personnel Board. The hiring authority found the sergeant's use of force reasonable, but sustained the allegation that the sergeant failed to report his own use of force and imposed a salary reduction of 10 percent for nine months. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the officer that reduced the officer's penalty from a 10 percent salary reduction for 12 months to a 10 percent salary reduction for seven months. The bureau found the agreement to be reasonable. The sergeant's appeal was dismissed at the State Personnel Board prehearing settlement conference due to nonappearance and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 10-0634 (North Region)</b>	
FACTS OF CASE	During January through April 2009, a parole agent allegedly failed to conduct home visits for her assigned parolees and falsified documents by indicating that she had made those visits.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a 10 percent salary reduction for 18 months. However, following a Skelly hearing, the hiring authority agreed to reduce the penalty to a 10 percent salary reduction for 13 months. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>At the prehearing settlement conference, the department entered into a settlement agreement reducing the penalty to a 10 percent salary reduction for 12 months. The bureau found the agreement to be reasonable because there was a risk to the department going forward with a hearing because the department failed to submit the prehearing settlement conference statement within the required time limit.</b>
<b>Case No. 10-0638 (South Region)</b>	
FACTS OF CASE	On December 4, 2008, an officer was arrested after he allegedly pushed his girlfriend into a mirror, which caused it to break. The girlfriend alleged that the officer then took a piece of the broken mirror and attacked her with it. Outside law enforcement responded to the disturbance and noted that the victim had injuries consisting of lumps to her face, a bloody nose, and cuts and scratches to her body.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and imposed a 60 working-day suspension. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Immediately prior to the commencement of the State Personnel Board hearing in this matter, the department entered into a settlement agreement with the officer in which his 60 working-day suspension was reduced to a 10 percent salary reduction for 24 months. The bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 10-0639 (North Region)</b>	
FACTS OF CASE	On November 12, 2008, a supervising registered nurse allegedly removed institutional prescription medications for personal use. Additionally, it was alleged that another registered nurse was aware of the alleged misconduct, yet failed to report the incident.
DISPOSITION OF CASE	The hiring authority sustained the allegation against the supervising nurse and dismissed him. He filed an appeal with the State Personnel Board. The hiring authority sustained the allegation that the other registered nurse failed to report misconduct and imposed a 10 percent salary reduction for nine months. However, following a Skelly hearing, the hiring authority agreed to settle the case for a 10 percent salary reduction for six months and the nurse agreed not to file an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered in a settlement agreement with the supervising registered nurse in which he agreed to resign in lieu of dismissal. The nurse also agreed to not seek future employment with the department and to withdraw his appeal. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0642 (North Region)</b>	
FACTS OF CASE	On October 31, 2008, a doctor ordered a urine sample from an inmate. Another medical staff member allegedly reported to the nurse that the inmate would not cooperate with the sample and it may be necessary to request an order from the doctor to take a forced sample via catheter. Subsequently, the nurse allegedly proceeded with taking a urine sample via catheter while a sergeant and an officer forcibly restrained the inmate.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation that the nurse proceeded with obtaining a urine sample via catheter without a proper order from the doctor. The hiring authority imposed a 5 percent salary reduction for 18 months, which the nurse appealed to the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain allegations that the sergeant, officer and doctor engaged in misconduct.
APPEAL UPDATE	<b>At a settlement conference, the department agreed to reduce the time period for the 5 percent salary reduction from 18 months to 12 months. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0651 (North Region)</b>	
FACTS OF CASE	Between August 2008 and April 2009 a lieutenant allegedly failed to properly process and serve legal documents. As a result of the lieutenant's failure to properly serve documents in one case, the United States Marshals Service served the documents and charged the department for the cost.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a 5 percent salary reduction for three months. The lieutenant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement which reduced the 5 percent salary reduction for three months to a letter of reprimand, and the lieutenant withdrew his appeal. The department failed to provide the bureau with adequate notice of the proposed settlement agreement and to consult with the bureau before agreeing to the settlement. However, once informed of the terms, the bureau found the agreement to be reasonable.</b>



## APPEALED CASES

<b>Case No. 10-0652 (North Region)</b>	
FACTS OF CASE	Between July 2, 2008 and January 28, 2010, an officer allegedly engaged in an overly familiar relationship with an inmate by visiting the inmate at the institution where the inmate was housed and writing him letters. The officer was also allegedly dishonest when interviewed by the Office of Internal Affairs about the allegation.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the officer in which she agreed to resign in lieu of dismissal. The officer agreed to not seek employment with the department and to withdraw her appeal. The bureau found the agreement to be reasonable.</b>
<b>Case No. 10-0657 (Headquarters)</b>	
FACTS OF CASE	On May 22, 2008, two parole agents allegedly entered the residence of a private citizen without permission while attempting to locate a parolee-at-large who was wanted in connection with a home invasion robbery.
DISPOSITION OF CASE	The hiring authority sustained the allegation as to one parole agent and imposed a 5 percent salary reduction for 12 months. The agent filed an appeal with the State Personnel Board. The hiring authority did not sustain the allegation as to the second parole agent since the actions were addressed in a separate case that had already been adjudicated.
APPEAL UPDATE	<b>Following a hearing, the State Personnel Board upheld the penalty imposed on the parole agent. The bureau concurred with the decision.</b>
<b>Case No. 11-0028 (Central Region)</b>	
FACTS OF CASE	On May 28, 2010, an officer allegedly used unreasonable force on an inmate by kicking him while he was handcuffed and prone on the ground. The officer then also allegedly failed to report his use of force. It was further alleged that two sergeants, a correctional counselor, and seven other officers were present and failed to report the use of force.
DISPOSITION OF CASE	The hiring authority sustained the allegation that the officer did in fact kick the inmate and failed to report his use of force, thus, imposed a 10 percent salary reduction for 12 months. The officer filed an appeal with the State Personnel Board. The hiring authority also sustained allegations that one of the sergeants failed to report the officer's use of force and imposed a 5 percent salary reduction for 24 months. The sergeant filed an appeal with the State Personnel Board. The hiring authority further sustained allegations that the second officer failed to report the first officer's use of force, but imposed no discipline because the officer had already resigned from state service. The hiring authority determined there was insufficient evidence to sustain any of the allegations against the second sergeant, the correctional counselor, or the remaining six officers.
APPEAL UPDATE	<b>The first sergeant and the department entered into a settlement agreement which reduced the time for the 5 percent salary reduction from 25 months to 16 months. Following a separate appeal to the State Personnel Board, the first officer and the department also entered into a settlement agreement. The time period for the 10 percent salary reduction from 12 months to 7 months. The bureau found both agreements to be reasonable.</b>

## APPEALED CASES

<b>Case No. 11-0031 (North Region)</b>	
FACTS OF CASE	On May 3, 2010, an officer on temporary leave from an institution allegedly was overly familiar with parolees when he worked at a relative's facility that housed parolees. The officer also allegedly failed to obtain permission for secondary employment from the hiring authority. It was further alleged that the officer was dishonest during his interview.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. He filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the officer in which he agreed to resign in lieu of dismissal. The officer also agreed to not seek future employment with the department and to withdraw his appeal. The bureau found the agreement to be reasonable.</b>
<b>Case No. 11-0041 (North Region)</b>	
FACTS OF CASE	On January 21, 2010, an inmate alleged that an officer was bringing drugs into the institution in exchange for money from inmate family members.
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the officer, who filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Before the State Personnel Board conducted a hearing, the officer withdrew his appeal and the disciplinary action remained unchanged.</b>
<b>Case No. 11-0042 (Central Region)</b>	
FACTS OF CASE	On January 21, 2010, an officer allegedly kicked an inmate who was sitting on the floor, with his hands in restraints. As the officer walked by the inmate, he allegedly raised his knee and kicked backwards, striking the inmate in the upper torso and face, then continued walking.
DISPOSITION OF CASE	The hiring authority sustained the allegations that the officer used unreasonable force which was likely to cause serious injury and dismissed the officer. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>On the date set for the prehearing settlement conference at the State Personnel Board, the officer failed to appear. The State Personnel Board dismissed the officer's appeal and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 11-0043 (North Region)</b>	
FACTS OF CASE	On October 31, 2009, a sergeant allegedly used unnecessary force by using pepper spray on an inmate and conducting an emergency cell extraction to forcibly remove an inmate from the cell. It was also alleged that a lieutenant authorized the emergency cell extraction when the situation warranted a planned cell extraction.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation that the lieutenant failed to perform within the scope of training and that the sergeant failed to follow department procedures in conducting a cell extraction. The lieutenant and sergeant each received a letter of reprimand. The lieutenant and sergeant each filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: The sergeant withdrew his appeal and the disciplinary action remained unchanged. The department and lieutenant entered into a settlement agreement which reduced the letter of reprimand to a letter of instruction. The bureau did not concur with the agreement.</b>

## APPEALED CASES

<b>Case No. 11-0078 (Central Region)</b>	
FACTS OF CASE	On December 1, 2010, it was alleged that an officer was told that his neighbor's 17 year old son raped the officer's daughter the previous night. The officer went to the neighbor's home looking for the son where he confronted the suspect's father and brother. The officer took the brother to the ground, telling the men they needed to find the suspect. When the suspect ran out of the house, the officer retrieved his loaded pistol from his home, ran to the neighbor's house holding the gun in the air. He then dropped the gun behind him in the grass, picked it up and ran back into his home. The officer admitted to police that he told three people he was going to kill the suspect.
DISPOSITION OF CASE	The hiring authority sustained the allegations that the officer assaulted one person and threatened to kill another person. the hiring authority did not find that the officer brandished a weapon at another person and determined the officer's actions were mitigated by the alleged rape of his daughter and the circumstances. The hiring authority imposed a 5 percent salary reduction for four months. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: The department and the officer entered into a settlement agreement which reduced the 5 percent salary reduction to a letter of reprimand and the officer withdrew his appeal. The bureau did not concur with the agreement.</b>
<b>Case No. 11-0082 (North Region)</b>	
FACTS OF CASE	On November 3, 2010, an officer allegedly did not follow proper count procedure at a camp, resulting in the escape of two inmates. In addition, the camp commander allegedly issued the officer a counseling memo rather than report misconduct in an attempt to mitigate the employee misconduct.
DISPOSITION OF CASE	The hiring authority sustained the allegation of neglect of duty for the officer, but did not sustain the allegation of dishonesty. A 10 percent salary reduction for 10 months was imposed on the officer and he was transferred from the camp to the institution. The hiring authority sustained both allegations against the camp commander. The camp commander was given a 10 percent salary reduction for 4 months. Both the officer and camp commander filed appeals with the State Personnel Board.
APPEAL UPDATE	<b>At the prehearing settlement conference, the department agreed to reduce the camp commander's penalty to a letter of reprimand and the appellant only received back pay for 2 months. In a separate agreement, the department agreed to reduce the officer's penalty to a 10 percent salary reduction for 5 months pursuant to a settlement agreement. Both employees agreed to waive any right of appeal. The bureau found both agreements to be reasonable.</b>
<b>Case No. 11-0093 (South Region)</b>	
FACTS OF CASE	On September 24, 2010, a parole agent allegedly failed to attend her mandatory quarterly firearm qualification session and falsified a firearm qualification form.
DISPOSITION OF CASE	The hiring authority sustained the allegation that the parole agent was negligent regarding a lack of firearm qualification. The hiring authority did not sustain the allegation that the parole agent was dishonest, but did find her to have neglected her duty for providing inaccurate documentation containing a mistake. The hiring authority imposed a 30 working-day suspension. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Prior to a hearing before the State Personnel Board, the department and parole agent entered into a settlement agreement pursuant to which her penalty was reduced from a 30 working-day suspension to a 15 working-day suspension. The bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 11-0096 (North Region)</b>	
FACTS OF CASE	On September 1, 2010, a sergeant and an officer allegedly failed to notify the fire department of an audible heat detector alarm which resulted in substantial fire damage to a building at the institution.
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a 5 percent salary reduction for 12 months for both the sergeant and the officer. However, following a Skelly hearing, the penalties were modified. The officer received a letter of instruction and the sergeant received a 5 percent salary reduction for six months. The sergeant and officer filed appeals with the State Personnel Board.
APPEAL UPDATE	<b>The officer withdrew his appeal to the State Personnel Board. The department entered into a settlement agreement with the sergeant in which he agreed to withdraw his appeal to the State Personnel Board in return for the department removing the disciplinary action from his official personnel file after 18 months. The bureau found the agreement to be reasonable.</b>
<b>Case No. 11-0117 (Central Region)</b>	
FACTS OF CASE	On June 28, 2010, an officer allegedly battered another person and falsely imprisoned her when he pinned the victim to the bed, stripped off some of her outer clothes and placed his forearm against her chest and throat to prevent her from moving, all while looking for keys to a vehicle.
DISPOSITION OF CASE	The hiring authority sustained the allegations of discourteous treatment and failure of good behavior and imposed a 5 percent salary reduction for 12 months. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the officer in which the penalty in this matter was not modified, however, the penalties in two other disciplinary actions involving the officer were allowed to be served by the officer at this same time as the penalty in this case. The bureau found the agreement to be reasonable.</b>
<b>Case No. 11-0123 (South Region)</b>	
FACTS OF CASE	On June 3, 2010, an officer was arrested for vandalism and resisting arrest. The officer allegedly rammed his vehicle into a parked vehicle because the officer did not like the fact that the vehicle was parked in front of his house. When outside law enforcement officers arrived on scene, the officer was uncooperative and resisted arrest, resulting in the need for law enforcement to use physical force to gain control of the officer. The officer subsequently pled guilty to a misdemeanor vandalism charge. The officer was also allegedly negligent in his duties by failing to inform the hiring authority of his arrest and subsequent conviction.
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a salary reduction of 10 percent for 12 months. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer failed to appear at the State Personnel Board prehearing settlement conference hearing concerning his appeal. As a result, the State Personnel Board dismissed the officer's appeal and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>

## APPEALED CASES

Case No. 11-0130 (North Region)	
FACTS OF CASE	On March 5, 2010, a youth correctional counselor used unnecessary force on a ward who was in handcuffs when he pulled the seated ward to the ground. In addition, the youth correctional counselor was allegedly dishonest in his report of the incident when he claimed that the ward made an aggressive and threatening motion toward him.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and demoted the counselor to the position of officer. He filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the counselor in which the charge of dishonesty was removed from the action. However, the penalty of demotion remained in effect. The bureau found the agreement to be reasonable.</b>
Case No. 11-0171 (North Region)	
FACTS OF CASE	On March 19, 2010 a sergeant allegedly neglected his duties by improperly supervising an inmate escort during inclement weather. The sergeant was also allegedly discourteous to the inmate by conducting the escort outside while the inmate was wearing only boxer shorts and no shoes.
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a 5 percent salary reduction for six months. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The State Personnel Board rejected the sergeant's appeal as untimely, thus, the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
Case No. 11-0189 (South Region)	
FACTS OF CASE	On January 26, 2010, an officer allegedly altered an inmate's property card to indicate that the inmate was permitted to possess a ring that was confiscated from him by other officers on January 9, 2010. A photocopy of the inmate's property card taken on January 9, 2010, did not list a ring, but an examination of the inmate's property card on January 26, 2010, showed that someone had written in the words "ring silver band." When questioned about the ring, the inmate claimed that the officer in question told him the ring was listed on the property card. It was further alleged that the officer was dishonest during his investigatory interview when he denied altering the inmate's property card.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations. The hiring authority dismissed the officer, who filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>DEFICIENT OUTCOME: At a prehearing settlement conference, the department entered into a settlement agreement with the officer after it learned that the officer had retired from state service. The department agreed to withdraw the disciplinary action from the officer's official personnel file and the officer agreed to never seek employment with the department in the future. The bureau did not concur with the agreement.</b>

## APPEALED CASES

<b>Case No. 11-0191 (North Region)</b>	
FACTS OF CASE	On January 25, 2010, it was alleged that an officer was trafficking tobacco, mobile phones, and narcotics into the institution.
DISPOSITION OF CASE	The hiring authority sustained the allegations against the officer and he was served with a dismissal. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The officer filed an appeal but after failing to appear for a prehearing conference. The State Personnel Board dismissed the appeal and the disciplinary action remained unchanged. The bureau concurred with the decision.</b>
<b>Case No. 11-0195 (Central Region)</b>	
FACTS OF CASE	On January 20, 2010, an officer allegedly used unnecessary force on an inmate by taking him to the ground after it appeared the officer was going to escort the inmate through a mud puddle and the inmate refused. The officer then allegedly failed to accurately report the use of force and may have been dishonest by failing to report all of the facts pertaining to the use of force.
DISPOSITION OF CASE	The hiring authority sustained three allegations against this officer, including use of unnecessary force, other failure of good behavior for provoking the inmate when he made it appear he was going to escort the inmate through a mud puddle, and neglect of duty for failing to accurately describe the need for his use of force. The two remaining allegations of failure to report and dishonesty were not sustained. The officer received a two working-day suspension. The officer filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Subsequent to an appeal by the employee with the State Personnel Board, it was determined that a reduction of the action was called for as the department's expert opined that the use of force was reasonable when the inmate resisted the escort. A settlement agreement was reached reducing the penalty to a letter of reprimand that will be removed from the employee's file after one year. The bureau found the agreement to be reasonable.</b>

**APPEALED CASES**

<b>Case No. 11-0204 (Central Region)</b>	
FACTS OF CASE	On December 16, 2009, an acting captain allegedly falsified an official administrative segregation placement notice for an inmate, and instructed a lieutenant to back date two inmate placement notices, which the lieutenant did. A second lieutenant was allegedly negligent in her duty by failing to complete an assignment related to the two administrative segregation placement notices, and was allegedly dishonest when she denied being given the assignment and denied being aware of the assignment. The acting captain was subsequently alleged to have been dishonest during his investigatory interview with the Office of Internal Affairs.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain both allegations against the acting captain, falsification of an official document and dishonesty during an investigatory interview, and dismissed the acting captain. The allegations against the lieutenant that he falsified an official document was sustained and he was given a 49 working-day suspension. Both the acting captain and lieutenant filed appeals with the State Personnel Board. The allegations against the second lieutenant, who allegedly refused the assignment, were not sustained. The two allegations against the correctional counselor for dishonesty and neglect of duty were not sustained.
APPEAL UPDATE	<b>Subsequent to the Skelly hearing, the disciplinary action for the lieutenant was reduced by a settlement agreement from a 49 working-day suspension to a ten percent salary reduction for 18 months. The lieutenant was notably remorseful for his actions, cooperated fully in the investigation and State Personnel Board hearing for the acting captain, and was determined to have followed an order from a superior officer, albeit one which he recognizes was unlawful to follow. The bureau found the agreement to be reasonable. Following a hearing, the State Personnel Board upheld the dismissal of the acting captain. The bureau concurred with the decision. The department attorney failed to keep the bureau informed on preparation for the State Personnel Board hearing, thus, preventing the bureau from adequately monitoring the handling of the case.</b>
<b>Case No. 11-0205 (Central Region)</b>	
FACTS OF CASE	On December 16, 2009, an off-duty sergeant allegedly battered another person with an expandable baton and a chair, resulting in his arrest two days later at work. Further, on December 18, 2009, the sergeant allegedly possessed his personal mobile phone and four personal portable electronic storage devices containing confidential information, while on duty at an outside hospital.
DISPOSITION OF CASE	The hiring authority sustained the allegations of discourteous treatment of the public and other failure of good behavior for the domestic dispute which led to the officer's arrest while at the work site. Allegations of battery were not sustained. The hiring authority also sustained the allegations for the unauthorized possession of a personal mobile phone and personal portable electronic storage devices while on duty. The sergeant received a 5 percent salary reduction for 12 months. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department and the sergeant entered into a settlement agreement, pursuant to which the time period for the 5 percent salary reduction was modified from 12 months to six months, and the department agreed to remove the disciplinary action from the sergeant's personnel file sooner than three years and no later than July 31, 2011. The sergeant withdrew his appeal. The bureau found the agreement to be reasonable.</b>

## APPEALED CASES

<b>Case No. 11-0209 (Central Region)</b>	
FACTS OF CASE	On November 25, 2009, two officers received a report from an inmate, who had walked to the shower, that his cellmate had assaulted him. One of the officers went to the cell to speak to the accused inmate about the assault and allegedly violated policy by instructing a third officer, control booth officer, not to close the cell door. The control booth officer allegedly violated departmental policy by failing to close the cell door, knowing that the inmate inside the cell had possibly committed an assault. The second officer also allegedly violated departmental policy when he left the first officer alone at the cell door in order to retrieve a key to turn off the electricity to the inmate's cell. After ordering the inmate to submit to being handcuffed, the inmate came out of his cell and violently assaulted the first officer. The second officer then responded to the cell to assist the first officer. During the life-threatening assault, after baton strikes to the body failed to stop the attack, both officers used their batons to strike the inmate on the head several times, resulting in an injury, which was alleged to have been in violation of policy. After the inmate got on the ground, the second officer and a fourth officer allegedly used unreasonable force when they used pepper spray to get the inmate to place his hands behind his back after the inmate refused and kept his hands under his body.
DISPOSITION OF CASE	The hiring authority sustained the allegation against the first officer for failing to close the door to the inmate's cell and imposed a 5 percent salary reduction for 24 months. The first officer filed an appeal with the State Personnel Board. The hiring authority sustained the allegation against the second officer for leaving the first officer alone at the cell door and imposed a 5 percent salary reduction for six months. The second officer did not file an appeal with the State Personnel Board. The hiring authority did not sustain any allegations against the control booth officer but did order corrective action regarding procedures for opening doors when there are safety concerns. The hiring authority did not sustain any allegations against the fourth officer and determined the officer's actions were reasonable, given the inmate's refusal to comply with orders. Additionally, the hiring authority determined the officers used reasonable force in striking the inmate in the head after strikes to the body were ineffective to stop the inmate's violent assault which was potentially life-threatening to the officers.
APPEAL UPDATE	<b>On the date set for prehearing settlement conference at the State Personnel Board, the officer withdrew his appeal and the disciplinary action remained unchanged.</b>
<b>Case No. 11-0212 (Central Region)</b>	
FACTS OF CASE	On November 19, 2009, an officer allegedly violated department procedures when he removed the lock from a holding cell door without first restraining the inmate inside the cell. The inmate then assaulted the officer as he forced his way out of the cell, assaulted a second officer while he moved toward another inmate, and assaulted the other inmate. After the incident, a sergeant issued a counseling memorandum to the officer, allegedly to prevent more serious disciplinary action being imposed for the officer's actions and was dishonest by doing so. A lieutenant allegedly learned of the actions by the sergeant and failed to report these actions.
DISPOSITION OF CASE	The hiring authority sustained the allegation against the officer for violating department procedures when he failed to restrain an inmate prior to removing him from a holding cell and imposed a 10 percent salary reduction for 20 months. The officer filed an appeal with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the allegations that the sergeant issued the counseling memorandum for the purpose of circumventing the disciplinary process, or that the sergeant was dishonest. The hiring authority further determined there was insufficient evidence that the lieutenant failed to report alleged misconduct by the sergeant and officer.
APPEAL UPDATE	<b>The department and the officer entered into a settlement agreement. The department agreed to reduce the 10 percent salary reduction for 20 months to a 10 percent salary reduction for 15 months. The bureau found the agreement to be reasonable.</b>







## APPEALED CASES

<b>Case No. 11-0216 (North Region)</b>	
FACTS OF CASE	On or about November 2, 2009, a lieutenant allegedly failed to hear an inmate's rules violation report within the required 30 days. The lieutenant then allegedly falsified and back-dated the inmate's rules violation hearing report so that it would appear the hearing was timely.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the neglect of duty allegation for failing to meet required timeframes and issued a letter of reprimand. The hiring authority determined there was insufficient evidence to sustain the dishonesty allegation. The lieutenant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement in which the disciplinary action was removed from the lieutenant's personnel file 18 months after the effective date. The bureau found the settlement agreement to be reasonable.</b>
<b>Case No. 11-0218 (South Region)</b>	
FACTS OF CASE	On October 28, 2009, a parole agent was allegedly overly familiar with a parolee when he discussed personal facts about his life with her regarding his tattoos and his brother who had previously been incarcerated. Additionally, the parole agent allegedly failed to properly document the supervision of the parolee.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a 36 working-day suspension. The parole agent filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The department entered into a settlement agreement with the parole agent reducing the 36 working-day suspension to a 26 working-day suspension. The bureau found the agreement to be reasonable.</b>
<b>Case No. 11-0219 (North Region)</b>	
FACTS OF CASE	On October 27, 2009, a sergeant allegedly used unnecessary force by spraying an inmate with pepper spray when the situation warranted a planned use of force response.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation the sergeant's use of force was unreasonable and served the sergeant with a letter of reprimand. The sergeant filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>The sergeant withdrew his appeal to the State Personnel Board and the disciplinary action remained unchanged.</b>
<b>Case No. 11-0229 (North Region)</b>	
FACTS OF CASE	On August 4, 2009, an officer was arrested for domestic violence after he allegedly shoved, straddled and intimidated the victim by smashing a lamp next to her head. The officer also allegedly violated his probation for an earlier offense by engaging in this conduct.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. He filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>Due to evidentiary problems that developed after service of the disciplinary action, the department entered into a settlement agreement with the officer. The department agreed to reduce the dismissal to a suspension without pay for 13.5 months. The bureau found the agreement to be reasonable because of the evidentiary problems.</b>

**APPEALED CASES**

<b>Case No. 11-0232 (North Region)</b>	
FACTS OF CASE	On July 8, 2009, a supervising correctional counselor II submitted to a random drug test which was positive for the use of marijuana.
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and dismissed the correctional counselor II. The counselor filed an appeal with the State Personnel Board.
APPEAL UPDATE	<b>After a hearing, the State Personnel Board upheld the dismissal of the officer. The bureau concurred with the decision.</b>

**DEADLY FORCE CASES**

<b>Case No. 11-0001 (Headquarters)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 13, 2011, three inmates assaulted another inmate while on an exercise yard at the institution. Officers repeatedly ordered the inmates to stop fighting. The yard tower officer ordered all inmates on the yard to "get down" over the public address system; however, the assault continued. The tower officer fired one less-than-lethal rubber projectile toward the area around the fighting inmates but this action did not stop the assault. The tower officer then shot one lethal round, striking one of the assailants. This stopped the assault and the involved inmates got down onto the ground. Two inmate-manufactured weapons were recovered in the area of assault. One inmate received approximately 27 stab wounds and was treated at a local hospital. The inmate who was shot with the lethal round was transported by helicopter to a nearby trauma center. Both inmates were returned to the institution.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The Office of Internal Affairs conducted a criminal investigation into the use of deadly force. The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					













## DEADLY FORCE CASES

Case No. 11-0002 (Headquarters)		<i>Criminal Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	<p>On October 19, 2010, inmates on an exercise yard were ordered to return to their housing units due to heavy rains. While inmates were entering the housing unit, several inmates still on the yard began to fight. After numerous orders to stop fighting were ignored, a control booth officer discharged a lethal round in a nearby grassy area as a warning shot. The initial shot did not stop the fighting, causing the officer to fire a second lethal round as a warning shot. The inmates then ceased their fighting. At the same time, the control booth officer noticed several inmates were now fighting inside the housing unit. The officer then saw approximately 20 inmates run towards two inmates and begin attacking them. The officer noticed that one of the inmates being attacked ran away, leaving one inmate being attacked by 20 inmates. The officer saw an attacking inmate retrieve what he believed was a weapon and merge back into the large group. He then saw one of the assailants making overhead stabbing motions striking another inmate repeatedly in head and neck area. After orders to stop fighting were ignored, the officer fired one lethal round at the assailant, striking his left upper thigh. The officer saw another inmate continued making stabbing motions striking the inmate in the head and neck area. The officer then fired another lethal round at the assailant, striking him in the abdomen. All inmates then ceased fighting. The officer then focused his attention on several inmates attacking three inmates in another section of the housing unit. The officer's orders to cease fighting were followed by all but one inmate, who picked up a broken broomstick. Before the inmate could use it, the officer aimed his state issued rifle at the inmate and ordered him to get down, and the inmate complied. At that time staff was able to take control of the situation.</p>	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	<p>The Office of Internal Affairs conducted a criminal investigation into the use of deadly force. The case was referred to the district attorney's office, which declined to prosecute. The department also opened an administrative investigation, which the bureau accept for monitoring.</p>					
BUREAU ASSESSMENT	<p>Overall the department substantially complied with critical policies and procedures in this case. However, an official from the institution obtained a public safety statement from the officer, who had utilized the deadly force, outside the acceptable scope for such statements, potentially violating the officer's rights. The information from the statement was provided to the special agents involved in the case. The bureau identified the issue of the special agents possessing information from the overly broad public safety statement to the department within one week of the incident and continued to urge the department to reassign the case to a special agent without knowledge of information from the statement. The department delayed reassigning the case to a special agent not in possession of the information from the public safety statement until approximately 45 days later.</p>					













**DEADLY FORCE CASES**

<b>Case No. 11-0003 (Headquarters)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 15, 2010, a discharged parolee attempted to disrupt a class at a juvenile parole office. A parole agent and her supervisor made contact with the subject and asked him to leave. The subject left the premises but returned later when the class was on a break and began to approach the students who were outside. The subject was armed with a knife and had made threatening comments. The parole agent and her supervisor verbally told the subject to stop. The parole supervisor sprayed the subject with pepper spray but it appeared to have no effect. The supervisor then attempted to physically stop the subject when the subject punched the supervisor in the head. The civilian class instructor then tackled the subject, who began resisting and fighting the instructor and the supervisor. The parole agent continually gave verbal instructions to the subject to stop and get down. The subject then pulled a knife and began swinging it at close range at the instructor and parole supervisor who were attempting to subdue him. The parole agent ordered him to drop the knife. When that order was ignored and it appeared the parole supervisor and instructor were at risk, the parole agent fired one lethal round striking the subject in the upper thigh. The agent then kicked the knife away and outside law enforcement arrived and secured the scene. The subject was given immediate medical attention and taken to the hospital in custody.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The Office of Internal Affairs opened a criminal investigation, however despite repeated requests from the bureau, did not conduct any criminal investigative work into the parole agent's use of deadly force. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	The bureau recommended that the department conduct a full criminal deadly force investigation into the incident per policy. The Office of Internal Affairs believed that the outside law enforcement agency's criminal investigation into the actions of the discharged parolee that was attacking the department's staff was sufficient. Therefore, although a criminal deadly force investigation was opened by the department, it did not actually conduct an investigation into the parole agent's use of deadly force. The bureau disagreed with the department's decision and the department failed to comply with critical policies and procedures related to conducting a criminal investigation.					
<b>Case No. 11-0004 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 30, 2010, a parole agent and an outside law enforcement officer both shot at a pit bull who charged at them while they were executing a search warrant. The pit bull was struck, but survived. It was unknown which officer's bullet struck the pit bull.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found no violation of departmental policy, and the hiring authority subsequently exonerated the parole agent. The bureau concurred.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					





## DEADLY FORCE CASES

Case No. 11-0005 (Headquarters) <span style="float: right;"><i>Criminal Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On September 25, 2010, two inmates attacked another inmate. Responding staff used chemical agents in an attempt to stop the attack. The inmate, who was originally assaulted, began to choke one of his attackers to the point of unconsciousness. Staffs' baton use was unsuccessful in stopping the attack. A tower officer then discharged one lethal round which missed the intended target and struck the inmate being choked in the head. The inmate was immediately provided medical attention and life-saving efforts were initiated without success. The inmate was pronounced dead at the institution.	DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The Office of Internal Affairs conducted a criminal investigation into the use of deadly force. The matter was referred to the district attorney's office, which declined to prosecute. The department also opened an administrative investigation, which the bureau accepted for monitoring.				
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. The bureau recommended that the Office of Internal Affairs consult with the district attorney's office about inclusion of certain material in the investigative report, however, the department declined to do so.				
Case No. 11-0006 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On September 25, 2010, two inmates attacked another inmate. Responding staff used chemical agents in an attempt to stop the attack. The inmate, who was originally assaulted, began to choke one of his attackers to the point of unconsciousness. Staffs' baton use was unsuccessful in stopping the attack. A tower officer then discharged one lethal round which missed the intended target and struck the inmate being choked in the head. The inmate was immediately provided medical attention and life-saving efforts were initiated without success. The inmate was pronounced dead at the institution.	DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found that the discharge of the lethal round was in compliance with the department's use-of-force policy. Based on the finding, the hiring authority subsequently exonerated the officer and the bureau concurred.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.				
Case No. 11-0007 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On August 27, 2010, a riot erupted in an exercise yard involving as many as 400 inmates in multiple areas of the yard. Responding officers fired multiple gas grenades and chemical agents. Additionally, in response to observing inmates on the ground being attacked who appeared to be defenseless, a tower officer fired three lethal warning shots and four lethal rounds. The four lethal rounds were shot into different areas of the yard and struck five inmates as one round hit more than one inmate. Eventually staff was able to quell the riot. The injured inmates were transported to local hospitals for treatment.	DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found no violation of departmental policy, and the hiring authority subsequently exonerated the officer. The bureau concurred.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.				

## DEADLY FORCE CASES





Case No. 11-0008 (Central Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On June 28, 2010, a tower officer observed two inmates attacking a third inmate with what appeared to be a stabbing weapon on an exercise yard. The officer fired a single lethal round at one of the assailants from his state-issued rifle. Although the shot missed, before he could fire a second round, other officers on the yard arrived at the scene of the fight and controlled the assailants. A stabbing instrument was recovered near the scene of the attack, and the injured inmate sustained multiple serious injuries from the stabbing.	DISPO	INV	ADV	HA
					
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found no violation of department policy. Subsequently, the hiring authority determined that the discharge of the firearm was within policy and the bureau concurred.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all three components of the process in this case.				
Case No. 11-0009 (South Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On June 15, 2010, two cellmates were involved in a fight inside their locked cell. When officers heard noises coming from the cell, they looked in and saw one inmate with the other inmate in a chokehold. Officers ordered the combatants to cease their fighting and to lie on the ground, but they did not stop. An officer opened the food port and deployed one two-second burst of pepper spray into the face of the inmate who was choking his cellmate. The fight stopped and both inmates were taken to separate showers for decontamination. The inmate who was sprayed in the face eventually complained that he was having trouble breathing and life-saving measures were initiated. The inmate was subsequently transferred to a local hospital for medical attention, where he was pronounced dead.	DISPO	INV	ADV	HA
					
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found no violation of departmental policy, and the hiring authority subsequently exonerated the officer. The bureau concurred.				
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. The Office of Internal Affairs conducted a thorough investigation of the case. However, the report was not timely completed as it was finished approximately five months after the special agent was assigned to the investigation, rather than within 90 days as required by the department's deadly force team investigation procedures. Additionally, the special agent failed to notify the bureau regarding interviews being conducted and did not provide the final report until after requested by the bureau. Overall the department substantially complied with critical policies and procedures for the hiring authority component in this case.				
Case No. 11-0010 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On May 13, 2010, two inmates attacked a third inmate while on an exercise yard. The assailants appeared to be stabbing the other inmate, who was on the ground and appeared to be unable to defend himself. An officer fired a less-than-lethal round in an attempt to stop the attack, striking one of the attackers in the left thigh area. The attack continued. The officer then fired one lethal round which did not strike anyone, but thereafter the attack ended.	DISPO	INV	ADV	HA
					
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found no violation of departmental policy, and the hiring authority subsequently exonerated the officer. The bureau concurred.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.				

**DEADLY FORCE CASES**





<b>Case No. 11-0011 (Headquarters)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 6 and April 14, 2010, officers used physical force on an inmate by forcing him to the ground. After the use of force on April 14, 2010, the inmate complained of severe neck and back pain. He was taken to a local hospital and an x-ray showed he suffered broken ribs. The inmate died on June 3, 2010. The medical examiner opined that the death was due to infection due to multiple blunt force injuries from a physical altercation with other contributing conditions. The medical examiner ruled the death a homicide.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The Office of Internal Affairs opened a criminal investigation into the use of force. The matter was referred to the district attorney's office, which declined to prosecute. The department also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Once the Office of Internal Affairs became aware of the alleged misconduct, a deadly force investigation was initiated. Ultimately, the investigation overall substantially complied with critical policies and procedures in this case. However, the Office of Internal Affairs initially did not complete the required interviews within 72 hours as required by policy, nor did the department plan to interview three relevant witnesses. With the bureau's urging the Office of Internal Affairs agreed to include the three witnesses; however, the department subsequently decided not to interview a total of six witnesses, including the three the Office of Internal Affairs had previously agreed to interview. The bureau believed these witnesses should have been interviewed. These six witnesses were: a nurse who medically cleared the inmate following a cell extraction conducted the same day that one incident of force in question occurred; a nurse who evaluated the inmate when he complained of rib and back pain; a social worker to whom the inmate reported dissatisfaction with his housing assignment and voiced an intent to kill himself; a psychiatrist that interviewed the inmate following one of the use of force applications in question; an officer who released the inmate from a cell following one of the incidents in question; and, an officer that performed frequent checks on the inmate while he was in a holding cell after force was used. The bureau again recommended that the Office of Internal Affairs conduct a thorough investigation including interviewing these six witnesses, and raised the issue within the Office of Internal Affairs' management structure. Ultimately, with the bureau's continued urging, the Office of Internal Affairs agreed and interviewed the appropriate witnesses.					











## DEADLY FORCE CASES

Case No. 11-0012 (North Region)		Administrative Case	BUREAU ASSESSMENT			
FACTS OF CASE	<p>On April 6 and April 14, 2010, officers used physical force on an inmate by forcing him to the ground. After the use of force on April 14, 2010, the inmate complained of severe neck and back pain. He was taken to an outside hospital and an x-ray showed he suffered broken ribs. The inmate died on June 3, 2010. The medical examiner opined that the death was due to infection due to multiple blunt force injuries from a physical altercation with other contributing conditions. The manner of death was ruled a homicide.</p>	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	<p>The department's independent Deadly Force Review Board found no violation of department policy and the hiring authority subsequently exonerated the officers. The bureau concurred.</p>					
BUREAU ASSESSMENT	<p>The hiring authority did not timely refer the matter to the Office of Internal Affairs. The hiring authority discovered the alleged misconduct on April 14, 2010, but did not refer the case to the Office of Internal Affairs until November 22, 2010, more than seven months after discovery. Once the Office of Internal Affairs became aware of the alleged misconduct, an investigation was initiated. However, the Office of Internal Affairs initially did not plan to interview three relevant witnesses. With the bureau's urging, the Office of Internal Affairs agreed. However, the department subsequently decided not to interview a total of six witnesses, including the three the Office of Internal Affairs had previously agreed to interview. The bureau believed these witnesses should have been interviewed. These six witnesses were: a nurse who medically cleared the inmate following a cell extraction conducted the day that one incident of force in question occurred; a nurse who evaluated the inmate when he complained of rib and back pain; a social worker to whom the inmate reported dissatisfaction with his housing assignment and voiced an intent to kill himself; a psychiatrist that interviewed the inmate following one of the use of force applications in question; an officer who released the inmate from a cell following one of the incidents in question; and an officer that performed frequent checks on the inmate while he was in a holding cell after force was used. The bureau once again recommended that the Office of Internal Affairs conduct a thorough investigation including interviewing these six witnesses and raised the issue with the Office of Internal Affairs' management structure. Ultimately, with the bureau's continued urging the Office of Internal Affairs agreed and interviewed the appropriate witnesses. However, the Office of Internal Affairs did not complete the investigation until 34 days prior to the deadline for taking disciplinary action, which was not sufficient time for the hiring authority to make a determination regarding the allegations and take action if appropriate. Overall the department substantially complied with critical policies and procedures for the advocacy component, even though the department attorney did not attend interviews of seven officers, three nurses and one doctor, all of whom were key witnesses.</p>					

**DEADLY FORCE CASES**

<b>Case No. 11-0013 (South Region)</b>		<i>Administrative Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 1, 2010, special agents from the Office of Correctional Safety assisted outside law enforcement officers with the service of a search warrant when a parolee exited her residence and released a pit bull. The pit bull charged at the special agents, one agent fired one round from his shotgun and another agent fired one round from his .40 caliber hand gun. The shotgun round struck the dog in the right side, killing the dog and preventing an attack.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found that the discharges of the lethal rounds were in compliance with the department's use-of-force policy. The hiring authority subsequently exonerated the agents and the bureau concurred.								
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. However, even though the Office of Internal Affairs conducted a thorough investigation; the investigation was not completed within 90 days of the incident, as required by policy. The hiring authority also delayed in proceeding with the disciplinary process. The Deadly Force Review Board issued its findings on December 1, 2010, and despite attempts by the bureau in December 2010 and January 2011 to schedule a disciplinary findings conference, the hiring authority did not hold the conference until March 14, 2011.								

## DEADLY FORCE CASES

<b>Case No. 11-0014 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	<p>On February 9, 2010, three inmates engaged in a fight involving weapons on an exercise yard. Officers utilized pepper spray, which caused one inmate to comply with orders to stop fighting, but the two remaining inmates continued to stab each other with weapons. The tower officer fired two less-than-lethal projectiles with no effect. The tower officer then fired one lethal round from a rifle for effect, but the shot missed its intended target. The officer transitioned back to the less-than-lethal weapon, as she did not have a clear shot of the aggressors thus feared hitting the inmate being attacked, and fired one more projectile, still with no effect. The officer then transitioned back to the rifle, and fired two lethal rounds for effect. After the second shot, the inmates complied with orders to stop fighting. One of the rounds ricocheted off a sidewalk, fragmented, and a bullet fragment struck an uninvolved inmate in the eye. The inmate with the eye injury was transported to a local hospital for surgery. Another of the inmates involved in the fight was transported to a local hospital for multiple lacerations and puncture wounds to his head and back.</p>	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	<p>The department's independent Deadly Force Review Board found that the discharges of the lethal rounds were in compliance with the department's use-of-force policy. The hiring authority subsequently exonerated the officer and the bureau concurred. The institution's use of force committee examined all other uses of less-than-lethal force and found them to be within policy.</p>					
BUREAU ASSESSMENT	<p>The department reached a reasonable disposition in this case. However, the special agent did not complete the investigation within 90 days as required. Additionally, the Office of Internal Affairs conducted administrative and criminal investigations concurrent with each other. However, each of the investigators conducted separate interviews of individual inmates, and then exchanged interviews later; therefore, allowing for potential cross over of information and each only attending some interviews. The department attorney did not provide written confirmation summarizing critical discussions with the assigned investigator regarding his report to the bureau, and did not actively seek to have this investigation completed in a timely fashion. Overall the department substantially complied with critical policies and procedures for the hiring authority component in this case.</p>					
<b>Case No. 11-0015 (North Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	<p>On January 26, 2010, an officer saw eight inmates fighting on the exercise yard. The inmates did not respond to verbal commands, pepper spray or less-than-lethal rounds. The tower officer fired two lethal warning shots into the yard wall with negative results. The tower officer then fired one lethal shot for effect. The shot missed the intended target but stopped the fight.</p>	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	<p>The department's independent Deadly Force Review Board found that the discharge of the lethal round complied with the department's use-of-force policy. The hiring authority subsequently exonerated the officer and the bureau concurred.</p>					
BUREAU ASSESSMENT	<p>The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.</p>					

## DISTINGUISHED CASES

Case No. 11-0016 (North Region) <span style="float: right;"><i>Direct Action Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On June 14, 2011, a sergeant from the institution's investigative services unit allegedly contacted a deputy district attorney at home to discuss a case which was under investigation. The warden had previously ordered the sergeant to not contact the deputy district attorney regarding the case, and not discuss the case with him.	★	●	●	●
DISPOSITION OF CASE	The hiring authority sustained the allegation and served the sergeant with a letter of instruction.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				
Case No. 11-0017 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On January 25, 2011, a clinical social worker was allegedly conspiring with an inmate to introduce drugs into the institution. The employee was also allegedly dishonest in his investigatory interview.	★	●	●	●
DISPOSITION OF CASE	The hiring authority sustained the allegations and served the social worker with a dismissal and a rejection during probationary period. However, pursuant to a settlement agreement, the employee resigned and agreed to never seek employment with the department in the future.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, a deviation occurred because the department attorney was unable to attend the subject interview due to scheduling conflicts caused by this accelerated investigation.				
Case No. 11-0018 (Headquarters) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On November 8, 2010, allegedly while executing a search warrant, special agents inappropriately held a female juvenile at gunpoint and made sexual comments about her breasts as she dressed. A special agent also allegedly falsified his sworn statement to a magistrate to obtain a search warrant.	★	●	●	●
DISPOSITION OF CASE	The hiring authority determined the allegations were unfounded.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				









**DISTINGUISHED CASES**

<b>Case No. 11-0019 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 3, 2010, a telephone conference call was conducted by a federal court monitoring team overseeing the department's compliance with a federal court order involving mental health services being provided to inmates. During the call, monitors indicated that the inmates housed at the institution made allegations of staff abuse, neglect, and inappropriate use of force while housed in the institution's administrative segregation unit.		DISPO	INV	ADV	HA
DISPOSITION OF CASE	An investigation failed to identify any staff members engaged in inmate abuse, neglect, or inappropriate use of force; therefore, no subjects were identified and no allegations were sustained.		★	●	●	●
BUREAU ASSESSMENT	Although the monitoring team did not identify the staff allegedly engaged in misconduct or the complaining inmates, the department moved swiftly after learning about the allegations made in this case. The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					
<b>Case No. 11-0020 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 14, 2010, a parole agent allegedly told a parolee's mother that law enforcement officers were coming to her house to conduct a search. The parolee allegedly left immediately prior to law enforcement's arrival.		DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegations.		★	●	●	●
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					
<b>Case No. 11-0021 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 25, 2010, a sergeant allegedly coerced a subordinate officer to sign an inmate rules violation report regarding an incident that the officer did not personally witness.		DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain allegations of dishonesty and misuse of authority. However, the hiring authority determined that there was sufficient evidence to sustain the allegation of neglect of duty for failure to identify and direct the appropriate employee to complete and sign the rules violation report as required. The hiring authority ordered the sergeant to receive training regarding policies and procedures for reporting inmate misconduct.		★	●	●	●
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					









**DISTINGUISHED CASES**

<b>Case No. 11-0022 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 20, 2010, it was discovered that a lieutenant was allegedly dishonest by stating in an inmate rules violation hearing report that a hearing was held, when in fact no hearing was ever held. Further, the lieutenant allegedly forged the signature of another lieutenant in related paperwork.		★	●	●	●
DISPOSITION OF CASE	The hiring authority sustained the allegations and decided to demote the lieutenant from the rank of lieutenant to officer. However, prior to the disciplinary action being effective, the lieutenant retired from state employment. A letter noting that he retired pending disciplinary action was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					
<b>Case No. 11-0023 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 16, 2010, an off-duty officer was arrested for domestic violence. He allegedly grabbed the victim, hit and slapped her, then dragged her across the room by the arms.		★	●	●	●
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation of other failure of good behavior. As there were indications of mutual combat and excessive drinking by both parties, the hiring authority issued the officer a letter of reprimand. He did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					

### DISTINGUISHED CASES









<b>Case No. 11-0024 (Central Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT						
FACTS OF CASE	On July 12, 2010, an inmate broke the window in his cell, out of anger, after being told he and his cellmate were being moved. Following the application of pepper spray, officers allegedly ordered the first inmate to crawl out of the cell and dragged him through the broken glass. Once outside the cell, a sergeant allegedly stepped on the first inmate's head and chest while the inmate was on the ground. The first inmate was escorted to a patio area where two officers allegedly slammed the first inmate against a table and one of the officers struck him in the face three or four times. A second inmate alleged that officers slammed the first inmate's head into the cement floor several times and used their batons on the first inmate. A third inmate, who witnessed the officers assaulting the first inmate, alleged that the officer who struck the first inmate in the face, handcuffed the third inmate very tightly, causing injury, escorted the third inmate to the patio area, slammed the third inmate onto a table and verbally abused the third inmate. It was further alleged that the sergeant and five officers lied in their reports about the uses of force.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain any of the allegations as the only witnesses had significantly different stories about the alleged incident and no physical or medical evidence supported the allegations. However, the sergeant who instructed the officer to escort the inmate and the officer who escorted the inmate to the patio area received training regarding proper escort procedure after having had a confrontation with the inmate.								
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, a deviation occurred because the hiring authority's review of the investigation and findings determinations occurred more than 14 calendar days after the receipt of the final report.								
<b>Case No. 11-0025 (North Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT						
FACTS OF CASE	On June 6, 2010, an off-duty officer was arrested for allegedly committing sex acts on a minor. The officer also allegedly failed to report his arrest to the institution.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The officer was non-punitively separated from the department for being absent without leave while incarcerated. After the investigation was completed, the hiring authority sustained the allegations and dismissed the officer. He did not file an appeal with the State Personnel Board.								
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.								

### DISTINGUISHED CASES

<b>Case No. 11-0026 (North Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On June 2 , 2010, a sergeant, lieutenant, and captain allegedly neglected their duties and failed to follow policy when they allowed an inmate who should have been single celled to be housed with another inmate. That inmate subsequently killed his cell mate the same day they were housed together.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against any of the employees.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all three components of the process in this case. However, during this case, the bureau brought to the department's attention the serious nature of the practice used by the staff at the institution for housing review. In this case, staff essentially relied upon computer data that was incomplete and not updated when the housing decision was made. Moreover, it had become custom and practice for staff not to perform file reviews and instead, rely primarily on computer information for housing determinations. After consultation with the bureau regarding the serious nature of this issue, the institution instituted changes to policies to ensure that documentary reviews are performed in conjunction with reviewing computer information.					
<b>Case No. 11-0027 (Central Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On June 1, 2010, an officer allegedly used unreasonable physical force against an inmate by kicking out his leg during a search. The kick was in retaliation for the inmate being disrespectful to the officer earlier in the day. A second officer was alleged to have observed the actions of the first officer and then failed to report the use of force.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The hiring authority sustained the allegation that the first officer engaged in an unreasonable use of force likely to cause injury, and imposed a 15 working-day suspension. The hiring authority did not sustain any allegations against the second officer as the investigation revealed he was not in a position to see what happened. The hiring authority and the officer settled the matter by reducing the penalty to a 12 working-day suspension and the officer waived any appeal to the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					



### DISTINGUISHED CASES

<b>Case No. 11-0028 (Central Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On May 28, 2010, an officer allegedly used unreasonable force on an inmate by kicking him while he was handcuffed and prone on the ground. The officer then also allegedly failed to report his use of force. It was further alleged that two sergeants, a correctional counselor, and seven other officers were present and failed to report the use of force.		DISPO	INV	ADV	HA
						
DISPOSITION OF CASE	The hiring authority sustained the allegation that the officer did in fact kick the inmate and failed to report his use of force, thus, imposed a 10 percent salary reduction for 12 months. The officer filed an appeal with the State Personnel Board. The hiring authority also sustained allegations that one of the sergeants failed to report the officer's use of force and imposed a 5 percent salary reduction for 24 months. The sergeant filed an appeal with the State Personnel Board. The hiring authority further sustained allegations that the second officer failed to report the first officer's use of force, but imposed no discipline because the officer had already resigned from state service. The hiring authority determined there was insufficient evidence to sustain any of the allegations against the second sergeant, the correctional counselor, or the remaining six officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					
<b>Case No. 11-0029 (Central Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On May 11, 2010, an inmate, who was on his knees while being handcuffed, reached behind him and slapped a correctional counselor's arm. In response, the correctional counselor struck the inmate in the head with his pepper spray canister, causing a head wound requiring sutures. It was alleged the correctional counselor's use of force was unnecessary and unreasonable and in violation of the department's policy and procedures. Additionally, it was alleged the correctional counselor was dishonest about his conduct during his interview with the Office of Internal Affairs.		DISPO	INV	ADV	HA
						
DISPOSITION OF CASE	The hiring authority sustained the allegations and determined the appropriate penalty to be dismissal. However, the correctional counselor resigned before being served with the notice of dismissal. A copy of the notice of the dismissal was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					









**DISTINGUISHED CASES**

<b>Case No. 11-0030 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 5, 2010, a lieutenant allegedly punched and choked an inmate after the inmate threw water at an officer. It was also alleged that the lieutenant intentionally allowed time constraints on the inmate's disciplinary hearing to pass in exchange for the inmate not reporting the battery. Further, the lieutenant was allegedly dishonest in his investigatory interview. Additionally, another officer allegedly held the inmate while the lieutenant punched and choked him, while other officers allegedly witnessed the force and failed to report it. Yet, another officer allegedly heard the lieutenant tell the inmate to keep his mouth shut or he would make his life difficult but failed to report it.	★	●	●	●	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations that the lieutenant made verbal threats towards an inmate, circumvented the inmate disciplinary process, and was negligent in his duties by failing to document the inmate's battery against an officer. Additionally, the hiring authority sustained an additional allegation that the lieutenant was dishonest in his investigative interview and served the lieutenant with a dismissal. The lieutenant retired before the disciplinary action took effect. A letter indicating he retired pending disciplinary action was placed in his official personnel file. The hiring authority determined there was insufficient evidence to sustain the allegations against the officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					
<b>Case No. 11-0031 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 3, 2010, an officer on temporary leave from an institution allegedly was overly familiar with parolees when he worked at a relative's facility that housed parolees. The officer also allegedly failed to obtain permission for secondary employment from the hiring authority. It was further alleged that the officer was dishonest during his interview.	★	●	●	●	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					

**DISTINGUISHED CASES**

<b>Case No. 11-0032 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 17, 2010, an officer allegedly falsified a rules violation report charging three inmates with possession of alcohol they did not manufacture or possess. He then allegedly disposed of the inmate-manufactured alcohol without supervisory approval in violation of policy. Further, the officer allegedly was dishonest in his investigative interview with the Office of Internal Affairs about conducting cell searches which led to his discovery of the alcohol allegedly in the inmates' possession.	★	●	●	●	
DISPOSITION OF CASE	The hiring authority initially determined there was sufficient evidence to sustain the allegations against the officer and served him with a notice of dismissal. However, additional information was subsequently discovered that demonstrated the officer had not been dishonest; therefore, the disciplinary action was withdrawn and the allegations were not sustained.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all three components of the process in this case. Despite appropriate efforts during the investigation, the cell search logs could not be located and the hiring authority deemed the investigation insufficient. However, based on the case circumstances additional investigation was not requested. Subsequently, the missing cell search logs were located and revealed the officer did in fact search all cells as indicated in his interview. Additionally, it was discovered that no policy existed requiring the officer not to dispose of the inmate-manufactured alcohol he discovered in the search. Therefore, the bureau agreed with the department that the disciplinary action be withdrawn.					
<b>Case No. 11-0033 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 10, 2010, a sergeant allegedly kissed an inmate, rubbed her back, and grabbed her buttocks.	★	●	●	●	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the sergeant. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, the case could have proceeded more efficiently had the Office of Internal Affairs not unnecessarily transferred the case between special agents. This case began with a criminal investigation; however as that investigation progressed it became clear that the case would not be referred to the district attorney's office. Instead of having the agent assigned to the criminal case close it and proceed with this administrative case, the Office of Internal Affairs assigned a new agent unfamiliar with the case, who had to then learn about the case which caused a delay.					

### DISTINGUISHED CASES

<b>Case No. 11-0034 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On March 23, 2010, various officers allegedly committed multiple policy violations during a transportation of an inmate. On March 29, 2010, a sergeant reported the alleged violations. Subsequently, a second sergeant allegedly made inappropriate remarks to the first sergeant about the reporting of the misconduct. Furthermore, a lieutenant and a captain allegedly harassed and retaliated against the first sergeant for reporting the misconduct and the lieutenant allegedly made an inappropriate remark when he referred to her as "sergeant Botox" in front of subordinates.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation that an officer was negligent in opening a gate entrance while an armed sergeant was in the sally port relative to the transportation of the inmate and issued a letter of instruction. The hiring authority determined there was insufficient evidence to sustain the allegations against the other officers involved in the transportation of the inmates, as well as the sergeant and captain. However, the hiring authority determined there was sufficient evidence to sustain the allegation of discourteous treatment by the lieutenant and imposed a 5 percent salary reduction for 12 months. However, following a Skelly hearing, the hiring authority agreed to reduce the penalty to a 5 percent salary reduction for three months and the lieutenant agreed not to file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, a deviation occurred as the hiring authority failed to provide forms to the bureau documenting the findings and penalty assessed in this case.					
<b>Case No. 11-0035 (Central Region)</b>		<i>Direct Action Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On March 15, 2010, it was alleged that a captain misused state equipment by photocopying large numbers of confidential documents, and removing them from the institution. The captain was also allegedly discourteous to fellow employees by making demeaning comments to them regarding work performance. It was further alleged that the captain disobeyed a directive from an associate warden to continue work on a project. Finally, the captain was allegedly dishonest when questioned by the warden about the removal of the documents from the facility, and insubordinate when he failed to return the documents as directed by the warden.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The hiring authority sustained allegations that the captain was insubordinate in that he failed to follow the directions of the associate warden and made misleading statements to the warden when questioned about the removal of the documents. The hiring authority determined there was insufficient evidence to sustain any of the remaining allegations. The hiring authority demoted the captain to correctional counselor II. The captain filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					













### DISTINGUISHED CASES

Case No. 11-0036 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On March 7, 2010, an officer allegedly failed to properly complete security checks on an inmate, who attempted to commit suicide and later died from his injuries. A nurse and another officer allegedly failed to follow procedures for entering the cell to treat the inmate.	DISPO	INV	ADV	HA
		★	●	●	●
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegations against the officers or the nurse.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				
Case No. 11-0037 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On March 2, 2010, a sergeant allegedly committed a battery by poking an inmate on the stomach with his finger. The sergeant did not document the incident and reportedly threatened the inmate to prevent him from reporting the act.	DISPO	INV	ADV	HA
		★	●	●	●
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the sergeant.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				
Case No. 11-0038 (Central Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On February 18, 2010, a captain, a lieutenant, two sergeants, and a correctional counselor were allegedly informed of an enemy situation between two inmates, failed to document the information, neglected to review the inmates' files, and housed them together. One inmate then killed the other.	DISPO	INV	ADV	HA
		★	●	●	●
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain allegations against the lieutenant and two sergeants for failing to review the central files of the two inmates before housing them together. The two sergeants received 10 percent salary reductions for 24 month and the lieutenant received a 5 percent salary reduction for 6 months as he was recently promoted before this incident and did not clearly receive all training on this issue before this incident. The lieutenant and one sergeant appealed to the State Personnel Board. The hiring authority did not sustain an allegation against the captain and another officer for failure to document the enemy concerns because it was not established that they had the information.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, deviations occurred, when the investigator did not timely provide interview tapes requested by the bureau and failed to timely enter case investigation activities into the case management system.				





### DISTINGUISHED CASES

Case No. 11-0039 (South Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On February 1, 2010, a parole agent allegedly received a sexual favor from a parolee in exchange for not reporting that the parolee tested positive for drug usage. The parole agent also allegedly failed to properly document the positive drug test in order for the parolee to avoid a parole revocation.	DISPO	INV	ADV	HA
		★	●	●	●
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				
Case No. 11-0040 (Central Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On January 24, 2010, an officer allegedly used unnecessary force on an inmate by forcing the handcuffed inmate to the ground head first, causing injuries to the inmate's forehead, nose and knees. It was also alleged that the officer was dishonest about his conduct in a written report and during his interview with the Office of Internal Affairs.	DISPO	INV	ADV	HA
		★	●	●	●
DISPOSITION OF CASE	The hiring authority sustained the allegations and served the officer with a notice of dismissal. However, the officer had already been dismissed in connection with an unrelated case prior to being served with this action. A copy of the disciplinary action in this matter was placed in the officer's official personnel file.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				
Case No. 11-0041 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On January 21, 2010, an inmate alleged that an officer was bringing drugs into the institution in exchange for money from inmate family members.	DISPO	INV	ADV	HA
		★	●	●	●
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the officer, who filed an appeal with the State Personnel Board.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				
Case No. 11-0042 (Central Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On January 21, 2010, an officer allegedly kicked an inmate who was sitting on the floor, with his hands in restraints. As the officer walked by the inmate, he allegedly raised his knee and kicked backwards, striking the inmate in the upper torso and face, then continued walking.	DISPO	INV	ADV	HA
		★	●	●	●
DISPOSITION OF CASE	The hiring authority sustained the allegations that the officer used unreasonable force which was likely to cause serious injury and dismissed the officer. The officer filed an appeal with the State Personnel Board.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				

## DISTINGUISHED CASES









Case No. 11-0043 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On October 31, 2009, a sergeant allegedly used unnecessary force by using pepper spray on an inmate and conducting an emergency cell extraction to forcibly remove an inmate from the cell. It was also alleged that a lieutenant authorized the emergency cell extraction when the situation warranted a planned cell extraction.	DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation that the lieutenant failed to perform within the scope of training and that the sergeant failed to follow department procedures in conducting a cell extraction. The lieutenant and sergeant each received a letter of reprimand. The lieutenant and sergeant each filed an appeal with the State Personnel Board.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.				
Case No. 11-0044 (North Region) <span style="float: right;"><i>Administrative Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On October 3, 2009, an officer, while off duty, was allegedly discourteous, disruptive, offensive and vulgar when he instigated a fight resulting in the use of weapons with multiple assaults and injuries. Also on October 3, 2009, the officer allegedly misused his authority by identifying himself as an officer to outside law enforcement and was allegedly dishonest by providing false information to outside law enforcement regarding the circumstances of the incident. Further, during the investigatory interview, the officer was allegedly dishonest by providing false information to the Office of Internal Affairs.	DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations of discourteous treatment and misuse of authority and imposed a 60 working-day suspension. However, after a Skelly hearing, the hiring authority agreed to settle the case for a 10 percent salary reduction for 24 months and the officer agreed not to file an appeal with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the dishonesty allegations.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, a deviation occurred when despite being notified, the department attorney failed to attend the Skelly hearing.				
Case No. 11-0045 (North Region) <span style="float: right;"><i>Direct Action Case</i></span>		BUREAU ASSESSMENT			
FACTS OF CASE	On August 17, 2009, and July 3, 2010 an officer was allegedly dishonest when he forged a doctor's signature and falsified a request under the Family Medical Leave Act.	DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained both allegations and decided that dismissal would be appropriate; however, the officer resigned before completion of the investigatory process and before the dismissal could be served. A letter indicating the officer resigned under adverse circumstances placed in his official personnel file.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, a deviation occurred because the departments attorney did not provide written confirmation of the penalty discussions to either the hiring authority or the bureau as required.				

### DISTINGUISHED CASES









Case No. 11-0046 (South Region)		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	<p>From June through July 2009, an officer was allegedly overly familiar with an inmate and introduced tobacco and mobile phones into the institution. He also allegedly dissuaded witnesses from coming forward with information and lied during his interview with the Office of Internal Affairs. In October 2010, the officer allegedly showed inmates a picture of a rat with the words "Dirty Rat Bastard" written on it, posted it in the building, and posted it on the on the officer podium. Another officer allegedly wrote an anonymous note regarding the alleged conduct in which he portrayed the note to be from an inmate, then submitted it to the investigative services unit.</p>	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	<p>The hiring authority determined there was sufficient evidence to sustain the allegations against that the officer was overly familiar with the inmate, brought in contraband, dissuaded inmates and staff from reporting misconduct, and lied during his interview with the Office of Internal Affairs and dismissed him. However, following a Skelly hearing, the hiring authority agreed to reduce the penalty to a 10 percent salary reduction for 26 months and the officer agreed not to file an appeal with the State Personnel Board. The hiring authority sustained the allegation against the other officer who wrote the note and imposed a 10 percent salary reduction for 10 months. However, following a Skelly hearing, the hiring authority agreed to reduce the penalty to a 10 percent salary reduction for six months and the officer agreed not to file an appeal with the State Personnel Board.</p>					
BUREAU ASSESSMENT	<p>The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, initially, the Office of Internal Affairs rejected the case for investigation. When the case again later came to the Office of Internal Affairs, the intake unit only identified a misconduct allegation related to contraband and not one for conduct related to the "Dirty Rat Bastard" allegation. The bureau insisted an allegation be added to address the code of silence type conduct and strenuously argued that the case should be opened for an investigation; the department attorneys did not initially insist that the matter be investigated. After much discussion and the bureau mentioning that the federal court would be concerned with the department's position, the Office of Internal Affairs finally agreed to open the investigation. Once opened, the investigation was thorough.</p>					







### DISTINGUISHED CASES

<b>Case No. 11-0047 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On April 21, 2009, it was alleged that a licensed vocational nurse was overly familiar with an inmate. The nurse also allegedly failed to notify the hiring authority about her subsequent marriage to the inmate on March 27, 2010, and then was dishonest during her interview with the Office of Internal Affairs when she denied knowing the inmate or visiting the inmate. It was further alleged that she introduced drugs into the institution.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained all allegations, except that the licensed vocational nurse introduced drugs into the institution, and imposed a penalty of dismissal. The licensed vocational nurse, however, resigned from state service before the disciplinary action took effect. A letter indicating the licensed vocational nurse resigned pending disciplinary action was placed in her official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. While the Office of Internal Affairs conducted a thorough investigation, the case could have proceeded more efficiently as nearly a year elapsed before the first witness was interviewed.					
<b>Case No. 11-0048 (Central Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On March 21, 2009 an officer allegedly pinned another officer against a desk, grabbed her belt, turned her towards him, touched her inappropriately on her breasts and genitals, and placed her hand on his erect penis. The officer also allegedly brought a mobile phone into the institution in violation of departmental policy.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegation related to bringing a contraband mobile phone into the institution. Allegations of sexual misconduct were not sustained because the hiring authority determined no sexual misconduct occurred. Outside law enforcement determined there was insufficient evidence to believe a crime had occurred, the district attorney's office declined to file criminal charges, and the sexual conduct was found to be consensual. The hiring authority did sustain an allegation that the officer was distracted from his duties and issued him a letter of reprimand, which he did not appeal to the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case.					





### DISTINGUISHED CASES

<b>Case No. 11-0049 (Headquarters)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On June 4, 2008, a correctional counselor allegedly was dishonest at a State Personnel Board hearing. Previously, on April 20, 2007, the Office of Internal Affairs interviewed the correctional counselor regarding a use of force that the correctional counselor was involved in on May 24, 2006. During the interview, the correctional counselor disclosed the identity of the officer who assisted him in the escort of an inmate. On June 4, 2008, at a State Personnel Board hearing regarding the use of force incident, the correctional counselor testified under oath that he was not sure which officer assisted him in the May 2006 escort, but that he was certain that it was not the officer he originally identified to the Office of Internal Affairs.		DISPO	INV	ADV	HA
						
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and dismissed the correctional counselor, who filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, deviation occurred as the department attorney did not provide written confirmation of critical discussions about the investigative report to the investigator and bureau.					
<b>Case No. 11-0050 (Headquarters)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	In May 2008, a staff counsel, who was employed as a department attorney, allegedly failed to correctly calculate the time in which disciplinary action could be taken in case assigned to her. In October 2009, the staff counsel also allegedly failed to notify the employee relations officer that a hearing had been continued which caused the employee relations officer to spend several days unnecessarily preparing for the hearing. Additionally, in December 2009, the staff counsel allegedly provided improper advise to a warden to reduce the penalty in a discipline case and then lied to her supervisor, an assistant chief counsel, by advising her the chief counsel had approved the penalty reduction. Further, it was alleged that the staff counsel was rude and discourteous to personnel services staff when she was addressing discrepancies in her payroll check.		DISPO	INV	ADV	HA
						
DISPOSITION OF CASE	The hiring authority sustained the allegations. This case was combined with another unrelated case pending against the staff counsel and the hiring authority dismissed the staff counsel. An appeal was filed with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for all components of the process in this case. However, a deviation occurred when the bureau was not provided with the disciplinary forms as required. Additionally, a department attorney, who worked in the same office as the subject staff counsel, was assigned to work on this case. The bureau recommended that the department not have the department attorney involved in the investigation, however, the department declined to accept the recommendation. Once assigned, the department attorney appropriately handled the case.					





### DEFICIENT CASES

Case No. 11-0051 (Central Region)		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On July 29, 2010, a lieutenant and three officers allegedly threatened, intimidated, harassed and retaliated against a fourth officer after he reported an incident that happened at the prison earlier that day. The lieutenant allegedly confronted the fourth officer and chastised him for reporting the incident. One officer allegedly threatened the fourth officer for reporting the incident. A second officer allegedly referred to the fourth officer as a "rat" to other staff members when discussing the report of the incident. A third officer allegedly made derogatory statements about the fourth officer over the institutional radio.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained the allegation of discourtesy against the second officer for referring to the fourth officer as a "rat" to other staff members when discussing the report of the incident. The hiring authority provided the second officer documented training in the form of a counseling record instead of formally disciplining him. The hiring authority did not sustain the allegations against the lieutenant or the other two officers.					
BUREAU ASSESSMENT	The bureau advised the department that simply counseling the second officer for this type of conduct was insufficient and did not agree with the disposition of this case. The bureau position was that the sustained misconduct warranted formal disciplinary action. Moreover, the hiring authority review of the investigation and determination of investigative findings was conducted more than 14 calendar days after the receipt of the final report in violation of department policy. Despite the bureau's disagreement with the disposition of the case, overall the department substantially complied with critical policies and procedures for all components of the process in this case.					









**DEFICIENT CASES**

<b>Case No. 11-0052 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 8, 2010, a captain was interviewed by the Office of Internal Affairs as a witness in a criminal investigation. At the start of the interview, special agents informed the captain's attorney that, per departmental policy related to the interviewing of witnesses, the attorney would not be allowed to digitally record the interview unless he was willing to relinquish the recorder at the conclusion of the interview. In the alternative, the special agents offered to provide a tape recorder and a blank tape for use by the captain with the understanding that the tape would be secured and maintained by the Office of Internal Affairs during the pendency of the investigation pursuant to policy. The captain and his attorney refused to turn off the digital recorder. The special agents discontinued the witness interview and the captain was ordered to return within two hours and participate in the interview according to the department's rules. The captain did not return as directed and was allegedly insubordinate for failing to follow a direct order from the Office of Internal Affairs.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority sustained the allegation that the captain was insubordinate and imposed a 5 percent salary reduction for three months. Following a Skelly hearing, the disciplinary action was withdrawn and the captain was served a letter of instruction.					
BUREAU ASSESSMENT	In this case the department made an unreasonable decision by withdrawing the original salary reduction and instead issuing a letter of instruction. The hiring authority and department attorney failed to properly consult with the bureau prior to withdrawing the disciplinary action after the Skelly hearing. Although the bureau monitored the Skelly hearing, the hiring authority failed to notify the bureau that, as a result of the hearing, the hiring authority decided to withdraw the disciplinary action and issue a letter of instruction. The bureau disagreed with the decision to withdraw the original disciplinary action because there was no new information provided at the Skelly hearing that was not previously known to the department. The hiring authority's failure to consult about the change in penalty precluded the bureau from raising the issue to the hiring authority's supervisor as allowed for by departmental policy. Overall, the department substantially complied with critical policies and procedures for the advocacy component of this case.					





### DEFICIENT CASES

Case No. 11-0053 (Headquarters)		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	<p>On June 18, 2010, it was alleged that a senior supervisor threatened a private citizen with a gun during an off-duty incident. The senior supervisor allegedly thought the private citizen had stolen his luggage from a parking lot. When he could not find his luggage, the senior supervisor allegedly drew his firearm, entered the private citizen's apartment, searched the apartment, used profanity, and yelled at him and his friend. The senior supervisor also allegedly failed to properly report the incident. Further, the senior supervisor allegedly was dishonest when questioned by outside law enforcement concerning the incident and during his investigative interview with the Office of Internal Affairs.</p>	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	<p>The initial hiring authority sustained all of the allegations, except that the senior supervisor failed to properly report the incident. The initial hiring authority determined the senior supervisor should receive a 60 working-day suspension. The bureau and department attorney disagreed and raised the issue to the hiring authority's supervisor, who agreed with the bureau and department attorney, and dismissed the senior supervisor. However, the senior supervisor retired before the dismissal became effective.</p>					
BUREAU ASSESSMENT	<p>In this case, the initial hiring authority made an unreasonable decision to not dismiss the senior supervisor. The initial hiring authority determined that the senior supervisor's long and noteworthy career in local and state law enforcement was sufficient to mitigate the penalty from a dismissal to a 60 working-day suspension. The bureau initially concurred. However, upon further review of the senior supervisor's official personnel file and consideration of the seriousness of the incident, the bureau and the department attorneys raised the issue to the initial hiring authority's supervisor pursuant to the executive review process. As a result, the senior supervisor was dismissed. The bureau concurred with the department's disciplinary determination after executive review process. Overall the department substantially complied with policies and procedures for this case.</p>					





**DEFICIENT CASES**

<b>Case No. 11-0054 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 29, 2010, officers observed two inmates fighting in a cell. One inmate repeatedly stabbed the other inmate who was in a prone position at the rear of the cell, covered in blood, having trouble breathing, and not responding to verbal commands. The inmate was transported to a local hospital, where he died from multiple stab wounds. It was discovered that the attacked inmate was a member of a gang with a "hit" on him. The assaulting inmate was a member of a rival gang who had orders to kill the other inmate. A lieutenant allegedly failed to review the inmates' files and notice the hit list before authorizing the housing of the two inmates together. A sergeant allegedly approved housing the two inmates together without reviewing the inmates' files.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained the allegations against the lieutenant and imposed a 5 percent salary reduction for six months. The lieutenant filed an appeal with the State Personnel Board. The hiring authority did not sustain the allegations against the sergeant as the sergeant did not have a duty to review the inmates' files and did not approve the cell change.					
BUREAU ASSESSMENT	The hiring authority initially considered imposing a 5 percent salary reduction for five months. The bureau did not agree with such and recommended a penalty of a 10 percent salary reduction in the range of three to 12 months. However, the hiring authority did not take the bureau's recommendation and imposed a 5 percent salary reduction for six months. The bureau still did not agree with the discipline chosen by the hiring authority finding it too low. However, overall the department substantially complied with critical policies and procedures for all components of the process in this case.					
<b>Case No. 11-0055 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 12, 2010, an officer allegedly used unreasonable force by placing an inmate in a head lock and failed to report it. Another officer allegedly observed the use of force and also failed to adequately report it.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain any of the allegations against either officer.					
BUREAU ASSESSMENT	The hiring authority determined that there was insufficient evidence to sustain all allegations, however, the bureau believed there was sufficient evidence to demonstrate that the officer witnessing the use of force failed to adequately describe the use of force in the initial report. Although the bureau recommended that the allegations be sustained, the bureau did not find the hiring authority's decision unreasonable. Secondly, the hiring authority failed to submit the request for investigation to the Office of Internal Affairs in a timely manner. The alleged misconduct was discovered by the hiring authority on January 12, 2010, however, the request for an investigation was not submitted until April 9, 2010. In addition, the Office of Internal Affairs did not exercise due diligence in conducting the investigation as no work was done on the case for nearly four months causing the hiring authority not to have adequate time to review the investigative report prior to the deadline to take action, as it was provided approximately 19 days before the deadline.					

**DEFICIENT CASES**









<b>Case No. 11-0056 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 28, 2009 an officer allegedly committed an act of domestic violence when he threatened to kill two other persons and loaded a firearm while making the threat.		DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and dismissed the officer. Following a Skelly hearing, the department settled with the officer reducing the dismissal to a 60 working-day suspension and the officer agreed not to file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The initial hiring authority made an unreasonable penalty decision when he chose to follow the Skelly officer's recommendation and reduce the penalty from dismissal to a 30 working-day suspension. The bureau raised the issue with the hiring authority's supervisor, who concluded that dismissal was the appropriate penalty. Following the decision by the supervisor, the hiring authority agreed to settle the case with the officer by reducing the dismissal to a 60 working-day suspension. Although the bureau did not agree with the settlement, the issue was not raised with the supervisor because the 60 working-day suspension was not an unreasonable penalty under the department's disciplinary matrix guidelines. The department attorney did not confirm the time for taking disciplinary action within the case management system until more than 21 days after being assigned to the case.					

**DEFICIENT CASES**













<b>Case No. 11-0057 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 4, 2009, an officer allegedly used unnecessary and excessive force when he punched an inmate in the face. A sergeant, who was standing in the immediate vicinity of the incident, was allegedly negligent for failing to intervene. An officer, who documented in her report that she did not observe the inmate being punched, later told Office of Internal Affairs investigators that she had in fact witnessed the officer and inmate fighting. When that officer was subsequently interviewed by investigators as a subject for failing to document her observations, the officer was allegedly dishonest when she changed her story and again claimed that she did not see the officer and inmate fighting.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority did not sustain the allegations against the officer accused of using excessive force and did not sustain the allegation against the sergeant. The hiring authority sustained the allegation of dishonesty and imposed a penalty of dismissal against the officer who gave inconsistent statements to the Office of Internal Affairs. However, the department was barred from taking any action against the officer because the deadline for taking disciplinary action had elapsed.					
BUREAU ASSESSMENT	This case was not timely handled at any juncture of the process; therefore, the department was unable to impose appropriate disciplinary action. Although the hiring authority determined on July 23, 2009, that an investigation was warranted, the hiring authority did not submit a request for investigation until September 27, 2009. Moreover, once the request was received, the Office of Internal Affairs also did not timely complete its investigation and the investigative report was not submitted to the hiring authority until 17 days prior to the expiration of the deadline for taking disciplinary action. Although the investigative report was submitted to the hiring authority on May 18, 2010, the hiring authority did not make a final determination sustaining the dishonesty allegation and imposing a penalty of dismissal until March 11, 2011. Even after this decision was made, for more than two months, the department attorney and hiring authority both failed to adequately monitor the deadline for taking disciplinary action against the officer despite repeated reminders by the bureau. As a result, the department was barred from taking any action against the officer because the deadline for taking disciplinary action elapsed. The department attorney also failed to provide written confirmation of the penalty discussions, did not document his initial assessment of the case within 21 days as required, did not evaluate the draft investigative report or provide feedback to the special agent regarding the substance of the report, and did not provide written confirmation of discussions about the report as required.					



## DEFICIENT CASES

<b>Case No. 11-0058 (North Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	A lieutenant was alleged to have been dishonest with outside law enforcement officers investigating a driving under the influence, and hit and run, incident involving an officer, who was a friend of the lieutenant. The lieutenant was also alleged to have been dishonest at the subsequent driving under the influence trial of the officer.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	Although the officer was found to be uncooperative and dishonest with the outside law enforcement investigation, no adverse action was imposed because the deadline for taking action expired before discipline could be imposed. The hiring authority did not sustain the allegation that the lieutenant was dishonest when he testified at the criminal trial.					
BUREAU ASSESSMENT	The department was prevented from imposing appropriate disciplinary action in this case after finding misconduct did occur because the hiring authority failed to take action prior to the deadline. Additionally, there were delays in initiating the investigation and completing the investigative report. The hiring authority became aware of the misconduct in July 24, 2009, but did not request an investigation until September 14, 2009. The Office of Internal Affairs did not provide the investigative report to the hiring authority until less than 35 days before the time to take action expired. The hiring authority determined misconduct did occur, however, did not make the determination until after the time to take action expired. Thus, the department failed to take disciplinary action against the lieutenant for the misconduct. Overall the department substantially complied with critical policies and procedures for the advocacy component of this case.					
<b>Case No. 11-0059 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On March 28, 2008, a parole agent notified his employer that he was under investigation by an outside law enforcement agency for a hit and run accident, involving a pedestrian, which occurred on July 16, 2007. Additionally, the outside law enforcement agency reported that the parole agent was dishonest during his interview with that agency.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations due to the victim's refusal to cooperate with the Office of Internal Affairs and outside law enforcement.					
BUREAU ASSESSMENT	The department failed to make findings about this case before the deadline for taking disciplinary action. The bureau believed that the allegations could have been sustained, but did not find the hiring authority's decision to be unreasonable based on the evidence and victim's refusal to cooperate. The investigation was not completed in a diligent manner. Investigative work on the case did not begin until approximately five months after assignment to a special agent. Moreover, the investigation was found by the hiring authority to be incomplete and sent the case back to the Office of Internal Affairs for additional investigation. After the investigation was completed and sent back to the hiring authority, the conference regarding whether the allegations should be sustained did not take place until after the deadline for taking action. The department attorney failed to confirm the time for taking disciplinary action in the case management system within the required timeframes, did not properly consult with the bureau or the special agent, and did not arrange for a penalty discussion prior to the deadline for taking disciplinary action. The department attorney also did not provide any feedback regarding the written report, and did not coordinate with the bureau on critical junctures of the discipline process.					

**SATISFACTORY CASES**

<b>Case No. 11-0060 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 28, 2011, the Office of Internal Affairs received information that a parole agent was engaged in inappropriate sexual behavior with a female parolee. The parolee was interviewed and alleged that over the course of approximately a year, the parole agent sexually battered the parolee, touched the parolee inappropriately, and solicited sexual favors and massages from the parolee. On April 5, 2011, the parole agent arrived at the parolee's home and was observed on video removing his pants, fondling the parolee, and then bending the parolee over his knees and spanking the parolee while saying, "You've been a bad girl." Special agents apprehended the parole agent while he was engaged in this activity. The parole agent admitted to his conduct with this parolee and also to inappropriate sexual relations with other parolees on his case load.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The case was referred to the district attorney's office, which filed misdemeanor sexual battery charges against the parole agent. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0061 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 19, 2011, it was alleged that a parole services associate was engaged in an ongoing sexual relationship with an inmate. The relationship allegedly started in February 2010, and included multiple instances of sexual intercourse and oral copulation.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The Office of Internal Affairs conducted an investigation, arrested the parole services associate, and referred the matter to the district attorney's office for prosecution. The district attorney's office filed a criminal complaint against the parole services associate alleging six felony counts of unlawful sexual activity with an inmate. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0062 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 14, 2011, an officer stated that she had been overly familiar with an inmate for approximately four months. The officer expressed a desire to "come clean" with the investigative services unit before she resigned from the department. The officer stated that she gave the inmate tobacco, jewelry, money, and bought him tennis shoes and a television. In addition, she corresponded with the inmate and kissed him.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs did not open an administrative investigation because the officer resigned the same day that she revealed the misconduct to the department. A letter indicating she resigned under adverse circumstances was placed in her official personnel file.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**

<b>Case No. 11-0063 (North Region)</b> <i>Criminal Case</i>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 9, 2011, it was alleged that an officer had been overly familiar with an inmate. Correspondence confiscated from the inmate's cell suggested that there was an ongoing sexual relationship between the officer and the inmate.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.				
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. However, the Office of Internal Affairs did not author an investigative report in this case due to the fact that the district attorney's office advised the Office of Internal Affairs that they would decline prosecution. Although the bureau believes it is a better practice to create a report in all cases, the bureau did not find the decision unreasonable under the circumstances.				
<b>Case No. 11-0064 (North Region)</b> <i>Criminal Case</i>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 9, 2011, it was alleged an officer had an overly familiar relationship with an inmate. Correspondence was confiscated from the inmate's cell which alluded to a sexual relationship between them.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.				
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.				
<b>Case No. 11-0065 (North Region)</b> <i>Administrative Case</i>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 9, 2011, it was alleged an officer had an overly familiar relationship with an inmate. Correspondence was confiscated from the inmate's cell which alluded to a sexual relationship between them.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority sustained the allegation of overfamiliarity. There was insufficient evidence to sustain the allegation of sexual misconduct although the officer admitted to kissing and embracing the inmate twice. The hiring authority would have dismissed the officer. However, the officer resigned prior to the completion of the investigation; therefore, disciplinary action was not taken. A letter indicating she resigned under adverse circumstances was placed in her official personnel file.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. However, the investigator failed to provide the bureau with a copy of the draft investigative report for review before it was sent to the hiring authority as required.				
<b>Case No. 11-0066 (South Region)</b> <i>Criminal Case</i>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 17, 2011, a dentist allegedly attempted to steal several thousand dollars worth of dental equipment. The equipment was found inside the dentist's backpack as he was leaving the institution.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.				
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.				













**SATISFACTORY CASES**

<b>Case No. 11-0067 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 12, 2011, an officer allegedly battered his spouse when he pushed her and spat on her; he was arrested. Subsequently, the officer was allegedly dishonest in the report he provided to the department regarding the incident.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations. The district attorney's office declined to file charges against the officer for the incident.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. The Office of Internal Affairs approved a limited investigation consisting of an interview with the officer, which was timely conducted, and the department attorney appropriately performed the limited advocacy role in the case.					
<b>Case No. 11-0068 (Headquarters)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 25, 2011, a clinical social worker was allegedly conspiring with an inmate to introduce drugs into the institution.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0069 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 20, 2011, it was alleged that a dental assistant brought tobacco into the institution for an inmate in return for money.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined that the dental assistant would be dismissed. However, the dental assistant resigned prior to the completion of the investigation; therefore, disciplinary action was not taken. A letter indicating the dental assistant resigned under adverse circumstances was placed in her official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The department attorney failed to provide written confirmation summarizing all critical discussions about the investigative report to the special agent with a copy to the monitor. The department attorney also did not confirm the date of the reported incident, the date of discovery, or deadline for taking action in the case management system within 21 days of being assigned to the case.					
<b>Case No. 11-0070 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 20, 2011, a sergeant was allegedly discourteous to an officer after receiving disciplinary action for which the officer was a witness. It was also alleged that she was dishonest to her supervisor during a Skelly hearing about whether she had communicated with the officer.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. The department attorney appropriately performed the limited advocacy role in the case.					

**SATISFACTORY CASES**

<b>Case No. 11-0071 (South Region)</b> <span style="float:right"><i>Criminal Case</i></span>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 29, 2010, a case records technician allegedly threatened to commit great bodily injury against his supervisor when his supervisor shared with management personal information the case records technician had revealed to the supervisor. The threats were posted on his page on a social networking website.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.				
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.				
<b>Case No. 11-0072 (South Region)</b> <span style="float:right"><i>Administrative Case</i></span>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 29, 2010, a case records technician allegedly threatened to commit great bodily injury against his supervisor when his supervisor shared with management personal information the case records technician had revealed to the supervisor. The threats were posted on his page on a social networking website.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority determined there was not sufficient evidence that the case records technician threatened his supervisor, but sustained the allegation of discourteous treatment and imposed a 22 working-day suspension. The case records technician filed an appeal with the State Personnel Board.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in tie case for the investigative component. However, the hiring authority and department attorney failed to provide notice to the bureau regarding the meeting to discuss the sufficiency of the investigation, whether or not allegations would be sustained, and a determination of the penalty. The department attorney then failed to provide the hiring authority and the bureau with a written confirmation of penalty discussions. Additionally, the department attorney failed to attend any investigative interviews and failed to provide written confirmation summarizing critical discussions about the investigative report to the special agent and the bureau.				
<b>Case No. 11-0073 (South Region)</b> <span style="float:right"><i>Administrative Case</i></span>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 18, 2010, special agents from the Office of Internal Affairs observed a cook remove items from his personal vehicle and place them into a state vehicle in a garage located on institution grounds. The cook then drove the state vehicle into the institution where it was searched by special agents and institution investigative services unit personnel. During the search, tobacco, tobacco rolling papers, three mobile phones with chargers, alcohol and a large quantity of marijuana were discovered. A subsequent search of the cook's home located numerous items of evidence indicating that the cook had been smuggling contraband items into the institution, including a \$100 bill that was given to the cook by an inmate towards the purchase of tobacco and whiskey.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the supervising cook, who filed an appeal with the State Personnel Board.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The department attorney failed to analyze and confirm the deadline for taking disciplinary action into the computerized database system, and did not attend interviews of key witnesses.				













### SATISFACTORY CASES

<b>Case No. 11-0074 (North Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On December 15, 2010, an officer allegedly smuggled marijuana and mobile phones into the institution for personal gain. Between October and December 2010, the same officer was also allegedly overly familiar with inmates by possessing inmate correspondence, communicating with inmates via mobile phone and text messaging, and meeting and inmate's friends and family to exchange mobile phones, marijuana and money.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and the officer was dismissed. The officer did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall the department substantially complied with critical policies and procedures in this case for the hiring authority component. The Office of Internal Affairs did not adequately confer with the bureau or department attorney regarding the investigative plan upon case initiation. The Office of Internal Affairs also did not provide real-time consultation with the bureau or department attorney, provide the bureau or department attorney with adequate notice to attend and monitor searches and interviews of the subject, nor did they provide the draft investigative report to the bureau or department attorney prior to providing the report to the hiring authority. Since the Office of Internal Affairs completed the investigation without adequate notice to either the bureau or department attorney, the department attorney was not able to provide legal consultation to the agent for the duration of the investigation, nor provide feedback addressing the thoroughness and clarity of the investigative report.					
<b>Case No. 11-0075 (North Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On December 14, 2010, it was alleged that a supervising cook sold tobacco and narcotics to inmates.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the cook. However, pursuant to a settlement agreement, the cook resigned and agreed to never seek employment with the department in the future.					
BUREAU ASSESSMENT	The department reached reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, the department attorney did not provide written confirmation of the penalty discussions to the bureau, nor to the hiring authority. Furthermore, the hiring authority learned of the alleged misconduct on December 14, 2010, but did not submit a request for investigation until February 24, 2011. Fortunately, Office of Internal Affairs still conducted a timely and thorough investigation; thus, discipline could be imposed.					
<b>Case No. 11-0076 (North Region)</b>		<i>Criminal Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On December 14, 2010, it was alleged that a supervising cook sold tobacco and narcotics to inmates. The department's investigation was conducted in conjunction with the county's sheriff's office, which executed a search warrant of the cook's residence, seizing narcotics and evidence of trafficking contraband into the institution.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The matter was referred to the district attorney's office, which accepted the case for prosecution. The department also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**

<b>Case No. 11-0077 (Headquarters)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 4, 2010, a trash truck driver allegedly tried to smuggle into the institution a bag full of alcohol, tobacco, lighters, mobile phones, and other contraband. The driver was returning into the secured area of the institution in the trash truck after a trash dump. The truck was stopped prior to entry and searched. Officers located the contraband in the dump well of the truck.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0078 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 1, 2010, two officers confiscated a mobile phone from an inmate. Rather than secure the phone as evidence as required, the officers attempted to sell the phone to a third officer. One of the officers allegedly engaged in an act of dishonesty by altering the mobile phone prior to attempting to sell it.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained all allegations against the two officers. One officer received a 50 working-day suspension and filed an appeal with the State Personnel Board. The other officer, who was also alleged to have been dishonest by altering the mobile phone prior to attempting to sell it to other staff, received a 60 working-day suspension and had an appeal inadvertently filed on his behalf by the union but subsequently withdrew it. The second officer negotiated a settlement in which the officer accepted the 60 working-day suspension in exchange for removal of the dishonesty and Government Code section 19990 allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall the department substantially complied with critical policies and procedures in this case for the hiring authority component. The department satisfactorily consulted with and kept the bureau informed as to the disciplinary process. However, the department's attorney did not document his activities in a timely manner in the case management system, did not provide the required written confirmation of penalty discussions to the bureau, and failed to provide the confirmation of the deadline for taking action as required.					

**SATISFACTORY CASES**





<b>Case No. 11-0079 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 1, 2010, it was alleged that an officer was told that his neighbor's 17 year old son raped the officer's daughter the previous night. The officer went to the neighbor's home looking for the son where he confronted the suspect's father and brother. The officer took the brother to the ground, telling the men they needed to find the suspect. When the suspect ran out of the house, the officer retrieved his loaded pistol from his home, ran to the neighbor's house holding the gun in the air. He then dropped the gun behind him in the grass, picked it up and ran back into his home. The officer admitted to police that he told three people he was going to kill the suspect.					
DISPOSITION OF CASE	The hiring authority sustained the allegations that the officer assaulted one person and threatened to kill another person. The hiring authority did not find that the officer brandished a weapon at another person and determined the officer's actions were mitigated by the alleged rape of his daughter and the circumstances. The hiring authority imposed a 5 percent salary reduction for four months. The officer filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. The department attorney failed to consult with the bureau regarding the drafting of the disciplinary action and failed to provide a copy of the draft disciplinary action to the bureau as required by department policy.					
<b>Case No. 11-0080 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 1, 2010, it was alleged that six months before in May, a parolee met a sergeant at a motel and engaged in sexual activity.					
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe a crime was committed. The case was not referred to the district attorney's office. The department did not open an administrative investigation due to lack of evidence.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0081 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 13, 2010, an officer brought tobacco inside the institution and sold it to an inmate. The officer waived her Miranda rights and admitted to selling tobacco to inmates.					
DISPOSITION OF CASE	The case was referred to the district attorney's office, which filed two felony counts of bribery. Because the officer resigned from the department, the Office of Internal Affairs did not open an administrative investigation.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					







**SATISFACTORY CASES**

<b>Case No. 11-0082 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 4, 2010, a supervising cook allegedly engaged in an overly familiar relationship by participating in sexual activity with an inmate.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The case was referred to the district attorney's office which filed criminal charges against the supervising cook. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case, although the Office of Internal Affairs failed to adequately confer with the department attorney regarding the investigative plan. However, the investigation was sufficient and included undercover video of the alleged criminal acts which eliminated the need for interviews.					
<b>Case No. 11-0083 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 3, 2010, an officer allegedly did not follow proper count procedure at a camp, resulting in the escape of two inmates. In addition, the camp commander allegedly issued the officer a counseling memo rather than report misconduct in an attempt to mitigate the employee misconduct.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The hiring authority sustained the allegation of neglect of duty for the officer, but did not sustain the allegation of dishonesty. A 10 percent salary reduction for 10 months was imposed on the officer and he was transferred from the camp to the institution. The hiring authority sustained both allegations against the camp commander. The camp commander was given a 10 percent salary reduction for 4 months. Both the officer and camp commander filed appeals with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, the department attorney did not attend the Skelly hearing. The hiring authority failed to provide the bureau with proper notification of the Skelly hearing, therefore, it was not conducted as required by policy.					

**SATISFACTORY CASES**

<b>Case No. 11-0084 (Central Region)</b>		<i>Direct Action Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 30, 2010, an officer was arrested for driving while under the influence of alcohol or drugs. It was alleged that the officer was observed by police to be driving at 55 miles per hour in a zone with a posted speed limit of 40 miles per hour. His blood alcohol concentration was measured at 0.14 percent. It was further alleged the officer was dishonest when questioned by the officer who stopped him when he claimed the medication he had taken was affecting him and he had not consumed alcohol.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the officer. The officer filed an appeal with the State Personnel Board.								
BUREAU ASSESSMENT	In November 2008, the officer was dismissed for conduct not related to this matter. In December 2008, the officer was reinstated and as consideration for the reinstatement, he agreed that any future contacts with any law enforcement agency would result in the officer being terminated at such time as was convenient to the department. The officer further waived any right he may have to appeal that future termination in any forum. The bureau expressed concerns regarding the broad nature of the stipulation and the omission of an end date to the stipulation. Aside from the concerns above, the department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.								

**SATISFACTORY CASES**

Case No. 11-0085 (Central Region)		<i>Direct Action Case</i>				BUREAU ASSESSMENT			
FACTS OF CASE	<p>On October 29, 2010, an officer allegedly used unnecessary force on an inmate who was told to get into an elevator to go back to his cell. The inmate got out of a wheelchair and fell to the ground claiming to be unable to get up or walk into the elevator. The officer then pulled the inmate by the underarms, dragged him along the floor into the elevator, and used his foot to move the inmate's legs into the elevator. The officer also allegedly failed to promptly report his use of force. It was further alleged that a sergeant who was present, failed to intervene, and also failed to promptly report the use of force he witnessed.</p>	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	<p>The hiring authority sustained allegations against the officer for failing to promptly report a use of force and failure to perform within the scope of training, and originally imposed a 10 percent salary reduction for 12 months. Allegations of discourteous treatment of the inmate, and unreasonable use of force were not sustained. Following a Skelly hearing, the hiring authority agreed to reduce the penalty to a letter of reprimand and the officer agreed not to file an appeal with the State Personnel Board. The hiring authority sustained allegations against the sergeant for failure to promptly report a use of force and failure to perform within the scope of training as a supervisor, and originally imposed a 10 percent salary reduction for 18 months. The hiring authority subsequently agreed to reduce the penalty to a 5 percent salary reduction for 12 months and the sergeant agreed not to file an appeal with the State Personnel Board.</p>								
BUREAU ASSESSMENT	<p>The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. However, the bureau disagreed with the hiring authority's decision not to sustain the unreasonable use of force allegation for the manner in which he moved the inmate as the bureau did not believe the use of force to be necessary. The incident occurred in a medical setting with other staff present, including medical personnel, who could have assisted in moving the inmate. Although the bureau disagreed with the hiring authority, the decision was not unreasonable. The hiring authority agreed with the bureau that the conduct did, in fact, constitute a use of force that should have been reported and could have been avoided if the sergeant had appropriately intervened. Because the matter proceeded without an Office of Internal Affairs investigation, the Skelly hearings were the first opportunity to hear from the subjects regarding their state of mind at the time of the incident. The bureau concurred with the settlements only after it was determined that the failure to report was not done intentionally, but rather as a consequence of not recognizing the officer's actions constituted a use of force.</p>								

**SATISFACTORY CASES**

<b>Case No. 11-0086 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 14, 2010, an inmate was escorted to a sergeant's office to discuss contraband discovered in his cell. While speaking to other officers about the incident, the inmate allegedly attempted to talk over another officer. The sergeant then allegedly grabbed the inmate around the neck, pushed him toward the wall, causing the inmate to strike a picture frame with his face. The inmate suffered a cut to his right eyebrow during the incident.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The Office of Internal Affairs declined to investigate the allegations and referred the matter back to the hiring authority for disposition without an investigation. The hiring authority resubmitted the matter to the Office of Internal Affairs for investigation regarding inconsistencies in the reports by the officers. The Office of Internal Affairs again declined to investigate the allegations and referred the matter back to the hiring authority. As a result of the lack of investigation, the hiring authority determined there was insufficient evidence to sustain the allegations. However, the hiring authority issued a letter of instruction to the sergeant for inappropriate decision making.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. The bureau concurred with the hiring authority and the department attorney that the Office of Internal Affairs should have conducted an investigation into the allegations and that an investigation may have resulted in a different outcome in this case. At the same time, based on the information available, the bureau concurred with the hiring authority's determination there was insufficient evidence to sustain the allegations.					
<b>Case No. 11-0087 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 6, 2010 and November 5, 2010, a pharmacist allegedly took possession of narcotics prescribed for inmates and failed to properly dispose of them. It was further alleged the pharmacist misappropriated the narcotics for her personal use or gain.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The case was referred to the district attorney's office, which charged the pharmacist with two felony counts of possession of drugs in an institution. The pharmacist pled no contest to one count as a misdemeanor and the other count was dismissed. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. The department attorney failed to consult with the special agent and the bureau regarding all aspects of this case. Although the attorney was notified that the special agent was going to question the pharmacist, an obvious key witness, regarding her actions in this matter, the attorney declined to participate in the interview or provide legal consultation.					









**SATISFACTORY CASES**

<b>Case No. 11-0088 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 4, 2010, it was alleged that between June 2008 and September 2010 a supervising janitor had engaged in sexual relationships with one or more inmates. It was also alleged that the supervising janitor smuggled narcotics into the institution for inmate use.					
DISPOSITION OF CASE	The investigation failed to establish probable to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0089 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 4, 2010, it was alleged that between June 2008 and September 2010 a supervising janitor had engaged in an overly familiar and sexual relationship with one or more inmates. It was further alleged that the supervising janitor smuggled tobacco and narcotics into the institution for inmate use.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations. However, the supervising janitor was issued a letter of instruction regarding disclosure of personal information to inmates because the investigation revealed that inmates possessed personal information about the janitor.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. The hiring authority neither consulted with the bureau regarding the sufficiency of the investigation, nor regarding the allegations and finding, as required by department policies. Furthermore, the bureau was not provided documentation of the findings in the case. In addition, the department attorney failed to assess and document the deadline for taking action.					
<b>Case No. 11-0090 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between October and December 2010, an officer was allegedly overly familiar with inmates by communicating with the inmates via mobile phone and text messaging, meeting inmates' friends and family to exchange mobile phones, marijuana and money, and possessing inmate correspondence. On December 15, 2010, the same officer allegedly smuggled marijuana and mobile phones into the institution for personal gain.					
DISPOSITION OF CASE	The investigation established probable cause to believe a crime was committed. Therefore, the case was referred to the district attorney's office which filed criminal charges. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**

<b>Case No. 11-0091 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	It was alleged that in October 2010, an officer was selling controlled substances to inmates at the institution where he worked.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The informant terminated contact with the investigators and could not be located and there was no additional evidence to support the allegations. The matter was not referred to the district attorney's office. The Office of Internal Affairs did not open an administrative investigation due to lack of evidence.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0092 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	In October 2010, an officer allegedly engaged in an overly familiar sexual relationship with an inmate.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The hiring authority sustained the allegations and served the officer with a dismissal. However, the officer resigned before the disciplinary action took effect. A letter indicating the officer resigned pending disciplinary action was placed in her official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority discovered the employee misconduct on March 19, 2010, but delayed submitting the case for investigation until May 9, 2010. Although the hiring authority delayed its request for investigation of this case, the Office of Internal Affairs completed the investigation in a timely and thorough manner.					
<b>Case No. 11-0093 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 25, 2010, a sergeant was watching a visitor who had been placed in an office, when she observed the visitor place an unidentified object, suspected narcotics, in her mouth and reach for a cup of water. When the visitor refused the sergeant's orders to spit out the object, the sergeant allegedly violated policy by using a choke hold on the visitor to prevent her from swallowing the suspected narcotics. A subsequent search of the visitor revealed a bundle of heroin and a search of her car revealed two additional bundles of heroin.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The hiring authority sustained the allegations that the sergeant failed to perform within the scope of training by utilizing unreasonable, unconventional force on the visitor and imposed a 5 percent salary reduction for one month. The sergeant filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**

<b>Case No. 11-0094 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 24, 2010, a parole agent allegedly failed to attend her mandatory quarterly firearm qualification session and falsified a firearm qualification form.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegation that the parole agent was negligent regarding a lack of firearm qualification. The hiring authority did not sustain the allegation that the parole agent was dishonest, but did find her to have neglected her duty for providing inaccurate documentation containing a mistake. The hiring authority imposed a 30 working-day suspension. The parole agent filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The hiring authority requested a full investigation; however, the Office of Internal Affairs only agreed to conduct an interview of the subject parole agent. During that interview, the parole agent presented a version of the events involving the clerical staff and her supervisor. However, this information could not be verified because those persons were not interviewed. Based on the information available, the department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0095 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 17, 2010, an officer was at the home of another person to care for a child and failed to leave when he was supposed to. When the person returned home, the officer grabbed the person and asked why they could not be together. The officer then allegedly took a fighting stance and then threw a single blow at the alleged victim. The officer also allegedly struck the alleged victim in the buttocks with an open hand. It was further alleged that the officer was dishonest when he told outside law enforcement that he did not strike the alleged victim. Outside law enforcement officers arrested the officer for domestic violence.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for the advocacy and hiring authority components, even though the department attorney did not provide written confirmation of discussions with the special agent to the bureau. Additionally, the bureau believed that allegations in this case could have been sustained and recommended such. In light of the circumstances of the case, the bureau did not find the hiring authority's decision not to sustain the allegations unreasonable. During the investigation, the special agent initially planned not to conduct any interviews other than the interview of the officer. After consultation with the bureau, the special agent did interview other witnesses, and attempted to interview others. However, the special agent failed to notify, or consult with, the bureau regarding these additional witness interviews, and did not provide the bureau updates regarding the fact that the interviews were to take place. The special agent failed to provide a copy of the investigative report to the bureau until after the report had already been submitted to the hiring authority, therefore, preventing the bureau from providing feedback.					

**SATISFACTORY CASES**

<b>Case No. 11-0096 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 11, 2010, outside law enforcement officers conducted a traffic stop on a vehicle in which an off-duty officer, a passenger, was allegedly under the influence of drugs and in possession of methamphetamine.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegations. However, the officer was separated from state service prior to the completion of the investigation due to his absence without leave status; therefore, disciplinary action was not taken. A letter indicating that the officer was separated from service under adverse circumstances was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0097 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 1, 2010, a sergeant and an officer allegedly failed to notify the fire department of an audible heat detector alarm which resulted in substantial fire damage to a building at the institution.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a 5 percent salary reduction for 12 months for both the sergeant and the officer. However, following a Skelly hearing, the penalties were modified. The officer received a letter of instruction and the sergeant received a 5 percent salary reduction for six months. The sergeant and officer filed appeals with the State Personnel Board.					
BUREAU ASSESSMENT	Ultimately, the department reached a reasonable disposition in this case. After the Skelly hearing, the hiring authority decided to revoke both disciplinary actions. The bureau disagreed as there was no information presented at the Skelly hearing indicating the misconduct had not occurred. The bureau raised the issue to the hiring authority's superior, who decided to issue a letter of instruction to the officer and impose a 5 percent reduction in salary for six months for the sergeant. This final disposition by the department was seen as reasonable by the bureau. The hiring authority did not refer the matter to the Office of Internal Affairs in a timely manner. The date of discovery for the conduct was September 2, 2010, and the request was signed by the hiring authority on October 18, 2010.					
<b>Case No. 11-0098 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 28, 2010, an officer was arrested for driving under the influence and possessing a small amount of methamphetamine.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the officer, who did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					



**SATISFACTORY CASES**

<b>Case No. 11-0099 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 20, 2010, an officer allegedly provided marijuana to an inmate in the visiting area and told the inmate to smuggle it into the institution for delivery to staff and inmates.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe a crime was committed. Therefore, the case was not referred to the district attorney's office. The department did not open an administrative investigation due to lack of evidence.					
BUREAU ASSESSMENT	The criminal investigation in this case was limited due to a lack of evidentiary leads. Although the special agent pursued available leads, the investigation was not conducted with due diligence because the initial interview was not conducted within the time period agreed upon between the bureau and the Office of Internal Affairs. Further, the special agent failed to properly consult with the bureau as he did not notify the bureau of the only two interviews he conducted in the case.					
<b>Case No. 11-0100 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 18, 2010, it was alleged that an officer had engaged in a romantic relationship with an inmate and was overly familiar with the inmate when she inscribed an inappropriate comment on a handball that she gave to the inmate. The officer also allegedly gave the inmate a mobile phone and provided him confidential information about other inmates. It was further alleged that on December 7, 2010, the officer placed a call from the watch office to the inmate's mobile phone to warn him that staff was responding to his cell.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegations. However, the officer resigned prior to the completion of the investigation; therefore, disciplinary action was not taken. A letter indicating she resigned under adverse circumstances was placed in her official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs approved a limited investigation consisting of an interview with the officer, which was timely conducted, and the department attorney appropriately performed the limited advocacy role in the case. The investigation was not timely delivered to the hiring authority as it was provided only 28 days before the deadline for taking disciplinary action. This delay did not prevent the imposition of discipline since the employee resigned prior to the completion of the investigation.					









**SATISFACTORY CASES**

<b>Case No. 11-0101 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 8, 2010, a riot erupted on the exercise yard between inmates of different races. The lieutenant in charge of the incident allegedly neglected his duties when he ordered the yard recalled by building instead of by race. As a result of the lieutenant's decision, an inmate of one race was attacked by a group of inmates of another race, resulting in the need for the officers to use force on the inmates.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to prove the lieutenant violated a policy and therefore did not sustain the allegations. However, the hiring authority did order the lieutenant to undergo training on yard recall procedures.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. The bureau's recommendation that the lieutenant be provided training on yard recall procedures was accepted by the hiring authority. The hiring authority did not provide the bureau with the form documenting the hiring authority's disciplinary decision as required.					
<b>Case No. 11-0102 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 7, 2010, an officer allegedly attempted to smuggle tobacco and mobile phones into the institution.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The investigation established probable cause to believe a crime was committed. The case was referred to the district attorney's office for prosecution and ultimately the officer pled guilty to a felony charge. The Office of Internal Affairs also opened an administrative investigation regarding the officer's introduction of contraband into the institution, which the bureau did not accept for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. However, the special agent did not engage in proper consultation with the bureau as the special agent failed to provide a draft of the search warrant to the bureau for review prior to submitting it to the district attorney's office.					
<b>Case No. 11-0103 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 5, 2010, the institution received information that a sergeant allegedly possessed inmate identification cards and attempted to sell them to the public.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**

<b>Case No. 11-0104 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>						
FACTS OF CASE	On July 28, 2010, a parole agent allegedly failed to monitor a sexually violent parolee and falsely indicated in official documentation that he was in the custody of immigration and customs enforcement. He also allegedly lied to a supervisor when he reported that the parolee was pending deportation when the parolee was actually at large. The supervising parole agent allegedly failed to appropriately supervise the parole agent's caseload.	DISPO	INV	ADV	HA	●	▲	▲	▲
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against either the parole agent or the supervising parole agent. However, both received training regarding documentation of cases involving supervision of parolees subject to deportation.								
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, the hiring authority failed to timely submit a request for investigation to the Office of Internal Affairs. The misconduct was discovered on July 28, 2010, but the request for investigation was not submitted until October 13, 2010. Neither the department attorney, nor the assigned investigator, consulted with each other or the bureau regarding an investigative plan. The bureau had discussions over the course of the investigation with the investigator regarding the case and possible closure of the case due to a lack of evidence. However, the investigation, interviews and final report did not thoroughly address allegations that the parole agent kept the parolee's case in violation of policy regarding closure of cases. The Office of Internal Affairs also did not send a copy of the report to the bureau prior to submission to the hiring authority. At the conclusion of the investigation, the hiring authority determined that the investigation was sufficient. The bureau recommended further investigation regarding the failure to close the parolee's case, but the hiring authority did not follow the recommendation. The department attorney failed to consult with the special agent regarding the investigative plan and failed to analyze and confirm the deadline for taking disciplinary action, or make the required entry regarding such in the case management system as required. Further, the department attorney did not consult at all with the bureau.								
<b>Case No. 11-0105 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>						
FACTS OF CASE	On July 26, 2010, an inmate was allegedly struck by an officer and held under the shower by his hair. The officer allegedly did not include striking the inmate in his report, and two other officers as well as a psychiatric technician allegedly failed to report the use of force they witnessed.	DISPO	INV	ADV	HA	●	●	▲	▲
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against any of the officers or the psychiatric technician.								
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. The hiring authority failed to submit a request for investigation until nearly four months after the discovery of the incident. The incident was discovered on July 26, 2010, however, the hiring authority did not submit a request for investigation until December 22, 2010. Also, the department attorney did not document his review of the investigative reports, nor document his feedback to the investigator, as required by department policy.								

### SATISFACTORY CASES

<b>Case No. 11-0106 (Headquarters)</b>		<i>Direct Action Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On July 21, 2010, a parole agent allegedly drove his state issued vehicle through a red light, using lights and sirens, then collided with another vehicle that had the right of way. In addition, the agent was allegedly on his way home with his child in the vehicle.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained allegations that the parole agent misused state property, had an unauthorized passenger in the state issued vehicle, and caused serious damage to the other vehicle and injury to the occupants. The hiring authority imposed a 60 working-day suspension. The department agreed to modify the original penalty by imposing a 12 working-day suspension and a 10 percent salary reduction for 24 months, which is the equivalent of the original 60 working-day suspension. The agent agreed not to appeal the action to the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, upon assignment, the department attorney failed to assess the time within which to take disciplinary action as required. Subsequently, when the department and the parole agent reached an agreement, the department attorney did not properly execute a signed settlement agreement memorializing the terms. The agreement was reached in October 2010 and the department moved forward with the modified penalty despite not having a signed agreement. The bureau continually urged the department attorney to obtain a signed agreement. An executed agreement was finally obtained in January 2011. Additionally, the department conducted a second Skelly hearing regarding the allegations against the parole agent; however, the department failed to provide the bureau with notification of the hearing.					
<b>Case No. 11-0107 (North Region)</b>		<i>Criminal Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	It was alleged that on July 13, 2010, an officer was trafficking contraband into the institution for personal gain.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs did not open an administrative investigation due to a lack of evidence.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					









**SATISFACTORY CASES**

<b>Case No. 11-0108 (Central Region)</b> <i>Direct Action Case</i>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On or about July 12, 2010, a captain allegedly during work hours had a sergeant use state equipment to photograph a coin placed between the captain's buttocks and photocopy the picture. The captain then had an officer kiss the coin and subsequently showed the officer the photocopied picture of the coin in his buttocks. The captain then allegedly urged the sergeant to minimize the sergeant's involvement in the incident. The captain also allegedly omitted critical details and was misleading when asked to write a memo regarding the incident.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority sustained allegations of discourteous treatment, failure of good behavior, misuse of state equipment, and making intentionally misleading statements in an official report against the captain and imposed a two step demotion to sergeant, which he appealed to the State Personnel Board. The hiring authority sustained allegations of discourteous treatment, failure to report misconduct of another employee, and misuse of state equipment against the sergeant and imposed a 5 percent salary reduction for 12 months. However, following a Skelly hearing, the hiring authority agreed to reduce the penalty to a 5 percent salary reduction for six months, and the sergeant agreed not to file an appeal with the State Personnel Board.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.				
<b>Case No. 11-0109 (South Region)</b> <i>Criminal Case</i>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 10, 2010, an inmate's wife alleged that she was contacted by an unidentified officer who offered to smuggle a mobile phone into the institution for the inmate in exchange for money.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe a crime was committed. Therefore, the case was not referred to the district attorney's office. The department did not open an administrative investigation due to lack of evidence.				
BUREAU ASSESSMENT	Overall the department reached a reasonable disposition and substantially complied with critical policies and procedures in this case.				
<b>Case No. 11-0110 (Central Region)</b> <i>Direct Action Case</i>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 10, 2010, an officer was arrested for domestic violence after he allegedly struck another person.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority sustained the allegation of battery against the officer and imposed a 5 percent salary reduction for six months. The officer did not file an appeal with the State Personnel Board.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. While the ultimate disposition of the case was satisfactory, the performance by the department attorney was not. The department attorney initially assigned to this case failed to adequately communicate in a timely manner with the bureau. Further, the department attorney failed to have meaningful consultation with the bureau regarding the discipline in this case, failed to provide paperwork for timely review by the bureau as required by the department, and failed to confirm the deadline for taking action in the case management system.				













**SATISFACTORY CASES**

<b>Case No. 11-0111 (Headquarters)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 9, 2010 a lieutenant allegedly put a controlled substance in iced tea then gave it to another person, who went out for a walk. The person reported feeling lightheaded and dizzy during her walk. The person also reported having a vague memory of what occurred, including how she got back home, how she ended up asleep, and how her undergarments had been changed into something different than she had on prior to her walk. The next morning, she confronted the lieutenant about what transpired, and allegedly, he admitted to having put a sleeping pill in her tea to help her relax so that he could be affectionate and engage in sexual activities with her. The district attorney's office filed criminal charges against the lieutenant for sexual assault.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegations that the lieutenant had utilized a controlled substance to incapacitate another person and engaged in non-consensual sexual acts with that person. The hiring authority determined that dismissal was the appropriate penalty. However, the lieutenant retired before the discipline could be imposed. A letter was placed in the lieutenant's official personnel file indicating he retired under adverse circumstances.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0112 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 8, 2010, an officer allegedly provided false or misleading statements during his Skelly hearing.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs approved a limited investigation consisting of an interview with the officer, which was timely conducted, and the department attorney appropriately performed the limited advocacy role in the case. The investigation was not timely delivered to the hiring authority as it was provided only 23 days before the deadline for taking disciplinary action. Based on a State Personnel Board precedential decision and actions taken by the department in a similar case, the bureau advised the hiring authority and the department attorney that the State Personnel Board would not likely sustain the imposition of discipline for allegations of dishonesty made against an employee for statements made at his own Skelly hearing. The department attorney and hiring authority followed the bureau's recommendation.					
<b>Case No. 11-0113 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between July 2010 and January 2011, an officer allegedly was involved in a sexual relationship with a parolee that the officer met in the institution. When the inmate tried to end the relationship, the officer allegedly became threatening and verbally abusive. The officer admitted his conduct when interviewed.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The case was referred to the district attorney and felony charges of having sexual contact with a parolee and making a death threat were filed. The department also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**









<b>Case No. 11-0114 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between July 2010 and January 2011, an officer allegedly was involved in a sexual relationship with a parolee that the officer met when the parolee was incarcerated in the institution. When the inmate tried to end the relationship, the officer allegedly became threatening and verbally abusive. The officer admitted his conduct when interviewed.					
DISPOSITION OF CASE	The hiring authority sustained the allegations and served the officer with a notice of dismissal. However, the officer resigned before the dismissal went into effect. A letter indicating the officer resigned pending disciplinary action was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. However, the Office of Internal Affairs did not diligently complete the investigation. The officer was being paid on administrative time off beginning on January 15, 2011, and a criminal investigation including the officer's confession was sent to the district attorney's office on March 21, 2011. The bureau suggested a parallel administrative case be opened to expedite the matter since no additional investigative work needed to be done. However, the recommendation was not accepted. On March 25, 2011, the bureau was advised the report would be ready in one week, however, it was not. After continued urging by the bureau to expedite the matter, the hiring authority finally received the investigative report on May 2, 2011. Upon receipt of the report, the hiring authority expedited the process to serve the officer's dismissal. However, even though the officer admitted to the misconduct and despite bureau urging to expedite the case, the department continued to pay the officer while he was not allowed to come to work for almost 4 months. The department's attorneys were not assigned to this case, but the bureau believes they should have been since it was a dismissal case involving paid administrative time off.					
<b>Case No. 11-0115 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between July 1, 2010 and February 14, 2011, a registered nurse allegedly engaged in an overly familiar relationship with an inmate, which included engaging in sexual intercourse and exchanging phone calls and text messages.					
DISPOSITION OF CASE	The case was referred to the district attorney's office for prosecution, which declined to file criminal charges. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					

### SATISFACTORY CASES

<b>Case No. 11-0116 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	In July 2010, an unidentified officer allegedly smuggled mobile phones and tobacco into an institution.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegation.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The Office of Internal Affairs took appropriate investigative measures and reacted quickly to time sensitive information about the imminent introduction of contraband into the institution. The special agent undertook additional investigative steps at the recommendation of the bureau, therefore, ultimately the investigation was thorough and complete. The department's attorney provided adequate legal advice during the investigation; however, did not review the investigative report, thus, also did not provide feedback to the special agent or written confirmation of discussions about the report as required.					
<b>Case No. 11-0117 (North Region)</b>		<i>Direct Action Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On June 29, 2010, it was alleged that an officer and a librarian violated departmental policy when they allowed an inmate into the library while other inmates listed as enemies were also in the library. The violation led to a physical assault between the inmates in the library.					
DISPOSITION OF CASE	The hiring authority sustained the allegation of neglect of duty and served the officer with a two working-day suspension. However, following a Skelly hearing, the action taken against the officer was withdrawn. The allegation was also sustained against the librarian, who received a letter of reprimand. However, the librarian left the department prior to the disciplinary action taking effect; therefore, a letter indicating the librarian left the department pending disciplinary action was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0118 (Central Region)</b>		<i>Direct Action Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On June 28, 2010, an officer allegedly battered another person and falsely imprisoned her when he pinned the victim to the bed, stripped off some of her outer clothes and placed his forearm against her chest and throat to prevent her from moving, all while looking for keys to a vehicle.					
DISPOSITION OF CASE	The hiring authority sustained the allegations of discourteous treatment and failure of good behavior and imposed a 5 percent salary reduction for 12 months. The officer filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					



**SATISFACTORY CASES**

<b>Case No. 11-0119 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 28, 2010, it was alleged that a supervising parole agent attempted to access the tax and banking records of a retired parole agent. Moreover, the parole agent, whose bank records the supervisor attempted to access, turned in his badge to the supervising parole agent to have it inscribed with the word retired. Thereafter, the supervising parole agent changed positions and offices. Subsequently, she was contacted by the parole administrator about the badge and was allegedly dishonest when telling him that she gave the badge to other parole agents to have it inscribed. After being notified that she was under investigation, the supervising parole agent then told the parole administrator that she found the badge in a box at home after inadvertently maintaining it in her possession upon changing offices. She then returned the badge. Additionally, in another matter unrelated to the retired parole agent, the supervising parole agent allegedly lied in a memorandum when she indicated that she had provided remedial training to a parole agent.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain any of the allegations, except the allegation that the supervising parole agent neglected her duty by not timely turning in the badge for processing. The hiring authority issued the supervising parole agent a letter of reprimand. She filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, the department attorney initially miscalculated the deadline for taking disciplinary action, but otherwise performed as required in the department's operations manual. The hiring authority did not cause a Skelly results letter to be timely served on the parole agent supervisor.					
<b>Case No. 11-0120 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 24, 2010, an officer allegedly held a can of pepper spray to an inmate's face and demanded a condiment from the inmate for food the officer had taken off the breakfast service line. It was also alleged the officer verbally assaulted the inmate when he threatened to beat him if he did not comply.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain any of the allegations against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, the request for investigation was not timely submitted by the hiring authority as it was submitted approximately six months after the alleged misconduct was discovered.					









**SATISFACTORY CASES**

<b>Case No. 11-0121 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 23, 2010, an officer allegedly used unreasonable force on three inmates by punching and slapping them, as well as putting one in a choke hold with his baton. The officer then allegedly failed to report his own use of force.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain any of the allegations against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. The original request for investigation by the hiring authority was not timely as it was completed 120 days after discovery of the alleged misconduct. The initial contact by the department attorney with the assigned special agent and the bureau was also not timely.					
<b>Case No. 11-0122 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 19, 2010, an officer allegedly slapped another person, grabbed her by the throat, and choked her. The officer was arrested, charged with domestic violence, and a restraining order was issued against him. It was also alleged that the officer was dishonest when he told outside law enforcement that he did not batter the other person.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained both allegations and would have dismissed the officer; however the officer had been previously separated due to the domestic violence restraining order. A letter indicating the officer had been separated under adverse circumstances was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition. However, the hiring authority failed to timely request authority to open a disciplinary action against the officer. The incident occurred in June 2010, however, the request was not submitted to the Office of Internal Affairs until August 2010. The hiring authority failed to provide the bureau with the documentation regarding findings as required.					
<b>Case No. 11-0123 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 14, 2010, a lieutenant, while acting in his capacity as a senior hearing officer, allegedly persuaded an inmate not to call witnesses at a rules violation hearing and later falsified documents regarding the hearing. It was also alleged that he was dishonest in his investigatory interview.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegations and served the lieutenant with a notice of dismissal. However, the lieutenant resigned before the disciplinary action took effect. A letter indicating the lieutenant resigned pending disciplinary action was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, the hiring authority failed to timely refer the matter to the Office of Internal Affairs as the misconduct was discovered on June 14, 2010; however, an investigation was not requested until August 3, 2010.					









**SATISFACTORY CASES**

<b>Case No. 11-0124 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 3, 2010, an officer was arrested for vandalism and resisting arrest. The officer allegedly rammed his vehicle into a parked vehicle because the officer did not like the fact that the vehicle was parked in front of his house. When outside law enforcement officers arrived on scene, the officer was uncooperative and resisted arrest, resulting in the need for law enforcement to use physical force to gain control of the officer. The officer subsequently pled guilty to a misdemeanor vandalism charge. The officer was also allegedly negligent in his duties by failing to inform the hiring authority of his arrest and subsequent conviction.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a salary reduction of 10 percent for 12 months. The officer filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. The department attorney provided adequate legal advice to the hiring authority; however, failed to input information regarding the deadline for taking action into the case management system.					
<b>Case No. 11-0125 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	In June 2010, an officer was allegedly involved in an overly familiar relationship with an inmate. The officer also allegedly provided mobile phones and cigarettes to inmates.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, the hiring authority did not request an investigation as soon as practicable. The hiring authority discovered the misconduct on or about June 10, 2010, but did not request an investigation until August 17, 2010. The Office of Internal Affairs investigation was thorough and included a special operation involving a gate stop of the officer and a search of her vehicle. However, the investigation was not completed in a timely manner. The last date to take action on the case was February 27, 2011; the special agent did not submit the final report to the hiring authority until February 22, 2011.					
<b>Case No. 11-0126 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	In June 2010, a sergeant was allegedly involved in a conspiracy with inmates to smuggle drugs, mobile phones, and other contraband into the institution.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe a crime was committed. Therefore, the case was not referred to the district attorney's office. The department did not open an administrative investigation due to lack of evidence.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					









**SATISFACTORY CASES**

<b>Case No. 11-0127 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 31, 2010, a youth correctional counselor was involved in a physical altercation with a ward. After the altercation, when the ward was handcuffed and laying face down on the ground, the youth correctional counselor allegedly kicked the ward in the head.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation of unnecessary use of force and imposed a 5 percent salary reduction for 18 months. Subsequent to the incident which led to the disciplinary findings, the youth correctional counselor assumed the position of a parole agent. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. However, the hiring authority failed to request an investigation in a timely manner. The incident was discovered on May 31, 2010, but the hiring authority did not request an investigation until two months later on July 29, 2010. After receiving the request, the Office of Internal Affairs conducted a timely and thorough investigation. Three different department attorneys were assigned to this case. The first department attorney failed to adequately input in the case management system the specific deadline for taking disciplinary action and likewise failed to make initial contact with the special agent and the bureau to discuss the investigation plan. Although the second department attorney attended the relevant witness and subject interviews, the third department attorney failed to review the investigative report and provide feedback to the special agent. Thus, the department attorney was also unable to provide written confirmation of discussions about the report as required.					
<b>Case No. 11-0128 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 30, 2010, it was alleged that an officer was subjecting inmates to discourteous treatment by having inmates pick up and read other inmate's mail, using profanity when addressing inmates, disclosing confidential inmate information to other inmates in the same housing unit, and making sexually explicit and derogatory comments. The officer also allegedly instructed an inmate to assault another inmate in order for the aggressor inmate to receive his personal belongings back. It was further alleged that the officer is staging fights between inmates.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain any of the allegations against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. However, the final investigative report was not provided to the hiring authority until 30 days before the time to take action expired. The special agent correctly identified additional allegations that necessitated additional investigation which delayed the time needed to complete the investigation.					









**SATISFACTORY CASES**

<b>Case No. 11-0129 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 30, 2010, a sergeant allegedly took leave to tend to his injured fiancé in violation of policy. Further, the sergeant was allegedly insubordinate and dishonest when he failed to provide a note from a doctor indicating whether his fiancé was a patient receiving medical care.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority originally sustained an allegation that the sergeant improperly took leave, but determined that there was insufficient evidence to sustain the remaining allegations. However, subsequently a different department attorney took over the case, at which time the hiring authority re-evaluated the matter and determined that there was insufficient evidence to sustain the allegation that the sergeant improperly took leave.					
BUREAU ASSESSMENT	Ultimately, the department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The bureau disagreed with the original determination to sustain the allegation that the officer inappropriately took leave and was raising the issue to a higher level of department management. However, a different department attorney was then assigned to the case, and as a result, the hiring authority corrected the inappropriate finding. The original department attorney mishandled this case by refusing to comply with the factual findings made by the hiring authority during the disciplinary process, failing to coordinate with the bureau at critical junctures, and drafting a deficient disciplinary action, which fortunately was not ultimately served on the officer. Once the matter was reassigned to a different department attorney, this case was properly resolved.					
<b>Case No. 11-0130 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 28, 2010, it was alleged that a licensed vocational nurse was involved in a sexual relationship with an inmate, which resulted in her pregnancy.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The case was referred to the district attorney's office, which accepted the case for prosecution. The Office of Internal Affairs also opened an administrative investigation, which the bureau did not accept for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					













**SATISFACTORY CASES**

<b>Case No. 11-0131 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 5, 2010, a youth correctional counselor used unnecessary force on a ward who was in handcuffs when he pulled the seated ward to the ground. In addition, the youth correctional counselor was allegedly dishonest in his report of the incident when he claimed that the ward made an aggressive and threatening motion toward him.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and demoted the counselor to the position of officer. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. However, the investigation was not sent to the hiring authority with sufficient time for review prior to the expiration of the deadline to take disciplinary action, nor was the investigation conducted with due diligence. Approximately three months passed before the special agent conducted any interviews, and the investigative report was not completed until more than three months after the last interview in the case. The investigation was sent to the hiring authority on February 5, 2011, less than 35 days prior to the deadline for taking action which expired March 5, 2011. However, this deficiency did not effect the final outcome of the case.					
<b>Case No. 11-0132 (Headquarters)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 24, 2010, a parole agent allegedly drove a volunteer intern to a remote location. He asked if he could draw a Dallas cowboy's star on her breast. While attempting to do so, the intern pushed the parole agent's hand away at which time his hand grazed her breast.					
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Initially, the department did not adequately consult with the bureau regarding the case. In consultation with the department attorney, the special agent assigned to the case opined that an investigation should not be conducted. The bureau was not consulted about this determination and disagreed. The bureau urged the department to assign a different department attorney and special agent and to appropriately investigate the allegation. The department agreed. Once the case was reassigned, the department adequately consulted with the bureau and conducted a proper investigation.					

### SATISFACTORY CASES









<b>Case No. 11-0133 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On May 24, 2010, a supervising parole agent allegedly drove a volunteer intern to a remote location and grabbed one of her breasts. He also allegedly suggested that her failure to give him a hug would affect her evaluation. It was also alleged that in 2008 the supervising parole agent inappropriately hugged and tried to kiss a female secretarial employee and that he also harassed a female parole agent.		DISPO	INV	ADV	HA
						
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations regarding the supervising parole agent inappropriately touching the volunteer intern and the secretarial employee, but did not sustain the allegation that the supervising parole agent harassed a female parole agent. The hiring authority decided that dismissal was the appropriate penalty. However, the supervising parole agent resigned during the pendency of the investigation. A letter indicating the supervising parole agent resigned under adverse circumstances was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. However, the department attorney failed to timely assess the deadline for taking disciplinary action, did not attend investigative interviews for key witnesses, failed to provide written confirmation summarizing critical discussions about the investigative report to the special agent and the bureau, and did not provide to the hiring authority and the bureau a written confirmation of penalty discussions.					
<b>Case No. 11-0134 (South Region)</b>		<i>Direct Action Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On May 24, 2010, a parole agent allegedly documented that parolees were tested for drug use when they had not undertaken tests.		DISPO	INV	ADV	HA
						
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. The Office of Internal Affairs approved a limited investigation consisting of an interview with the parole agent, however, a full internal affairs investigation was not conducted.					

**SATISFACTORY CASES**













<b>Case No. 11-0135 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 23, 2010, a sergeant allegedly failed to report an incident in the visiting area of the institution when an inmate choked a visitor and later lied about the incident. Additionally, two officers that observed the incident allegedly failed to sound an alarm or submit a report.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations regarding the officers' failure to sound an alarm and submit written reports; the officers each received a letter of instruction. The hiring authority determined that the sergeant was untimely in reporting the incident, but not that he lied regarding the incident, and imposed a 5 percent salary reduction for six months. The sergeant did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. However, the Office of Internal Affairs was not diligent in assigning this case within 10 working days to a special agent to complete the investigation, and allowed more than two months to pass without work on the case. Moreover, the special agent did not timely update investigative activity in the case management system.					
<b>Case No. 11-0136 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 22, 2010, two officers allegedly used excessive force on a hearing impaired inmate by spraying the inmate with pepper spray when the inmate failed to respond to verbal orders to get down. A third officer allegedly used excessive force by hitting the same inmate with a less-than-lethal round as the inmate was returned to his cell.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against either officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, after completion of the investigation, the department attorney timely reviewed the investigative report and provided feedback to the investigator, but failed to document his review and feedback in the department's case management system as required. Moreover, the hiring authority delayed referring the case to the Office Internal Affairs as the alleged conduct was discovered on May 22 and not referred until July 22, 2010, approximately two months later.					
<b>Case No. 11-0137 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 21, 2010, it was alleged that, beginning in 2008, a supervising cook had allegedly engaged in sexual activity with an inmate and smuggled drugs into the institution.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. However, the investigation was not pursued with due diligence. The Office of Internal Affairs assigned a special agent to conduct the criminal investigation on May 25, 2010, but substantive investigative efforts were not made until almost a year later on March 15, 2011, when the first of several witnesses were interviewed.					



**SATISFACTORY CASES**

<b>Case No. 11-0138 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 20, 2010, a sergeant and an officer allegedly grabbed an inmate by the waist chain and back of the neck while he was waiting to board a transportation bus and pushed him to the front of the bus. The inmate alleged while at the front of the bus, the sergeant and officer assaulted him. The inmate alleged one officer jabbed some object in his back, while the other grabbed him around the nape of the neck and choked him. It was further alleged that the sergeant and the officer failed to report the use of force.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the sergeant and the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component. However, the department received the complaint from the inmate on the day of the incident, yet did not request an investigation until almost 4 months later. The hiring authority also did not provide the entire file materials to the Office of Internal Affairs when they requested the matter be formally investigated. The Office of Internal Affairs did have notice of certain missing file materials, yet, failed to obtain the materials to adequately prepare for the interviews. Finally, despite requests from the bureau and the department attorney, the Office of Internal Affairs decided to not interview the complaining inmate and relied on the inmate's initial written compliant and statement taken during the inquiry phase. Moreover, the Office of Internal Affairs did not send the investigative report to the hiring authority until approximately 30 days before the time to take disciplinary action expired.					
<b>Case No. 11-0139 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 14, 2010, a parole agent allegedly interfered in a homicide investigation conducted by an outside law enforcement agency. Allegedly, the parole agent was briefed on the outside law enforcement agency's plan to arrest a parolee and conduct a search of his house, then called the home of the parolee to let the parolee know the outside law enforcement officers' plans. The parole agent then went to the parolee's house and arrested the parolee prior to the officers arriving. He also advised the outside law enforcement officers that they did not have to search the house since he had already done it, which was not true. Allegedly, the parole agent has a friendship with the family of the parolee's girlfriend.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority sustained the allegations and dismissed the parole agent, who filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. However, the hiring authority did not provide the bureau the documents confirming the penalty decision as required. Additionally, the department attorney did not timely confirm the deadline for taking disciplinary action in the case management system.					

### SATISFACTORY CASES

<b>Case No. 11-0140 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	Between May 14, 2010 and May 20, 2010, an officer allegedly arranged for materials sent through an annual package intended for one inmate to be transferred to another inmate, thereby circumventing departmental regulations. Another officer allegedly transferred the items between the two inmates.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the officer who allegedly transferred the items from the annual package between the inmates. The hiring authority determined there was sufficient evidence to sustain the allegation against the other officer who allegedly arranged the transfer of the property and imposed a 10 percent salary reduction for six months. The officer did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority did not submit a request for investigation in a timely fashion. The alleged misconduct was discovered on May 15, 2010, but the request for investigation was not submitted to the Office of Internal Affairs until August 5, 2010, almost three months later.					
<b>Case No. 11-0141 (North Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On May 13, 2010, an officer allegedly used unnecessary force when he grabbed an inmate around the neck and struck the inmate with a closed fist while the inmate was on the ground. The officer also allegedly neglected his duties by sending an intoxicated inmate back to his cell.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority delayed referring the case to the Office of Internal Affairs for 63 days following discovery of the alleged misconduct as it was discovered on May 13 and referred on July 15, 2010.					
<b>Case No. 11-0142 (Central Region)</b>		<i>Criminal Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On May 11, 2010, an inmate alleged that a sergeant and several officers were involved in smuggling tobacco and mobile phones into an institution in exchange for money.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The Office of Internal Affairs determined that there was insufficient evidence to believe that there was probable cause to support the allegations. Consequently, the matter was not referred to the district attorney's office for prosecution. No administrative investigation into the allegations was opened by the department.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**

<b>Case No. 11-0143 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 9, 2010, an officer was allegedly negligent by failing to respond to inmates' calls for assistance for approximately 90 minutes, which arose due to an in-cell fight between two inmates, resulting in one inmate losing an eye. The officer allowed one of the involved inmates back into the cell so that he could clean the blood, which compromised evidence collection and processing. The inmate who lost an eye died after being admitted to a hospital due to injuries sustained during the fight.		●	●	●	▲
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations that the officer failed to perform within the scope of training and imposed a 5 percent salary reduction for 13 months. The officer filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority did not adequately inform the bureau of the recommendation to lower the penalty after the Skelly hearing.					
<b>Case No. 11-0144 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 9, 2010, an officer was allegedly involved in an off-duty traffic accident and then was discourteous when she identified herself as a peace officer and used an expletive directed at the opposing motorist. The officer also allegedly fled the scene. The officer later pled no contest to committing a hit and run violation.		●	▲	▲	●
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations regarding the actual conduct.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case related to the allegations related to the factual misconduct and overall substantially complied with critical policies and procedures for the hiring authority component. However, the bureau recommended that, although the hiring authority did not sustain the allegations on the underlying conduct, the department consider taking action based on the conviction itself. The department rejected this recommendation. The Office of Internal Affairs investigation was not thorough and timely. The only interview conducted by the special agent was of the officer and the interview did not occur until three months after she entered her no contest plea in criminal court. The special agent was not able to locate the alleged victim from the information listed in the police report one year earlier, then the special agent failed to exhaust other investigative resources available to him in trying to locate the critical witness. Lastly, the department attorney did not document his initial assessment of the case within 21 days as required, did not evaluate the draft investigative report or provide feedback to the special agent regarding the substance of the report, and did not provide written confirmation of the discussions related to the investigative report as required.					









**SATISFACTORY CASES**

<b>Case No. 11-0145 (North Region)</b> <span style="float:right"><i>Criminal Case</i></span>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	It was alleged that in May 5, 2010, four officers and a lieutenant used unnecessary force by slapping and choking an inmate.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.				
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.				
<b>Case No. 11-0146 (North Region)</b> <span style="float:right"><i>Criminal Case</i></span>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 4, 2010, an officer was allegedly overly familiar with an inmate when she inscribed an inappropriate comment on a handball that she gave to the inmate. The officer also allegedly engaged in unauthorized communications by calling the inmate from the watch office to the inmate's mobile phone, that she had provided to him.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The investigation established probable cause to believe that a crime was committed. The matter was referred to the district attorney's office which accepted the case for prosecution. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.				
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.				
<b>Case No. 11-0147 (North Region)</b> <span style="float:right"><i>Administrative Case</i></span>		<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 4, 2010, an associate warden and a facility captain allegedly failed to address a security breach that allowed an administratively segregated inmate to leave his cell unattended and wander the tier. It was also alleged that the associate warden was dishonest when she denied being aware of the incident when questioned by an investigative services unit lieutenant.	DISPO	INV	ADV	HA
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegation of dishonesty against the associate warden. However, the allegation of neglect of duty was sustained against both the associate warden and the captain and each received a 5 percent salary reduction for 6 months. The captain and associate warden each filed an appeal with the State Personnel Board.				
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. The hiring authority failed to timely submit a request for investigation as the conduct was discovered on May 3, 2009, and the request submitted on July 22, 2009. The department attorney failed to provide timely feedback to special agent concerning the draft investigative report; thus, also did not confirm discussions about the report in writing as required.				













**SATISFACTORY CASES**

<b>Case No. 11-0148 (Headquarters)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 28, 2010, a lieutenant allegedly failed to submit a case to the Office of Internal Affairs for review. On February 2, 2011, the Office of the Inspector General inquired about the status of the case and learned that the matter had not been submitted for review. It was also discovered that delay prevented the department from imposing disciplinary action, if necessary, as to the time for taking disciplinary action had already expired.					
DISPOSITION OF CASE	The hiring authority sustained the allegation and served the lieutenant with a letter of reprimand. The lieutenant did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. The hiring authority's decision was not consistent with the bureau's recommendation that a 5 percent salary reduction for 3 months be imposed. However, the penalty imposed was not unreasonable considering there was no evidence the conduct was intentional and appeared to be an oversight.					
<b>Case No. 11-0149 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 26, 2010, a sergeant allegedly committed a sexual battery by placing a credit card between a cashier's breasts at the institution's cafeteria.					
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The sergeant retired during the course of the investigation; therefore, the Office of Internal Affairs did not open an administrative investigation.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					









**SATISFACTORY CASES**

<b>Case No. 11-0150 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 25, 2010, it was alleged that a sergeant attempted to inappropriately utilize paid leave. On May 1, 2010, the sergeant also allegedly failed to properly supervise the posts under his authority and failed to complete mandatory tours of the institution, resulting in inaccurate official logs being created. It was further alleged that the sergeant was dishonest by knowingly signing logs that contained inaccurate information.					
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain any of the allegations against the sergeant, other than finding that the sergeant failed to follow proper procedures when requesting the time off for family medical leave. The hiring authority issued the sergeant a letter of reprimand, which he did not appeal to the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. In all significant regards, the department attorney failed to perform in accordance with the department's operations manual. The department attorney failed to coordinate with the bureau at each critical juncture of the investigation, failed to respond to the inquiries of the hiring authority or the bureau and did not provide appropriate legal advice to the hiring authority. The department attorney sought out information related to conduct outside of the scope of investigation and included it in the disciplinary action even though the hiring authority had not made a finding of misconduct, and included allegations in the action that the hiring authority requested be removed. The bureau agreed with the hiring authority and found the department attorneys actions inappropriate. Subsequently, the department attorney was relieved of responsibility for this case and a different was assigned, who proceeded in an appropriate manner. Additionally, the bureau disagreed with the hiring authority's determination that the sergeant failed to follow proper procedures when taking family medical leave because the sergeant requested time off for a member of his household and department policy allows the use of leave for household members. Moreover, the sergeant had sufficient hours in his leave accounts to cover the requested time off and he did not exhibit any fraudulent intent. However, despite the difference of opinion, the bureau did not find the hiring authority's interpretation of the leave procedures to be unreasonable.					
<b>Case No. 11-0151 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 23, 2010, it was alleged that after exhausting all of his leave credits, a senior staff attorney unlawfully continued to receive monthly paychecks from May 2009 thru February 2010 totaling over \$96,000.					
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**









<b>Case No. 11-0152 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 22, 2010, it was alleged that two officers used unnecessary force by grabbing an inmate by the arms and forcing him to the ground without provocation. The officers and a sergeant allegedly later filed inaccurate reports regarding use of force.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority exonerated the officers and the sergeant of all of the allegations against them.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority and advocacy components, although the department attorney did not attend all of the subject interviews. The Office of Internal Affairs did not proceed with diligence. The report that was prepared in this matter was received by the hiring authority only 7 days before the time limit to take action expired, thus it did not allow for additional investigation had that been required.					
<b>Case No. 11-0153 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 22, 2010, an officer allegedly used unreasonable force on an inmate who reportedly resisted being handcuffed. The officer allegedly threw the inmate against a wall and knocked his leg out from under him causing the inmate to fall to the ground.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegation against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority failed to timely submit a request for investigation by waiting over two and a half months after becoming aware of the alleged misconduct.					
<b>Case No. 11-0154 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 21, 2010, it was alleged that two sergeants battered an inmate while escorting him to his housing unit. Allegedly, the battery occurred in retaliation for the inmate assaulting an officer earlier in the day.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined the allegations against the sergeants were unfounded.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority failed to submit the request for investigation to the Office of Internal Affairs in a timely manner. The hiring authority discovered the alleged misconduct on April 21, 2010, however the request for an investigation was not submitted until June 14, 2010.					

**SATISFACTORY CASES**









<b>Case No. 11-0155 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 18, 2010, two officers were passing out supplies to inmates when an inmate grabbed the first officer's hand through the food port of the cell door. A brief struggle ensued before the officer was able to free his hand. Both officers allegedly entered the inmate's cell without reason and the first officer used unnecessary force by throwing the inmate to the ground. It was also alleged that both officers were negligent in their duties for failing to call for assistance at the time the first officer was assaulted and for violating escort procedures by failing to advise the inmate of the reason for the escort. A third officer, assigned to the control booth, allegedly left his post and failed to adequately monitor the two officers while they were passing out supplies.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations pertaining to the officers entering the inmate's cell. However, the hiring authority sustained the other allegations against both officers and initially imposed a 60 working-day suspension against the first officer and a 30 working-day suspension against the second officer. Following a Skelly hearing, the hiring authority settled the case against the first officer for a salary reduction of 10 percent for 13 months and settled the case against the second officer for a salary reduction of five percent for 13 months. Both officers agreed not to file appeals with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the allegation against the officer assigned to the control booth.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. The hiring authority failed to timely request an investigation. The incident occurred on April 18, 2010; however the request for investigation was not submitted until five months later on September 17, 2010. Despite the delay, the Office of Internal Affairs conducted a timely and thorough investigation. Additionally, the hiring authority failed to provide the bureau with the forms documenting findings and penalty as required.					
<b>Case No. 11-0156 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 16, 2010, an officer was alleged to have intentionally run her car into another person during a domestic dispute. The officer was arrested by the local police for assault, however, the district attorney's office declined to prosecute her.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component. The hiring authority failed to submit the request to initiate an investigation in a timely manner due to a clerical error. As a result, the Office of Internal Affairs was not able to complete the report until 27 days before the time limit to take action expired.					



**SATISFACTORY CASES**

<b>Case No. 11-0157 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 16, 2010, a parolee alleged that he was falsely arrested by his parole agent because he had incriminating evidence against department officers and that he was assaulted by outside law enforcement while at the county jail at the behest of department officers. The parolee claimed that his parole agent was aware of the information that the parolee had against officers, and retaliated against him to silence the parolee. The parolee further alleged that another parole agent assisted in the false arrest.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against either of the parole agents.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. The Office of Internal Affairs did not complete a timely investigation. The final report was submitted to the hiring authority 34 days before the deadline for taking disciplinary action. The department attorney failed to contact either the special agent or the bureau in a timely fashion to discuss the elements of a thorough investigation. When the special agent, the bureau, and the department attorney did eventually meet, he did not document that discussion until after the passage of approximately three months. Additionally, the department attorney failed to attend interviews of key witnesses, in fact, only attending one interview.					
<b>Case No. 11-0158 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 14, 2010, two officers allegedly failed to properly supervise a hospitalized inmate in compliance with department policy. One of the officers was allegedly less than alert while on duty and the second officer allegedly failed to report his co-worker's less than alert status. Also, the unarmed officer failed to maintain close proximity to the inmate as required by department policy. Further, on November 5, 2010, one of the officers was allegedly dishonest during his Skelly hearing regarding the incident involving the hospital coverage .	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations against both officers for neglect of duty and imposed a 5 percent salary reduction for six months on both officers. The hiring authority determined there was insufficient evidence to sustain the dishonesty allegation. Neither officer filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component, even though the department attorney did not attend one of the officer's interviews to assess credibility. Due to the time of the alleged misconduct regarding the hospital, the department had a short time-frame to complete the investigation, which included the dishonesty allegation. Therefore, the investigation was completed 22 days prior to the deadline for action, which is not sufficient time to allow the hiring authority to adequately review the investigative report and take disciplinary action. Also, the hiring authority failed to notify both the department attorney and the bureau that one of the subjects requested a Skelly hearing. Therefore, neither was able to attend and the Skelly hearing was not conducted in compliance with department policy.					









### SATISFACTORY CASES

<b>Case No. 11-0159 (North Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On April 14, 2010, during an escort, a sergeant and three officers allegedly took an inmate to the ground, pushed his head into the surface and stood on his toe. They all allegedly failed to report their use of force. On the following day, medical staff observed the inmate limping with the right side of his face swollen.		DISPO	INV	ADV	HA
						
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegations against the sergeant or the officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. The hiring authority failed to submit a timely request for investigation. The conduct was discovered on April 15, but the request was submitted on July 26, 2010.					
<b>Case No. 11-0160 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On April 11, 2010, an officer was allegedly overly familiar with inmates when she provided them with meal worms for a lizard they kept in their cell. The officer also allegedly provided inmates with tobacco and marijuana, and violated policy by passing notes between inmates.		DISPO	INV	ADV	HA
						
DISPOSITION OF CASE	The hiring authority sustained the allegations of over familiarity and introducing contraband meal worms into the institution. However, the officer was non-punitively dismissed in another case prior to the completion of this investigation; therefore, disciplinary action was not taken. A letter was placed in the officer's official personnel file indicating that if she attempted to regain employment with the department, she would be served with an action for dismissal.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. However, the department attorney failed to attend all of the interviews, provide the special agent with legal advice during the investigation, evaluate the draft investigative report, and provide feedback to the special agent regarding the substance of the report. The department attorney also did not consult with the special agent or the bureau regarding a reevaluation of the deadline for taking action concerning two of the allegations.					









**SATISFACTORY CASES**

<b>Case No. 11-0161 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 6, 2010, officers allegedly pushed an inmate against a wall, forcibly threw him to the ground, kicked him numerous times, and struck him with a baton.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against any of the officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. Although the Office of Internal Affairs conducted an adequate investigation, it was hampered because investigating officers at the institution lost the videotaped recording of the first interview of the complaining inmate. Additionally, the department attorney's overall performance was less than adequate. The case was assigned to two different department attorneys within the first 21 days of case assignment. Neither of the department attorneys made computer entries regarding the deadline for taking disciplinary action. When the hiring authority scheduled a date to discuss the final report and determine the finding and potential penalty, all parties were present and prepared to discuss the case, but the department attorney failed to join in the conversation. There was some confusion as to which department attorney would be handling the case due to assignment changes. The case conference had to be re-scheduled for another time. The department attorney noted in the computer system that she had reviewed the report, but there is no indication documenting any discussion of such with the special agent, nor was the bureau provided with any written confirmation of critical discussions about the report.					
<b>Case No. 11-0162 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 5, 2010, a case analyst was allegedly dishonest during a background interview for a peace officer position by stating that he received a voluntary discharge from the military for medical hardship when, in fact, he was discharged due to unsuitability based on conduct. The analyst also failed to disclose the fact that he received disciplinary action for other misconduct and received a reduction in rank.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component. The hiring authority failed to timely submit a request for investigation. The misconduct was discovered on April 5, 2010; however, the request for investigation was not submitted until June 24, 2010.					

**SATISFACTORY CASES**

<b>Case No. 11-0163 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 4, 2010, an officer discovered an inmate hanging from a ligature tied around his neck in single person cell. Responding staff removed the inmate from the cell and initially determined there were clear signs of death, such as dependent lividity which is pooled blood within the inmate's body. An officer began assessing the inmate for signs of life and, at this time, medical staff arrived and declared the inmate dead. The responding sergeant and two correctional officers did not initiate CPR.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain any allegations against the responding sergeant and two officers, particularly in light of a policy in place at the time of the inmate's death stating that CPR will not be performed when there are signs of dependent lividity.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, the investigation did not adequately address the relevant issues in the case and the report was not thorough as the special agent failed to obtain a medical expert's confirmation as to exact time of death to determine if the staff timely conducted the required inmate checks and failed to gather information relative to the control booth officer's post orders and knowledge of the those orders. The bureau recommended that this information be addressed in the investigation, however, the Office of Internal Affairs declined to do so. The special agent failed to conduct the investigation with due diligence and did not provide the investigative report to the hiring authority until just 13 days before the deadline for taking action on the case expired. The special agent also failed to timely update the case activity in the case management system. The hiring authority untimely requested an investigation by waiting over two months from the discovery date of the alleged misconduct to forward the matter to the Office of Internal Affairs. The department attorney failed to appropriately provide legal consultation to the special agent throughout the investigation and failed to properly consult with the bureau.					
<b>Case No. 11-0164 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 3, 2010, two officers allegedly used excessive force by punching an inmate after he was forced to the ground. A third officer allegedly kned the same inmate while the inmate was on the ground. Further, one of the involved officers allegedly neglected his duties by failing to report force used by another officer.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against any of the officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component. However, the hiring authority delayed referring the case to the Office of Internal Affairs for over three months following discovery of the alleged misconduct. In addition, the special agent did not proceed diligently and investigation was completed 33 days before the deadline to take action expired, which is not sufficient time for the hiring authority to adequately review the investigative report and take disciplinary action.					





**SATISFACTORY CASES**

<b>Case No. 11-0165 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 2, 2010, a parolee reported that when she was previously on parole in 2008, she had inappropriate sexual contact with her former parole agent.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. The Office of Internal Affairs failed to complete a thorough investigation. The parole agent who allegedly committed the misconduct was not interviewed and the case was closed without consulting with the bureau. The Office of Internal Affairs did consult with the department attorney, who apparently agreed with the strategy not to interview any the parole agent or other potential witnesses in this matter. Therefore, the investigation and report did not address relevant facts of the allegation made by the parolee. Moreover, the investigation was not conducted with due diligence as the final report was submitted to the hiring authority on February 28, 2011, leaving less than the required period for the hiring authority to review the report and impose discipline, if warranted. Additionally, the department attorney failed to analyze and determine the deadline for taking disciplinary action and did not proceed diligently once the investigation was complete due to an erroneous assumption this case would be closed without review by the hiring authority. When this error was brought to the attention of the department attorney by the bureau, the department attorney hurriedly arranged a conference to discuss the case with the hiring authority on the last day in which disciplinary action could have been taken against the parole agent. The department attorney further failed to consult with the assigned special agent and the bureau upon case assignment, failed to coordinate with the bureau during the disciplinary process, and provided inadequate legal advice.					
<b>Case No. 11-0166 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 2, 2010, two officers allegedly utilized physical force against an inmate during a cell extraction by using their feet to pin the inmate's left hand and thigh to the ground. The officers then allegedly failed to report the use of force. It was further alleged that another officer and a sergeant failed to report the use of force that they observed.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority sustained all allegations against the three officers and the sergeant. The hiring authority determined that the minimal use of force by the officers was justified in light of the inmate's assault upon one of the officers and that the failure to document the force used was not intentional or malicious; therefore, imposed corrective action in the form of training.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component. Overall, the department maintained satisfactory contact with the bureau for the duration of the disciplinary process. However, the hiring authority did not submit the request for investigation in a timely manner as the potential misconduct was discovered on June 9, 2010, but the request was not submitted until November 22, 2010.					









**SATISFACTORY CASES**

<b>Case No. 11-0167 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On April 2, 2010, a parolee reported that when she was previously on parole in 2008, she had inappropriate sexual contact with her former parole agent.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	On the whole, there were aspects of the investigation that were not addressed by the Office of Internal Affairs. Only the victim was interviewed in this case. The special agent told the bureau that he would be conducting a Mirandized interview of the parole agent, assuming he waived his constitutional protections, but ultimately did not even attempt to interview the parole agent. Additionally, while the victim was initially cooperative, she became less so after she was discharged from parole obligations.					
<b>Case No. 11-0168 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 30, 2010, it was alleged that two officers were trafficking tobacco, mobile phones, and possibly narcotics into the institution. The home address of one of the officers was found in an inmate's cell.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	The Office of Internal Affairs failed to diligently proceed with the investigation as there were several months of inactivity. Interviews in the case did not begin until approximately eight months after assignment of the case and the last interview as concluded just one week before the deadline for filing charges. As a result, the investigative report was completed less than 35 days before the deadline.					
<b>Case No. 11-0169 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 30, 2010, it was alleged that two officers were trafficking contraband consisting of tobacco, mobile phones and possibly narcotics into the institution. The home address of one of the officers was found in an inmate's cell	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The hiring authority sustained the allegations against the officer whose address was found in an inmate's cell. However, the officer resigned prior to the completion of the investigation; therefore, disciplinary action was not taken. A letter indicating that he resigned under adverse circumstances was placed in his official personnel file. The hiring authority determined there was insufficient evidence to sustain the allegations against the other officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs failed to proceed with due diligence in investigating this case. Minimal substantive investigation work was done on this case until the last month before the deadline to take disciplinary action. The case was assigned to the investigator on July 26, 2010, interviews did not begin until March 2011, and the investigative reports was not forwarded to the hiring authority until eight days before the deadline for taking action expired.					

**SATISFACTORY CASES**

<b>Case No. 11-0170 (South Region)</b>		<i>Direct Action Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 29, 2010, an officer was arrested for allegedly inflicting corporal injury on another person. Specifically, it was alleged the officer grabbed the alleged victim by her throat and slammed her into a door resulting in bruising.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The hiring authority initially sustained the allegation against the officer and imposed a salary reduction of 10 percent for 12 months. However, following a Skelly hearing, the hiring authority withdrew the action based on a supplemental police report indicating the alleged victim recanted her initial statement.								
BUREAU ASSESSMENT	The department reached a reasonable disposition. However, the hiring authority failed to submit a timely request for investigation. The hiring authority became aware of the incident on March 29, 2010; however, did not request an investigation until May 18, 2010. Additionally, the hiring authority did not diligently proceed with the case as it took the hiring authority almost a year before making disciplinary determinations case. However, when new evidence was presented at the Skelly hearing, the hiring authority appropriately considered the evidence and re-evaluated its initial decision.								

**SATISFACTORY CASES**





<b>Case No. 11-0171 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>						
FACTS OF CASE	On March 28, 2010, an inmate violated facility rules by placing paper over the observation window to his cell. As a result, four officers and a sergeant allegedly violated policy by conducting a cell extraction and using force against the inmate without authorization, and then conspiring not to report use of force. After a control booth officer opened the cell door, the other officers allegedly pushed the inmate with a shield, and then used force to lift him up off the floor. The incident was allegedly not properly and fully reported. Further, it was alleged that a second sergeant on March 29, 2010, committed a battery on the same inmate in retaliation for the inmate's earlier action of papering over the cell window.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The hiring authority sustained the allegations that the first sergeant, first officer and second officer failed to follow proper procedures in conducting the cell extraction, failed to report the cell extraction, and were misleading when interviewed by the Office of Internal Affairs, but did not sustain the allegations that they battered the inmate. The hiring authority dismissed the first sergeant, however, he retired prior to the effective date of the discipline. The hiring authority also dismissed the first officer, who appealed to the State Personnel Board, and imposed a 60 working-day suspension on the second officer, who did not appeal to the State Personnel Board. The hiring authority sustained the allegations that the third and fourth officers failed to follow proper procedures in conducting the cell extraction and failed to report the cell extraction, however, did not sustain the allegations that they battered the inmate or were misleading when interviewed by the Office of Internal Affairs. The hiring authority imposed a 5 percent salary reduction for 24 months on the third officer, who resigned before the discipline became effective. The fourth officer received a 5 percent salary reduction for 3 months, which he appealed to the State Personnel Board. The hiring authority sustained the allegation that the control booth officer improperly opened the inmate's cell door, however, did not sustain the allegations that the control booth officer had been dishonest or failed to report the incident. The hiring authority imposed a 5 percent salary reduction for 2 months, which he did not appeal to the State Personnel Board. The hiring authority determined that there was insufficient evidence to sustain the allegations that the second sergeant had battered the inmate.								
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs failed to conduct the investigation with due diligence and submitted the report only 16 days prior to the expiration of the time limit to take action, which is not an appropriate time frame for the hiring authority to properly review the investigation and take action if necessary.								
<b>Case No. 11-0172 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>						
FACTS OF CASE	On March 19, 2010 a sergeant allegedly neglected his duties by improperly supervising an inmate escort during inclement weather. The sergeant was also allegedly discourteous to the inmate by conducting the escort outside while the inmate was wearing only boxer shorts and no shoes.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The hiring authority sustained the allegations and imposed a 5 percent salary reduction for six months. The sergeant filed an appeal with the State Personnel Board.								
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, the hiring authority delayed referring the case to the Office of Internal Affairs for over three months after discovering the alleged misconduct.								







**SATISFACTORY CASES**

<b>Case No. 11-0173 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between March 18 and April 12, 2010, an officer allegedly furnished illegal narcotics to, and engaged in overly familiar activities with, inmates.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe a crime was committed. Therefore, the case was not referred to the district attorney's office. The department did not open an administrative investigation due to lack of evidence.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. Although the special agent consulted with the bureau regarding investigative activities, the Office of Internal Affairs did not adequately consult with the bureau when it determined not to conduct an administrative investigation concurrently with the criminal investigation. Rather than engage in appropriate consultation, the Office of Internal Affairs simply informed the bureau of this decision after the fact.					
<b>Case No. 11-0174 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 17, 2010, during the transport of inmates, an inmate who was seated in the rear of the security area of the bus was talking to another inmate. Allegedly, an officer told the inmate to stop talking and the inmate questioned the officer stating he was of the understanding that they could talk if the bus was not moving. The officer allegedly became agitated and lifted the inmate by the jumpsuit, escorted him back to the rear of the bus to the lavatory area, pushed the inmate against the wall, and started choking him. It was further alleged that a sergeant witnessed the force and failed to report it.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegation against the officer. The hiring authority also determined that the allegation against the sergeant was unfounded.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The investigation in this case was cursory and hurried. The agent failed to obtain necessary documents, photographs, and prior interviews of witnesses prior to conducting his interviews; therefore was not adequately prepared for the investigation, and neither the interviews, nor the investigation, properly addressed all of the relevant issues. The investigative report also summarized the witness interviews with very little detail and failed to address relevant issues. The bureau made numerous requests for the matter to be completed in a timely manner, the investigation was not completed with due diligence and the case was submitted to the hiring authority for review with less than 30 days before the time to take disciplinary action expired. Moreover, the special agent failed to engage in appropriate consultation with the bureau and department attorney. The special agent also failed to provide the bureau and department attorney the opportunity to review the draft report and provide feedback before finalizing the report as required.					









**SATISFACTORY CASES**

<b>Case No. 11-0175 (Central Region)</b>		<i>Administrative Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Commencing around March 15, 2010, an officer was allegedly unprofessional by harassing inmates, using vulgar language towards inmates, and threatening to beat up inmates. It was also alleged that this officer failed to report misconduct and was dishonest. Three other officers allegedly failed to report the first officer's misconduct.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	All allegations against the primary officer were sustained and the hiring authority dismissed the officer, who did not file an appeal with the State Personnel Board. The hiring authority sustained the allegation of failure to report against two officers, and imposed corrective action and training as their failure to report was not intentional, nor done in an attempt to hide evidence of the primary officer's misconduct. The allegation of failure to report was not sustained against the third officer.								
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, the special agent did not timely forward the draft investigative report to the bureau for review before sending the report to the hiring authority. The hiring authority did not submit the initial request for investigation to the Office of Internal Affairs in a timely manner as it was submitted 60 days after the date of discovery.								













**SATISFACTORY CASES**

<b>Case No. 11-0176 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 11, 2010, a sergeant and an officer allegedly used unnecessary force and were negligent in their duties when they attempted to forcibly remove the clothing of an inmate. Specifically, an inmate was being escorted to the infirmary to be placed on suicide watch. During the escort, the inmate, who was in leg irons and waist chains, informed the officers that he was not going to surrender his clothing once he was placed on suicide watch. He told staff that he was homicidal, not suicidal and that he would fight staff before giving up his clothes. Officers placed the inmate in the infirmary cell and removed the leg irons. When the inmate refused to surrender his clothing, the officers left the cell and contacted the infirmary sergeant. The sergeant entered the cell along with another officer, told the inmate to face the wall and forcibly attempted to remove the inmate's boxer shorts. When the inmate resisted, the sergeant grabbed the inmate by the back of his t-shirt and allegedly threw him to the ground. The inmate, who was still in waist chains, was unable to break his fall. The inmate sustained a broken jaw, broken fingers and a laceration to his chin.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations against the sergeant and imposed a 5 percent salary reduction for 12 months. The sergeant filed an appeal with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the allegations against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, the hiring authority's request for investigation was not timely. The incident occurred in March 2010, however, the request for investigation was not submitted until June 2010. The Office of Internal Affairs investigation was thorough, but not timely. The case was originally assigned to a special agent who completed no work on the case prior to taking a leave of absence from the office. The case was not reassigned for almost two months. The second special agent who received the case did not begin working on the investigation for another five months. During the investigation, the special agent failed to notify the bureau and the department attorney about critical interviews. As a result, the investigation was not submitted to the hiring authority until 20 days before the time to take disciplinary action expired and the agent failed to provide the bureau and department attorney with the draft investigative report for review. Additionally, the special agent did not timely provide the draft investigative report to the bureau or department attorney for review. The department attorney did not confirm in the case management system the required information regarding the deadline for taking action in the case, nor did the departments attorney provide legal consultation to the special agent during the investigation. Out of seven interviews, only two were attended by a department attorney, however the attorney may not have been properly notified of all interviews. The department attorney also failed to consult with the bureau during critical junctures of the investigation, did not review the investigative report, or provide verbal or written feedback to the investigator about the report. One department attorney provided legal advice to the hiring authority, then another department attorney took over the case. The second attorney disagreed with the first attorney's assessment of the case and caused the matter to be re-evaluated by the hiring authority. The bureau disagreed with the legal advice offered by the second department attorney. The initial disciplinary documents prepared by the department attorney contained substantive factual and legal inaccuracies. The bureau made extensive recommendations for changes; some of which were ultimately incorporated into the final document.					

**SATISFACTORY CASES**

<b>Case No. 11-0177 (Central Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 8, 2010, an officer allegedly committed a battery upon a pregnant person by pulling her by the arm approximately ten feet, against her will, and was arrested for the offense. A restraining order, prohibiting the officer from contacting the victim of the battery was issued. The next day, the officer allegedly violated the order by contacting her, and he was again arrested. The officer allegedly told police that he was unaware the exact terms of the order. The officer also allegedly failed to notify the department of his arrests.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The officer pled no contest to violating a court order, a misdemeanor, and all other criminal charges were dismissed. The hiring authority sustained allegations of neglect of duty for reporting failures and making misleading statements to a law enforcement officer, as well as failure of good behavior that brought discredit to the department. The allegation of assaulting another person was not sustained. The hiring authority imposed a 10 percent salary reduction for 24 months. After a Skelly hearing, the department entered into a settlement with the officer wherein the officer waived any right to appeal, and the department reduced the penalty to a 5 percent salary reduction for 24 months. By the time of the settlement agreement, the officer had already completed a 52 week counseling program for anger management and had been without any further problems for almost a year.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. However, the original department attorney assigned made no effort to contact the district attorney's office to ascertain the subject's compliance with court orders for over five months, during which time no meaningful penalty discussions could take place on the administrative case. Once a new attorney was assigned by the department, the matter progressed through the disciplinary process in a timely manner according to department policy.					
<b>Case No. 11-0178 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 4, 2010, an officer allegedly used unnecessary force on an inmate when he sprayed the inmate in the face with pepper spray. Two other officers were allegedly dishonest during their interviews with the Office of Internal Affairs when they claimed that they did not see what happened to the inmate.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against any of the officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component. Although the hiring authority determined on June 1, 2010, that an investigation was warranted, he did not submit a request for investigation until September 20, 2010. The Office of Internal Affairs did not approve the hiring authority's request for an investigation until December 8, 2010, then failed to complete the investigation in a timely manner as the report was not submitted to the hiring authority until 22 days prior to the deadline for taking disciplinary action. The department attorneys were not originally assigned to this case. Due to the complexity of the case, the bureau recommended that a department attorney be assigned to the case. Once assigned, the department attorney appropriately performed advocacy duties. Although the bureau recommended sustaining the allegations against the officers, the department's attorney and hiring authority concluded that there was insufficient evidence to impose discipline. The bureau did not find the determination unreasonable.					









**SATISFACTORY CASES**

<b>Case No. 11-0179 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On March 3, 2010, an officer was arrested for domestic violence after allegedly pushing another person into a wall during an argument.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegation.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. However, the hiring authority determined that there was insufficient evidence to sustain the allegation based upon the information in reports from the outside law enforcement agency. Despite believing that the case would have benefited from an interview of the officer, the hiring authority did not make a request for further investigation to the Office of Internal Affairs.					
<b>Case No. 11-0180 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between February 27, 2010 and May 7, 2010, an officer was allegedly involved in overly familiar personal relationships with several inmates and also sold mobile phones, tobacco, and marijuana to inmates.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for the hiring authority component. Although the investigation was not submitted to the hiring authority until three days prior to the expiration of the time to take disciplinary action, the investigation was conducted with due diligence. The Office of Internal Affairs did not receive the request for investigation until three months prior to the expiration of the time to take disciplinary action. The special agent did not provide the bureau and department attorney with the draft report as required, nor did the special agent adequately confer with the department attorney about the investigative plan. Although the department attorney provided legal consultation to the special agent regarding the time within which to take action, the department attorney failed to attend any of the interviews, including two interviews of the accused officer, thereby failing to fully provide legal advice for the duration of the investigation. Further, the department attorney failed to provide feedback to the special agent about the content of the investigative report and written confirmation of critical discussions about the report as required by policy.					
<b>Case No. 11-0181 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 26, 2010, an officer allegedly was involved with an outlaw motorcycle gang and overly familiar with an inmate. During a search of the officer's home, several possible inmate drawings were found and it appeared the officer's home was used by members of outlaw motorcycle gangs.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the initial allegations. However, as a result of the investigation, an additional allegation surfaced regarding the officer's failure to obtain approval for employment outside of the department. This allegation was sustained and the officer was provided training regarding an officer's ability to engage in outside employment.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs, consulted with the bureau, however did not proceed with diligence as the final internal report provided to the hiring authority only 30 days before the time to take action expired, and the special agent failed to timely enter case activity into the case management system.					













**SATISFACTORY CASES**

<b>Case No. 11-0182 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 18, 2010, a parole agent III and a parole agent I allegedly submitted false declarations at a State Personnel Board settlement hearing.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The bureau recommended that this case be closed without an investigation, since the statements were addressed in another hearing and there was insufficient evidence to prove the allegation. However, the hiring authority disagreed, an investigation was conducted, and ultimately, the case resulted in the allegations being not sustained. The department attorney failed to confirm the date of incident, the date of discovery, the deadline for taking action, and any exceptions to the deadline in the case management system. The department attorney also did not timely contact the assigned investigator to discuss the elements of a thorough investigation.					
<b>Case No. 11-0183 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 18, 2010, it was alleged that an officer used unnecessary force when he sprayed an inmate with pepper spray, who was neither resisting the officer, nor disobeying a lawful order. In addition, the officer allegedly wrote a false report regarding the circumstances of the incident.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority failed to submit a request for investigation for over 60 days after discovery of the alleged misconduct; therefore, unreasonably delaying the investigation. Once opened, the Office of Internal Affairs conducted a timely and thorough investigation.					
<b>Case No. 11-0184 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 17, 2010, an officer was alleged to have been smuggling tobacco into the institution in order to pay inmates to assault inmates of another race and homosexual inmates.					
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain any of the allegations against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. However, the Office of Internal Affairs was not diligent in completing the investigation as the investigative report was not submitted to the hiring authority until 19 days before the time limit for taking action expired.					

**SATISFACTORY CASES**













<b>Case No. 11-0185 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 8, 2010 a sergeant allegedly used unnecessary force by striking an inmate on the toe with a baton. Another sergeant allegedly witnessed the use of force and did not completely and truthfully report what took place. Additionally, a lieutenant allegedly told the sergeants to falsify or minimize their reports.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain allegations of unreasonable use of force, failing to report a use of force incident, and dishonesty against the sergeant who utilized the baton against the inmate and dismissed the sergeant. The sergeant filed an appeal with the State Personnel Board. The hiring authority also determined there was sufficient evidence to sustain an allegation that the lieutenant failed to observe and perform within the scope of his training, but did not sustain an allegation of dishonesty. The hiring authority elected to impose a 10 percent salary reduction for 18 months against the lieutenant. The lieutenant also filed an appeal with the State Personnel Board. The hiring authority did not sustain allegations of failing to report a use of force against the other sergeant.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The department attorney failed to timely meet with the special agent and bureau to discuss the elements of a thorough investigation. The department attorney also did not properly consult with the bureau as she prepared notices of adverse action and served the notices without permitting review by the bureau. Further, the department attorney did not cause the notices of adverse action to be served in a timely fashion, as they were served more than 30 days from the penalty conference where the discipline was determined.					
<b>Case No. 11-0186 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 4, 2010, a superintendent received a report that a supervising cook was introducing marijuana, mobile phones, mobile phone chargers, and iPods into the facility.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	The Office of Internal Affairs failed to conduct a timely investigation. There were significant delays in the progress of the case. Some of the delays were due in part to many of the witnesses, who were former wards, having moved to different parts of the state, but nevertheless the investigation stalled a number of times before the supervising cook eventually retired. The special agent consulted with the bureau regarding the determination as to whether an administrative investigation was to be conducted concurrently with the criminal investigation. However, the senior special agent failed to consult with the bureau regarding the decision.					

**SATISFACTORY CASES**





<b>Case No. 11-0187 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between February 4, 2010 and February 18, 2010 a parole agent allegedly made false statements in parolee's records indicating drug testing had been conducted when in fact the testing had not been completed.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, during this case, issues with the anti-narcotic testing procedure were discovered. The bureau assist the with a stakeholder meeting to discuss the issues and ensure a resolution regarding the issues. Overall the department substantially complied with critical policies and procedures for the investigative component. But the hiring authority failed to timely request an investigation as the alleged misconduct was discovered on May 20, 2010 and the request for investigation was submitted on August 18. Once the investigation was opened, the Office of Internal Affairs did not exercise due diligence as between assignment in September and December 2010, the special agent only had one meeting with the bureau and department, without additional work. The case was later reassigned to a different agent, who proceeded with diligence. The department attorney failed to timely consult with the special agent regarding the elements of a thorough investigation and did not timely analyze the deadline for taking disciplinary action.					
<b>Case No. 11-0188 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On February 1, 2010, a parole agent allegedly received a sexual favor from a parolee in exchange for not reporting that the parolee tested positive for drug usage.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. However, despite the bureau's recommendation that the interview of the alleged victim be conducted early in the investigation, the special agent waited nearly five months from case assignment to conduct the interview.					
<b>Case No. 11-0189 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 30, 2010, after the arrest of a parolee, the parole agent took possession of the parolee's purse. Between then and May 24, 2010, the parole agent allegedly withdrew approximately \$3,200 from the parolee's bank account using her automated teller machine card. The parole agent returned the purse to the parolee on May 24, 2010. The parolee discovered money was missing and confronted her parole agent. The parole agent admitted taking the money and agreed to pay it back, but the parolee subsequently reported the theft to outside law enforcement. The parole agent was arrested for the theft of funds from the parolee.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority sustained the allegations. However, the parole agent retired prior to the completion of the investigation; therefore, disciplinary action could not be imposed. A letter indicating he retired under adverse circumstances was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					



**SATISFACTORY CASES**

<b>Case No. 11-0190 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 26, 2010, an officer allegedly altered an inmate's property card to indicate that the inmate was permitted to possess a ring that was confiscated from him by other officers on January 9, 2010. A photocopy of the inmate's property card taken on January 9, 2010, did not list a ring, but an examination of the inmate's property card on January 26, 2010, showed that someone had written in the words "ring silver band." When questioned about the ring, the inmate claimed that the officer in question told him the ring was listed on the property card. It was further alleged that the officer was dishonest during his investigatory interview when he denied altering the inmate's property card.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations. The hiring authority dismissed the officer, who filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. However, there was a period of more than three months during which the Office of Internal Affairs conducted no investigative work in the case. The department's attorney did not document his initial assessment of the case within 21 days as required, did not provide feedback to the special agent regarding the substance of the investigative report, and did not provide written confirmation of discussions about the report as required. The department's attorney also failed to provide written confirmation of the penalty discussions.					
<b>Case No. 11-0191 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 25, 2010, it was alleged that an officer was trafficking tobacco, mobile phones, and narcotics into the institution.					
DISPOSITION OF CASE	The Office of Internal Affairs cooperated with outside law enforcement in a joint undercover operation and the officer was arrested after receiving a mobile phone, narcotics and cash at an outside location for the purpose of bringing the contraband into the institution. The case was referred to the district attorney's office, which accepted the case for prosecution. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. The Office of Internal Affairs appropriately participated in a joint operation with outside law enforcement during this case.					
<b>Case No. 11-0192 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 25, 2010, it was alleged that an officer was trafficking tobacco, mobile phones, and narcotics into the institution.					
DISPOSITION OF CASE	The hiring authority sustained the allegations against the officer and he was served with a dismissal. The officer filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority failed to submit a timely submit a request for investigation as the alleged misconduct was discovered on January 25 and the request was not submitted until May 14, 2010.					





**SATISFACTORY CASES**

<b>Case No. 11-0193 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 22, 2010, three officers allegedly left their posts without authorization and a control booth officer then allegedly allowed three inmates to attack and stab another inmate by opening the cell door of the other inmate. The control booth officer also allegedly allowed some of the assailants out of their cells so that he could speak with them after the attack.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain any of the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. Initially, the department appropriately conducted criminal and administrative investigations simultaneously. However, the criminal special agent then made a ruse phone call to the one of the accused officers during which questions were asked about the alleged misconduct. The criminal special agent provided information from the officer's statements during the ruse phone call to the administrative special agent. The bureau immediately raised concerns to the Office of Internal Affairs due to the rights generally afforded in administrative investigations and the department attorney expressed concern similar concerns. The bureau recommended that a special agent without knowledge of the statements made during the ruse phone call be assigned to take over the administrative investigation and that the department attorneys render a legal opinion regarding the effect of the investigator's knowledge of the ruse phone on the administrative case. However, instead the Office of Internal Affairs instead placed the administrative case on hold and requested a legal opinion from the department attorneys. Approximately 72 days before the time to take disciplinary action expired, without consultation with the bureau or the requested legal opinion, the Office of Internal Affairs told the original special agent to proceed with the administrative case. The Office of Internal Affairs then failed to conduct interviews that properly addressed the relevant issues in the case because the special agent was instructed to limit her questioning. Although the special agent worked quickly, the hiring authority did not receive the completed report until approximately 26 days before the deadline to take disciplinary action. In addition to failing to provide legal consultation to the Office of Internal Affairs, the department attorneys did not proceed with due diligence. After the bureau raised the issue related to the ruse phone call, a meeting to discuss the issue was inexplicably rescheduled and did not occur for more than three months Despite repeated requests for the opinion from the bureau and Office of Internal Affairs, the department attorneys did not provide the legal opinion. Further, the assigned department attorney did not provide feedback to the investigator regarding the report; thus, also could not provide the required written confirmation of discussions about the report.					





### SATISFACTORY CASES

<b>Case No. 11-0194 (Headquarters)</b>		<i>Criminal Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On January 21, 2010, an officer allegedly kicked an inmate who was sitting on the floor, with his hands in restraints. As the officer walked by the inmate, he allegedly raised his knee and kicked backwards, striking the inmate in the upper torso and face.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The case was referred to the district attorney's office for prosecution, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. But, there were delays in the investigative process. The misconduct was discovered on January 21, 2010, and the Office of Internal Affairs approved an investigation into the matter on March 5, 2010. The special agent conducted interviews on October 25, 2010, and submitted the report to the district attorney's office on November 18, 2010, nearly ten months after the alleged misconduct.					
<b>Case No. 11-0195 (South Region)</b>		<i>Administrative Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On January 21, 2010, two parole agents reported that a female parolee being returned to the institution claimed that an officer brought in contraband to inmates if they exposed themselves to him. During the course of the investigation, another inmate claimed that in November and December 2009, she engaged in sexual intercourse and other sexual contact with the officer. A third inmate claimed that on August 13, 2010, the officer raped her while she was sleeping in her cell.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, the Office of Internal Affairs initially did not complete a thorough investigation in that it decided not to interview the officer. Additionally, without consultation to the bureau, the hiring authority and department's attorney concluded that the investigation would be closed without interviewing the officer. As such, the department's attorney and hiring authority did not adequately consult or coordinate with the bureau during the course of the investigation. At the recommendation and urging of the bureau, the officer was ultimately interviewed by special agents. However, the Office of Internal Affairs failed to complete a timely investigation as it was not submitted to the hiring authority until only 14 days before the deadline for taking disciplinary action. The department's attorney also did not document his initial assessment of the case within 21 days as required by the department's operations manual.					









**SATISFACTORY CASES**

<b>Case No. 11-0196 (Central Region)</b>		<i>Administrative Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 20, 2010, an officer allegedly used unnecessary force on an inmate by taking him to the ground after it appeared the officer was going to escort the inmate through a mud puddle and the inmate refused. The officer then allegedly failed to accurately report the use of force and may have been dishonest by failing to report all of the facts pertaining to the use of force.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The hiring authority sustained three allegations against this officer, including use of unnecessary force, other failure of good behavior for provoking the inmate when he made it appear he was going to escort the inmate through a mud puddle, and neglect of duty for failing to accurately describe the need for his use of force. The two remaining allegations of failure to report and dishonesty were not sustained. The officer received a two working-day suspension. The officer filed an appeal with the State Personnel Board.								
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, the hiring authority failed to timely submit a request for investigation by waiting 69 days after discovery of the alleged misconduct to submit the request.								

**SATISFACTORY CASES**

<b>Case No. 11-0197 (North Region)</b>		<i>Administrative Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On various dates including January 20, 2010, an officer was allegedly overly familiar with inmates by touching herself in a sexual manner, dancing in front of inmates, being observed in a closet with four inmates, and sharing confidential information with inmates. She was also allegedly discourteous by using derogatory language toward inmates. On or about January 20, 2010, the officer also allegedly misused her authority by informing inmates that their complaints would not be processed properly. On July 10, 2010, the officer was allegedly overly familiar with a parolee by contacting the parolee by phone. In August 2010 the officer was allegedly overly familiar with an inmate by borrowing a book from her. On November 22, 2010, the officer was allegedly dishonest by making false statements during an administrative interview with the Office of Internal Affairs.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations of sharing confidential information with inmates, misuse of authority, and overfamiliarity for touching herself in a sexual manner, being observed in a closet with four inmates and sharing confidential information with inmates. The hiring authority determined there was sufficient evidence to sustain the remaining allegations of overfamiliarity for dancing in front of inmates, borrowing a book from an inmate, and contacting a parolee by phone. The hiring authority also determined there was sufficient evidence to sustain the allegations of discourteous treatment toward inmates and dishonesty. The hiring authority dismissed the subject. However, the subject resigned before the effective date of the dismissal.								
BUREAU ASSESSMENT	The department reached a reasonable disposition. The bureau disagreed with the hiring authority's decision not to sustain the allegation that the subject shared confidential information with inmates, but did not find the decision unreasonable. The Office of Internal Affairs did not timely complete the investigation as the final investigative report was not provided to the hiring authority until 23 days prior to the deadline to take action. The department attorney did not assess the dates of the reported incidents, date of discovery, deadline to take action, or any exceptions. The department attorney failed to initiate a case conference in a timely manner, attend interviews of key witnesses, and provide the hiring authority or the bureau with written confirmation of the penalty discussions following the meeting. The Skelly hearing did not comply with policy because the Skelly Officer did not advise the subject at the Skelly hearing that the final recommendation would not be announced at the hearing but that it would be conveyed to the hiring authority.								









**SATISFACTORY CASES**

<b>Case No. 11-0198 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 20, 2010, it was alleged that an officer was engaged in an overly familiar relationship with an inmate by exchanging letters and speaking many times on the telephone with the inmate. The officer also allegedly submitted a fraudulent personal history statement when she applied for employment with the department by omitting information regarding her long-standing relationship with the inmate.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The department attorney did not evaluate the draft investigative report or provide feedback to the special agent regarding the substance of the report, nor did he provide the required confirmation of critical discussions about the report. The department attorney also failed to provide written confirmation of the penalty discussions.					
<b>Case No. 11-0199 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 17, 2010, a sergeant allegedly used unnecessary force on an inmate when he placed his hand on the inmate's shoulder during an unclothed body search in order to get the inmate to open his mouth to be searched for contraband. The sergeant, along with three officers who allegedly saw the use of force, failed to report it. Between January 17 and February 7, 2010, the sergeant also allegedly harassed and threatened the same inmate in retaliation after the inmate's wife threatened to file a citizen's complaint against the sergeant's wife, who was an officer at the same institution. Finally, it was alleged that on January 25, 2010, the sergeant conducted a search of the inmate's bunk area and confiscated property without leaving a receipt for the property as required.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the sergeant or any of the officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. The bureau began monitoring the case after the investigation was completed and prior to disciplinary action. However, a review of the case management system indicated that the special agent and department attorney did not confer with each other during the pendency of the investigation, nor did the special agent provide the department attorney with the draft investigative report before the case was forwarded to the hiring authority. Although the investigative report addressed the relevant facts regarding the allegations, the investigation was not conducted in a timely manner. The special agent was assigned to the case in May 2010, but did not complete any significant work on the case until November 2010. As a result, the investigation was not completed and provided to the hiring authority until 15 days prior to the deadline for taking disciplinary action. The department's attorney failed to adequately perform his role for the department. Initially, the department attorney failed to input the required information regarding the deadline within which to take disciplinary action into the case management system. He likewise failed to contact the special agent at the inception of the investigation. Further, the department attorney did not attend any of the six interviews to assess witness demeanor and credibility. The department attorney also did not review the draft investigative report prior to its finalization, and therefore could not provide written confirmation of discussions about the report as required.					

**SATISFACTORY CASES**








<b>Case No. 11-0200 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 1, 2010, a correctional counselor II became drunk and disorderly and allegedly physically beat another person causing physical injury. The counselor was also allegedly dishonest to outside law enforcement.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the correctional counselor II. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. Although the department attorney timely reviewed the file and assessed the allegations, the department attorney failed to document in the department's case management system the analysis of the date of incident, date of discovery, the deadline for taking action and possible exceptions thereto. In this case the time to take action was tolled as there was a criminal case pending; however, the department attorney failed to discuss the tolling with the hiring authority and the bureau, nor did the department attorney document such in the case management system. Although the department attorney provided legal consultation to the hiring authority, the bureau believed that some of the department attorney's analysis was not sound legal analysis.					
<b>Case No. 11-0201 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 1, 2010, an officer allegedly called an inmate derogatory names, including that the inmate was a child molester. The officer also allegedly threatened the inmate's safety in general population.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation of discourteous treatment and imposed a 5 percent salary reduction for 6 months. The allegation that the officer made threats against the inmate was not sustained. The officer did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0202 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On January 1, 2010, an off-duty officer was arrested after allegedly stabbing another person to death and later failed to report her arrest.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained the allegations against the officer. However, the officer was separated from service after being absent without leave due to the arrest and incarceration; therefore, no disciplinary action could be taken against the officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**









<b>Case No. 11-0203 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 30, 2009, a sergeant allegedly failed to address an inmate's concerns which later resulted in the inmate committing a battery on his cellmate. It was also alleged that on January 9, 2010, a lieutenant rewrote incident reports for two officers, signed for them, and changed the officers' reports after they were uploaded into computer.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegation against the sergeant. However, the hiring authority determined there was sufficient evidence to sustain the allegation that the lieutenant had improperly made minor modifications to officers' incident reports without intent to deceive and imposed a 5 percent salary reduction for 6 months. The lieutenant did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs' special agent was assigned the case on April 4, 2010; however, the completed investigation was not delivered to the hiring authority until December 23, 2010, only 6 days prior to the deadline for taking action. This lack of diligence occurred despite the bureau having sent two letters to the Office of Internal Affairs, reminding it that the investigation needed to be completed without further delay. Fortunately, the hiring authority proceeded with expediency and was able to impose discipline.					
<b>Case No. 11-0204 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 19, 2009, an officer was arrested for domestic violence. The hiring authority took disciplinary action against the officer for misconduct related to that arrest. During that disciplinary process, the hiring authority discovered that the officer had two additional prior arrests that occurred on August 5, 2007, and October 20, 1999. The officer allegedly failed to report these prior arrests to the hiring authority.					
DISPOSITION OF CASE	The hiring authority determined that there was insufficient evidence to sustain the allegation that the officer failed to report the 2007 arrest. In addition, the investigation revealed that the officer had reported the 1999 arrest to the hiring authority at the institution where she was employed at that time.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. However, the department attorney failed to copy the bureau on his communication to the special agent regarding his review and feedback on the draft report as required. The hiring authority did not submit the request for an investigation to the Office of Internal Affairs in a timely manner. The alleged misconduct was discovered on April 9, 2010, however, the hiring authority did not submit the request to the Office of Internal Affairs until July 20, 2010.					







**SATISFACTORY CASES**

<b>Case No. 11-0205 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 16, 2009, an acting captain allegedly falsified an official administrative segregation placement notice for an inmate, and instructed a lieutenant to back date two inmate placement notices, which the lieutenant did. A second lieutenant was allegedly negligent in her duty by failing to complete an assignment related to the two administrative segregation placement notices, and was allegedly dishonest when she denied being given the assignment and denied being aware of the assignment. The acting captain was subsequently alleged to have been dishonest during his investigatory interview with the Office of Internal Affairs.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain both allegations against the acting captain, falsification of an official document and dishonesty during an investigatory interview, and dismissed the acting captain. The allegations against the lieutenant that he falsified an official document was sustained and he was given a 49 working-day suspension. Both the acting captain and lieutenant filed appeals with the State Personnel Board. The allegations against the second lieutenant, who allegedly refused the assignment, were not sustained. The two allegations against the correctional counselor for dishonesty and neglect of duty were not sustained.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. However, the department did not maintain effective communication with the bureau regarding the progress of the investigation and the subsequent disciplinary action. The special agent assigned to the investigation did not advise the bureau regarding changes in interview times and the department attorney served the disciplinary actions without allowing for bureau review as required. The hiring authority did not provide the letters of intent served in the case to the bureau for review as expected. Moreover, the hiring authority failed to timely request the investigation, waiting 56 days from the date of discovery to make the request to the Office of Internal Affairs.					
<b>Case No. 11-0206 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 16, 2009, an off-duty sergeant allegedly battered another person with an expandable baton and a chair, resulting in his arrest two days later at work. Further, on December 18, 2009, the sergeant allegedly possessed his personal mobile phone and four personal portable electronic storage devices containing confidential information, while on duty at an outside hospital.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority sustained the allegations of discourteous treatment of the public and other failure of good behavior for the domestic dispute which led to the officer's arrest while at the work site. Allegations of battery were not sustained. The hiring authority also sustained the allegations for the unauthorized possession of a personal mobile phone and personal portable electronic storage devices while on duty. The sergeant received a 5 percent salary reduction for 12 months. The sergeant filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. However, the hiring authority and the department attorney were not diligent in processing the disciplinary matter because the hiring authority made a discipline decision on October 20, 2010 and the disciplinary action was served more than 30 days after, on December 2, 2010, in violation of departmental policy.					





**SATISFACTORY CASES**

<b>Case No. 11-0207 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 5, 2009, an officer allegedly entered an inmate's cell and made a threatening statement. The inmate struck the officer in the face and the officer failed to report the incident or the battery. He was also allegedly dishonest in a subsequent report concerning the incident.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs did not timely complete the investigation as the report was not delivered to the hiring authority until 26 days before the deadline for taking action.					
<b>Case No. 11-0208 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	During December 2009, a facility captain allegedly failed to: complete required documentation resulting in an extended administrative segregation assignment for an inmate; ensure that 25 disciplinary reports were timely issued to inmates; complete timely staff performance reports; and conduct sick leave audits and interviews as directed. The facility captain was also allegedly dishonest, and inefficient and negligent for failing to timely submit his timesheets, directing staff not to write inmate disciplinary reports for participating in a riot, and changing or directing changes to an inmate disciplinary report written by a sergeant. The facility captain further allegedly failed to timely process required paperwork to allow inmates to temporarily leave the institution as directed.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations that the captain failed to: provide a confidential memorandum in a timely manner resulting in an extended administrative segregation assignment for an inmate; ensure that 25 rules violation reports were timely issued to inmates; timely complete staff performance reports; timely submit his time sheets; and conduct sick leave audits and interviews as directed. The hiring authority determined there was insufficient evidence to sustain the allegations that the captain directed staff not to write rules violation reports for a riot, changed or directed change to reports written by a sergeant, and failed to issue inmate gate clearances. For the sustained allegations, the hiring authority imposed a 5 percent salary reduction for three months. However, the subject retired before the disciplinary action took effect. A letter indicating the captain retired pending disciplinary action was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition. However, the hiring authority delayed referring the case to the Office of Internal Affairs for approximately three months after discovering the alleged misconduct. Although the investigation was completed with due diligence, the investigation was not completed until approximately one month prior to the deadline for taking action thereby not giving the hiring authority adequate time to evaluate the case. The department attorney also failed to review the investigative report, provide feedback to the investigator regarding the investigation and report, and provide written documentation regarding review of the investigative report.					









**SATISFACTORY CASES**

<b>Case No. 11-0209 (South Region)</b>		<i>Administrative Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On December 1, 2009, it was alleged that a parole agent failed to properly supervise a sex offender parolee, who then molested a child while on parole.	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	The hiring authority sustained the allegations. However, the parole agent retired prior to the completion of the investigation. Therefore, disciplinary action could not be taken. A letter indicating the parole agent retired under adverse circumstances was placed in his official personnel file.								
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. The Office of Internal Affairs did not conduct a timely and thorough investigation. The assigned special agent did not conduct his first interview in the matter until almost four months after the initial case assignment. Thereafter, the report was written and the case closed without interviewing other potential witnesses despite recommendations by the bureau and department attorney. Additionally, the department attorney failed to perform adequately. Approximately 14 days after the case was closed by the Office of Internal Affairs, the department attorney was contacted by a bureau representative about the findings and penalty conference for this case. The department attorney told the bureau that no conference had been held, nor would it be, because he had not received a final report. The bureau obtained a copy of the final report and provided it to the department attorney. A conference was scheduled with the hiring authority ten days later and two days before the deadline for taking disciplinary action. On the date of the scheduled conference, the department attorney informed the hiring authority and the bureau that he was not prepared to proceed because he did not realize the conference was to take place that day. The conference was rescheduled for the next day, one day before the deadline to take disciplinary action expired. The department attorney's lack of preparation caused a significant delay between the time the hiring authority received the final report and the time the hiring authority, department attorney, and the bureau met to confer regarding the findings in the case. Further, the department attorney did not coordinate with the bureau during the investigative process even after being asked to assess the deadline to take disciplinary action, and did not provide legal consultation to the investigator during the investigation.								









**SATISFACTORY CASES**

<b>Case No. 11-0210 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 25, 2009, two officers received a report from an inmate, who had walked to the shower, that his cellmate had assaulted him. One of the officers went to the cell to speak to the accused inmate about the assault and allegedly violated policy by instructing a third officer, control booth officer, not to close the cell door. The control booth officer allegedly violated departmental policy by failing to close the cell door, knowing that the inmate inside the cell had possibly committed an assault. The second officer also allegedly violated departmental policy when he left the first officer alone at the cell door in order to retrieve a key to turn off the electricity to the inmate's cell. After ordering the inmate to submit to being handcuffed, the inmate came out of his cell and violently assaulted the first officer. The second officer then responded to the cell to assist the first officer. During the life-threatening assault, after baton strikes to the body failed to stop the attack, both officers used their batons to strike the inmate on the head several times, resulting in an injury, which was alleged to have been in violation of policy. After the inmate got on the ground, the second officer and a fourth officer allegedly used unreasonable force when they used pepper spray to get the inmate to place his hands behind his back after the inmate refused and kept his hands under his body.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority sustained the allegation against the first officer for failing to close the door to the inmate's cell and imposed a 5 percent salary reduction for 24 months. The first officer filed an appeal with the State Personnel Board. The hiring authority sustained the allegation against the second officer for leaving the first officer alone at the cell door and imposed a 5 percent salary reduction for six months. The second officer did not file an appeal with the State Personnel Board. The hiring authority did not sustain any allegations against the control booth officer but did order corrective action regarding procedures for opening doors when there are safety concerns. The hiring authority did not sustain any allegations against the fourth officer and determined the officer's actions were reasonable, given the inmate's refusal to comply with orders. Additionally, the hiring authority determined the officers used reasonable force in striking the inmate in the head after strikes to the body were ineffective to stop the inmate's violent assault which was potentially life-threatening to the officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall complied with critical policies and procedures for the investigative and hiring authority components. The department was not diligent in processing the disciplinary matter because the hiring authority made a discipline decision on September 28, 2010, the department attorney drafted the notice of adverse action on October 26, 2010, and it was served on November 3, 2010, more than 30 days after the decision to impose discipline.					









**SATISFACTORY CASES**

<b>Case No. 11-0211 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 23, 2009, a floor officer and a control booth officer allegedly failed to follow procedure by opening a cell door for an inmate. This allowed the inmate to exit his cell and stab a rival inmate. Staff were required to use force to stop the attack.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined that there was sufficient evidence to sustain the allegations against the officers. The hiring authority imposed a 5 percent salary reduction for 3 months on the floor officer, who requested that the cell door be opened, and a letter of instruction and on the job training for the control booth officer, who opened the cell door. Neither officer file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0212 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between November 20, 2009 and December 1, 2009, a parole agent allegedly hit another person and threatened her on multiple occasions. In January 2010, the parole agent was ordered not to contact anyone regarding the internal affairs investigation into his conduct, yet he continued to contact and threaten the victim. He also allegedly lied during his interview with the Office of Internal Affairs. Another parole agent allegedly possessed information about the domestic violence, but did not provide the information when requested by a supervisor.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations of domestic violence and dishonesty and dismissed the parole agent. Additionally, the hiring authority determined there was sufficient evidence to sustain the allegation regarding the parole agent who failed to provide information to his supervisor and imposed a 10 percent salary reduction for 18 months. Both parole agents filed appeals with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures for the hiring authority and investigative components, although the Office of Internal Affairs did not attempt to interview the domestic violence victim within 30 days as recommended by the bureau. In this case, the hiring authority requested a legal opinion regarding the effect a potential criminal conviction for the domestic violence conduct would have on the officer's ability to meet the qualifications to remain a peace officer. However, after consultation with her supervisor, the department attorney refused to provide legal consultation on the issue. This same issue of whether an employee can remain a peace officer after certain criminal conduct has arisen in other cases. In 2009, the bureau recommended the department attorneys issue a legal opinion to provide guidance to and consistency amongst the department's hiring authorities to ensure unqualified persons did not remain peace officers at the department. However, to date, the department attorneys have failed to provide such legal opinion. In addition to not providing requested legal consultation, the department attorney failed to provide the required analysis regarding the deadline for taking disciplinary action and enter it into the case management system within 21 days from being assigned to the case, and failed to provide feedback to the special agent regarding the investigative report, thus also could not provide the required written confirmation of critical discussions about the report.					









**SATISFACTORY CASES**

<b>Case No. 11-0213 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 19, 2009, an officer allegedly violated department procedures when he removed the lock from a holding cell door without first restraining the inmate inside the cell. The inmate then assaulted the officer as he forced his way out of the cell, assaulted a second officer while he moved toward another inmate, and assaulted the other inmate. After the incident, a sergeant issued a counseling memorandum to the officer, allegedly to prevent more serious disciplinary action being imposed for the officer's actions and was dishonest by doing so. A lieutenant allegedly learned of the actions by the sergeant and failed to report these actions.					
DISPOSITION OF CASE	The hiring authority sustained the allegation against the officer for violating department procedures when he failed to restrain an inmate prior to removing him from a holding cell and imposed a 10 percent salary reduction for 20 months. The officer filed an appeal with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain the allegations that the sergeant issued the counseling memorandum for the purpose of circumventing the disciplinary process, or that the sergeant was dishonest. The hiring authority further determined there was insufficient evidence that the lieutenant failed to report alleged misconduct by the sergeant and officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components once the case was opened. However, on March 8, 2010, following a review of the incident by three separate managers as well as the hiring authority, the bureau reviewed the incident and discovered the possible violation of departmental policy, thus, recommended the hiring authority take action. The hiring authority referred the matter to the Office of Internal Affairs on May 21, 2010, over six months following the discovery of the possible violations. The Office of Internal Affairs accepted the matter for investigation on June 25, 2010.					
<b>Case No. 11-0214 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 14, 2009, an officer was arrested for allegedly evading outside law enforcement officers while off duty. After the officer failed to stop at a stop sign, the outside law enforcement officer activated his unit's emergency lights and sirens but the officer failed to stop and ran through three more posted stop signs. After finally pulling over to the side of the street, the officer admitted that he was aware that the outside law enforcement officer was attempting to pull him over; however, he chose not to stop because his vehicle was not functioning properly and he just wanted to get home. The officer failed to notify the hiring authority of his arrest.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a 5 percent salary reduction for 12 months. The officer did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**









<b>Case No. 11-0215 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 11, 2009, a supervising correctional cook was allegedly discourteous to a co-worker by making rude comments regarding the co-worker's appearance and personal life. On November 21, 2009, the supervising correctional cook allegedly engaged in an overly familiar relationship with an inmate when he placed his crotch approximately six inches away from the inmate's face, was discourteous by making comments to inmates regarding their appearance, was allegedly dishonest when he falsified disciplinary reports on an inmate, and allegedly committed sexual battery by grabbing the breast of an inmate.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. The hiring authority delayed referring the case to the Office of Internal Affairs for 74 days after discovering the alleged misconduct. Thereafter, the Office of Internal Affairs conducted a thorough investigation. Also, the department's attorney failed to timely document the required information in the department's case management system. Further, the department attorney also failed to attend key percipient witness interviews, only attending the supervising correctional cook's interview.					
<b>Case No. 11-0216 (Headquarters)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On November 7, 2009, an officer allegedly engaged in a verbal confrontation with another person, which then escalated into a physical altercation during which the officer choked the victim. The officer was arrested for a domestic violence felony by an outside law enforcement agency.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined that the officer did not exhibit good behavior and brought discredit to the department. The hiring authority imposed a 10 percent salary reduction for 13 months. Following a Skelly hearing, the hiring authority modified the penalty to a 5 percent salary reduction for 13 months. The officer did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. Although this case was not handled by a department attorney, the department's employee discipline unit assisted the hiring authority in completing the disciplinary action. The discipline unit officer did not timely complete the disciplinary action. The disciplinary action took over four months to prepare and was served on the officer with less than 5 days remaining before time for disciplinary action expired.					

**SATISFACTORY CASES**









<b>Case No. 11-0217 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On or about November 2, 2009, a lieutenant allegedly failed to hear an inmate's rules violation report within the required 30 days. The lieutenant then allegedly falsified and back-dated the inmate's rules violation hearing report so that it would appear the hearing was timely.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the neglect of duty allegation for failing to meet required timeframes and issued a letter of reprimand. The hiring authority determined there was insufficient evidence to sustain the dishonesty allegation. The lieutenant filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. Although the hiring authority discovered the alleged misconduct on December 2, 2009, an investigation was not requested until March 25, 2010. Despite the hiring authority's failure to timely request an investigation, the Office of Internal Affairs conducted and completed the investigation expeditiously. In addition, although the department's attorney failed to consult with the bureau regarding the appropriate deadline for taking action, the department timely and appropriately conducted the disciplinary process.					
<b>Case No. 11-0218 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	In November 2009, a sergeant allegedly flirted with an inmate by brushing up against the inmate's chest area and slapping her on the buttocks with a clipboard. On another occasion, a lieutenant counseled the sergeant after he overheard him tell the inmate while they were in the bakery that he would, "give her a yeast infection." The sergeant then allegedly lied in his interview with the Office of Internal Affairs when he denied touching the inmate or ever making any inappropriate comments to the inmate.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the sergeant. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative component. The department attorney, however, failed to timely consult with the special agent regarding the investigation and to input information into the computer system regarding the deadline for taking disciplinary action. The bureau concluded that the evidence gathered during the investigation did not prove beyond a preponderance that the allegation related to the inappropriate physical contact with the inmate occurred and recommended that allegation not be sustained. However, after consultation with the department attorney, the hiring authority ultimately decided to sustain all of the allegations, which the bureau did not find to be an unreasonable decision. After disciplinary action was taken, the hiring authority did not inform the bureau of significant case developments when he failed to notify the bureau and the department attorney about the sergeant's Skelly hearing.					











**SATISFACTORY CASES**

<b>Case No. 11-0219 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 28, 2009, a parole agent was allegedly overly familiar with a parolee when he discussed personal facts about his life with her regarding his tattoos and his brother who had previously been incarcerated. Additionally, the parole agent allegedly failed to properly document the supervision of the parolee.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and imposed a 36 working-day suspension. The parole agent filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority and advocacy components. However the department attorney did not provide legal consultation to the assigned investigator for the duration of the investigation. The Office of Internal Affairs failed to conduct the investigation with due diligence as the hiring authority received the final investigative report less than 35 days before the deadline for taking disciplinary action. The case was assigned in June 2010 and the first interview was not conducted until September 2010. There was no other case work until January 2011.					
<b>Case No. 11-0220 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 27, 2009, a sergeant allegedly used unnecessary force by spraying an inmate with pepper spray when the situation warranted a planned use of force response.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation the sergeant's use of force was unreasonable and served the sergeant with a letter of reprimand. The sergeant filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					

### SATISFACTORY CASES

<b>Case No. 11-0221 (South Region)</b>		<i>Direct Action Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On September 30, 2009, a parole agent allegedly failed to release a parole hold that resulted in a parolee being incarcerated past the appropriate release date. Between December 2009 and January 2010, the parole agent allegedly falsified her monthly roster and field book indicating parolees were tested for drug use when they had not been tested.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the dishonesty allegation for falsifying drug test records, but that there was sufficient evidence to sustain the allegation that the parole agent was negligent when she failed to remove a parole hold so that the parolee would be released. The hiring authority issued her a letter of reprimand. The parole agent filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition. However, during this case, issues with the department's anti-narcotic testing procedure were discovered. The bureau assisted the stakeholders with meeting to discuss the issues and ensure resolution of these issues. The department attorney was not assigned to the case until late into the case, however, once assigned, overall substantially complied with critical policies and procedures. The hiring authority failed to timely submit a request for investigation to the Office of Internal Affairs. The alleged misconduct was discovered on February 18, 2010 and the request was made on May 17, 2010. The Office of Internal Affairs elected to conduct an interview of the subject parole agent only and not of any other witnesses, possibly leading to insufficient evidence to sustain any allegations of dishonesty. The parole agent's interview was completed in August 2010, but the Office of Internal Affairs did not produce a draft report regarding the interview until December 2010.					
<b>Case No. 11-0222 (South Region)</b>		<i>Criminal Case</i>	BUREAU ASSESSMENT			
FACTS OF CASE	On September 12, 2009, a licensed vocational nurse gave an inmate a large dose of liquid methadone instead of his prescribed medication, Benadryl. The inmate was found unresponsive in his cell and pronounced dead two days later. Although the licensed vocational nurse immediately realized the medication error, she allegedly failed to notify her supervisors and failed to provide any corrective medical treatment for the inmate.	DISPO	INV	ADV	HA	
						
DISPOSITION OF CASE	The case was referred to the district attorney's office, which filed one count of involuntary manslaughter against the licensed vocational nurse. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					









**SATISFACTORY CASES**

<b>Case No. 11-0223 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 7, 2009, an off-duty special agent allegedly brandished a firearm a private citizen outside of a local nightclub. The special agent also allegedly lied to outside law enforcement officers and the Office of Internal Affairs when he told them his girlfriend had brandished the firearm.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations that the special agent inappropriately displayed a weapon, carried an unauthorized weapon and was dishonest. Allegations of drunkenness in public and other failure of good behavior were not sustained. This penalty for this case was combined with another case and the special agent was dismissed. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. Although the department attorney assessment the deadline for taking action, it was not timely confirmed in the case management system.					
<b>Case No. 11-0224 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On September 4, 2009, an officer allegedly vandalized a vehicle belonging to a sergeant on numerous occasions because the sergeant had initiated disciplinary action against the officer in the past. At least one act of alleged vandalism was witnessed by a third officer. It was also alleged that the officer wrote the word "rat" on a vacation and training schedule next to the name of the third officer who witnessed the act of vandalism. Additionally, it was alleged that the officer, after being ordered not to communicate with anyone about the investigation, spoke to another officer about the investigation.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained allegations that the officer vandalized the sergeant's vehicle. However, the hiring authority did not sustain allegations that the officer disobeyed a direct order to not communicate with anyone about the case. The hiring authority dismissed the officer, who filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The assigned department attorney did not consult adequately with the bureau at critical junctures in the case. Most notably, the department attorney prepared the notice of adverse personnel action against the officer in a timely fashion, but failed to serve the officer within policy guidelines even after the bureau brought this issue to her attention. The notice should have been served within 30 days of the determination to impose discipline, but was not actually served until almost two months had passed. The department attorney also did not assess critical timeframes for the investigation, including the deadline to impose discipline, within 21 days of assignment. Further, the department attorney did not provide a written summary of any critical discussions with the assigned investigator regarding his report, nor did she provide written confirmation summarizing penalty discussions to the bureau.					









**SATISFACTORY CASES**

<b>Case No. 11-0225 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 27, 2009, a correctional counselor allegedly falsified a document indicating he had served court orders on an inmate.					
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe a crime was committed. Therefore, the case was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0226 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between August 25, 2009 and March 18, 2010, a parole agent allegedly falsified several entries in a record of supervision. On March 18, 2010, a sex registrant parolee updated his contact information with his assigned parole agent. The parole agent discovered a discrepancy between the prior address of the parolee and the current address. When questioned, the parolee indicated that he was a transient during that period of time. However, the records of supervision by the former parole agent for the sex registrant showed that the parole agent made visits to the parolee at home. The parolee's GPS tracks were reviewed and showed that the parolee never was at his residence of record.					
DISPOSITION OF CASE	The hiring authority did not sustain the allegation that the parole agent falsified the records, but did sustain the allegation that he failed to perform within the scope of training. The hiring authority issued a letter of instruction to the parole agent. The hiring authority found that while the parole agent checked a box in the records of supervision indicating that the parole agent had made home contacts, the form did not have an option for transient status. Almost every time the parole agent claimed to have made a home visit, the parole agent's notes would say that the parolee was visited in a van and a description of where the van was located in relation to the motel listed as the parolee's residence.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. The Office of Internal Affairs failed to properly consult with the bureau. The special agent failed to submit the report to the bureau until after it had already been submitted to the hiring authority, thus preventing the bureau from reviewing the report and providing recommendations. Further, while many inquiries were made by the bureau between the time the investigator was assigned on June 16, 2010, until the conclusion of the case, one interview was conducted on July 8, 2010, and the next interview did not take place until January 7, 2011. Likewise, the department attorney failed to properly consult with the bureau. The department attorney failed to note, when, if at all, he received a draft of the investigative report and the department attorney made no notations in the computerized database system to show that he reviewed the report or that he provided any feedback regarding the investigation and the report to the assigned investigator. Based on the lack of documentation within the database by the department attorney, it is not known if the report was ever reviewed by any department attorney as required.					





**SATISFACTORY CASES**

<b>Case No. 11-0227 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 22, 2009, an inmate, who previously assaulted an officer, was allegedly pulled out of a holding cell and assaulted by several officers. The inmate also alleged that he had been raped but sexual assault protocols were not initiated and clarification reports were not timely gathered by the lieutenant.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority did not sustain the allegations of unreasonable use of force by officers. However, the hiring authority sustained the allegation of neglect of duty against the lieutenant for failing to follow sexual assault protocols and imposed a 5 percent salary reduction for three months. The lieutenant did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority failed to submit a request for investigation for over five months following the incident; therefore, did not timely proceed with this case.					
<b>Case No. 11-0228 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 21, 2009 a sergeant allegedly used unnecessary force when he grabbed an inmate by the collar and pushed him while on the inmate transportation bus. An officer also allegedly used unnecessary force by pushing the same inmate and was discourteous when he told the inmate to the get "the fuck on my bus" and "nobody gives a shit about you." It was further alleged that the sergeant and the officer were dishonest when questioned about the incident when they stated it did not happen.		DISPO 	INV 	ADV 	HA 
DISPOSITION OF CASE	The hiring authority sustained the allegation the sergeant used unnecessary force and he was issued a letter of reprimand. The sergeant did not file an appeal with the State Personnel Board. The hiring authority sustained the allegation that the officer was discourteous and issued a letter of instruction. The allegations of dishonesty were not sustained against either the sergeant or officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component. The hiring authority did not timely submit the matter to the Office of Internal Affairs for an investigation. Five months passed after the hiring authority became aware of the alleged misconduct before the matter was referred for an investigation. The special agent assigned to the case was not adequately prepared for the investigation as he did not review prior interviews of the witnesses before conducting his interviews in this case. Moreover, the special agent did not diligently complete the investigation, causing the case to be submitted to the hiring authority for review with less than 10 days before time to take disciplinary action expired. Despite the delays, the staff attorney assigned to the case was able to ensure the actions taken against the officer and sergeant in the case were timely served.					









**SATISFACTORY CASES**

<b>Case No. 11-0229 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 13, 2009, two officers allegedly utilized inappropriate force against an inmate that was resisting an escort, then allegedly failed to report their use of force. In addition, the use of force was witnessed by a sergeant who also allegedly failed to report the use of force which she observed.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the officers or the sergeant.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority failed to request an investigation of this matter for over 70 days from the discovery of the alleged misconduct, creating an unreasonable delay in the investigation. Once opened, the Office of Internal Affairs conducted a timely and thorough investigation.					
<b>Case No. 11-0230 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 4, 2009, an officer was arrested for domestic violence after he allegedly shoved, straddled and intimidated the victim by smashing a lamp next to her head. The officer also allegedly violated his probation for an earlier offense by engaging in this conduct.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations and dismissed the officer. He filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case.					

**SATISFACTORY CASES**









<b>Case No. 11-0231 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 4, 2009, an inmate allegedly became resistive during an escort. Physical force and pepper spray were used to subdue the inmate. A captain and lieutenant provided instruction to take the inmate to be decontaminated. However, a sergeant and officers allegedly took the inmate to another location where the sergeant and an officer allegedly punched and otherwise battered an inmate, then failed to report it. A second officer also allegedly attempted to prevent supervisors from discovering this use of force, while a third officer also failed to report the use of force.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority sustained two acts of insubordination against the sergeant for failure to take the inmate to decontamination and one act of insubordination against the second officer for failure to take the inmate for decontamination. The sergeant received a 32 working-day suspension and the second officer received a 5 percent salary reduction for 30 months. Both filed appeals with the State Personnel Board. The hiring authority determined there was insufficient evidence to sustain allegations related to the unreasonable use of force and failure to report the use of force against the sergeant and the officers.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. The investigation was not conducted with due diligence by the Office of Internal Affairs and, as a result, the hiring authority did not receive the investigative report until 6 days before the time to take action expired. The special agent failed to adequately confer with the bureau or department attorney upon case initiation, and failed to provide timely consultation regarding the investigation process and interviews. Upon completion of the investigation, the special agent also did not timely provide the draft investigative report to the bureau or the department attorney for review. The department attorney did not attend several of the interviews conducted during the investigation and failed to provide legal consultation to the investigator for the duration of the investigation. Moreover, the department attorney failed to appropriately consult with the bureau during both the investigation and disciplinary phases of the case.					

**SATISFACTORY CASES**

<b>Case No. 11-0232 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 17, 2009, an officer allegedly entered false information in a unit log regarding the completion of unit counts and security checks. An inmate was subsequently found hanging dead from his cell. A second officer also allegedly falsified unit counts and failed to report misconduct by the other officer.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegation of dishonesty against the first officer. However, the hiring authority sustained the allegation of neglect of duty for failing to accurately complete the logs and imposed a 5 percent salary reduction for 6 months. The hiring authority determined that there was insufficient evidence to sustain the allegations against the second officer.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. However, the Office of Internal Affairs failed to complete the investigation until three weeks prior to the deadline for taking action, thus, failing to provide the hiring authority with sufficient time to review the report and take disciplinary action. Therefore, the department was required to serve a notice of its intent to take disciplinary action so that the case was not lost due to time constraints. The department attorney failed to timely confirm critical dates, including the deadline for taking action, in the department's case management system, and failed to timely consult with special agent and bureau regarding the investigation.					
<b>Case No. 11-0233 (North Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On July 8, 2009, a supervising correctional counselor II submitted to a random drug test which was positive for the use of marijuana.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and dismissed the correctional counselor II. The counselor filed an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. The bureau did not begin monitoring this case until after the State Personnel Board appeal was filed. Therefore, has not provided an assessment of this phase of the case, however, the bureau assessment of the case from the point monitoring began can be found in the appealed cases table.					







**SATISFACTORY CASES**

<b>Case No. 11-0234 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 12, 2009, a youth correctional counselor allegedly used derogatory sexual terms toward wards. The counselor was also allegedly overly familiar with wards when he brought them food and engaged in gambling with them. Finally, it was alleged that the counselor attempted to have a ward assaulted by providing false allegations to other wards, which he knew would place the ward in a bad light with his peers.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain any of the allegations against the youth correctional counselor.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs failed to provide the report to the hiring authority in a timely manner. The report was delivered to the hiring authority on September 1, 2010, and the deadline for taking action for the case was September 12, 2010. The special agent handling the investigation did not exercise due diligence in conducting the investigation as approximately six months passed before any witness interviews were conducted.					
<b>Case No. 11-0235 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On June 9, 2009, a staff counsel was allegedly unprofessional and discourteous to an administrative law judge during a State Personnel Board hearing when she was late from returning from a lunch break. It was also alleged that the staff counsel presented false and misleading information to the administrative law judge regarding her reasons for being late to the hearing. Allegedly, the staff counsel also provided false and misleading information to her supervisors about what had transpired at the hearing. Additionally, in August 2009, the staff counsel allegedly provided misleading and false information the State Personnel Board in a written motion. It was further alleged that the staff counsel failed to follow her supervisors directives regarding telecommuting and calendaring out-of-office activities, and provided false information in her timesheet.	DISPO	INV	ADV	HA	   
DISPOSITION OF CASE	After an investigation by the Office of the Inspector General, the hiring authority determined there was sufficient evidence to sustain all of the allegations, with the exception of the failing to follow her supervisors directives regarding telecommuting and calendaring out-of-office activities, and providing false information in her timesheet. The hiring authority combined this case with another case that was pending against the staff counsel and dismissed the staff counsel. An appeal was filed with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. During the disciplinary process, the department failed to adequately notify the bureau that a Skelly hearing had been scheduled and proceeded to conduct the hearing without the bureau's presence.					









**SATISFACTORY CASES**

<b>Case No. 11-0236 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	In June 2009, the department received information that in November and December 2008, a parole agent inappropriately accessed law enforcement records from the California Law Enforcement Telecommunications System and the California Department of Motor Vehicles regarding his girlfriend and his girlfriend's former boyfriend.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The case was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	The investigation on this case was sporadic and not conducted with due diligence. The case was assigned to the special agent on September 30, 2009, but the first interview of the victim occurred on February 23, 2010, and that interview was conducted by a different special agent. Thereafter, on April 21, 2010, the assigned special agent met with the bureau, which was concerned with the lack of progress on the case. Shortly thereafter, a draft report was submitted to the district attorney's office for review without additional interviews being conducted. The special agent conducted one additional witness interview on June 16, 2010, one day before the deadline for filing misdemeanor charges was to expire. The deadline for filing felony crimes had not passed, but based on the evidence, those allegations were not applicable to the evidence in the case. The assigned investigator then submitted a supplemental report after the passage of the deadline for filing misdemeanor charges.					
<b>Case No. 11-0237 (South Region)</b>		<i>Direct Action Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 28, 2009, a senior psychologist allegedly brought a knife and tape recorder onto institution grounds.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegation and imposed a five working-day suspension. The senior psychologist did not file an appeal with the State Personnel Board.					
BUREAU ASSESSMENT	The department reached a reasonable disposition. However, the hiring authority did not submit a request for investigation until the passage of over four months. While other staff that were similarly implicated in misconduct related to this case had their discipline imposed in a timely fashion, discipline against the senior psychologist did not commence until approximately 17 months after the incident, and only after bureau involvement. Additionally, the hiring authority initially failed to select an appropriate level of discipline. The hiring authority originally imposed a 10 percent salary reduction for 24 months. However, in the process of drafting the disciplinary action, it was discovered that salary reductions are not permitted for psychologists pursuant to their union contract. Therefore, the hiring authority decided to impose a five working-day suspension instead. The five working-day suspension is a significant departure from the equivalent of the original salary reduction penalty, which equates to a 26 to 48 day suspension, and the bureau did not concur with the revised penalty. However, in light of the specific circumstances of the case, the bureau did not find the hiring authority's decision unreasonable as the employee used the tape recorder for interviews and the very small knife to open boxes in the course of his duties.					

**SATISFACTORY CASES**

<b>Case No. 11-0238 (Central Region)</b>		<i>Administrative Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	<p>On May 11, 2009, one officer left his post and asked another officer to watch the yard he was observing. As a result, the officer became responsible for observing two secured housing unit yards. During this time, two inmates assaulted another inmate on one of the yard with an inmate-manufactured stabbing weapon. An officer shot a less-than-lethal round to stop the assault, however, the inmate who was assaulted ultimately died. A lieutenant, two sergeants, six officers, and three nurses allegedly violated numerous policies when responding to the incident, including failure to properly initiate emergency medical protocol, improper relief of an officer from his post, failure to properly process inmates and evidence, and failure to continue resuscitation efforts.</p>	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	<p>The hiring authority sustained the allegation of neglect of duty against the lieutenant for failing to initiate an emergency medical protocol, which delayed the medical responder's access to the injured inmate, and imposed a 10 percent salary reduction for twelve months. After the lieutenant's Skelly hearing, his penalty was reduced to a 5 percent salary reduction for 6 months due to issues previously raised by the bureau concerning the applicability of the policies to the lieutenant and potential lack of training regarding the applicable policies. The lieutenant appealed to the State Personnel Board. The allegations against the two sergeants for failing to initiate an emergency medical protocol, which delayed the medical responder's access to the injured inmate, were also sustained and the hiring authority imposed 5 percent salary reductions for 12 months. Both sergeants appealed to the State Personnel Board. One officer faced a single allegation for improperly relieving another officer, which caused him to be responsible for observing two administrative segregation yards at the same time. This allegation was sustained, however, no discipline was imposed as the officer elected to retire. An allegation for failure to appropriately process evidence was sustained against another officer, who received a letter of instruction. The hiring authority further sustained an allegation against the final officer for leaving his post without being properly relieved and imposed a 10 percent salary reduction for 24 months. This officer appealed to the State Personnel Board. The allegations against the three nurses for failing to immediately initiate an emergency response protocol and failing to continue resuscitation efforts were not sustained.</p>								
BUREAU ASSESSMENT	<p>The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. However, the bureau disagreed with the hiring authority's determination that the allegation against the lieutenant was sustained. There appeared to be some questions as to whether the applicable policies allegedly violated by the lieutenant were in effect on the date of incident and whether the lieutenant ever received training on those policies. At the same time, the hiring authority's decision was not unreasonable. The department's attorney did not attend two critical witness interviews and did not provide legal consultation to the assigned investigator regarding those interviews.</p>								

**SATISFACTORY CASES**

<b>Case No. 11-0239 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between April and July 2009, a cook allegedly engaged in an overly familiar relationship with a ward when she kissed and hugged the ward, and allowed him to touch her hair and buttocks. The cook also allegedly provided the ward with her personal telephone number and smuggled marijuana, food, and mobile phones into the facility.					
DISPOSITION OF CASE	The hiring authority sustained one allegation of overfamiliarity against the cook for providing the ward with her personal phone number and imposed a salary reduction of 10 percent for 13 months. However, before the action could be enforced, the cook's position was eliminated due to downsizing. A letter indicating the cook would have been subject to disciplinary action had her employment continued was placed in her official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. The Office of Internal Affairs initially opened a criminal investigation, which failed to establish probable cause that a crime was committed. However, during that criminal investigation, administrative misconduct was identified, therefore, the Office of Internal Affairs appropriately opened this investigation. During the investigation, the department attorney initially assigned to the case failed to attend any of the seven interviews and did not provide legal consultation to the special agent during the investigation. However, the department attorney, who was assigned to handle the disciplinary phase of the case, adequately fulfilled her responsibilities.					
<b>Case No. 11-0240 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between April 2009 through September 2009, a director of nursing was allegedly engaged in a sexual relationship with a subordinate staff member. It was also alleged that he engaged in sexual misconduct by touching another employee's breast and sexually harassed other staff members. Lastly, the director of nursing was also allegedly dishonest during his internal affairs interview.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations. However, the director of nursing resigned prior to being served with the dismissal. A letter indicating he resigned pending disciplinary action was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority completely failed to refer the matter to the Office of Internal Affairs in a timely fashion as the alleged misconduct was discovered on June 1, 2009, but the request for investigation was not completed until January 1, 2010.					









**SATISFACTORY CASES**

<b>Case No. 11-0241 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between April and August 2009, a juvenile parole agent allegedly made sexual advances toward two juvenile parolees and smoked marijuana with one of the juvenile parolees.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case. Although the special agent appropriately determined the case should not be submitted to the district attorney's office, he and the senior special agent did not consult with the bureau and prosecuting agency on the issue.					
<b>Case No. 11-0242 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between March 2009 and February 2010, numerous officers allegedly harassed an officer who reported staff misconduct.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy and hiring authority components. The Office of Internal Affairs lacked due diligence in conducting the investigation by not initiating the investigative work on the case for more than two months and having extensive periods without investigative activity or timely updates in the case management system.					
<b>Case No. 11-0243 (North Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On or about January 2009, it was alleged that a psychiatric technician provided inmates with tobacco and methamphetamines.	DISPO 	INV 	ADV 	HA 	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs did not open an administrative investigation regarding the allegations.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case. However, the special agent delayed preparation of the final report in this case for five months.					









**SATISFACTORY CASES**

<b>Case No. 11-0244 (South Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	In December 2008, a materials and stores supervisor allegedly trafficked heroin, methamphetamine, and mobile phones into the institution.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe a crime was committed. Therefore, the case was not referred to the district attorney's office. The department did not open an administrative investigation due to lack of evidence.					
BUREAU ASSESSMENT	During a search of a department employee's home in another case, the Office of Internal Affairs discovered a computer that referenced the material and stores supervisor bringing contraband into the institution. Despite consistent urging from the bureau to evaluate the forensic evidence in the computer, the Office of Internal Affairs failed to diligently process the forensic evidence as it sat untouched for more than two years. Moreover, the Office of Internal Affairs failed to mention the forensic evidence in their report of the investigation. The special agent did not appropriately consult with the bureau or department attorney in this case. Although the bureau requested to be present when the forensic evidence was examined and the special agent indicated he would inform the bureau when he did so, the bureau was not informed of the examination and simply received a memorandum indicating the case closed without being consulted about the case closure. The case activity reveals very little communication between the special agent and department attorney. Further, the special agent did not timely update case activity in the case management system.					
<b>Case No. 11-0245 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On October 29, 2008, a therapist at the institution allegedly became aware that the person she was co-habiting with was a parolee. The therapist delayed notifying the warden until November 7, 2008.	DISPO	INV	ADV	HA	
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegation of overfamiliarity. The hiring authority sustained the allegation of failure to timely report a personal relationship with a parolee and served the therapist with a 5 percent in salary for 12 months. After a Skelly hearing, it was determined that the therapist did attempt to notify her supervisor of the relationship, and the department's policy was not clear as to timely reporting of such a circumstance. Based on these factors, the action was withdrawn.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority and investigative components. However, the Office of Internal Affairs accepted the case for investigation on December 24, 2008, but failed to assign an investigator until January 21, 2009. The department attorney failed to confirm the date of discovery or the deadline for taking action in the department's case management system. The department attorney also failed to consult with the bureau or the special agent, failed to provide legal consultation to the special agent, and failed to attend critical witness interviews, during the course of the investigation.					

**SATISFACTORY CASES**





<b>Case No. 11-0246 (North Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On August 9, 2008, an inmate alleged that a supervising correctional cook grabbed her arm causing her to trip and then clutched her breast while she was falling. The inmate also alleged she was assaulted on July 14, 2007, after the cook told other inmates she was a snitch. On September 8, 2008, the inmate was interviewed again and alleged that the cook attempted to rape her and performed other sexual acts during November of 2007 while she was locked in the kitchen.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegations against the supervising correctional cook.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the advocacy component. The hiring authority failed to timely refer the case for investigation, waiting 70 days after discovering the alleged misconduct. Thereafter, the Office of Internal Affairs failed to timely assign a special agent. Once assigned, the special agent also failed to timely contact the bureau to discuss the plan for investigation as the special agent did not contact the bureau until more than one year after the Office of Internal Affairs received the file. During the course of the investigation, the department attorney and the bureau identified numerous additional witnesses that should be interviewed. Despite urging by the department attorney and the bureau, the special agent failed to interview those additional witnesses. Therefore, the investigation failed to thoroughly address the relevant facts regarding the allegations. Additionally, the first interview was not conducted until five months after the special agent, department attorney and bureau discussed the plan for investigation. Thereafter, the investigation stalled while senior agents disputed the attorney's and bureau's recommendations for additional interviews. Ultimately those interviews never took place and the supervising correctional cook was interviewed 11 days before the time to take action expired. The special agent also failed to timely update the attorney and the bureau regarding the investigation. Finally, following the penalty discussion, the department attorney failed to provide written confirmation to either the hiring authority or the bureau summarizing the penalty discussions as required.					
<b>Case No. 11-0247 (South Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	During August 2008, a supervising cook allegedly trafficked marijuana, heroin, methamphetamine, tobacco, and mobile phones into the institution.					
DISPOSITION OF CASE	The hiring authority determined there was sufficient evidence to sustain the allegations. However, the supervising cook resigned prior to the completion of the investigation; therefore, disciplinary action was not taken. A letter indicating he resigned under adverse circumstances was placed in his official personnel file.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and advocacy components. The hiring authority did not timely in submit a request for investigation. The alleged misconduct was discovered in September 8, 2008, and the request for investigation was not submitted until August 6, 2009.					

**SATISFACTORY CASES**

<b>Case No. 11-0248 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	It was alleged that from February 2008 through July 2008 a warden allegedly engaged in an unprofessional relationship with a correctional counselor. It was further alleged that the warden misused his state issued BlackBerry to send the correctional counselor non-work related and sexually suggestive text messages. Also, it was alleged the warden used his state issued computer to access internet sites that contained sexually orientated material. It was also alleged that on January 22, 2010, a high level executive received information of the warden's inappropriate relationship with the correctional counselor and failed to report it.					
DISPOSITION OF CASE	The hiring authority determined that there was sufficient evidence to sustain the allegations against the warden. The warden had retired; therefore, the department was precluded from taking disciplinary action. The hiring authority determined the executive failed to promptly report the allegations of potential misconduct and issued the executive a letter of reprimand. The executive did not appeal the letter of reprimand.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the investigative and hiring authority components. Although the department attorney assessed the deadline for taking disciplinary action, the deadline was not confirmed in the case management system.					
<b>Case No. 11-0249 (Headquarters)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between February 2008 through July 2008 a warden engaged in an unprofessional relationship with a correctional counselor. In August 2010, the correctional counselor interviewed for a position that she did not receive. On September 23, 2010, the correctional counselor alleged that she was retaliated against when not selected for the position after another person reported the relationship between her and a former warden.					
DISPOSITION OF CASE	The hiring authority determined there was insufficient evidence to sustain the allegation that the correctional counselor had been retaliated against by not being selected for a position.					
BUREAU ASSESSMENT	The bureau recommended that the Office of Internal Affairs name a subject in this case because only certain persons could retaliate against the correctional counselor during the hiring process, however, the Office of Internal Affairs insisted on proceeding with an investigation of an unknown subject. Although the special agent was very cooperative with the bureau, the Office of Internal Affairs instructed the agent to move forward with conducting interviews when the bureau representative was not available, even though there was no necessity to conduct interviews on that particular day. The Office of Internal Affairs was initially not going to interview the person who made the hiring decision, nor the former warden with whom the counselor had the relationship, to determine if retaliation occurred. After consultation with the bureau, these important persons were interviewed. Additionally, the Office of Internal Affairs sent the investigative report to the hiring authority without providing a draft to the bureau and department attorney for review as required. Moreover, the Office of Internal Affairs sent the report to the hiring authority before all of the interviews were completed; instead creating a supplemental report after finishing the interviews. Additionally, the bureau suggested that the Office of Internal Affairs conduct an email search regarding communications related to the allegations, but the recommendation was rejected. After the report was provided to the hiring authority, the department delayed in conducting a findings conference until almost five months later.					







**SATISFACTORY CASES**

<b>Case No. 11-0250 (Headquarters)</b>		<i>Administrative Case</i>				<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	On May 6, May 19, June 10 and July 21, 2008, a senior staff counsel allegedly entered inaccurate information in the department's computerized case management system by making seven entries which incorrectly reflected that he had engaged in certain case related activities for specified periods of time.	DISPO 	INV 	ADV 	HA 				
DISPOSITION OF CASE	The hiring authority sustained the allegation and found that the senior staff counsel neglected his duty to ensure that his entries were correct. Based on the programming of the case management system and a lack of evidence that the senior staff counsel intended to make false representations, the hiring authority did not find the employee to have been dishonest. The hiring authority decided to impose a 5 percent pay reduction for 12 months. However, before the disciplinary action was served additional information became known. An email was discovered indicating that the assistant chief counsel, who supervised the subject, had already provided counseling for some of the entries and the remaining entries occurred shortly after the counseling. Therefore, the department determined that action had already been taken and the other conduct occurred before there was a sufficient time for correction, and decided not to take action								
BUREAU ASSESSMENT	The department reached a reasonable disposition in this case. However, the Office of Internal Affairs did not proceed diligently with this matter. Approximately three months elapsed before investigative work began on the case. Additionally, in October 2010, the hiring authority determined that additional investigation by way of a subject interview was needed, however, no work was done until more than 4 months later after inquiry by the bureau. Moreover, the investigation and final report did not address all relevant facts regarding the allegations because the subject was never interviewed. The Office of Internal Affairs decided to close the investigation without a subject interview because the subject was unavailable for interview. The bureau recommended that the case remain open and the Office of Internal Affairs continue to try to obtain the interview as there was still time before the deadline for taking action expired. Despite the bureau's recommendation, the Office of Internal Affairs closed the investigation and forwarded it to the hiring authority. At that time, the hiring authority waited to make a decision due to discussions with the subject in an unrelated case. Although the bureau originally agreed with that decision, the hiring authority allowed more than a year to elapse before convening to make a disciplinary decision and allowed lengthy periods of time pass without updating the bureau regarding the status of this case. The hiring authority then determined that the investigation was not sufficient and requested additional investigation from the Office of Internal Affairs by way of a subject interview. Approximately six months after that, the hiring authority made a decision. Based on the information available at the disciplinary conference, the hiring authority selected an appropriate penalty. However, while the disciplinary documents were being drafted, new information not previously provided came to light that the assistant chief counsel, who supervised the subject, had already provided counseling for some of the entries and the remaining entries occurred shortly after the counseling. Therefore, the department determined not to go forward with the action and the bureau did not disagree with the department's decision. As the subject in this case was a department attorney, the department attorneys were appropriately not assigned to this case other than in the role of hiring authority.								

**SATISFACTORY CASES**

<b>Case No. 11-0251 (Central Region)</b>		<i>Criminal Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between February 11, 2008 and March 26, 2010, an officer allegedly engaged in numerous sexual acts with a transgender inmate and a male inmate.					
DISPOSITION OF CASE	The investigation failed to establish probable cause to believe that a crime was committed. The matter was not referred to the district attorney's office. The Office of Internal Affairs also opened an administrative investigation to determine whether the officer violated department policies by the use of unauthorized inmate workers, which the bureau accepted for monitoring.					
BUREAU ASSESSMENT	Overall the department substantially complied with critical policies and procedures in this case.					
<b>Case No. 11-0252 (Central Region)</b>		<i>Administrative Case</i>	<b>BUREAU ASSESSMENT</b>			
FACTS OF CASE	Between February 11, 2008 and January 7, 2010, an officer allegedly employed two inmates without authorization as volunteer porters in exchange for unauthorized rewards and violated department policy by allowing the two inmates out of their cells when the inmates were required to be locked in their cells.					
DISPOSITION OF CASE	The hiring authority sustained the allegations that the officer violated departmental policy by allowing two inmates out of their cells to perform volunteer services and issued a letter of reprimand. Following the Skelly Hearing, the hiring authority reduced the penalty to a letter of instruction.					
BUREAU ASSESSMENT	The department reached a reasonable disposition and overall substantially complied with critical policies and procedures in this case for the hiring authority component. However, the bureau found the investigation originally submitted to the hiring authority did not adequately address the issues regarding the allegations. Following a review of the original investigative report, the hiring authority requested additional investigation be conducted. Once the additional investigation was completed, the hiring authority again requested further additional investigation and interviews be conducted. The requested investigation was then completed. The additional investigation was not conducted with due diligence as the final report of investigation was submitted on March 11, 2011, only 15 days prior to the deadline to take disciplinary action. The department attorney was not diligent in processing the disciplinary matter because the hiring authority made a discipline decision on March 18, 2011 and the disciplinary action was served more than 30 days after, on April 21, 2011, in violation of departmental policy.					

**SATISFACTORY CASES**

Case No. 11-0253 (South Region)		<i>Administrative Case</i>				BUREAU ASSESSMENT			
FACTS OF CASE	<p>Between January 2008 and March 10, 2010, a lieutenant allegedly: transported an inmate from a fire camp to a home in the community in order to clean a house; transported another inmate to a foreclosed house to take items from the residence; used an unauthorized carpet cleaner at a fire camp; lied about transporting the inmate to a supervisor; offered an inmate a transfer from a fire crew position to an in-camp position if the inmate placed his penis through a PVC pipe and watched as the inmate attempted the act; falsified a rules violation report; utilized a state vehicle for personal use; brought his personal camera to the camp and allowed an inmate to take a photo of the lieutenant with one hand over his genital region and a finger in his nostril; while on duty, took a fire captain to view a trailer the lieutenant had for sale; brought an unauthorized DVD to the camp and allowed inmates to view an inappropriate movie; falsely accused an officer regarding events surrounding the DVD; falsely attributed statements to a parolee; provided contraband, including a mobile phone and alcoholic beverages, to an inmate; made racially derogatory and sexually explicit statements to inmates; shared personal information with inmates, including information about sexual acts between himself and his wife; paddled an inmate on his buttocks and allowed an inmate to use a paddle on the lieutenant's buttocks; and lied during the interview with the Office of Internal Affairs.</p>	DISPO	INV	ADV	HA				
DISPOSITION OF CASE	<p>The hiring authority determined there was sufficient evidence to sustain all the allegations, except the allegations that the lieutenant transported an inmate from a fire camp to a home in the community in order to clean a house and provided a mobile phone and alcoholic beverages to an inmate. The hiring authority dismissed the lieutenant. The lieutenant filed an appeal with the State Personnel Board.</p>								
BUREAU ASSESSMENT	<p>The department reached a reasonable disposition in this case. However, the Office of Internal Affairs did not complete a timely investigation in that the final report was submitted to the hiring authority approximately 21 days before the deadline for taking disciplinary action. The Office of Internal Affairs also failed to conduct a thorough investigation or produce an appropriate report as the special agent failed to interview a relevant inmate witness. The special agent failed to properly consult with the bureau in that the special agent completed investigative work, but did not provide a copy of the report regarding such activities to the bureau. Both the department attorney and the hiring authority failed to consult with the bureau regarding significant events, such as the lieutenant's request for a Skelly hearing and the reasons for denial of the Skelly hearing. Further, the department attorney attended only one investigative interview and failed to provide written confirmation of discussions about the investigative report as required.</p>								

## CRITICAL INCIDENTS

<b>Case No. 11-0254 (South Region)</b>	
FACTS OF CASE	On June 7, 2011, two inmates attacked a third inmate with inmate-manufactured weapons in a housing unit. The attacked inmate suffered a six-inch cut to his neck which caused active bleeding, leaving a blood trail from inside the housing unit to outside where he entered the ambulance. The inmate was transported to the local hospital via ambulance, underwent surgery, and returned to the institution.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0255 (South Region)</b>	
FACTS OF CASE	On June 5, 2011, an unknown inmate slashed the neck of another inmate causing an open wound about five inches in length. Officers searched the yard and found an inmate-manufactured weapon consisting of four razor blades melted into a toothbrush. The inmate was air-lifted to a local hospital where he underwent exploratory surgery of the neck and the wound was closed with staples. The inmate was later returned to the institution.
DISPOSITION OF CASE	The institution was not able to identify the inmate assailant and, as such, the case was not referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately consulted with the bureau about the incident. However, it failed to properly notify the bureau as the department did not notify the bureau until approximately three hours after the incident occurred. Due to the late notification, the bureau did not physically respond to the institution. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0256 (South Region)</b>	
FACTS OF CASE	On May 31, 2011, an officer in an observation post accidentally discharged one round from a .38 caliber pistol that hit a steel door.
DISPOSITION OF CASE	The department did not dispatch special agents from the deadly force investigation team to the scene of the incident. However, the department later opened criminal and administrative investigations, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	The department's response to the incident was not adequate. The Office of Internal Affairs failed to respond on-scene to the incident even though it classified this incident as one involving deadly force, which per departmental policy requires special agents assigned to the deadly force investigation team to physically respond to the incident. Additionally, a supervisor at the institution obtained an overly broad public safety statement from the officer, who used deadly force. The department adequately notified and consulted with the bureau regarding the incident.

## CRITICAL INCIDENTS

<b>Case No. 11-0257 (North Region)</b>	
FACTS OF CASE	On March 25, 2011, an off-duty parole agent observed a pit bull attacking a puppy. When the agent intervened, the pit bull turned its aggression and ran towards the agent. The agent allegedly fired three shots at the dog from his personally owned pistol. The dog continued to advance so the agent fired two additional rounds, striking and killing the pit bull.
DISPOSITION OF CASE	Outside law enforcement conducted the criminal investigation into the use of deadly force. The Office of Internal Affairs opened a criminal investigation simply to review the outside law enforcement reports of its criminal investigation. The department also opened an administrative investigation, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner.
<b>Case No. 11-0258 (Central Region)</b>	
FACTS OF CASE	On May 15, 2011, officers were issuing morning food trays to inmates when they discovered an inmate in his cell hanging by his neck from an inmate-manufactured noose fashioned from state issued linen. Officers activated the alarm and summoned medical personnel. As responders arrived, the officers removed the noose and immediately started CPR. Attempts to resuscitate the inmate continued as he was transported to the medical clinic at the institution but were unsuccessful and he was pronounced dead at the clinic.
DISPOSITION OF CASE	Potential staff misconduct was identified related to an inmate count conducted before the inmate's death. Therefore, the matter was referred to the Office of Internal Affairs, which sent the matter back to the hiring authority to take action without an investigation. The bureau did not accept the case for monitoring.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department provided adequate notification and consultation to the bureau regarding the incident. The bureau agreed with the decision to submit the matter to the Office of Internal Affairs, and with their determination that the hiring authority could take direct action without an investigation.
<b>Case No. 11-0259 (Central Region)</b>	
FACTS OF CASE	On May 14, 2011, staff members were giving out medications in a pill line. At that time, an inmate walked up to a second inmate in the line and attacked him with an inmate-manufactured razor in the upper chest and neck, causing several slashes to both sides of the neck and the stomach. An officer used pepper spray to stop the attack.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.

## CRITICAL INCIDENTS

<b>Case No. 11-0260 (South Region)</b>	
FACTS OF CASE	On May 8, 2011, an officer discharged his personal firearm four times in an off-duty incident at his residence. One of the rounds struck another person in the hip. The officer was arrested and subsequently charged with multiple felonies, including assault with a firearm.
DISPOSITION OF CASE	The Office of Internal Affairs dispatched special agents from its deadly force investigation team to the scene. The Office of Internal Affairs opened both criminal and administrative investigations into the officer's use of deadly force, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department adequately notified and consulted with the bureau on the incident.
<b>Case No. 11-0261 (Central Region)</b>	
FACTS OF CASE	On April 18, 2011, an officer observed an inmate hanging in his single person cell. Officers made an emergency cell entry and cut the noose, fashioned from a torn bed sheet and t-shirt, from the cell air vent where it was tied. The inmate was removed from the cell and onto the tier where CPR was immediately initiated. Attempts to resuscitate the inmate were unsuccessful.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.
<b>Case No. 11-0262 (Central Region)</b>	
FACTS OF CASE	On April 17, 2011, an inmate approached officers in the dorm to report that another inmate was on the floor in the second tier bathroom. Officers responded and discovered the inmate on the bathroom floor, unresponsive and without a pulse. CPR was performed by the officers and then medical staff members who responded, but was unsuccessful. Following the inmate being pronounced dead, a search of the inmate's bunk revealed narcotics in his sheets. An autopsy revealed the cause of death to be a heart attack due to a methamphetamine overdose.
DISPOSITION OF CASE	No staff misconduct was identified; therefore the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0263 (North Region)</b>	
FACTS OF CASE	On April 13, 2011, an officer used deadly force in an attempt to stop three inmates from attacking another inmate. Two of the inmate assailants were repeatedly stabbing the attacked inmate with inmate-manufactured weapons. The third inmate assailant was restricting the attacked inmate's ability to escape. The officer's single shot hit one of the assailants in the upper right back and shoulder area which stopped the attack.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office, which declined to prosecute. The Office of Internal Affairs opened both criminal and administrative investigations into the use of deadly force, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident.

## CRITICAL INCIDENTS

<b>Case No. 11-0264 (North Region)</b>	
FACTS OF CASE	On April 7, 2011, a ward was found hanging in his cell. Staff quickly got the ward down from the hanging position. The ward was able to speak and walk.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0265 (North Region)</b>	
FACTS OF CASE	On April 2, 2011, two inmates were attacking a third inmate on the exercise yard. Officers ordered all inmates on the yard to get down. All inmates complied, except those involved in the fight. The inmate under attack appeared to be unable to defend himself. The guard tower officer fired one lethal round as a warning shot to stop the incident, which resulted in no injuries. Responding staff also dispersed chemical agents following which the inmates stopped the attack. Immediately thereafter an officer observed a second attack on an adjacent alley wherein two inmates were attacking a third inmate. Officers again ordered all inmates to get down. All inmates complied except the involved inmates. Therefore, the same guard tower officer fired a less-than-lethal round hitting one of the attackers in the shoulder. The round stopped the attack.
DISPOSITION OF CASE	The case against the four assailants was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Except for inadequate documentation related to issues requiring clarification and failure to check all appropriate boxes on the form, the bureau determined that the department's response to the incident was adequate. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0266 (North Region)</b>	
FACTS OF CASE	On March 31, 2011, an officer found an inmate alone in his cell hanging by the neck from the upper bunk. Officers immediately responded to the cell, lifted the inmate to relieve the pressure from the neck, cut the ligature and initiated CPR. Medical staff arrived and an officer continued CPR while transporting the inmate to the institution's medical treatment facility for further treatment. An outside fire department also responded; however, medical staff were unable to revive the inmate and the responding paramedic declared the inmate dead.
DISPOSITION OF CASE	Potential staff misconduct was identified; therefore, the case was referred to the Office of Internal Affairs for investigation. An investigation was opened, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	With the exception of inadequate documentation of the incident related to lack of detail in some reports, the department's overall response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority decided to refer the matter to the Office of Internal Affairs, and the bureau agreed. The bureau agreed with the Office of Internal Affairs' response to the hiring authority's referral.

## CRITICAL INCIDENTS

<b>Case No. 11-0267 (South Region)</b>	
FACTS OF CASE	On March 30, 2011, an inmate alerted officers to his cellmate, who was hanging and later pronounced dead. A handwritten suicide note was found in the cell. Outside law enforcement officers conducted an investigation and determined that the inmate committed suicide.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0268 (North Region)</b>	
FACTS OF CASE	On March 25, 2011, an inmate was found hanging from a cloth tied to the vent in his single person assigned cell. An alarm was sounded and staff entered the cell to remove the cloth. CPR was initiated by staff but the inmate was pronounced dead at the scene.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0269 (South Region)</b>	
FACTS OF CASE	On March 23, 2011, a parole agent assigned to a task force attempted to apprehend a fugitive suspected of involvement in multiple robberies. The fugitive, who was in the driver's seat of his vehicle, refused numerous orders to show his hands and exit the vehicle. The parole agent observed the fugitive reach down to the floorboard, at which time the parole agent fired at and shot the fugitive. Outside law enforcement officers transported the fugitive to a local hospital where he was treated for his injuries.
DISPOSITION OF CASE	The Office of Internal Affairs dispatched special agents from the deadly force investigation team to the scene. The Office of Internal Affairs opened criminal and administrative investigations into the use of deadly force, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident.
<b>Case No. 11-0270 (Central Region)</b>	
FACTS OF CASE	On March 14, 2011, three inmates attacked a fourth inmate in a housing unit. The control booth officer activated her alarm and then fired three less-than-lethal rounds at the legs of the assailants, but they continued their assault. The inmates complied with orders to get down after several officers responded to the alarm. One of the assailants received a laceration to the face requiring sutures. The injury was consistent with a less-than-lethal round.
DISPOSITION OF CASE	The case against the inmates was not referred to the district attorney's office for prosecution due to the criteria established in the memorandum of understanding. It was determined that the round that struck the inmate in the face did so unintentionally and no staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department sufficiently consulted with the bureau regarding the incident; however failed to make timely initial notification of the incident. The incident occurred on March 14 shortly before 8 in the evening and the bureau was not notified until shortly before 11 in the morning the following day. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.



## CRITICAL INCIDENTS

<b>Case No. 11-0271 (North Region)</b>	
FACTS OF CASE	On March 4, 2011, an officer fired a lethal round as a warning shot in order to stop an attack by two inmates against another inmate during which one of the assailants appeared to have an inmate-manufactured weapon. The inmates however, continued to fight. The inmates ceased their attack after a less-than-lethal impact round was deployed by responding staff. An inmate-manufactured weapon was located buried in the dirt underneath one of the assailants.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0272 (Central Region)</b>	
FACTS OF CASE	On March 1, 2011, an inmate escaped from a minimum security facility by apparently climbing over a fence and walking away. He was captured by the department two days later.
DISPOSITION OF CASE	No employee misconduct was identified as contributing to the inmate's escape, therefore the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department notified the bureau about the incident but failed to properly engage in consultation with the bureau. Specifically, the department failed to inform the bureau of the inmate's capture in a timely manner. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0273 (South Region)</b>	
FACTS OF CASE	On February 21, 2011, two inmates attacked another inmate on the exercise yard. During the assault, one of the assailants stabbed the victim inmate with an inmate-manufactured weapon numerous times. Officers responded and quelled the assault by using pepper spray and striking the assailants with their batons. The victim inmate was provided medical attention but died from his injuries resulting from the attack shortly thereafter.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified. Therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.

## CRITICAL INCIDENTS

<b>Case No. 11-0274 (South Region)</b>	
FACTS OF CASE	On February 17, 2011, two inmates were fighting in the dayroom of a housing unit. The control booth officer ordered the inmates to get down on the ground, but they did not comply. The officer aimed and fired a less-than-lethal round at the upper thigh area of one of the inmates. Due to the inmates' movements, the round struck one of the inmates in the facial area causing a laceration to the chin. The inmate was transported to a local hospital where he received treatment.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0275 (North Region)</b>	
FACTS OF CASE	On February 16, 2011, staff observed what appeared to be a two on one inmate fist fight in an exercise yard. As responding staff approached, they saw two inmates utilizing inmate-manufactured weapons to batter the other inmate. The aggressors refused several verbal commands to cease their assault and staff applied pepper spray in an attempt to gain their compliance. One of the inmates dropped his weapon and assumed a prone position while the other inmate continued assaulting the inmate with the weapon. It became necessary for staff to utilize a baton, striking the inmate on his legs, to prevent further injury to the other inmate. The inmate then stopped his attack and was placed in handcuffs. The target of the attack was admitted into a hospital with 15 puncture wounds and a laceration.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0276 (North Region)</b>	
FACTS OF CASE	On February 15, 2011, an inmate reported to an officer that another inmate was bleeding in his cell. The officer sounded his alarm and responded to the cell. The inmate was found bleeding, holding a rag over his neck. Medical staff responded and started treating the inmate at the cell; however, shortly thereafter medical staff determined that the inmate should be transferred to the medical clinic for further treatment. The inmate was later transported to a local hospital where he underwent surgery for his wounds. The inmate survived and returned to the institution.
DISPOSITION OF CASE	The case against the inmates involved in the attack was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.

## CRITICAL INCIDENTS

<b>Case No. 11-0277 (North Region)</b>	
FACTS OF CASE	On February 15, 2011, an officer found an inmate hanging in his cell. Life-saving measures were initiated; however, the inmate did not survive. The death was deemed to be a suicide.
DISPOSITION OF CASE	Possible staff misconduct was identified for transferring the inmate from the department of mental health to a lower level care prior to being psychiatrically cleared; therefore, the case was referred to the Office of Internal Affairs for investigation. An investigation was opened, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority decided to refer the matter to the Office of Internal Affairs, and the bureau agreed. The bureau concurred with the Office of Internal Affairs' response to the hiring authority's referral.
<b>Case No. 11-0278 (Central Region)</b>	
FACTS OF CASE	On February 11, 2011, medical staff was summoned because an inmate was found to have an injury to the back of his head. The inmate was on medication and, according to his cellmate, not feeling well and fell several times that night striking his head both on the wall, desk and floor. Medical staff bandaged the head wound and the inmate refused any other medical care. Later the next morning, the inmate was discovered by his cell mate not breathing and motionless. Medical staff was again summoned, but dependent lividity wherein blood pools in the body had set in and the inmate had a do not resuscitate order, so no additional efforts were made. The inmate was pronounced deceased by a doctor at the institution. Following an autopsy and toxicology screening, it was determined that the inmate's death was due to natural causes
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.
<b>Case No. 11-0279 (North Region)</b>	
FACTS OF CASE	On February 12, 2011, a fight erupted on an exercise yard involving 17 inmates. The inmates refused to obey verbal orders so staff used pepper spray and less-than-lethal force to gain control of the incident. One inmate was struck in the eye with a less-than-lethal round which ricocheted off the ground and sustained a facial fracture.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	With the exception of staff failing to adequately explain and document the use of force witnessed, the department's overall response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.

## CRITICAL INCIDENTS

<b>Case No. 11-0280 (Central Region)</b>	
FACTS OF CASE	On February 9, 2011, two inmates began battering a third inmate on the exercise yard. Officers ordered the inmates to get down with negative results. The yard officer sprayed the two assailants in the face with pepper spray, while the observation officer fired a less-than-lethal direct impact round at an assailant's thigh. One of the assailants got down on the ground, holding his head, while the other assailant continued to batter the inmate. The yard officer sprayed the remaining assailant again, while the observation officer fired a second less-than-lethal direct impact round. Responding staff arrived and all of the inmates got down. One of the assailants received injuries consistent with being struck in the head with a direct impact round and was transported by ambulance to a local hospital. The other assailant had an injury to his lower leg consistent with being struck with a direct impact round. The inmate who was attacked received minor injuries.
DISPOSITION OF CASE	The case against the inmates was not referred to the district attorney's office for prosecution because it did not meet the criteria per the memorandum of understanding. It was determined that the injury to the inmate's head was unintentional and due to the movement of the inmate, therefore, no staff misconduct was identified and the case was not referred to the Office of Internal Affairs for investigation.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0281 (Central Region)</b>	
FACTS OF CASE	On February 6, 2011, officers responded to a cell due to inmate calls of "man down." They discovered the first inmate sitting on the floor covered in blood and his cellmate standing in the back of the cell. Both inmates were handcuffed and removed from the cell. The first inmate suffered 26 stab wounds to his torso, arm and leg. Due to the first inmate's injuries, he was placed on the ground and life saving procedures were started by medical staff members. The inmate was transported to a local hospital for medical care. The inmate suffered a punctured lung and a cracked rib. He was treated and released back to the institution. A search of the cell revealed a metal inmate-manufactured weapon. The cellmate admitted to stabbing the inmate and claimed he had become upset with the inmate after both had been drinking inmate-manufactured alcohol.
DISPOSITION OF CASE	The case against the cellmate was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0282 (North Region)</b>	
FACTS OF CASE	On February 5, 2011, an inmate was found hanging in his cell. Emergency medical response efforts to save him were unsuccessful and he was pronounced dead.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.

## CRITICAL INCIDENTS

<b>Case No. 11-0283 (South Region)</b>	
FACTS OF CASE	On February 5, 2011, officers found an inmate hanging with a noose around his neck. Emergency medical assistance was provided at the scene. The inmate was pronounced dead by responding medical personnel.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0284 (South Region)</b>	
FACTS OF CASE	On February 3, 2011, two parole agents approached a parolee who was wanted for a robbery. The parolee pulled out a gun and pointed it at the parole agents. The parole agents shot the parolee, who was later pronounced dead at a local hospital.
DISPOSITION OF CASE	The Office of Internal Affairs dispatched special agents from the deadly force investigation team to the scene. The Office of Internal Affairs opened an administrative investigation into the use of deadly force, which the bureau accepted for monitoring. Outside law enforcement conducted a criminal investigation into the use of deadly force.
BUREAU ASSESSMENT	With the exception of failing to follow the department's deadly force investigation team procedures regarding the timing of interviews, the department's overall response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident.
<b>Case No. 11-0285 (Central Region)</b>	
FACTS OF CASE	On January 26, 2011, an inmate alleged that a physician had sexually assaulted her during a medical examination at the institution. The Prison Rape Elimination Act protocols were initiated and an inquiry was completed by the investigative services unit at the institution.
DISPOSITION OF CASE	Upon completion of the inquiry, the case was referred to the Office of Internal Affairs for investigation according to department policy. The evidence gathered during the inquiry did not support the inmate's allegation of staff misconduct; therefore, the Office of Internal Affairs rejected the case for investigation.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority decided to refer the matter to the Office of Internal Affairs, and the bureau agreed. The bureau concurred with the Office of Internal Affairs' response to the hiring authority's referral.
<b>Case No. 11-0286 (South Region)</b>	
FACTS OF CASE	On January 25, 2011, staff discovered a single-celled inmate hanging from a light fixture by a sheet that was wrapped around his neck. Staff removed the inmate from his cell and carried him outside of the housing unit. Life-saving measures were taken by custody and medical staff but were unsuccessful. The coroner determined the cause of death to be suicide by hanging.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.

## CRITICAL INCIDENTS

<b>Case No. 11-0287 (Central Region)</b>	
FACTS OF CASE	On January 22, 2011, an inmate collapsed while exercising on the yard at an institution. The inmate was taken to the institution's medical clinic, where he died. An autopsy revealed that the inmate died of cardiac arrest brought on by complications from heart disease.
DISPOSITION OF CASE	No staff misconduct was identified, therefore the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0288 (North Region)</b>	
FACTS OF CASE	On January 22, 2011, two inmates attacked a third inmate while on the exercise yard. The attacked inmate attempted to evade his attackers, but was knocked to the ground. Once on the ground the two assailants began kicking the third inmate who was no longer defending himself. The tower officer fired a lethal round as a warning shot in an attempt to stop the attack. The shot was effective as the assailants ceased their attack and laid down on the ground.
DISPOSITION OF CASE	The case against the inmate assailants was referred to the district attorney's office for prosecution. No staff misconduct was identified as the firing of the lethal round was confirmed to have been a warning shot; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.
<b>Case No. 11-0289 (Central Region)</b>	
FACTS OF CASE	On January 21, 2011, an inmate alleged he was assaulted by an officer. According to supervisory staff, the inmate refused to be interviewed regarding his specific allegations, thus no immediate action was taken. Two days later, the inmate told medical staff he had been sexually assaulted. The institution's investigative services unit was notified and the inmate was taken to a local hospital for a sexual assault examination.
DISPOSITION OF CASE	Potential staff misconduct was identified; therefore, the matter was referred to the Office of Internal Affairs to investigate the alleged sexual assault and any improper delay in responding to the report. The Office of Internal Affairs declined to open an investigation, however, the hiring authority did initiate training for involved supervisors.
BUREAU ASSESSMENT	The bureau did not concur with the Office of Internal Affairs' rejection of the matter for investigation. The bureau's position was that even if there was little, if any, credible evidence of an actual assault, supervisory staff should have taken more immediate action and obtained reports from involved staff. The hiring authority accepted the bureau's recommendation that staff be provided with additional training regarding the required timely response to rape allegations.

## CRITICAL INCIDENTS

<b>Case No. 11-0290 (Central Region)</b>	
FACTS OF CASE	On January 13, 2011, a registered nurse in the outpatient housing unit discovered an inmate lying unresponsive on the floor of his cell. The nurse and an officer entered the cell and upon assessment of the inmate, the nurse immediately activated a personal alarm device. The nurse and the officer began CPR. Additional medical staff responded, including an on-duty physician, to assist with life saving measures. The inmate was transported code 3 to a local hospital, where he was later pronounced dead. No autopsy was requested by the attending physician. However, a death review was completed by the California Prison Health Care Services. The immediate cause of death was determined to be cardiopulmonary arrest due to probable coronary artery disease.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. While the department adequately consulted with the bureau regarding the incident, it failed to provide adequate notification by notifying the bureau almost three hours after the inmate was discovered. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0291 (North Region)</b>	
FACTS OF CASE	On January 11, 2011, two inmates attacked three officers with inmate-manufactured weapons. The officers sustained extensive injuries although none were life-threatening.
DISPOSITION OF CASE	The case against the assailant inmates was referred to the district attorney's office. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department provided adequate notification and consultation to the bureau regarding the incident. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0292 (Central Region)</b>	
FACTS OF CASE	On January 11, 2011, three parole agents responded to a residence to apprehend a parolee at large. One parole agent knocked on the front door of the residence and when the door opened, he saw the parolee inside. The agent ordered the parolee to exit the residence through the front door. A second agent went to the back yard when he believed the parolee was attempting to escape through the back door, and as the door opened he identified himself as a parole agent to an unidentified female. The female pushed the agent out of the way, while releasing a large pit bull from the residence. The dog bit the agent's arm, leg, and foot while the agent attempted to defend himself with physical force after losing possession of his pepper spray during the attack. The dog lunged toward the agent's face and the agent shot one round into the dog's abdomen stopping the attack. Meanwhile, the parolee voluntarily exited the residence and was taken into custody. The parole agent was taken to a local hospital for treatment of his injuries. An animal control officer euthanized the dog.
DISPOSITION OF CASE	The Office of Internal Affairs opened an administrative investigation, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	Although the bureau has recommended to the Office of Internal Affairs that any time a weapon is discharged in the line of duty in public the deadly force investigation team should immediately respond and fully investigate the incident, the department did not initially respond to this incident as a deadly force incident. The parole unit supervisor did not notify the bureau in a timely manner, and the department failed to provide the bureau with copies of reports in a timely manner. The bureau recommended that the adult parole director advise his supervisory staff of their obligation to cooperate with the bureau's requests for information, which was done. Because the bureau was not notified by parole in a timely manner, and there was not a full deadly force investigation initiated on the day of the incident, the bureau was unable to adequately evaluate the department's response.

## CRITICAL INCIDENTS

<b>Case No. 11-0293 (North Region)</b>	
FACTS OF CASE	On January 6, 2011, an officer observed an inmate battering another inmate with his fists. The inmate ignored the officer's orders to stop the attack. The officer discharged one less-than-lethal impact round that inadvertently struck the attacking inmate in the head. The inmate sustained a cut to the top of his head and was subsequently transferred to the institution's clinic where he received seven sutures.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office for prosecution. It was determined that the round inadvertently struck the inmate in the head. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. While the department adequately consulted with the bureau regarding the incident, it failed to provide adequate notification as the bureau was not notified until almost three hours after the incident. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0294 (Central Region)</b>	
FACTS OF CASE	On January 6, 2011, two inmates were fighting in a housing unit and refused orders to get down. An officer fired a less-than-lethal direct impact round missing his intended target and striking one of the combatants in the hand. The inmates stopped fighting and one retreated to his cell while the other laid in a prone position on the floor. While an officer was conducting a clothed body search of the injured inmate, an inmate-manufactured deadly weapon was discovered in the waistband of his pants. The injured inmate was transported to a local hospital for a higher level of care for a fractured hand. The other combatant had a minor injury as a result of the fight.
DISPOSITION OF CASE	The case against the inmate in possession of a weapon was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.



## CRITICAL INCIDENTS

<b>Case No. 11-0295 (Central Region)</b>	
FACTS OF CASE	On December 15, 2010, two inmates began attacking another inmate. Officers ordered the inmates to get down, while noticing that one of the assailants was using an inmate-manufactured weapon to stab the victim. The observation officer ordered all inmates to get down, and to drop the weapon with negative results. He then fired a less- than-lethal round and struck one of the assailants causing him to lie prone on the ground. The other assailant continued to stab the inmate who was trying to fight back. The observation officer fired a second less-than-lethal round at the assailant, but missed because of his rapid movement as the inmate continued the attack. The observation officer gave orders to both inmates to get down but they refused to comply. The observation officer fired a third less-than-lethal round striking the inmate who was being stabbed, then both inmates complied with orders to get down. The attacked inmate received numerous stab wounds to his face and neck, and was medically treated at the institution.
DISPOSITION OF CASE	The case against the assailants was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	This case was opened as a result of the bureau monitoring of the use-of-force process within the department. Although, the department's initial response to the incident was adequate, several supervisors and managers failed to properly critique the incident reports and failed to request clarification reports, despite the clear deficiencies in the reporting. At the request of the bureau, clarification reports were provided but were untimely. The clarifying reports still left questions regarding the use of force, which the hiring authority failed to pursue further. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs, as the deficiencies in the matter were related primarily to poor reporting and incident review, rather than actual misconduct. Remedial training for the officer who used force was recommended.
<b>Case No. 11-0296 (Central Region)</b>	
FACTS OF CASE	On January 1, 2011, an officer discovered an inmate unresponsive in his assigned cell during an institutional count. The cellmate attempted to waken the inmate with negative results. The officer activated his personal alarm device and announced a medical emergency on the institutional radio. Officers immediately removed the inmate from the cell and medical staff began life- saving measures. The inmate was transported to the institution's treatment center where he was pronounced dead. A sergeant found a letter addressed to staff indicating how and why the inmate was overdosing with prescription drugs. The autopsy revealed the manner of death to be suicide caused by a drug overdose.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0297 (North Region)</b>	
FACTS OF CASE	On December 28, 2010, two inmates were fighting on the exercise yard. Staff utilized two less-than-lethal rounds and pepper spray to quell the incident. One less-then-lethal round struck one of the inmates in the lower leg causing minor injury.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs for investigation.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau on the incident. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.

## CRITICAL INCIDENTS

<b>Case No. 11-0298 (North Region)</b>	
FACTS OF CASE	On December 24, 2010, staff found an inmate in his cell, bleeding from his head, after his cellmate attempted to murder him. The attacked inmate sustained severe injuries and was taken to a local hospital for treatment, then returned to the institution.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0299 (North Region)</b>	
FACTS OF CASE	On December 24, 2010, as staff approached one of the cells to release the inmates to the exercise yard, they observed an inmate sitting on the bunk and his cellmate lying motionless on the floor, bleeding profusely from his head. Staff activated their alarm and summoned medical staff. The inmate, who was sitting on the bunk, was placed into restraints and medical staff began life-saving measures on the cellmate. The cellmate was transported to a local hospital where he was admitted and regained consciousness.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0300 (South Region)</b>	
FACTS OF CASE	On December 23, 2010, an officer assigned to a tower discharged a lethal round from his rifle by accidentally pulling the trigger while he was clearing the weapon. The round penetrated the tower wall and traveled toward an area of the institution occupied by staff. The surrounding areas were inspected but the point of impact was not found. No injuries were reported.
DISPOSITION OF CASE	Potential staff misconduct was identified; therefore, the case was referred to the Office of Internal Affairs for investigation. The Office of Internal Affairs approved for the hiring authority to take action without an investigation. The bureau accepted the case for monitoring.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau on the incident. The bureau agreed with the decision to submit the matter to the Office of Internal Affairs. The bureau agreed with the Office of Internal Affairs' response to the hiring authority's referral.

## CRITICAL INCIDENTS

<b>Case No. 11-0301 (North Region)</b>	
FACTS OF CASE	On December 22, 2010, two inmates attacked a third inmate who appeared to be unresponsive and unable to defend himself. The yard tower officer ordered the combatants several times to stop the attack and get down. The assailants ignored the verbal commands, so the officer fired one lethal round, as a warning shot, which stopped the attack. No injuries resulted from the warning shot, and the inmate who had been attacked was transported to an local hospital for medical treatment.
DISPOSITION OF CASE	The case against the two inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0302 (South Region)</b>	
FACTS OF CASE	On December 22, 2010, an inmate approached officers with blood on his shirt and dripping from his nose. While waiting for medical assistance, the inmate began to vomit large amounts of blood. He was transported to the institution's treatment center where the inmate became non-responsive. Medical staff initiated life-saving measures but were unsuccessful. Outside paramedics arrived at the institution and attempted life-saving measures but the inmate was declared dead. An autopsy report revealed the mode of death was natural, caused by extensive upper gastrointestinal bleeding.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department consulted with the bureau about the incident, but it failed to provide timely and sufficient notification by notifying the bureau approximately 4 hours after the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0303 (North Region)</b>	
FACTS OF CASE	On December 20, 2010, officers heard an inmate yelling, "man down." The officers observed the inmate standing at the cell door and his cellmate covered in blood laying on the floor face down with a large pool of blood around his head area. The officers activated an alarm, entered the cell and handcuffed the inmate. The cellmate was unresponsive. Medical staff arrived and immediately began life-saving efforts, which were unsuccessful. The institution's doctor pronounced the cellmate dead.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office, which did not file criminal charges. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.

## CRITICAL INCIDENTS

<b>Case No. 11-0304 (South Region)</b>	
FACTS OF CASE	On December 13, 2010, a female inmate who had been in continuous custody for more than 10 years returned a positive pregnancy test. She identified an officer as the father.
DISPOSITION OF CASE	The Office of Internal Affairs initiated a criminal investigation, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	The department's overall response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority referred the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0305 (North Region)</b>	
FACTS OF CASE	On December 9, 2010, staff were alerted by an inmate that his cellmate was hanging from a noose in their cell. Officers activated an alarm and medical staff immediately responded and initiated life-saving measures. The inmate was transported via ambulance to a local hospital where he was pronounced dead.
DISPOSITION OF CASE	Potential staff misconduct was identified by a review committee regarding the quality of care provided to the inmate. The case was referred to the Office of Internal Affairs, which opened an administrative investigation. The bureau did not accept the case for monitoring.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau agreed with the decision to submit the matter to the Office of Internal Affairs. The Office of Internal Affairs responded as required to the hiring authority's referral; the bureau agreed with the response.
<b>Case No. 11-0306 (South Region)</b>	
FACTS OF CASE	On December 7, 2010, staff discovered an unresponsive inmate. The inmate was pronounced dead a short time later. There were no indications that the inmate had been assaulted and the inmate did not have a cellmate. Following an autopsy, the coroner's report confirmed the inmate died of a drug overdose.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department consulted with the bureau about the incident, but it failed to provide timely notification by waiting approximately three hours to contact the bureau. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0307 (North Region)</b>	
FACTS OF CASE	On December 6, 2010, while inmates were being released to the exercise yard, a riot occurred involving 10 inmates. The yard tower officer ordered all the inmates on the yard to get down. The combatants did not comply. Responding staff arrived, formed a skirmish line, gave numerous verbal orders, and deployed pocket grenades of pepper spray, which were ineffective. Two of the combatants were hitting and kicking a third inmate, who was on the ground and appeared unable to defend himself. The yard tower officer fired one lethal round as a warning shot into the concrete wall of the exercise yard, which stopped the attack.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.

## CRITICAL INCIDENTS

<b>Case No. 11-0308 (South Region)</b>	
FACTS OF CASE	On December 3, 2010, two inmates attacked another inmate inside a housing unit. A fourth inmate came to the aid of the attacked inmate and began fighting with the two aggressor inmates. All inmates ignored orders to get down and continued to fight. As a result, the control booth officer fired two less-than-lethal direct impact sponge rounds with no effect. Another officer tossed a chemical agent grenade at the feet of the fighting inmates which caused the inmates to stop fighting. Three of the inmates received minor injuries. One inmate received a laceration to the back of his head requiring twelve staples, which was believed to have been caused by one of the sponge rounds.
DISPOSITION OF CASE	The case against the inmates was not referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.
<b>Case No. 11-0309 (South Region)</b>	
FACTS OF CASE	On November 29, 2010, seven inmates attacked two inmates. One officer used a baton and other officers used pepper spray to quell the incident. One of the inmates sustained serious injuries to his head and face from the attack by the other inmates and was flown to an outside hospital where he underwent surgery.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department consulted with the bureau about the incident, but notification was untimely because it was two hours after the incident.
<b>Case No. 11-0310 (South Region)</b>	
FACTS OF CASE	On November 28, 2010, an officer fired a warning shot during a riot on the exercise yard.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. Although the department adequately notified the bureau regarding the incident, it failed to adequately consult with the bureau due to the extensive delay in providing the incident reports. Due to the delay in assessing the incident reports, the decision regarding an investigation request was not timely. However, the hiring authority finally decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0311 (South Region)</b>	
FACTS OF CASE	On November 27, 2010, an inmate was found hanging in his cell. There was no one else in the cell. The last security check before finding the inmate was conducted approximately two hours earlier. The inmate was later pronounced dead.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.

## CRITICAL INCIDENTS

<b>Case No. 11-0312 (North Region)</b>	
FACTS OF CASE	On November 20, 2010 the yard officer observed two inmates attacking another inmate on the exercise yard. A fourth inmate subsequently joined in the attack. Two officers each fired three less-than-lethal direct impact rounds, hitting two of the assailant inmates each once in the head. The attacked inmate and the two inmates who were hit in the head were taken to a local hospital for treatment. One inmate-manufactured metal weapon was found at the scene.
DISPOSITION OF CASE	The case against the inmates was not referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department's notification and consultation to the bureau regarding the incident was sufficient. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.
<b>Case No. 11-0313 (Central Region)</b>	
FACTS OF CASE	On November 9, 2010, an inmate discovered his cellmate hanging by the neck from an air vent after returning from the exercise yard. He summoned staff by yelling "man down." Officers cut the inmate down and medical staff began CPR when they arrived. The inmate was pronounced dead by a physician after life-saving efforts were unsuccessful. The autopsy revealed the cause of death was suicide by hanging.
DISPOSITION OF CASE	Based on the reports, it appeared that officers may have failed to start CPR as required by policy. Possible staff misconduct was identified; therefore the matter was referred to the Office of Internal Affairs, which declined to open an investigation.
BUREAU ASSESSMENT	The department informed the bureau about the incident in a timely and sufficient manner. The bureau agreed with the decision to submit the matter to the Office of Internal Affairs for potential misconduct. The Office of Internal Affairs rejected the hiring authority's referral stating there was not enough corroborating evidence; however, the bureau did not concur because they reached that conclusion without conducting any interviews. The incident reports did not adequately document who started CPR, so it appears officers failed to start CPR and waited until medical staff arrived. The bureau believes an investigation was warranted.
<b>Case No. 11-0314 (Central Region)</b>	
FACTS OF CASE	On November 8, 2010, an officer saw an inmate place another inmate in a choke hold causing the choked inmate to lose consciousness. The building alarm was activated. The suspect refused orders to release the inmate, so one of the officers sprayed the suspect with pepper spray. The suspect released the unconscious inmate who fell to the floor in a puddle of pepper spray, while the suspect assumed a prone position on the floor. Responding staff arrived and the suspect was escorted from the building. The unconscious inmate laid on the ground for approximately 15 minutes before being placed on a gurney and taken to the treatment triage area. The inmate regained consciousness and was later returned to the housing unit.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office for prosecution of attempted murder. The bureau identified potential staff misconduct. However, the hiring authority declined to refer the matter to the Office of Internal Affairs for investigation and determined the actions of staff to be within policy.
BUREAU ASSESSMENT	The department's response to the incident was inadequate because of the failure to refer the matter to the Office of Internal Affairs for investigation into staff's actions of leaving the unconscious inmate face-down in a puddle of pepper spray for 15 minutes without providing medical aid. The bureau believes this to be potential misconduct warranting an investigation. The department also failed to provide timely initial notification, but adequately consulted with the bureau regarding the incident after notification. The bureau learned of the incident during a use-of-force review committee meeting held on December 1, 2010, nearly one month after the incident.

## CRITICAL INCIDENTS

<b>Case No. 11-0315 (North Region)</b>	
FACTS OF CASE	On November 2, 2010, an inmate was found in his cell bound at various parts of his body and bleeding profusely. The inmate shared his cell with another inmate, who confessed to the attempted homicide.
DISPOSITION OF CASE	The case against the inmate's cellmate was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0316 (North Region)</b>	
FACTS OF CASE	On November 1, 2010 two inmates attacked another inmate while being release to the exercise yard. Despite numerous orders from staff to stop and get down on the ground, the inmates continued fighting. Two officers each fired one less-than-lethal impact round; one of which struck an inmate in the upper arm and unintentionally on the head. The inmates then stopped the attack. All three inmates were medically evaluated and the inmate who was hit in the head was taken to a local hospital for further evaluation and treatment.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0317 (North Region)</b>	
FACTS OF CASE	On October 30, 2010, medical and custody staff found an inmate in a sitting position with cloth wrapped around his neck. Despite rescue efforts, the inmate died was pronounced dead. The cause of death was asphyxia as the result of suicide.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department adequately notified and consulted with the bureau regarding the incident. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.
<b>Case No. 11-0318 (North Region)</b>	
FACTS OF CASE	On October 27, 2010, two inmates attacked a third inmate with their fists and feet. Despite orders to get down, the attack continued. An officer used his lethal weapon to fire one warning shot. The attack continued and the attacked inmate appeared to be unconscious. The officer used his lethal weapon to fire a second warning shot, which ultimately stopped the attack.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	With the exception of an untimely staff report, the department's overall response to the incident was sufficient. The department informed the bureau about the incident in a timely and sufficient manner. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.

## CRITICAL INCIDENTS

<b>Case No. 11-0319 (Central Region)</b>	
FACTS OF CASE	On October 20, 2010, an officer was called to a cell by an inmate who requested to be seen by mental health staff. While at the cell door, the officer asked the inmate where his cellmate was and he responded "he is in the spirit well." The officer noticed the cellmate was in bed, covered with a blanket, and non-responsive to the officer banging on the cell door with the baton and yelling out his name. The alarm was activated and medical personnel responded to the cell, where they started performing CPR after discovering the inmate's body was stiff, he had no pulse, he was not breathing, his face was swollen and bloody, and his nose was off-center. CPR was unsuccessful and the inmate was pronounced dead at the scene. A ligature mark around the inmate's neck was later discovered by officers. The cause of death was determined to be strangulation.
DISPOSITION OF CASE	The case against the cellmate inmate was referred to the district attorney's office for prosecution. The case was referred to the Office of Internal Affairs for a determination whether an investigation should be completed regarding the determination to cell the two inmates together. No staff misconduct was identified; therefore, the Office of Internal Affairs did not open an investigation.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority decided to refer the matter to the Office of Internal Affairs, and the bureau agreed. The Office of Internal Affairs responded as required to the hiring authority's referral; the bureau agreed with the response.
<b>Case No. 11-0320 (South Region)</b>	
FACTS OF CASE	On October 19, 2010, when inclement weather required an emergency recall of the exercise yard, a riot involving more than 100 inmates broke out on the exercise yard and in two housing units. An officer fired two lethal rounds as warning shots onto the exercise yard and then fired two lethal rounds in one of the housing units. Two inmates were struck with the rounds, one on a thigh and the other on a leg.
DISPOSITION OF CASE	The Office of Internal Affairs dispatched special agents from its deadly force investigation team to the scene of the incident. The Office of Internal Affairs opened both criminal and administrative investigations into the officer's use of deadly force, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	The department's overall response to the incident was inadequate. Incident documentation was inaccurate, incomplete, and untimely. Staff were allowed to leave without completing reports and were not made available for interview promptly after the incident. The investigative services unit's response was deficient as the unit failed to properly mark evidence, did not properly secure the scene, and allowed the officer to walk through the scene after using deadly force. Moreover, the investigative services unit failed to obtain a properly scoped and timely public safety statement from the officer who used deadly force. The department adequately notified and consulted with the bureau regarding the incident.



## CRITICAL INCIDENTS

<b>Case No. 11-0321 (Central Region)</b>	
FACTS OF CASE	On October 16, 2010, officers approached a cell to prepare the inmates for their shower and saw an inmate lying motionless on the floor, who appeared to have been beaten severely. His cellmate was sitting on the stool located in the back of the cell. The cellmate submitted to the officers' orders to be placed in handcuffs. After the handcuffs were placed on him, he kicked the inmate on the floor, prompting the officers to use pepper spray on him, stopping his attack of his cellmate. The assaulted inmate sustained severe bruising, swelling and discoloration to his face, head and ears, had an indentation to the side of his head, and had shoe sole marks on his face, head and body.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office for prosecution. Although the bureau identified potential staff misconduct, the hiring authority disagreed with the bureau and did not refer the matter for investigation.
BUREAU ASSESSMENT	The department informed the bureau about the incident in a timely and sufficient manner. The bureau disagreed with the hiring authority's decision not to refer the matter to the Office of Internal Affairs for investigation because staff members failed to review the inmates' files prior to authorizing the inmates to be housed together and signed the department form verifying this review. Additionally, the response to the incident was inadequate as officers failed to collect the bloody clothing and bloody shoes from the assaulting inmate prior to decontaminating him, destroying the evidentiary value of the items.
<b>Case No. 11-0322 (Central Region)</b>	
FACTS OF CASE	On October 16, 2010, an officer conducted a welfare check of an inmate who was just released from suicide-watch and saw the inmate hanging with a noose tied around his neck from the air vent in his cell. The inmate did not have a cellmate. An alarm was activated and officers entered the cell, cut off the noose and started performing CPR. Life-saving measures were not successful and the inmate was pronounced dead. The autopsy revealed the cause of death was suicide by hanging.
DISPOSITION OF CASE	Potential staff misconduct was identified due to the possibility that staff did not properly follow instructions for additional welfare checks on this inmate; therefore, the matter was referred to the Office of Internal Affairs, which opened an investigation. The bureau accepted the case for monitoring.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision. The Office of Internal Affairs addressed the hiring authority's referral, and the bureau concurred with its response.

## CRITICAL INCIDENTS

<b>Case No. 11-0323 (Central Region)</b>	
FACTS OF CASE	On October 15, 2010, a discharged parolee attempted to disrupt a class at a juvenile parole office. A parole agent and her supervisor contacted the subject and asked him to leave. The subject left the premises but returned later when the class was on a break and began to approach the students who were outside. The subject was armed with a knife on his belt and made threatening comments. The parole agent and her supervisor verbally asked the subject to stop. The parole supervisor sprayed the subject with pepper spray but it appeared to have no effect. The supervisor then attempted to physically stop the subject when the subject punched the supervisor in the head. The civilian class instructor then tackled the subject, who began resisting and fighting the instructor and the supervisor. The parole agent continually gave verbal instructions to the subject to stop resisting being taken into custody and get down. The subject then pulled a knife and began swinging it at close range at the instructor and parole supervisor who were attempting to subdue him. The parole agent ordered him to drop the knife. When that order was ignored and it appeared the parole supervisor and instructor were at risk, the parole agent fired one lethal round striking the subject in the upper thigh. The agent then kicked the knife away and outside law enforcement arrived and secured the scene. The subject was given immediate medical attention and taken to the hospital in custody.
DISPOSITION OF CASE	The case against the discharged parolee was referred to the district attorney's office for prosecution. The Office of Internal Affairs responded with a deadly force investigation team and immediately began an administrative investigation, which the bureau accepted for monitoring. However, the Office of Internal Affairs declined to conduct a criminal investigation into the use of deadly force.
BUREAU ASSESSMENT	The bureau determined that the department's response was unsatisfactory in that the Division of Juvenile Justice administration and agents appeared untrained in how to handle a deadly force incident. However, the Department of Adult Parole Operations stepped in by sending supervisors and staff to assist. The department adequately notified and consulted with the bureau regarding the incident. Despite the bureau's urging, the department failed to properly open a criminal investigation into the use of deadly force by its parole agent.
<b>Case No. 11-0324 (North Region)</b>	
FACTS OF CASE	On October 12, 2010, an inmate notified custody staff that his cellmate was not breathing. Staff removed the first inmate and notified medical staff of a medical emergency. Life-saving measures were unsuccessful and the inmate was pronounced dead shortly thereafter. The scene was processed as a suspected homicide because the dead inmate had a significant wound to the back of his head.
DISPOSITION OF CASE	The case against the cellmate was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.

## CRITICAL INCIDENTS

<b>Case No. 11-0325 (Central Region)</b>	
FACTS OF CASE	On November 8, 2010, two inmates were engaged in a fight wherein the aggressor was observed using stabbing like motions towards the other inmate. An officer fired a less-than-lethal round and missed. Pepper spray was then used to stop the attack. The aggressor inmate began having respiratory problems. He was decontaminated, subsequently collapsed, and stopped breathing. Medical staff already on scene initiated CPR. He was transported to a local hospital where he was pronounced dead. The coroner's final autopsy report indicated that the cause of death was cardiac arrhythmia due to recent methamphetamine use. A contributing factor to his death was that the inmate had secreted a mobile phone in his rectum, thus contributing to his inability to maintain adequate blood flow to and from his heart while he was under the influence of drugs.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0326 (Central Region)</b>	
FACTS OF CASE	On September 29, 2010, two inmates attacked another inmate. One inmate held the attacked inmate while the other inmate stabbed him in the back and neck area with an inmate-manufactured weapon. After several orders by officers for the inmates to stop, an officer used his baton to strike the stabbing inmate in the upper back area. The inmate continued to stab the attacked inmate so the officer struck the inmate a second time, this time on the inmate's head, causing a cut to the inmate's head.
DISPOSITION OF CASE	Potential staff misconduct was identified; therefore, the case was referred to the Office of Internal Affairs for investigation. The Office of Internal Affairs declined to investigate the matter and referred the case to the hiring authority for action without an investigation. The bureau accepted the case for monitoring.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident and informed the bureau about the incident in a timely manner. However, the bureau did not agree with the Office of Internal Affairs' response to the hiring authority's recommendation. Despite the obvious potential misconduct identified, the Office of Internal Affairs refused to open an investigation. The bureau has also recommended a deadly force investigation team be utilized in any incident involving potential deadly force, such as a baton strike to the head. Currently, the department has declined to follow that recommendation.
<b>Case No. 11-0327 (North Region)</b>	
FACTS OF CASE	On September 28, 2010, while being escorted by officers, an inmate began to have difficulty breathing. Medical staff responded and during transport to the medical clinic, the inmate collapsed and became unresponsive. Life-saving measures were unsuccessful and the inmate was pronounced dead. It was later determined that the inmate's death resulted from complications related to a drug overdose.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects, however, it failed to provide timely notification to the bureau regarding the incident. The bureau independently learned of the incident four days later upon reading department incident summaries. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.

## CRITICAL INCIDENTS

<b>Case No. 11-0328 (South Region)</b>	
FACTS OF CASE	On September 27, 2010, two inmates attacked two other inmates with inmate-manufactured weapons. Officers activated the alarm and ordered all the inmates on the yard to get down. All inmates complied except for the four inmates involved in the fight. A control booth officer fired one less-than-lethal round at the combatants; however the round missed and the inmates continued to fight. Officers responded to the scene and sprayed the inmates with pepper spray. The inmates stopped fighting. The two inmates who were stabbed sustained serious injuries and were taken to local hospitals for treatment. None of the inmates received injuries from the use of force.
DISPOSITION OF CASE	The cases against the two attacking inmates were referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.
<b>Case No. 11-0329 (North Region)</b>	
FACTS OF CASE	On September 20, 2010, an inmate strangled his cellmate to death.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs for investigation.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0330 (North Region)</b>	
FACTS OF CASE	On September 17, 2010, an inmate was attacked by five other inmates while on the exercise yard. Staff fired less-than-lethal rounds to stop the fight. One inmate was unintentionally struck on the top of the head by a non-lethal round.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.
<b>Case No. 11-0331 (South Region)</b>	
FACTS OF CASE	On September 7, 2010, an inmate attacked another with an inmate-manufactured weapon on the exercise yard. Responding staff utilized less-than-lethal impact rounds, expandable batons, and pepper spray to stop the attack. The attacked inmate sustained multiple slash and puncture wounds to his head, chest, and back. Due to the severity of his injuries, the injured inmate was air-lifted to a local hospital for treatment. He survived the injuries and was later returned to the institution.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	With the exception of the use-of-force committee failing to obtain clarifications on incident reports by involved staff, the department's overall response to the incident was sufficient. The department did not adequately notify and consult with the bureau on the incident. The bureau discovered the incident in the department's daily reports the day after the incident occurred and made contact with the institution. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.

## CRITICAL INCIDENTS

<b>Case No. 11-0332 (Central Region)</b>	
FACTS OF CASE	On September 5, 2010, officers were conducting cell searches, when an inmate quickly exited a cell without saying anything as his cell door opened. An officer saw another inmate lying on the bottom bunk in the cell on his side unresponsive. The officer yelled and tapped the inmate's leg in an attempt to wake him up with negative results. The officer activated his personal alarm and medical staff responded to the cell. The inmate had no vital signs, was cold to the touch, and rigor mortis had begun to set in. Life-saving measures were not initiated due to the condition of the inmate's body. The inmate's body was transported to the institution's medical clinic where he was officially pronounced deceased by a doctor. An autopsy stated the inmate died from natural causes several hours before officers entered the cell. Several weeks later, the cellmate claimed to an agent that he had strangled the deceased after the deceased had ingested saved up medications, in an effort to assist the deceased in killing himself.
DISPOSITION OF CASE	There was no physical evidence or trauma to the body corroborating this, but the case was sent to the district attorney for consideration none the less. The district attorney's office declined to prosecute. Potential staff misconduct was identified related to the delay in discovering the condition of the inmate who had been dead for several hours, during which he was allegedly counted; therefore, the case was referred to the Office of Internal Affairs for investigation. The Office of Internal Affairs opened an administrative investigation, which the bureau accepted for monitoring.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau on the incident. The bureau agreed with the decision to submit the matter to the Office of Internal Affairs. The bureau concurred with the Office of Internal Affairs' response to the hiring authority's referral.
<b>Case No. 11-0333 (North Region)</b>	
FACTS OF CASE	On September 7, 2010, an inmate was found unresponsive in his cell by his cellmate, the apparent victim of suicide by slashing his wrists with a razor blade.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.

## CRITICAL INCIDENTS

<b>Case No. 11-0334 (Central Region)</b>	
FACTS OF CASE	On August 30, 2010, yard officers saw two inmates walking in a restricted area on the exercise yard. An officer ordered the inmates to leave the restricted area, but one inmate refused, so three officers approached the inmate and one officer ordered the inmate to submit to handcuffing. The inmate clenched his fists and took a fighting stance toward the officer. The yard observation officer ordered the inmates on the yard to lie down, while two of the yard officers unholstered their pepper spray canisters and ordered the non-compliant inmate to get down. The inmate rushed toward one of the officers, and both officers sprayed the inmate with pepper spray which had no effect. The inmate struck the officer on the top of his head with his fist, knocking him to the ground. This incident led to five other inmates viciously attacking the three officers using their fists and choke holds. The three officers along with other responding officers were using pepper spray, expandable batons, physical force, and a less-than-lethal launcher to stop the attacks, when seven additional white inmates began to run toward the incident. The yard observation officer ordered the inmates to stop with no effect. The officer then fired a lethal warning shot into a safe location, which had the desired effect. All of the inmates assumed a prone position. The three officers were transported to a local hospital for treatment of their injuries. The inmates involved received minor or no injuries, even though one officer admitted striking an inmate intentionally in the head with a baton because he was in fear for his life.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs. However, the bureau recommended that the department open a deadly force investigation into the incident; however, the Office of Internal Affairs declined to do so.
BUREAU ASSESSMENT	The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority chose not to refer the matter to the Office of Internal Affairs. The bureau concurred that there was no misconduct by the involved officers, but due to the degree of force used, a lethal warning shot and lethal use of baton, the bureau felt a deadly force investigation should have been conducted by the department.
<b>Case No. 11-0335 (South Region)</b>	
FACTS OF CASE	On August 8, 2010, a riot involving approximately 12 inmates occurred on the exercise yard. Officers utilized pepper spray to stop the fighting. While the uninvolved inmates were being recalled from the exercise yard into the housing unit, four inmates again started fighting. Staff utilized less-than-lethal impact rounds and pepper spray to stop the fighting. Staff recovered several inmate-manufactured weapons but there were no serious injuries to staff or inmates.
DISPOSITION OF CASE	Cases against three inmates were referred to the district attorney's office for prosecution. Potential staff misconduct was identified related to the manner in which the exercise yard was recalled following a racial riot; therefore, the case was referred to the Office of Internal Affairs for investigation. The Office of Internal Affairs declined to open an investigation but authorized the hiring authority to take action without an investigation. The bureau accepted the case for monitoring.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The bureau concurred with the hiring authority's decision to refer the matter to the Office of Internal Affairs. The Office of Internal Affairs addressed the hiring authority's referral, and the bureau concurred with its response.

## CRITICAL INCIDENTS

<b>Case No. 11-0336 (North Region)</b>	
FACTS OF CASE	On August 5, 2010, during routine room security checks, an officer found a ward lying on the floor of his room and covered completely with a blanket. The officer attempted to assess the ward's welfare by talking to him; however, the ward did not respond. The officer called for backup and entered the room to remove the blanket. The officers found the ward was breathing but had tied a noose around his neck with the other end tied to a chair. The officers cut the noose and sounded the alarm and medical staff responded. The ward was taken to a local hospital for further evaluation and later returned to the institution where he was placed on suicide watch.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, no referral was made to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department provided sufficient consultation; nevertheless, it failed to properly notify the bureau regarding the incident as the bureau was not notified until after the ward returned from the hospital.
<b>Case No. 11-0337 (South Region)</b>	
FACTS OF CASE	On July 31, 2010, two inmates engaged in a fight outside their assigned cell. Officers utilized pepper spray, less-than-lethal impact rounds, and physical force to stop the fight. An inmate-manufactured weapon and a portion of one inmate's ear were recovered near the incident. Both inmates were transported to a local hospital for treatment.
DISPOSITION OF CASE	The case against the inmate who used the inmate-manufactured weapon was referred to the district attorney's office, which declined to prosecute. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	Overall, the department's response to the incident was sufficient. The department informed the bureau about the incident in a timely and sufficient manner. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.
<b>Case No. 11-0338 (North Region)</b>	
FACTS OF CASE	On July 26, 2010, while on the exercise yard, an inmate was stabbed in the neck by another inmate with an inmate-manufactured weapon. Staff saw the attack and used a less-than-lethal direct impact round to stop the assault. Staff immediately transported the stabbed inmate to the medical clinic where life-saving measures continued. The inmate was then transported in an ambulance to a local hospital where surgical intervention was unsuccessful and the inmate was pronounced dead.
DISPOSITION OF CASE	Outside law enforcement took responsibility for investigating the homicide of the inmate. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The bureau identified a problem with the inmate disciplinary process which allowed the assailant to be on the yard where the stabbing occurred and made a recommendation to the hiring authority which was accepted for consideration. The bureau determined that the department adequately responded to the incident in all critical aspects. While the department adequately consulted with the bureau regarding the incident, it failed to provide timely notification as it did not contact the bureau until approximately 4 hours after the incident occurred. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau agreed.

## CRITICAL INCIDENTS

<b>Case No. 11-0339 (South Region)</b>	
FACTS OF CASE	On July 20, 2010, an inmate attacked another inmate with an inmate-manufactured weapon. The inmate complied with orders to stop the attack so no force was used during the incident. The attacked inmate sustained serious puncture wounds to his chest and was air-lifted to a local hospital for treatment. The inmate survived and later returned to the institution.
DISPOSITION OF CASE	The case against the inmate was referred to the district attorney's office for prosecution, which declined to file criminal charges. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department provided sufficient consultation; nevertheless, it failed to properly notify the bureau regarding the incident by delaying approximately three to four hours before providing notification. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0340 (Central Region)</b>	
FACTS OF CASE	On July 7, 2010, two inmates attacked a third inmate on an exercise yard. The incident triggered a riot. Officers used chemical agents, expandable batons, and less-than-lethal direct impact rounds to stop the riot. One inmate was rushed to a local hospital for a life-threatening stab wound to the chest. There were no serious injuries resulting from the force used to stop the riot.
DISPOSITION OF CASE	The case against the inmates was referred to the district attorney's office, which declined to prosecute. After the use-of-force committee review and bureau input, the hiring authority referred the matter to the Office of Internal Affairs for investigation to determine if there was misconduct by staff that precipitated the incident.
BUREAU ASSESSMENT	The bureau was initially notified over two hours after the incident occurred, which was not timely. The bureau felt documentation of the incident was deficient because reports did not account for all of the less-than-lethal rounds fired, and the incident commander did not conduct video taped interviews of inmates with head injuries as required by policy. The hiring authority did not refer the matter for investigation for five months, even though several managers reviewed the reports during that time. After a review of the incident, the bureau urged the hiring authority to refer the matter for investigation because staff appeared to violate a requirement that certain inmates had to be escorted by staff. As a result of the violation, one of these inmates was assaulted by two inmates of another group which then evolved into a riot. The Office of Internal Affairs declined to open an investigation and sent the case back to the hiring authority for action without an investigation for only the control booth and escort officers. The bureau did not concur, and believed that an investigation should have been opened to include the officer who was escorting the two attacking inmates to determine if they should have been excluded from the yard.



## CRITICAL INCIDENTS

<b>Case No. 11-0341 (Central Region)</b>	
FACTS OF CASE	On June 25, 2010, officers learned that prison gang members were planning to assault an inmate. The targeted inmate refused to exit his cell, so officers prepared for a cell extraction. While officers prepared to extract the targeted inmate from his cell, the inmate's cellmate began to stab him. The assault stopped as officers approached the cell. The attacked inmate was transported to a local community hospital for treatment of multiple stab wounds.
DISPOSITION OF CASE	This case against the inmate was referred to the district attorney's office for prosecution. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. While the department adequately consulted with the bureau regarding the incident, it failed to provide adequate notification as the bureau was notified at least 2 hours after the incident. The hiring authority decided to refer the matter to the Office of Internal Affairs, and the bureau agreed. The bureau agreed with the Office of Internal Affairs' response to the hiring authority's referral.
<b>Case No. 11-0342 (North Region)</b>	
FACTS OF CASE	On June 18, 2010, an inmate was found unresponsive on a day room floor. Life-saving measures were initiated, however, the inmate could not be resuscitated. It was later determined that probable cause of death was drug overdose.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department informed the bureau about the incident in a timely and sufficient manner. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0343 (North Region)</b>	
FACTS OF CASE	On May 21, 2010 an inmate was found hanging in his single person cell. CPR was initiated at the cell and continued until the inmate was formally pronounced dead by a doctor at a local hospital.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0344 (Central Region)</b>	
FACTS OF CASE	On May 13, 2010, an inmate was involved in a fight with three other inmates. Officers broke up the fight by deploying pepper spray. Following the fight, officers took the inmate to the infirmary because he appeared to be disoriented. Later that day, he was sent to a local hospital via helicopter when he became unresponsive. The inmate was pronounced dead at the hospital. An autopsy revealed that the cause of death was atherosclerotic heart disease.
DISPOSITION OF CASE	No staff misconduct was identified, therefore the matter was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department failed to provide timely initial notification of the incident delaying approximately 10 hours before notifying the bureau. However, the department's response was satisfactory in all other critical aspects. The hiring authority decided not to refer the matter to the Office of Internal Affairs, and the bureau concurred.

## CRITICAL INCIDENTS

<b>Case No. 11-0345 (North Region)</b>	
FACTS OF CASE	On May 13, 2010, two inmates attacked a third inmate while on a yard. The aggressors appeared to be stabbing the other inmate who appeared to be unable to defend himself while on the ground. An officer fired a less-than-lethal round in an attempt to stop the attack, striking one of the aggressors in the left thigh/buttock area. The officer also fired one lethal round which did not strike anyone but successfully ended the attack.
DISPOSITION OF CASE	The department's independent Deadly Force Review Board found that the discharge of the lethal round was in compliance with the department's use-of-force policy. The hiring authority subsequently exonerated the officer and the bureau concurred.
BUREAU ASSESSMENT	The bureau determined that the department adequately responded to the incident in all critical aspects. The department consulted with the bureau about the incident, but it failed to provide sufficient notification as the bureau was not notified until approximately two hours after the incident. The hiring authority chose not to refer the matter to the Office of Internal Affairs; the bureau concurred with this decision.
<b>Case No. 11-0346 (Central Region)</b>	
FACTS OF CASE	On May 11, 2010, an inmate refused to comply with orders to submit to removal from his cell for an psychiatric evaluation. Officers initially had the inmate partially handcuffed through a food port and were attempting to use a mechanical device to counter his combative actions, without success. His continued agitation and resistance resulted in officers eventually having to remove the inmate by executing a calculated cell extraction using pepper spray and physical force. A later medical examination determined that the inmate had suffered a broken wrist at some point during the incident, however there was no indication that any officer struck the inmate's wrist.
DISPOSITION OF CASE	No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs.
BUREAU ASSESSMENT	The department's overall response to the incident was adequate in all critical aspects. The department adequately notified and consulted with the bureau regarding the incident. The bureau concurred with the hiring authority's decision not to refer the matter to the Office of Internal Affairs.
<b>Case No. 11-0347 (South Region)</b>	
FACTS OF CASE	On April 20, 2010, an inmate was found unresponsive with blood on his arm in his administrative segregation cell. Officers requested a medical emergency response via the institutional radio. The cellmate was handcuffed and removed from the cell. After responding officers entered the cell, the unresponsive inmate became responsive and was escorted to a holding cell pending a medical evaluation. Medical staff determined the inmate had received approximately 20 stab wounds to his upper torso and he was transported to a local hospital for treatment.
DISPOSITION OF CASE	The case against the inmate suspected of the stabbing was referred to the district attorney's office for prosecution, which declined to prosecute. No staff misconduct was identified; therefore, the case was not referred to the Office of Internal Affairs for investigation.
BUREAU ASSESSMENT	The department's response was satisfactory in all critical aspects. The department consulted with the bureau about the incident, but it failed to provide timely notification as the department did not notify the bureau for more than six hours after the incident occurred. The bureau agreed with the decision not to submit the matter to the Office of Internal Affairs.

**APPENDIX**  
**DISCIPLINARY ALLEGATIONS AND FINDINGS**  
**January through June 2011**

The following table contains a list of the department's disciplinary allegations and findings in each case the bureau monitored during this reporting period. The table is organized in the same numerical order as the distinguished, deficient, and satisfactory tables found in the main body of this report. The information included in this table is derived directly from the department's case management system database. Information absent from the database is indicated with an asterisk.

Case No.	Subject	Allegations	Findings	BIR Concurrence?
11-0001	Headquarters	(1) Correctional Officer	*	
11-0002	Headquarters	(1) Correctional Officer	*	
11-0003	Headquarters	(1) Parole Agent I	*	
11-0004	South Region	(1) Parole Agent I	Weapons	Not Sustained Yes
11-0005	Headquarters	(1) Correctional Officer	*	
11-0006	North Region	(1) Correctional Officer	Use of Force	Not Sustained Yes
11-0007	North Region	(1) Correctional Officer	Weapons	Not Sustained Yes
11-0008	Central Region	(1) Correctional Officer	Weapons	Not Sustained Yes
11-0009	South Region	(1) Correctional Officer	Use of Force	Not Sustained Yes
11-0010	North Region	(1) Correctional Officer	Weapons	Not Sustained Yes
11-0011	Headquarters	(1) Correctional Officer	Use of Force	N/A N/A
		(2) Correctional Officer	Use of Force	N/A N/A
		(3) Correctional Officer	Use of Force	N/A N/A
11-0012	North Region	(1) Correctional Officer	Use of Force	Not Sustained Yes
		(2) Correctional Officer	Use of Force	Not Sustained Yes
		(3) Correctional Officer	Use of Force	Not Sustained Yes
11-0013	South Region	(1) Special Agent	Weapons	Not Sustained Yes
		(2) Special Agent	Weapons	Not Sustained Yes
11-0014	South Region	(1) Correctional Officer	Weapons	Not Sustained Yes
11-0015	North Region	(1) Other Staff	*	
11-0016	North Region	(1) Sergeant	Insubordination	Not Sustained Yes
11-0017	North Region	(1) Clinical Social Worker	Contraband	Sustained Yes
		(1) Clinical Social Worker	Dishonesty	Sustained Yes
		(1) Clinical Social Worker	Over-Familiarity	Sustained Yes
11-0018	Headquarters	(1) Special Agent	Neglect of Duty	Not Sustained Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?
	(1) Special Agent	Neglect of Duty	Not Sustained	Yes
11-0019	Headquarters (1) <None>	Use of Force	Not Sustained	Yes
11-0020	North Region (1) Parole Agent I	Neglect of Duty	Not Sustained	Yes
11-0021	North Region (1) Correctional Sergeant	Dishonesty	Not Sustained	Yes
	(1) Correctional Sergeant	Misuse of Authority	Not Sustained	Yes
	(1) Correctional Sergeant	Neglect of Duty	Sustained	Yes
11-0022	Central Region (1) Correctional Lieutenant	Dishonesty	Sustained	Yes
	(1) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
11-0023	North Region (1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
11-0024	Central Region (1) Correctional Sergeant	Failure to Report	Not Sustained	Yes
	(2) Correctional Officer	Use of Force	Not Sustained	Yes
	(2) Correctional Officer	Use of Force	Not Sustained	Yes
	(2) Correctional Officer	Failure to Report	Not Sustained	Yes
	(3) Correctional Officer	Failure to Report	Not Sustained	Yes
	(3) Correctional Officer	Use of Force	Not Sustained	Yes
	(4) Correctional Officer	Failure to Report	Not Sustained	Yes
	(5) Correctional Officer	Failure to Report	Not Sustained	Yes
	(6) Correctional Officer	Failure to Report	Not Sustained	Yes
(6) Correctional Officer	Use of Force	Not Sustained	Yes	
11-0025	North Region (1) Correctional Officer	Attendance	Sustained	Yes
	(1) Correctional Officer	Neglect of Duty	Sustained	Yes
	(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
	(1) Correctional Officer	Sexual Misconduct	Sustained	Yes
11-0026	North Region (1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
	(2) Facility Captain	Neglect of Duty	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(3) Correctional Lieutenant	Neglect of Duty	Not Sustained	Yes	
11-0027	Central Region	(1) Correctional Officer	Use of Force	Sustained	Yes
		(2) Correctional Officer	Failure to Report	Not Sustained	Yes
11-0028	Central Region	(1) Correctional Officer	Use of Force	Sustained	Yes
		(1) Correctional Officer	Use of Force	Sustained	Yes
		(2) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(3) Correctional Sergeant	Use of Force	Sustained	Yes
		(4) Correctional Counselor I	Use of Force	Not Sustained	Yes
		(5) Correctional Officer	Use of Force	Not Sustained	Yes
		(6) Correctional Officer	Use of Force	Not Sustained	Yes
		(7) Correctional Officer	Use of Force	Not Sustained	Yes
		(8) Correctional Officer	Use of Force	Not Sustained	Yes
		(9) Correctional Officer	Use of Force	Not Sustained	Yes
		(10) Correctional Officer	Use of Force	Sustained	Yes
		(11) Correctional Officer	Use of Force	Not Sustained	Yes
11-0029	Central Region	(1) Correctional Counselor I	Use of Force	Sustained	Yes
		(1) Correctional Counselor I	Use of Force	Sustained	Yes
11-0030	North Region	(1) Correctional Officer	*		
		(2) Correctional Lieutenant	*		
		(3) Correctional Officer	Failure to Report	Not Sustained	Yes
		(3) Correctional Officer	Use of Force	Not Sustained	Yes
		(4) Correctional Officer	Use of Force	Not Sustained	Yes
		(4) Correctional Officer	Use of Force	Not Sustained	Yes
		(5) Correctional Officer	Use of Force	Not Sustained	Yes
		(5) Correctional Officer	Failure to Report	Not Sustained	Yes

Case No.		Subject	Allegations	Findings	BIR Concurrence?
		(6) Correctional Lieutenant	Neglect of Duty	Not Sustained	Yes
		(6) Correctional Lieutenant	Neglect of Duty	Not Sustained	Yes
		(6) Correctional Lieutenant	Neglect of Duty	Not Sustained	Yes
11-0031	North Region	(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Sustained	Yes
11-0032	Central Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
11-0033	South Region	(1) Correctional Sergeant	Discourteous Treatment	Sustained	Yes
		(1) Correctional Sergeant	Discourteous Treatment	Sustained	Yes
		(1) Correctional Sergeant	Over-Familiarity	Sustained	Yes
		(1) Correctional Sergeant	Sexual Misconduct	Sustained	Yes
		(1) Correctional Sergeant	Sexual Misconduct	Sustained	Yes
11-0034	South Region	(1) Correctional Sergeant	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Sergeant	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(3) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(3) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(3) Correctional Officer	Retaliation	Not Sustained	Yes
		(3) Correctional Officer	Discourteous Treatment	Not Sustained	Yes
		(4) Correctional Sergeant	Retaliation	Not Sustained	Yes
		(5) Officer	Neglect of Duty	Sustained	Yes
		(6) Correctional Lieutenant	Discourteous Treatment	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(6) Correctional Lieutenant	Discourteous Treatment	Not Sustained	Yes	
	(6) Correctional Lieutenant	Discourteous Treatment	Not Sustained	Yes	
	(6) Correctional Lieutenant	Neglect of Duty	Not Sustained	Yes	
	(6) Correctional Lieutenant	Retaliation	Not Sustained	Yes	
	(7) Correctional Captain	Discourteous Treatment	Not Sustained	Yes	
	(7) Correctional Captain	Neglect of Duty	Not Sustained	Yes	
	(7) Correctional Captain	Neglect of Duty	Not Sustained	Yes	
	(7) Correctional Captain	Retaliation	Not Sustained	Yes	
11-0035	Central Region	(1) Correctional Captain	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Captain	Insubordination	Sustained	Yes
		(1) Correctional Captain	Misuse of State Equipment or Property	Not Sustained	Yes
		(1) Correctional Captain	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Captain	Neglect of Duty	Not Sustained	Yes
11-0036	North Region	(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(2) Registered Nurse	Neglect of Duty	Not Sustained	Yes
		(3) Correctional Officer	Neglect of Duty	Not Sustained	Yes
11-0037	North Region	(1) Correctional Sergeant	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
11-0038	Central Region	(1) Correctional Captain	Neglect of Duty	Not Sustained	Yes
		(2) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
		(3) Correctional Sergeant	Neglect of Duty	Sustained	Yes
		(4) Correctional Sergeant	Neglect of Duty	Sustained	Yes
		(5) Correctional Counselor I	Neglect of Duty	Not Sustained	Yes
11-0039	South Region	(1) Parole Agent I	Neglect of Duty	Not Sustained	Yes



Case No.	Subject	Allegations	Findings	BIR Concurrence?
	(1) Parole Agent I	Over-Familiarity	Not Sustained	Yes
11-0040	Central Region (1) Correctional Officer	Use of Force	Sustained	Yes
11-0041	North Region (1) Correctional Officer	Contraband	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
11-0042	Central Region (1) Correctional Officer	Battery	Sustained	Yes
11-0043	North Region (1) Correctional Sergeant	Neglect of Duty	Sustained	Yes
	(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
	(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
	(2) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
11-0044	North Region (1) Correctional Officer	Discourteous Treatment	Sustained	Yes
	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
	(1) Correctional Officer	Misuse of Authority	Sustained	Yes
11-0045	North Region (1) Correctional Officer	Dishonesty	Sustained	Yes
	(1) Correctional Officer	Dishonesty	Sustained	Yes
11-0046	South Region (1) Correctional Officer	Failure to Report	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
	(2) Correctional Officer	Neglect of Duty	Sustained	Yes
	(2) Correctional Officer	Dishonesty	Not Sustained	Yes
11-0047	South Region (1) Licensed Vocational Nurse (LVN)	Contraband	Not Sustained	Yes
	(1) Licensed Vocational Nurse (LVN)	Dishonesty	Sustained	Yes
	(1) Licensed Vocational Nurse (LVN)	Neglect of Duty	Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
		(1) Licensed Vocational Nurse (LVN)	Over-Familiarity	Sustained	Yes
		(1) Licensed Vocational Nurse (LVN)	Over-Familiarity	Not Sustained	Yes
11-0048	Central Region	(1) Correctional Officer	Contraband	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Sexual Misconduct	Not Sustained	Yes
11-0049	Headquarters	(1) Correctional Counselor I	Dishonesty	Sustained	Yes
11-0050	Headquarters	(1) Staff Counsel III	Discourteous Treatment	Sustained	Yes
		(1) Staff Counsel III	Discourteous Treatment	Sustained	Yes
		(1) Staff Counsel III	Dishonesty	Sustained	Yes
		(1) Staff Counsel III	Neglect of Duty	Sustained	Yes
		(1) Staff Counsel III	Neglect of Duty	Sustained	Yes
11-0051	Central Region	(1) Correctional Lieutenant	Discourteous Treatment	Not Sustained	Yes
		(2) Correctional Officer	Discourteous Treatment	Not Sustained	Yes
		(3) Correctional Officer	Discourteous Treatment	Sustained	Yes
		(4) Correctional Officer	Discourteous Treatment	Not Sustained	Yes
11-0052	South Region	(1) Facility Captain	Insubordination	Sustained	Yes
11-0053	Headquarters	(1) Chief	Dishonesty	Sustained	Yes
		(1) Chief	Dishonesty	Sustained	Yes
		(1) Chief	Failure to Report	Not Sustained	Yes
		(1) Chief	Misuse of Authority	Sustained	Yes
		(1) Chief	Weapons	Sustained	Yes
11-0054	Central Region	(1) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
		(2) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
11-0055	North Region	(1) Correctional Officer	Use of Force	Not Sustained	No
		(2) Correctional Officer	Use of Force	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?
	(2) Correctional Officer	Use of Force	Not Sustained	Yes
11-0056	North Region (1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
11-0057	South Region (1) Correctional Officer	*		
	(2) Sergeant	*		
	(3) Correctional Officer	*		
11-0058	North Region (1) Correctional Lieutenant	Dishonesty	Sustained	Yes
	(1) Correctional Lieutenant	Dishonesty	Not Sustained	Yes
11-0059	South Region (1) Parole Agent I	Dishonesty	Not Sustained	Yes
	(1) Parole Agent I	Dishonesty	Not Sustained	Yes
	(1) Parole Agent I	Dishonesty	Not Sustained	Yes
11-0060	South Region (1) Personnel Assistant II (Spec)	*		
11-0061	South Region (1) *Other Peace Officer	*		
11-0062	North Region (1) Correctional Officer	*		
11-0063	North Region (1) Correctional Officer	*		
11-0064	North Region (1) Correctional Officer	Other Criminal Act	N/A	N/A
11-0065	North Region (1) Correctional Officer	Over-Familiarity	Sustained	Yes
11-0066	South Region (1) Dentist	*		
11-0067	Central Region (1) Correctional Officer	Battery	Not Sustained	Yes
	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
11-0068	Headquarters (1) Clinical Social Worker	*		
11-0069	North Region (1) Dental Assistant	Contraband	Sustained	Yes
	(1) Dental Assistant	Neglect of Duty	Sustained	Yes
11-0070	North Region (1) Correctional Sergeant	Discourteous Treatment	Not Sustained	Yes
	(1) Correctional Sergeant	Dishonesty	Not Sustained	Yes
11-0071	South Region (1) *Other non-Peace Officer	Threat/Intimidation	N/A	N/A

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
11-0072	South Region	(1) *Other non-Peace Officer	Discourteous Treatment	Sustained	Yes
		(1) *Other non-Peace Officer	Threat/Intimidation	Not Sustained	Yes
11-0073	South Region	(1) Supervising Cook I	Contraband	Sustained	Yes
		(1) Supervising Cook I	Failure to Report	Sustained	Yes
		(1) Supervising Cook I	Neglect of Duty	Sustained	Yes
		(1) Supervising Cook I	Other Criminal Act	Sustained	Yes
		(2) Supervising Cook I	Contraband	Sustained	Yes
		(2) Supervising Cook I	Controlled Substances	Sustained	Yes
		(2) Supervising Cook I	Dishonesty	Sustained	Yes
11-0074	North Region	(1) Correctional Officer	Contraband	Sustained	Yes
11-0075	North Region	(1) Supervising Cook I	Contraband	Sustained	Yes
		(1) Supervising Cook I	Controlled Substances	Sustained	Yes
		(1) Supervising Cook I	Over-Familiarity	Sustained	Yes
11-0076	North Region	(1) Supervising Cook I	Contraband	N/A	N/A
11-0077	Headquarters	(1) Heavy Truck Driver	*		
11-0078	Central Region	(1) Correctional Officer	Contraband	Sustained	Yes
		(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Failure to Report	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Sustained	Yes
		(2) Correctional Officer	Over-Familiarity	Sustained	Yes
		(2) Correctional Officer	Failure to Report	Sustained	Yes
11-0079	Central Region	(1) Correctional Officer	Threat/Intimidation	Sustained	Yes
11-0080	Central Region	(1) Correctional Sergeant	Sexual Misconduct	N/A	N/A

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
11-0081	Central Region	(1) Correctional Officer	Contraband	N/A	N/A
		(1) Correctional Officer	Contraband	N/A	N/A
11-0082	North Region	(1) Supervising Cook I	Sexual Misconduct	N/A	N/A
11-0083	North Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(2) *Other non-Peace Officer	Failure to Report	Sustained	Yes
		(2) *Other non-Peace Officer	Neglect of Duty	Sustained	Yes
11-0084	Central Region	(1) Correctional Officer	Discourteous Treatment	Sustained	Yes
		(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Intoxication	Sustained	Yes
11-0085	Central Region	(1) Correctional Officer	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Use of Force	Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	No
		(2) Correctional Sergeant	Neglect of Duty	Sustained	Yes
		(2) Correctional Sergeant	Use of Force	Sustained	Yes
11-0086	Central Region	(3) Licensed Vocational Nurse (LVN)	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(1) Pharmacist I	Controlled Substances	N/A	N/A
11-0087	Central Region	(1) Pharmacist I	Controlled Substances	N/A	N/A
		(1) *Other non-Peace Officer	Sexual Misconduct	N/A	N/A
11-0088	North Region	(1) *Other non-Peace Officer	Contraband	N/A	N/A
		(1) *Other non-Peace Officer	Sexual Misconduct	N/A	N/A
11-0089	North Region	(1) *Other non-Peace Officer	Contraband	Not Sustained	Yes
		(1) *Other non-Peace Officer	Over-Familiarity	Not Sustained	Yes
11-0090	North Region	(1) Correctional Officer	Contraband	N/A	N/A
11-0091	Central Region	(1) Correctional Officer	Contraband	N/A	N/A

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
11-0092	North Region	(1) Correctional Officer	Contraband	Sustained	Yes
		(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	No
11-0093	Central Region	(1) Correctional Sergeant	Neglect of Duty	Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Sustained	Yes
11-0094	South Region	(1) Parole Agent II	Dishonesty	Not Sustained	Yes
		(1) Parole Agent II	Dishonesty	Not Sustained	Yes
		(1) Parole Agent II	Neglect of Duty	Sustained	Yes
		(1) Parole Agent II	Neglect of Duty	Sustained	Yes
		(1) Parole Agent II	Neglect of Duty	Not Sustained	No
11-0095	South Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Not Sustained	Yes
11-0096	South Region	(1) Correctional Officer	Controlled Substances	Sustained	Yes
		(1) Correctional Officer	Controlled Substances	Sustained	Yes
		(1) Correctional Officer	Controlled Substances	Not Sustained	Yes
		(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
11-0097	North Region	(1) Correctional Sergeant	Neglect of Duty	Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Sustained	Yes
11-0098	North Region	(1) Correctional Officer	Controlled Substances	Sustained	Yes
		(1) Correctional Officer	Intoxication	Sustained	Yes
11-0099	South Region	(1) Correctional Officer	*		
11-0100	North Region	(1) Correctional Officer	Contraband	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?
	(1) Correctional Officer	Neglect of Duty	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
11-0101	South Region (1) Correctional Lieutenant	Neglect of Duty	Not Sustained	Yes
11-0102	North Region (1) Correctional Officer	Contraband	N/A	N/A
11-0103	Central Region (1) Correctional Sergeant	Confidential Information	N/A	N/A
	(1) Correctional Sergeant	Theft	N/A	N/A
11-0104	South Region (1) Parole Agent I	Dishonesty	Not Sustained	Yes
	(1) Parole Agent I	Neglect of Duty	Not Sustained	No
	(2) Parole Agent III	Neglect of Duty	Not Sustained	Yes
11-0105	North Region (1) Correctional Officer	Use of Force	Not Sustained	Yes
	(2) Correctional Officer	Use of Force	Not Sustained	Yes
	(3) Correctional Officer	Use of Force	Not Sustained	Yes
	(4) Psychiatric Technician	Use of Force	Not Sustained	Yes
	(5) Correctional Lieutenant	Use of Force	Not Sustained	Yes
	(6) Correctional Sergeant	Use of Force	Not Sustained	Yes
11-0106	Headquarters (1) Parole Agent I	Misuse of State Equipment or Property	Sustained	Yes
	(1) Parole Agent I	Neglect of Duty	Sustained	Yes
	(1) Parole Agent I	Neglect of Duty	Sustained	Yes
	(1) Parole Agent I	Traffic Related Incidents While On Duty	Sustained	Yes
11-0107	North Region (1) Correctional Officer	Contraband	N/A	N/A
11-0108	Central Region (1) Correctional Captain	Discourteous Treatment	Sustained	Yes
	(1) Correctional Captain	Discourteous Treatment	Sustained	Yes
	(1) Correctional Captain	Dishonesty	Sustained	Yes
	(1) Correctional Captain	Misuse of State Equipment or Property	Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?
	(1) Correctional Captain	Other Failure of Good Behavior	Sustained	Yes
	(2) Correctional Sergeant	Discourteous Treatment	Sustained	Yes
	(2) Correctional Sergeant	Failure to Report	Sustained	Yes
	(2) Correctional Sergeant	Misuse of State Equipment or Property	Sustained	Yes
	(2) Correctional Sergeant	Other Failure of Good Behavior	Sustained	Yes
11-0109	South Region (1) Correctional Officer	*		
11-0110	Central Region (1) Correctional Officer	Battery	Sustained	Yes
11-0111	Headquarters (1) Correctional Lieutenant	Controlled Substances	Sustained	Yes
	(1) Correctional Lieutenant	Sexual Misconduct	Sustained	Yes
11-0112	North Region (1) Correctional Officer	Dishonesty	Not Sustained	Yes
	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
11-0113	Central Region (1) Correctional Officer	Sexual Misconduct	N/A	N/A
	(1) Correctional Officer	Threat/Intimidation	N/A	N/A
11-0114	Central Region (1) Correctional Officer	Discourteous Treatment	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
	(1) Correctional Officer	Sexual Misconduct	Sustained	Yes
11-0115	Central Region (1) Registered Nurse	Sexual Misconduct	N/A	N/A
11-0116	South Region (1) Correctional Officer	Contraband	Not Sustained	Yes
11-0117	North Region (1) Librarian	Neglect of Duty	Sustained	Yes
	(2) Correctional Officer	Neglect of Duty	Sustained	Yes
11-0118	Central Region (1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
11-0119	South Region (1) Parole Agent III	Dishonesty	Not Sustained	No
	(1) Parole Agent III	Dishonesty	Not Sustained	Yes
	(1) Parole Agent III	Misuse of Authority	Not Sustained	Yes



Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(1) Parole Agent III	Neglect of Duty	Sustained	Yes	
11-0120	Central Region	(1) Correctional Officer	Misuse of Authority	Not Sustained	Yes
		(1) Correctional Officer	Misuse of State Equipment or Property	Not Sustained	Yes
		(1) Correctional Officer	Threat/Intimidation	Not Sustained	Yes
11-0121	Central Region	(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	Yes
11-0122	South Region	(1) Correctional Officer	Battery	Sustained	Yes
11-0123	North Region	(1) Correctional Lieutenant	Discourteous Treatment	Sustained	Yes
		(1) Correctional Lieutenant	Dishonesty	Sustained	Yes
		(1) Correctional Lieutenant	Dishonesty	Sustained	Yes
		(1) Correctional Lieutenant	Insubordination	Sustained	Yes
		(1) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
11-0124	South Region	(1) Correctional Officer	Discourteous Treatment	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
11-0125	South Region	(1) Correctional Officer	Contraband	Not Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
11-0126	South Region	(1) Correctional Sergeant	*		
11-0127	South Region	(1) Youth Correctional Counselor	Use of Force	Sustained	Yes
11-0128	Central Region	(1) Correctional Officer	Confidential Information	Not Sustained	Yes
		(1) Correctional Officer	Discourteous Treatment	Not Sustained	Yes
11-0129	Central Region	(1) Correctional Sergeant	Attendance	Not Sustained	Yes
		(1) Correctional Sergeant	Attendance	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(1) Correctional Sergeant	Dishonesty	Not Sustained	Yes	
11-0130	North Region (1) Licensed Vocational Nurse (LVN)	Sexual Misconduct	N/A	N/A	
11-0131	North Region	(1) Youth Correctional Counselor	Dishonesty	Sustained	Yes
		(1) Youth Correctional Counselor	Use of Force	Sustained	Yes
11-0132	Headquarters	(1) Parole Agent III	*		
11-0133	South Region	(1) Parole Agent III	Misuse of Authority	Sustained	Yes
		(1) Parole Agent III	Misuse of Authority	Not Sustained	Yes
		(1) Parole Agent III	Sexual Misconduct	Sustained	Yes
		(1) Parole Agent III	Sexual Misconduct	Sustained	Yes
		(1) Parole Agent III	Sexual Misconduct	Not Sustained	Yes
11-0134	South Region	(1) Parole Agent I	Dishonesty	Not Sustained	Yes
		(1) Parole Agent I	Dishonesty	Not Sustained	Yes
		(1) Parole Agent I	Dishonesty	Not Sustained	Yes
		(1) Parole Agent I	Dishonesty	Not Sustained	Yes
		(1) Parole Agent I	Dishonesty	Not Sustained	Yes
11-0135	South Region	(1) Correctional Sergeant	Dishonesty	Not Sustained	Yes
		(1) Correctional Sergeant	Dishonesty	Not Sustained	Yes
		(1) Correctional Sergeant	Neglect of Duty	Sustained	Yes
		(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Sergeant	Other Failure of Good Behavior	Not Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Sustained	Yes
		(3) Correctional Officer	Neglect of Duty	Sustained	Yes
11-0136	North Region	(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
11-0137	South Region	(1) Supervising Cook I	*		

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
11-0138	Headquarters	(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
11-0139	Headquarters	(1) Parole Agent I	Discourteous Treatment	Sustained	Yes
		(1) Parole Agent I	Over-Familiarity	Sustained	Yes
		(1) Parole Agent I	Over-Familiarity	Sustained	Yes
		(1) Parole Agent I	Over-Familiarity	Sustained	Yes
		(1) Parole Agent I	Over-Familiarity	Sustained	Yes
11-0140	South Region	(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
		(2) Correctional Officer	Over-Familiarity	Sustained	Yes
11-0141	North Region	(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	Yes
11-0142	Central Region	(1) Correctional Sergeant	Contraband	N/A	N/A
		(2) Correctional Officer	Contraband	N/A	N/A
		(3) Correctional Officer	Contraband	N/A	N/A
		(4) Correctional Officer	Contraband	N/A	N/A
11-0143	North Region	(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
11-0144	South Region	(1) Correctional Officer	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Officer	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Threat/Intimidation	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
11-0145	North Region	(1) Correctional Lieutenant	Use of Force	N/A	N/A
		(2) Correctional Officer	Other Criminal Act	N/A	N/A
		(2) Correctional Officer	Use of Force	N/A	N/A
		(2) Correctional Officer	Use of Force	N/A	N/A
		(3) Correctional Officer	Other Criminal Act	N/A	N/A
		(4) Correctional Officer	Other Criminal Act	N/A	N/A
		(5) Correctional Officer	Other Criminal Act	N/A	N/A
11-0146	North Region	(1) Correctional Officer	Other Criminal Act	N/A	N/A
		(1) Correctional Officer	Other Criminal Act	N/A	N/A
11-0147	North Region	(1) Facility Captain	Dishonesty	Not Sustained	Yes
		(1) Facility Captain	Neglect of Duty	Sustained	Yes
		(2) Associate Warden	Neglect of Duty	Sustained	Yes
11-0148	Headquarters	(1) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
11-0149	North Region	(1) Correctional Sergeant	Sexual Misconduct	N/A	N/A
11-0150	Central Region	(1) Correctional Sergeant	Dishonesty	Not Sustained	Yes
		(1) Correctional Sergeant	Insubordination	Not Sustained	Yes
		(1) Correctional Sergeant	Other Failure of Good Behavior	Sustained	No
11-0151	North Region	(1) Staff Counsel III	Theft	N/A	N/A
11-0152	Central Region	(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Dishonesty	Not Sustained	Yes
		(2) Correctional Officer	Failure to Report	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Use of Force	Not Sustained	Yes

<b>Case No.</b>	<b>Subject</b>	<b>Allegations</b>	<b>Findings</b>	<b>BIR Concurrence?</b>	
11-0153	North Region	(1) Correctional Officer	Use of Force	Not Sustained	Yes
11-0154	North Region	(1) Correctional Sergeant	Discourteous Treatment	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(2) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(2) Correctional Sergeant	Discourteous Treatment	Not Sustained	Yes
11-0155	South Region	(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Sustained	Yes
		(3) Correctional Officer	Neglect of Duty	Not Sustained	Yes
11-0156	Central Region	(1) Correctional Officer	Battery	Not Sustained	Yes
11-0157	South Region	(1) Parole Agent I	Retaliation	Not Sustained	Yes
		(2) Parole Agent I	Retaliation	Not Sustained	Yes
11-0158	North Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Sustained	Yes
11-0159	North Region	(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Use of Force	Not Sustained	Yes
		(4) Correctional Officer	Use of Force	Not Sustained	Yes
		(4) Correctional Officer	Use of Force	Not Sustained	Yes
11-0160	South Region	(1) Correctional Officer	Contraband	Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Sustained	Yes

<b>Case No.</b>	<b>Subject</b>	<b>Allegations</b>	<b>Findings</b>	<b>BIR Concurrence?</b>	
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
11-0161	South Region	(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Use of Force	Not Sustained	Yes
		(4) Correctional Officer	Use of Force	Not Sustained	Yes
		(4) Correctional Officer	Use of Force	Not Sustained	Yes
		(5) Correctional Officer	Use of Force	Not Sustained	Yes
		(5) Correctional Officer	Use of Force	Not Sustained	Yes
11-0162	North Region	(1) Case Records Analyst	Dishonesty	Not Sustained	Yes
		(1) Case Records Analyst	Dishonesty	Not Sustained	Yes
		(1) Case Records Analyst	Dishonesty	Not Sustained	Yes
11-0163	Central Region	(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(3) Correctional Officer	Neglect of Duty	Not Sustained	Yes
11-0164	North Region	(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Failure to Report	Not Sustained	Yes
11-0165	South Region	(1) Parole Agent I	Over-Familiarity	Not Sustained	Yes
		(1) Parole Agent I	Sexual Misconduct	Not Sustained	Yes
11-0166	Central Region	(1) Correctional Sergeant	Use of Force	Sustained	Yes

Case No.		Subject	Allegations	Findings	BIR Concurrence?
		(2) Correctional Officer	Use of Force	Sustained	Yes
		(2) Correctional Officer	Use of Force	Sustained	Yes
		(3) Correctional Officer	Use of Force	Sustained	Yes
		(4) Correctional Officer	Use of Force	Sustained	Yes
		(4) Correctional Officer	Use of Force	Sustained	Yes
11-0167	South Region	(1) Parole Agent I	Sexual Misconduct	N/A	N/A
11-0168	North Region	(1) Correctional Officer	Contraband	N/A	N/A
		(2) Correctional Officer	Contraband	N/A	N/A
11-0169	North Region	(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
		(1) Correctional Officer	Contraband	Not Sustained	Yes
		(2) Correctional Officer	Over-Familiarity	Sustained	Yes
		(2) Correctional Officer	Contraband	Sustained	Yes
11-0170	South Region	(1) Correctional Officer	Other Failure of Good Behavior	Not Sustained	No
11-0171	Central Region	(1) Correctional Sergeant	Battery	Not Sustained	Yes
		(2) Correctional Officer	Battery	Not Sustained	Yes
		(2) Correctional Officer	Failure to Report	Sustained	Yes
		(2) Correctional Officer	Dishonesty	Not Sustained	Yes
		(3) Correctional Sergeant	Battery	Not Sustained	Yes
		(3) Correctional Sergeant	Dishonesty	Sustained	Yes
		(3) Correctional Sergeant	Failure to Report	Sustained	Yes
		(4) Correctional Officer	Battery	Not Sustained	Yes
		(4) Correctional Officer	Failure to Report	Sustained	Yes
		(4) Correctional Officer	Dishonesty	Sustained	Yes
		(5) Correctional Officer	Dishonesty	Sustained	Yes
		(5) Correctional Officer	Failure to Report	Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(5) Correctional Officer	Battery	Not Sustained	Yes	
	(6) Correctional Officer	Battery	Not Sustained	Yes	
	(6) Correctional Officer	Failure to Report	Sustained	Yes	
	(6) Correctional Officer	Dishonesty	Not Sustained	Yes	
	(7) Correctional Officer	Dishonesty	Not Sustained	Yes	
	(7) Correctional Officer	Failure to Report	Not Sustained	Yes	
	(7) Correctional Officer	Neglect of Duty	Sustained	Yes	
11-0172	North Region	(1) Correctional Sergeant	Discourteous Treatment	Sustained	Yes
		(1) Correctional Sergeant	Neglect of Duty	Sustained	Yes
11-0173	Central Region	(1) Correctional Officer	Contraband	N/A	N/A
11-0174	Headquarters	(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Sergeant	Use of Force	Not Sustained	Yes
11-0175	Central Region	(1) Correctional Officer	Discourteous Treatment	Sustained	Yes
		(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(2) Correctional Officer	Failure to Report	Sustained	Yes
		(3) Correctional Officer	Failure to Report	Sustained	Yes
		(4) Correctional Officer	Failure to Report	Not Sustained	Yes
11-0176	South Region	(1) Correctional Sergeant	Neglect of Duty	Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
11-0177	Central Region	(1) Correctional Officer	Assault	Not Sustained	Yes



Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(1) Correctional Officer	Battery	Sustained	Yes	
	(1) Correctional Officer	Dishonesty	Sustained	Yes	
	(1) Correctional Officer	Neglect of Duty	Sustained	Yes	
	(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes	
11-0178	South Region	(1) Correctional Officer	Use of Force	Not Sustained	No
		(2) Correctional Officer	Neglect of Duty	Not Sustained	No
		(3) Correctional Officer	Neglect of Duty	Not Sustained	No
		(3) Correctional Officer	Dishonesty	Not Sustained	No
		(3) Correctional Officer	Dishonesty	Not Sustained	No
11-0179	South Region	(1) Correctional Officer	Battery	Not Sustained	Yes
11-0180	South Region	(1) Correctional Officer	Contraband	Not Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
11-0181	Central Region	(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Not Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
11-0182	Headquarters	(1) Parole Agent III	Dishonesty	Not Sustained	Yes
		(2) Parole Agent I	Dishonesty	Not Sustained	Yes
11-0183	North Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Use of Force	Not Sustained	Yes
11-0184	Central Region	(1) Correctional Officer	Other Failure of Good Behavior	Not Sustained	Yes
11-0185	Central Region	(1) Correctional Lieutenant	Dishonesty	Not Sustained	Yes
		(1) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
		(2) Correctional Sergeant	Dishonesty	Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?
	(2) Correctional Sergeant	Dishonesty	Sustained	Yes
	(2) Correctional Sergeant	Use of Force	Sustained	Yes
	(2) Correctional Sergeant	Use of Force	Sustained	Yes
	(3) Correctional Sergeant	Use of Force	Not Sustained	Yes
11-0186	South Region (1) Supervising Cook II	*		
11-0187	South Region (1) Parole Agent I	Dishonesty	Not Sustained	Yes
	(1) Parole Agent I	Neglect of Duty	Not Sustained	Yes
11-0188	South Region (1) Parole Agent I	Sexual Misconduct	N/A	N/A
11-0189	South Region (1) Parole Agent I	Theft	Sustained	Yes
11-0190	South Region (1) Correctional Officer	Dishonesty	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
11-0191	North Region (1) Correctional Officer	Contraband	N/A	N/A
11-0192	North Region (1) Correctional Officer	Contraband	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Sustained	Yes
11-0193	South Region (1) Correctional Officer	Neglect of Duty	Not Sustained	No
	(1) Correctional Officer	Neglect of Duty	Not Sustained	No
	(2) Correctional Officer	Neglect of Duty	Not Sustained	Yes
	(2) Correctional Officer	Neglect of Duty	Not Sustained	Yes
	(3) Correctional Officer	Neglect of Duty	Not Sustained	Yes
	(3) Correctional Officer	Neglect of Duty	Not Sustained	Yes
	(4) Correctional Officer	Neglect of Duty	Not Sustained	Yes
	(4) Correctional Officer	Neglect of Duty	Not Sustained	Yes
11-0194	Headquarters (1) Correctional Officer	*		

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
11-0195	South Region	(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
		(1) Correctional Officer	Sexual Misconduct	Not Sustained	Yes
		(1) Correctional Officer	Sexual Misconduct	Not Sustained	Yes
		(1) Correctional Officer	Sexual Misconduct	Not Sustained	Yes
		(1) Correctional Officer	Sexual Misconduct	Not Sustained	Yes
11-0196	Central Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Failure to Report	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
		(1) Correctional Officer	Use of Force	Sustained	Yes
11-0197	North Region	(1) Correctional Officer	Confidential Information	Not Sustained	No
		(1) Correctional Officer	Discourteous Treatment	Sustained	Yes
		(1) Correctional Officer	Misuse of Authority	Not Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
11-0198	South Region	(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Dishonesty	Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Sustained	Yes
		(1) Correctional Officer	Over-Familiarity	Not Sustained	No
11-0199	South Region	(1) Correctional Sergeant	Discourteous Treatment	Not Sustained	No
		(1) Correctional Sergeant	Neglect of Duty	Sustained	No
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Failure to Report	Not Sustained	No
		(2) Correctional Officer	Use of Force	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(3) Correctional Officer	Use of Force	Not Sustained	Yes	
	(3) Correctional Officer	Failure to Report	Not Sustained	No	
	(4) Correctional Officer	Failure to Report	Not Sustained	Yes	
	(4) Correctional Officer	Use of Force	Not Sustained	Yes	
11-0200	North Region	(1) Correctional Counselor II	Dishonesty	Sustained	Yes
		(1) Correctional Counselor II	Other Failure of Good Behavior	Sustained	Yes
		(1) Correctional Counselor II	Other Failure of Good Behavior	Sustained	Yes
11-0201	North Region	(1) Correctional Officer	Discourteous Treatment	Sustained	Yes
		(1) Correctional Officer	Threat/Intimidation	Not Sustained	Yes
11-0202	North Region	(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
11-0203	North Region	(1) Correctional Lieutenant	Dishonesty	Not Sustained	Yes
		(1) Correctional Lieutenant	Dishonesty	Not Sustained	Yes
		(1) Correctional Lieutenant	Dishonesty	Not Sustained	Yes
		(1) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
		(2) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
11-0204	North Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
11-0205	Central Region	(1) Correctional Lieutenant	Dishonesty	Sustained	Yes
		(2) Correctional Lieutenant	Dishonesty	Sustained	Yes
		(3) Correctional Counselor II	Dishonesty	Not Sustained	Yes
		(3) Correctional Counselor II	Neglect of Duty	Not Sustained	Yes
11-0206	Central Region	(1) Correctional Sergeant	Battery	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?
		(1) Correctional Sergeant	Neglect of Duty	Sustained Yes
		(1) Correctional Sergeant	Other Failure of Good Behavior	Sustained Yes
11-0207	North Region	(1) Correctional Officer	Failure to Report	Not Sustained Yes
		(1) Correctional Officer	Neglect of Duty	Sustained Yes
		(1) Correctional Officer	Neglect of Duty	Sustained Yes
		(1) Correctional Officer	Neglect of Duty	Not Sustained Yes
		(1) Correctional Officer	Use of Force	Not Sustained Yes
11-0208	North Region	(1) Facility Captain	Dishonesty	Not Sustained Yes
		(1) Facility Captain	Neglect of Duty	Sustained Yes
		(1) Facility Captain	Neglect of Duty	Sustained Yes
		(1) Facility Captain	Neglect of Duty	Not Sustained Yes
		(1) Facility Captain	Neglect of Duty	Not Sustained Yes
11-0209	South Region	(1) Parole Agent I	Dishonesty	Sustained Yes
		(1) Parole Agent I	Neglect of Duty	Sustained Yes
		(1) Parole Agent I	Neglect of Duty	Sustained Yes
11-0210	Central Region	(1) Correctional Officer	Use of Force	Not Sustained Yes
		(2) Correctional Officer	Use of Force	Not Sustained Yes
		(3) Correctional Officer	Use of Force	Not Sustained Yes
		(4) Correctional Officer	Use of Force	Not Sustained Yes
11-0211	North Region	(1) Correctional Officer	Neglect of Duty	Sustained Yes
		(2) Correctional Officer	Neglect of Duty	Sustained Yes
11-0212	South Region	(1) Parole Agent I	Battery	Sustained Yes
		(1) Parole Agent I	Battery	Sustained Yes
		(1) Parole Agent I	Dishonesty	Sustained Yes
		(1) Parole Agent I	Insubordination	Sustained Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(1) Parole Agent I	Threat/Intimidation	Sustained	Yes	
	(2) Parole Agent I	Neglect of Duty	Sustained	Yes	
11-0213	Central Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(2) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(3) Correctional Lieutenant	Failure to Report	Not Sustained	Yes
11-0214	South Region	(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
11-0215	North Region	(1) Supervising Cook I	Dishonesty	Not Sustained	Yes
		(1) Supervising Cook I	Over-Familiarity	Not Sustained	Yes
		(1) Supervising Cook I	Over-Familiarity	Not Sustained	Yes
		(1) Supervising Cook I	Sexual Misconduct	Not Sustained	Yes
11-0216	Headquarters	(1) Correctional Officer	Discourteous Treatment	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
11-0217	North Region	(1) Correctional Lieutenant	Dishonesty	Not Sustained	Yes
		(1) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
11-0218	South Region	(1) Correctional Sergeant	Discourteous Treatment	Not Sustained	No
		(1) Correctional Sergeant	Dishonesty	Sustained	Yes
		(1) Correctional Sergeant	Sexual Misconduct	Sustained	Yes
11-0219	South Region	(1) Parole Agent I	Neglect of Duty	Sustained	Yes
		(1) Parole Agent I	Over-Familiarity	Sustained	Yes
11-0220	North Region	(1) Correctional Sergeant	Neglect of Duty	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Sustained	Yes
11-0221	South Region	(1) Parole Agent I	Dishonesty	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(1) Parole Agent I	Neglect of Duty	Sustained	Yes	
	(1) Parole Agent I	Neglect of Duty	Sustained	Yes	
11-0222	South Region	(1) Licensed Vocational Nurse (LVN) *			
11-0223	Headquarters	(1) Special Agent	Dishonesty	Sustained	Yes
		(1) Special Agent	Intoxication	Not Sustained	Yes
		(1) Special Agent	Other Failure of Good Behavior	Not Sustained	Yes
		(1) Special Agent	Weapons	Sustained	Yes
		(1) Special Agent	Weapons	Sustained	Yes
11-0224	South Region	(1) Correctional Officer	Insubordination	Not Sustained	Yes
		(1) Correctional Officer	Retaliation	Sustained	Yes
11-0225	North Region	(1) Correctional Counselor I	Dishonesty	N/A	N/A
11-0226	South Region	(1) Parole Agent I	Dishonesty	Not Sustained	Yes
		(1) Parole Agent I	Neglect of Duty	Sustained	Yes
11-0227	North Region	(1) Correctional Lieutenant	Insubordination	Not Sustained	No
		(1) Correctional Lieutenant	Neglect of Duty	Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
11-0228	Headquarters	(1) Correctional Sergeant	Discourteous Treatment	Sustained	Yes
		(1) Correctional Sergeant	Dishonesty	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Discourteous Treatment	Sustained	Yes
		(2) Correctional Officer	Dishonesty	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
11-0229	North Region	(1) Correctional Sergeant	Use of Force	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(2) Correctional Officer	Use of Force	Not Sustained	Yes	
	(3) Correctional Officer	Use of Force	Not Sustained	Yes	
11-0230	North Region	(1) Correctional Officer	Insubordination	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(1) Correctional Officer	Other Failure of Good Behavior	Sustained	Yes
		(1) Correctional Officer	Threat/Intimidation	Sustained	Yes
11-0231	Central Region	(1) Correctional Sergeant	Insubordination	Sustained	Yes
		(1) Correctional Sergeant	Insubordination	Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(1) Correctional Sergeant	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(2) Correctional Officer	Use of Force	Not Sustained	Yes
		(3) Correctional Officer	Insubordination	Sustained	Yes
		(3) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(4) Correctional Officer	Use of Force	Not Sustained	Yes
		(4) Correctional Officer	Use of Force	Not Sustained	Yes
11-0232	North Region	(1) Correctional Officer	Dishonesty	Not Sustained	Yes
		(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(2) Correctional Officer	Dishonesty	Not Sustained	Yes
		(2) Correctional Officer	Failure to Report	Not Sustained	Yes
11-0233	North Region	(1) Correctional Counselor II	Controlled Substances	Sustained	Yes
11-0234	North Region	(1) Youth Correctional Counselor	Discourteous Treatment	Not Sustained	Yes
		(1) Youth Correctional Counselor	Discourteous Treatment	Not Sustained	Yes
		(1) Youth Correctional Counselor	Neglect of Duty	Not Sustained	Yes



Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(1) Youth Correctional Counselor	Over-Familiarity	Not Sustained	Yes	
	(1) Youth Correctional Counselor	Over-Familiarity	Not Sustained	Yes	
11-0235	Headquarters	(1) Staff Counsel III	Discourteous Treatment	Sustained	Yes
		(1) Staff Counsel III	Dishonesty	Sustained	Yes
11-0236	South Region	(1) Parole Agent I	*		
11-0237	South Region	(1) Correctional Officer	*		
		(2) *Other non-Peace Officer	*		
		(3) Health Care Manager	*		
		(4) Registered Nurse	*		
		(5) Supervisor of Vocational Instruction	*		
		(6) Correctional Counselor I	*		
		(7) Correctional Counselor I	*		
		(8) Correctional Officer	Contraband	*	N/A
		(9) Correctional Officer	*		
		(10) Supervising Cook I	*		
		(11) Materials And Stores Supv I	*		
		(12) Correctional Counselor I	*		
		(13) Teacher - Elementary	*		
		(14) Senior Psychologist	Contraband	Sustained	Yes
11-0238	Central Region	(1) Correctional Officer	Neglect of Duty	Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(2) Correctional Officer	Neglect of Duty	Not Sustained	Yes
		(3) Correctional Officer	Neglect of Duty	Sustained	Yes
		(4) Correctional Sergeant	Neglect of Duty	Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?	
	(5) Correctional Sergeant	Neglect of Duty	Sustained	Yes	
	(6) Registered Nurse	Neglect of Duty	Not Sustained	Yes	
	(7) Correctional Officer	Neglect of Duty	Sustained	Yes	
	(7) Correctional Officer	Neglect of Duty	Not Sustained	Yes	
	(8) Registered Nurse	Neglect of Duty	Not Sustained	Yes	
	(9) Licensed Vocational Nurse (LVN)	Neglect of Duty	Not Sustained	Yes	
	(10) Correctional Officer	Neglect of Duty	Not Sustained	Yes	
	(10) Correctional Officer	Neglect of Duty	Not Sustained	Yes	
	(11) Correctional Officer	Neglect of Duty	Not Sustained	Yes	
	(11) Correctional Officer	Neglect of Duty	Not Sustained	Yes	
	(12) Correctional Lieutenant	Neglect of Duty	Sustained	No	
11-0239	South Region	(1) *Other non-Peace Officer	Contraband	Not Sustained	Yes
		(1) *Other non-Peace Officer	Contraband	Not Sustained	Yes
		(1) *Other non-Peace Officer	Over-Familiarity	Sustained	Yes
		(1) *Other non-Peace Officer	Over-Familiarity	Not Sustained	Yes
		(1) *Other non-Peace Officer	Sexual Misconduct	Not Sustained	Yes
11-0240	North Region	(1) *Other non-Peace Officer	Discourteous Treatment	Sustained	Yes
		(1) *Other non-Peace Officer	Discrimination/Harassment	Sustained	Yes
		(1) *Other non-Peace Officer	Dishonesty	Sustained	Yes
		(1) *Other non-Peace Officer	Sexual Misconduct	Sustained	Yes
		(1) *Other non-Peace Officer	Sexual Misconduct	Sustained	Yes
11-0241	South Region	(1) Parole Agent I	Sexual Misconduct	N/A	N/A
11-0242	South Region	(1) Correctional Officer	Discrimination/Harassment	Not Sustained	Yes
		(1) Correctional Officer	Retaliation	Not Sustained	Yes
		(1) Correctional Officer	Failure to Report	Not Sustained	Yes

Case No.	Subject	Allegations	Findings	BIR Concurrence?
	(1) Correctional Officer	Other Failure of Good Behavior	Not Sustained	Yes
	(2) Correctional Officer	Other Failure of Good Behavior	Not Sustained	Yes
	(2) Correctional Officer	Failure to Report	Not Sustained	Yes
	(2) Correctional Officer	Retaliation	Not Sustained	Yes
	(2) Correctional Officer	Discrimination/Harassment	Not Sustained	Yes
11-0243	North Region (1) Psychiatric Technician	Contraband	N/A	N/A
11-0244	South Region (1) Materials And Stores Supv I	Contraband	N/A	N/A
11-0245	North Region (1) Recreation Therapist	Over-Familiarity	Not Sustained	Yes
11-0246	North Region (1) *Other non-Peace Officer	Battery	Not Sustained	Yes
11-0247	South Region (1) Supervising Cook I	Contraband	Sustained	Yes
	(1) Supervising Cook I	Dishonesty	Sustained	Yes
11-0248	Headquarters (1) Warden	Misuse of State Equipment or Property	Sustained	Yes
	(1) Warden	Other Failure of Good Behavior	Sustained	Yes
	(2) *Other Peace Officer	Failure to Report	Not Sustained	Yes
	(2) *Other Peace Officer	Neglect of Duty	Sustained	Yes
11-0249	Headquarters (1) <None>	Retaliation	Not Sustained	Yes
11-0250	Headquarters (1) <None>	Neglect of Duty	Sustained	Yes
11-0251	Central Region (1) Correctional Officer	Sexual Misconduct	N/A	N/A
	(1) Correctional Officer	Sexual Misconduct	N/A	N/A
11-0252	Central Region (1) Correctional Officer	Neglect of Duty	Sustained	Yes
	(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
	(1) Correctional Officer	Neglect of Duty	Not Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
	(1) Correctional Officer	Over-Familiarity	Not Sustained	Yes
11-0253	South Region (1) *Other Peace Officer	Contraband	Not Sustained	Yes

<b>Case No.</b>	<b>Subject</b>	<b>Allegations</b>	<b>Findings</b>	<b>BIR Concurrence?</b>
	(1) *Other Peace Officer	Neglect of Duty	Sustained	Yes
	(1) *Other Peace Officer	Over-Familiarity	Sustained	Yes
	(1) *Other Peace Officer	Sexual Misconduct	Sustained	Yes
	(1) *Other Peace Officer	Sexual Misconduct	Sustained	Yes