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> Independent Prison Oversight

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

During the April 2024 review period, the OIG's Local Inquiry Team retrospectively reviewed 27 random local inquiry cases that were closed by the department from June 2023 through March 2024 in order to assess the department's performance on local inquiry cases that our office did not contemporaneously monitor.

OIG Case Number 24-0076171-INQ

Rating Assessmen **Poor** 

### **Case Summary**

Between September 8, 2022, and November 3, 2022, two officers allegedly harassed a disabled incarcerated person when the officers brought other incarcerated people to his cell door without justification.

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. The investigator failed to submit a timely request for video recordings relevant to the inquiry; therefore, the investigator could not obtain the video recordings because the department had deleted them pursuant to its 90-day video retention policy. The investigator further failed to document whether she established effective communication prior to interviewing each incarcerated person. For example, the one incarcerated person witness had a permanent mobility disability, a mental health disability, a documented need for staff to speak loudly and clearly, and a low-reading level. The investigator failed to document whether he provided any accommodations to achieve effective communication during the interview. Furthermore, after the hiring authority assigned the inquiry on December 6, 2022, the investigator failed to conduct the last interview until March 8, 2023, 92 days thereafter, unreasonably delaying the inquiry. The Office of Internal Affairs' Allegation Investigation Unit manager approved the investigator's inquiry report as adequate despite the investigator's oversights noted above. Overall, the department untimely completed the inquiry on June 5, 2023, 214 days after the Centralized Screening Team received the complaint on November 3, 2022, and 124 days beyond the department's goal.

Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

OIG Case Number 24-0075937-INQ

Rating Assessmen **Poor** 

### **Case Summary**

On or around January 4, 2023, several officers allegedly retaliated against an incarcerated person by taking the incarcerated person's legal mail, paperwork, and other personal property because the officers believed the incarcerated person was racist.

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegation.

## **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator failed to identify the records of departmental policy and procedure applicable to the allegation and include those records as supporting exhibits to the inquiry report. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The department delayed until December 5, 2023, to assign an investigator to the inquiry, 313 days after the Centralized Screening Team received the complaint on January 26, 2023. Consequently, by the time the inquiry began, the department had already deleted the video-recorded evidence pursuant to its 90-day video retention policy. Overall, the department untimely completed the inquiry on December 14, 2023, 322 days after the Centralized Screening Team received the complaint on January 26, 2023, and 232 days beyond the department's goal.

OIG Case Number 24-0077469-INQ

Rating Assessment **Poor** 

### **Case Summary**

On April 25, 2023, a sergeant allegedly used profane language directed toward an incarcerated person.

### **Case Disposition**

The hiring authority conducted an inquiry and sustained the allegations against the officer. The hiring authority determined that corrective action was appropriate and issued the officer an employee counseling record and training.

Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. In addition, the investigator failed to conduct all necessary interviews, including interviewing the sergeant who was the subject of the inquiry, and documented the interview was unnecessary because video-recorded evidence he collected provided sufficient support for the allegation. Investigators should interview all subjects of an inquiry, even if video-recorded evidence exists, so that subjects may challenge the veracity of relied upon video-recorded evidence and to articulate their recollection of the events, or otherwise explain the encounter with the incarcerated person who submitted the complaint. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The hiring authority received the inquiry report on June 4, 2023, but did not determine a finding for the allegation until September 5, 2023, 93 days thereafter, which unreasonably delayed the inquiry. In all, the department untimely completed the inquiry on September 5, 2023, 132 days from the date the Centralized Screening Team received the complaint on April 26, 2023, and 42 days beyond the department's goal.

OIG Case Number 24-0078324-INQ

Rating Assessment **Poor** 

### **Case Summary**

On June 12, 2023, an officer allegedly responded in a discourteous manner when an incarcerated person tried to alert the officer about a clogged toilet.

# **Case Disposition**

The hiring authority conducted an inquiry and determined the inquiry conclusively proved the misconduct did not occur.

## **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator failed to interview the officer who was the subject of the inquiry and relied only on one minute, 13 seconds of video-recorded footage as the primary source of evidence in the inquiry report. The investigator should have obtained additional video-recorded evidence to understand the complete nature of the interaction or interactions between the incarcerated person who submitted the complaint and the officer. Moreover, prior to interviewing the incarcerated person, the investigator failed to obtain and review the video-recorded evidence to confirm whether the evidence captured the entirety of the interaction that formed the basis for the allegation against the officer. The investigator also failed to identify the records of departmental policy and procedure applicable to the allegations and include those records as supporting exhibits to the inquiry report. The Office of

Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

Internal Affairs' Allegation Investigation Unit manager and the hiring authority failed to identify and seek resolution regarding the investigator's oversights and improperly approved the inquiry report as adequate. Finally, the hiring authority incorrectly determined the inquiry conclusively proved the misconduct did not occur when according to the department's operations manual, the evidentiary threshold was not met in this case. The hiring authority should have determined there was insufficient evidence to sustain the allegation.

OIG Case Number 24-0077511-INQ

Rating Assessmen **Poor** 

### **Case Summary**

On June 25, 2023, an officer allegedly issued a rules violation report to the incarcerated person after he requested a cell search receipt from the officer following a cell search. During the cell search the officer allegedly left the incarcerated person's clean clothes on the ground, scattered his paperwork throughout the cell, and took his soap.

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

### **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator failed to follow departmental training and best practices regarding the order for completing interviews by interviewing the subject of the inquiry before interviewing an offender witness and staff witness and failed to include an explanation in the inquiry report for this deviation. In addition, the investigator failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the officer's alleged misconduct and cell searches. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The Centralized Screening Team received the complaint on August 16, 2023, but the hiring authority did not render a final decision until December 7, 2023, 113 days thereafter and 23 days beyond the department's goal.

> Independent Prison Oversight

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

OIG Case Number 24-0078818-INQ

Rating Assessmen **Poor** 

### Case Summary

On July 3, 2023, an officer allegedly became irate and acted in an unprofessional manner when an incarcerated person asked for pens. The officer allegedly refused to provide his name and badge number to the incarcerated person when asked and issued the incarcerated person a false rules violation report.

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

## **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator interviewed the officer who was the subject of the inquiry and two officers who were witnesses to the incident and failed to provide the required advisements during each interview. The investigator failed to provide a confidentiality admonishment during the interviews of the incarcerated person who submitted the complaint, two witness officers, and the officer who was the subject of the inquiry. The investigator also failed to identify and include in the inquiry report the records of departmental policy and procedure standards applicable to the officer's alleged misconduct. The Centralized Screening Team received the complaint on July 6, 2023, but did not assign an investigator to conduct the inquiry until August 24, 2023, 49 days thereafter. In addition, the investigator submitted the inquiry report on September 14, 2023, but the inquiry report was not submitted to the Office of Internal Affairs' Allegation Investigation Unit manager until November 16, 2023, 63 days thereafter. Altogether, the department completed the inquiry untimely on December 14, 2023, 161 days after the Centralized Screening Team received the complaint on July 6, 2023, and 71 days beyond the department's goal.

OIG Case Number 24-0077506-INQ

Rating Assessment **Poor** 

## Case Summary

On July 7, 2023, an officer allegedly used profanity toward an incarcerated person when the incarcerated person used an incorrect pronoun to address the officer.

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegation.

Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator was assigned to the inquiry on July 20, 2023, but caused unreasonable delays by failing to complete the first interview until October 13, 2023, 85 days thereafter. The investigator failed to submit a timely request for all video recordings relevant to the inquiry. The untimely request resulted in the department's deletion of video recordings pursuant to its 90-day video retention policy. The investigator made conclusory statements in the inquiry report that a potential witness did not exist because the interaction between the incarcerated person who submitted the complaint and the officer who was the subject of the inquiry took place in a clinic hallway; however, the investigator failed to articulate the investigative steps taken to reach this conclusion or provide a diagram of the clinic hallway to illustrate how its location was problematic for identifying potential witnesses. The investigator should have documented the investigative steps taken to locate additional witnesses and should have included in the inquiry report a diagram of the clinic hallway and employee sign-in sheet to identify other staff members who may have witnessed the incident. In addition, the investigator failed to identify the records of departmental policy and procedure applicable to the allegations and include those records as supporting exhibits to the inquiry report. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify and seek resolution regarding the investigator's oversights and approved the investigator's inquiry report as adequate. Overall, the department untimely completed the inquiry on November 1, 2023, 114 days after the Centralized Screening Team received the complaint on July 10, 2023, and 24 days beyond the department's goal.

OIG Case Number 24-0079009-INQ

Rating Assessment **Poor** 

### Case Summary

Between July 12, 2023, and August 3, 2023, two supervising cooks allegedly failed to conduct sanitation inspections in the kitchen, which led to serving potentially contaminated food. In addition, the two supervising cooks allegedly behaved unprofessionally and used profanities toward incarcerated people.

## **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The Centralized Screening Team received the complaint on September 6, 2023, but the hiring authority did not assign an investigator until October 17, 2023, 41 days thereafter. The investigator failed to provide a summary of the allegations in the notification of staff complaint and the

> Independent Prison Oversight

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

notice of interview to both supervising cooks who were subjects of the inquiry. In addition, the investigator failed to provide a notice of interview and an advisement of rights to a supervising cook and a correctional officer who were witnesses of the inquiry. The investigator also failed to provide a confidentiality admonishment during all interviews conducted. The investigator failed to document if he interviewed the incarcerated person who submitted the complaint and four incarcerated people who were witness of the inquiry in a confidential setting and whether he achieved effective communication during the interviews. The investigator failed to follow departmental training and best practices regarding the order for completing interviews by interviewing all witnesses and one supervising cook who was a subject of the inquiry before interviewing the incarcerated person who submitted the complaint, and failed to include an explanation in the inquiry report for this deviation. Finally, the investigator failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. The investigator submitted the draft inquiry report to the Office of Grievances on October 27, 2023, but the Office of Grievances unreasonably delayed 32 days to submit the report to the Office of Internal Affairs' Allegation Investigation Unit manager for review and approval on November 28, 2023. After the Office of Internal Affairs' Allegation Investigation Unit manager reviewed the draft inquiry report and returned the report to the investigator for further inquiry, a second investigator completed eight interviews without being assigned to the inquiry. Neither investigator clarified who made the corrections requested by the Office of Internal Affairs' Allegation Investigation Unit manager. The Office of Internal Affairs' Allegation Investigation Unit manager approved the revised inquiry report as adequate despite omissions that remained in the inquiry report. Overall, the department untimely completed the inquiry on December 14, 2023, 99 days after the Centralized Screening Team received the complaint on September 6, 2023, and nine days beyond the department's goal.

OIG Case Number 24-0076527-INQ

Rating Assessment **Satisfactory** 

### **Case Summary**

On July 22, 2023, after an officer allegedly denied an incarcerated person use of the day room microwave because microwave access had closed, the officer allowed another incarcerated person of a different race to use the microwave.

# **Case Disposition**

The hiring authority conducted an inquiry and sustained the allegation against the officer. The hiring authority determined that corrective action was appropriate and provided training to the officer.

# Overall Inquiry Assessment

Overall, the department performed satisfactorily.

April 2024 Local Inquiry Team Retrospective Reviews
Published in June 2024

OIG Case Number 24-0078200-INQ

Rating Assessmen **Poor** 

### Case Summary

On July 24, 2023, and for three days prior, unidentified officers allegedly watched television continually rather than perform their duties.

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

## Overall Inquiry Assessment

Overall, the department performed poorly. The original investigator was assigned to the case on August 8, 2023, but failed to initiate any inquiry work. The department waited until January 8, 2024, to assign a second investigator, 153 days thereafter. The first investigator failed to submit a timely request for all video recordings relevant to the inquiry. The untimely request resulted in the department's deletion of video recordings pursuant to its 90-day video retention policy. The investigator also failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. The Office of Internal Affairs' Allegation Investigation Unit manager improperly approved the investigator's inquiry report as adequate despite the omissions noted above. The hiring authority made a finding for only the allegation that the officers allegedly watched television instead of conducting their duties. The department untimely completed the inquiry on January 30, 2024, 188 days after the Centralized Screening Team received the complaint on July 26, 2023, and 98 days beyond the department's goal.

OIG Case Number 24-0079221-INQ

Rating Assessment **Poor** 

### **Case Summary**

On August 9, 2023, an officer allegedly denied an incarcerated person's requests to seek medical help in a pill line. Two additional officers allegedly denied the incarcerated person medical assistance after the incarcerated person claimed a medical emergency. In addition, the first officer allegedly told the second and third officers to tamper with the incarcerated person's food for repeatedly attempting to seek medical help.

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.



April 2024 Local Inquiry Team Retrospective Reviews
Published in June 2024

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# **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator interviewed the incarcerated person who submitted the complaint and failed to provide a confidentiality admonishment at the interview's conclusion. The investigator also unreasonably delayed the inquiry by failing to conduct the first interview until November 8, 2023, 63 days after the hiring authority assigned the inquiry on September 6, 2023. Compounding the delay, the investigator did not conduct the final interview until February 8, 2024, 92 days after the first interview. Moreover, the investigator failed to identify the records of departmental policy and procedure applicable to the allegations and include those records as supporting exhibits to the inquiry report. The Office of Internal Affairs' Allegation Investigation Unit manager reviewed the inquiry report, failed to identify the investigator's omissions, and improperly approved the report as adequate. Overall, the department untimely completed the inquiry on March 13, 2024, 211 days after the Centralized Screening Team received the complaint on August 15, 2023, and 121 days beyond the department's goal.

OIG Case Number 24-0077798-INQ

Rating Assessment **Poor** 

### Case Summary

On August 17, 2023, after a counselor confiscated a television from an incarcerated person, the counselor allegedly stated he would give the incarcerated person back his television in return for a sexual favor. On August 17, 2023, an officer allegedly offered razor blades to the incarcerated person and encouraged him to commit suicide after the incarcerated person asked the officer why he and the counselor trashed his cell during a search that resulted in the removal of his television. The counselor and officer allegedly discriminated and retaliated against the incarcerated person based on his mental health status and prior complaints he filed against other staff members.

### **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

### **Overall Inquiry Assessment**

Overall, the department performed poorly. The Centralized Screening Team improperly routed this case for local inquiry even though the incarcerated person alleged the counselor and the officer retaliated and discriminated against him based on his mental health condition, endangered his safety, and the office engaged in bribery for a sexual favor which are allegations of staff misconduct listed in the Allegation Decision Index and designated for investigation by the Office of Internal Affair's Allegation Investigation Unit. The investigator, the Office of Internal Affair's

Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

Allegation Investigation Unit manager, and the hiring authority all failed to identify the allegations as staff misconduct which could result in disciplinary action and failed to refer the allegations to the Office of Internal Affairs' Allegation Investigation Unit for an investigation. The investigator also failed to follow departmental training and best practices regarding the order for completing interviews by interviewing an officer who was a witness in the inquiry after he interviewed the counselor and officer who were subjects of the inquiry, and he failed to include an explanation in the inquiry report for this deviation.

OIG Case Number 24-0077509-INQ

Rating Assessment **Poor** 

### Case Summary

On August 15, 2023, a lieutenant allegedly inappropriately placed a disabled incarcerated person in a restricted housing unit due to a lack of accessible bed space without fully documenting the reasons for doing so.

# **Case Disposition**

The hiring authority conducted an inquiry and sustained the allegation against the officer. The hiring authority determined that corrective action was appropriate and issued the officer a letter of instruction.

### **Overall Inquiry Assessment**

Overall, the department performed poorly. The hiring authority assigned an investigator that was not at least one rank higher than the subject, who was a lieutenant. The investigator failed to interview the lieutenant and documented that the interview was unnecessary because evidence the investigator collected provided sufficient support for the allegation. Investigators should interview all subjects of an inquiry so that subjects may challenge the veracity of relied upon evidence and articulate their recollection of events. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The department untimely completed the inquiry on December 1, 2023, 101 days after the Centralized Screening Team received the complaint on August 22, 2023, and 11 days beyond the department's goal.

OIG Case Number 24-0077464-INQ

Rating Assessment **Poor** 

# Case Summary

On August 26, 2023, a sergeant allegedly spoke inappropriately to an incarcerated person regarding the incarcerated person's religion and rights to access religious services.



April 2024 Local Inquiry Team Retrospective Reviews
Published in June 2024

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# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegation.

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator failed to interview the sergeant who was the subject of the inquiry. The investigator documented the interview was unnecessary and relied on video recordings as determinative evidence. The investigator failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the sergeant's alleged misconduct. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The Centralized Screening Team received the complaint on September 5, 2023, but the hiring authority did not render a final decision until December 20, 2023, 106 days thereafter and 16 days beyond the department's goal.

OIG Case Number 24-0076769-INQ

Rating Assessment
Satisfactory

# Case Summary

On August 27, 2023, an officer allegedly ignored an incarcerated person while the incarcerated person waited in line to speak to the officer. Also, on undetermined dates prior to August 27, 2023, the same officer allegedly ignored the incarcerated person when the incarcerated person asked to have his cell door unlocked after returning from prison activities and groups. The officer allegedly stated, "I'm just here and I don't want to do anything." In addition, the officer allegedly socialized with certain incarcerated people, showed the incarcerated people his State computer screen, and provided them with computer printouts and office supplies.

### **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegation.

# **Overall Inquiry Assessment**

Overall, the department performed satisfactorily.

Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

OIG Case Number 24-0078326-INQ

Rating Assessmen **Poor** 

### Case Summary

On September 6, 2023, a sergeant allegedly used unprofessional language toward an incarcerated person as the incarcerated person walked through the prison yard.

# **Case Disposition**

The hiring authority determined that the inquiry conclusively proved the misconduct did not occur.

## Overall Inquiry Assessment

Overall, the department performed poorly. The investigator failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. The investigator failed to document in the inquiry report whether the interviews were conducted in a confidential setting. The investigator failed to follow departmental training and best practices regarding the order for completing interviews by interviewing the subject of the inquiry before staff witnesses and failed to include an explanation in the inquiry report for this deviation. The Office of Internal Affairs' Allegation Investigation Unit manager approved the investigator's inquiry report despite the investigator's oversights. The hiring authority incorrectly determined the inquiry conclusively proved the misconduct did not occur when according to the department's operations manual, the evidentiary threshold was not met in this case. The hiring authority should have determined there was insufficient evidence to sustain the allegations.

OIG Case Number 24-0075627-INQ

Rating Assessment **Poor** 

# Case Summary

On September 11, 2023, and other undetermined dates, unidentified officers allegedly harassed an incarcerated person by refusing to address her using the pronoun consistent with her gender identity. Also, on September 11, 2023, another officer allegedly failed to provide medical attention to the incarcerated person who was actively bleeding from cuts to her arm.

# **Case Disposition**

The hiring authority determined that the inquiry conclusively proved the misconduct that officers harassed the incarcerated person did not occur. The hiring authority failed to make a determination regarding the allegation that an officer failed to provide medical attention to the incarcerated person.

Independen

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The Centralized Screening Team failed to identify and route an allegation listed in the complaint that staff failed to provide medical attention to an incarcerated person who was actively bleeding. The Centralized Screening Team also improperly routed this case for local inquiry even though the incarcerated person alleged that officers repeatedly sexually harassed her by intentionally misusing her pronoun, which is an allegation of staff misconduct listed in the Allegation Decision Index and designated for investigation by the Office of Internal Affairs' Allegation Investigation Unit. The investigator, the Office of Internal Affairs' Allegation Investigation Unit manager, and the hiring authority did not identify that the complaint included an allegation of sexual harassment based on gender identity that should have been elevated to the Office of Internal Affairs' Allegation Investigation Unit for an investigation because it is an allegation of staff misconduct contained in the department's Allegation Decision Index. The investigator improperly determined the incarcerated person provided sufficient information in the complaint so that no interview was necessary even though the incarcerated person failed to identify any subjects, witnesses, or incident dates. The investigator then failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The hiring authority determined a finding for only one allegation that officers harassed the incarcerated person but failed to identify or address the second allegation that officers refused to provide medical addition to the incarcerated person. Moreover, the hiring authority incorrectly determined the inquiry conclusively proved the harassment did not occur when according to the department's operations manual, the evidentiary threshold was not met in this case. The hiring authority should have found insufficient evidence to sustain the allegations.

OIG Case Number 24-0078820-INQ

Rating Assessment **Poor** 

## Case Summary

On September 12, 2023, a lieutenant allegedly attempted to persuade a disabled incarcerated person to waive his right to a staff assistant during his disciplinary hearing. In addition, on an unknown date prior to September 25, 2023, an officer allegedly verbally abused the disabled incarcerated person, kicked the incarcerated person's property down a staircase, and then placed the incarcerated person's property in the trash.

### Case Disposition

The hiring authority determined that the inquiry conclusively proved the misconduct did not occur.



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Independent Prison Oversight

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The hiring authority assigned an investigator who was not at least one rank higher than the highest-ranking subject, who was a lieutenant. The investigator failed to provide the required advisements during each interview conducted with an officer who was a witness to the inquiry, and an officer and a lieutenant who were subjects of the inquiry. The investigator also failed to provide a confidentiality admonishment at the during with the interviews of the incarcerated person who submitted the complaint, a staff witness, and the two subjects of the inquiry. The investigator then failed to document in the inquiry report whether effective communication was established prior to interviewing the incarcerated person who submitted the complaint and if he conducted the interview in a confidential setting. In addition, the investigator failed to identify all records of departmental policy and procedure applicable to the allegations and include those records as supporting exhibits to the inquiry report. The Office of Internal Affairs' Allegation Investigation Unit manager and the hiring authority failed to identify the investigator's omissions listed above, and both approved the report as adequate. The hiring authority incorrectly determined the inquiry conclusively proved the misconduct did not occur when according to the department's operations manual, the evidentiary threshold was not met in this case. The hiring authority should have determined there was insufficient evidence to sustain the allegations.

OIG Case Number 24-0076242-INQ

Rating Assessment **Poor** 

# Case Summary

Between September 18, 2023, and September 26, 2023, unidentified officers allegedly ignored a disabled incarcerated person's request for medical aid after he transferred to a new yard and experienced a respiratory attack. In addition, other unidentified officers allegedly prevented the incarcerated person from showering, unpacking his property, and cleaning his cell because he could not do so alone due to his disability, and officers would not assist him.

### **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

### **Overall Inquiry Assessment**

Overall, the department performed poorly. The hiring authority initially assigned the inquiry to an initial investigator on October 16, 2023, but the investigator failed to initiate any work on the inquiry. The department unreasonably delayed until January 8, 2024, to assign a second investigator to the inquiry, 84 days after assigning the first investigator. The second investigator completed the first interview on

> Independer Prison Oversiah

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

January 10, 2024, 97 days after the department received the complaint on October 5, 2023. By the time inquiry work began, video-recorded evidence was no longer available because the department's 90-day video retention policy expired, and the department had deleted the video-recorded evidence. The investigator failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. The investigator also failed to obtain and attach to the report staff sign-in sheets for the dates of the alleged misconduct, which the investigator could have utilized to identify staff as a subject or witness to the inquiry. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The hiring authority determined a finding for the allegations that officers failed to provide the incarcerated person a shower and assist him with unpacking his property and cleaning his cell; however, the hiring authority did not address the allegation that officers ignored the incarcerated person's request for medical assistance. The hiring authority rendered the finding on January 25, 2024, 112 days after the Centralized Screening Team received the complaint on October 5, 2023, and 22 days beyond the department's goal.

OIG Case Number 24-0077474-INQ

Rating Assessment **Satisfactory** 

### Case Summary

Prior to September 26, 2023, a sergeant and an officer allegedly told an incarcerated person on multiple occasions that they were having sex with other incarcerated people.

### **Case Disposition**

The hiring authority determined that the inquiry conclusively proved the misconduct did not occur.

# **Overall Inquiry Assessment**

Overall, the department performed satisfactorily.

OIG Case Number 24-0077500-INQ

Rating Assessment **Satisfactory** 

# Case Summary

On October 10, 2023, three officers allegedly used unprofessional language and threatened to force an incarcerated person into his cell when he refused to enter due to a rodent infestation.

Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

### **Overall Inquiry Assessment**

Overall, the department performed satisfactorily.

OIG Case Number 24-0078819-INQ

Rating Assessmen
Poor

### **Case Summary**

On October 15, 2023, two officers allegedly failed to provide breakfast and lunch to a disabled incarcerated person with a designation for cell feeding. The officers allegedly dismissed the incarcerated person's request for a replacement meal and responded with hostility and profanity when the incarcerated person complained about not timely receiving meals. In addition, the two officers allegedly refused the incarcerated person's request for an Americans with Disabilities Act worker to assist him with transferring property during a cell move and used hostile and profane language toward the incarcerated person.

## **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

### **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator also failed to document whether he established effective communication with the incarcerated person who submitted the complaint and with other incarcerated people who were witnesses of the inquiry. The investigator also failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct and a staff roster reflecting which officers were on duty during the alleged misconduct to identify potential staff witnesses. In addition, the investigator failed to reference in the inquiry report whether the incarcerated person was under a medical order requiring staff to deliver meals to his cell. The investigator failed to serve a notification of staff complaint to both officers who were subjects of the inquiry and failed to attach the notifications to the inquiry report. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The hiring authority failed to accurately document the allegations in the closure memorandum to the incarcerated person who submitted the complaint. Thus, the hiring authority did not determine a finding on the allegations regarding the subjects' alleged use of profanity and threats toward the incarcerated person.



Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

OIG Case Number 24-0077799-INQ

Rating Assessment **Poor** 

### Case Summary

On October 23, 2023, an officer allegedly shouted expletives while approaching an incarcerated person's cell, threatened the incarcerated person's safety, and spoke in profane language about the incarcerated person's housing unit classification. The officer also allegedly accused the incarcerated person of previously staging a false medical emergency incident. The officer allegedly retaliated against the incarcerated person for previously filing complaints and participating in investigative interviews regarding staff misconduct.

## Case Disposition

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

### Overall Inquiry Assessment

Overall, the department performed poorly. The Centralized Screening Team improperly rerouted this case for local inquiry after the Office of Internal Affairs' Allegation Investigation Unit disputed the initial case assignment even though the incarcerated person alleged the officer retaliated against him for previously filing complaints and participating in investigative interviews regarding staff misconduct, which is an allegation of staff misconduct listed in the Allegation Decision Index and designated for investigation by the Office of Internal Affairs' Allegation Investigation Unit. The investigator, the Office of Internal Affairs' Allegation Investigation Unit manager, and the hiring authority all failed to identify the allegations as staff misconduct which could result in adverse action and failed to refer the allegations to the Office of Internal Affairs' Allegation Investigation Unit for an investigation. The investigator failed to interview any other incarcerated people housed near the incarcerated person who made the complaint. The investigator failed to follow departmental training and best practices regarding the order for completing interviews by interviewing the subject of the inquiry prior to interviewing a witness and failed to include an explanation in the inquiry report for this deviation. The investigator also failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the officer's alleged misconduct and failed to include a housing unit diagram that may have identified other incarcerated people as potential witnesses. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions and approved the investigator's inquiry report as adequate.

Independer Prison Oversiah

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

OIG Case Number 24-0078329-INQ

Rating Assessmen **Poor** 

### **Case Summary**

On October 27, 2023, a sergeant allegedly used hostile and profane language toward an incarcerated person in retaliation to a prior complaint the incarcerated person submitted against the sergeant.

## **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegation.

### Overall Inquiry Assessment

Overall, the department performed poorly. The investigator failed to provide to the sergeant, who was the subject of the inquiry, a written notice of staff complaint and include it as a supporting exhibit to the inquiry report. In addition, the investigator failed to assess and document effective communication when interviewing the incarcerated person who submitted the complaint and other incarcerated people who were witnesses. The investigator also failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate.

OIG Case Number 24-0076169-INQ

Rating Assessment

### Case Summary

On October 31, 2023, a sergeant allegedly denied an incarcerated person a wheelchair which prevented the incarcerated person from receiving dinner because the incarcerated person could not physically walk to the dining hall. When the incarcerated person stated that he needed a wheelchair, an officer allegedly told the incarcerated person that he must walk to the dining hall to eat.

### **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegation.

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The hiring authority assigned an investigator that was not at least one rank higher than the subject, who was a

Independent

# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

sergeant. The investigator failed to interview the sergeant who was the subject of the complaint and an officer who was a witness without including the reasoning behind that decision in the inquiry report. The investigator also failed to identify and include in the inquiry report the departmental policy and procedure applicable to the alleged misconduct. The Office of Internal Affairs' Allegation Investigation Unit manager approved the investigator's inquiry report despite the investigator's oversights. The hiring authority improperly found the inquiry sufficient to determine a finding for the allegation despite the omissions in the inquiry report listed above.

OIG Case Number 24-0076526-INQ

Rating Assessment **Poor** 

### Case Summary

On November 3, 2023, an officer allegedly stood behind an incarcerated person and "was doing something" to the incarcerated person's back and neck in retaliation for filing appeals and lawsuits. In addition, on November 6, 2023, officers allegedly allowed another incarcerated person to invade the incarcerated person's personal space and place an insect on his back to provoke him into a fight.

# **Case Disposition**

The hiring authority determined that the inquiry conclusively proved the misconduct did not occur.

# **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator failed to interview the officer who was the subject of the complaint and the officer who the incarcerated person identified as a witness to the alleged misconduct. The investigator also failed to interview two additional officers revealed in video-recorded evidence as potential subjects and failed to obtain staff sign-in sheets to identify the two officers. In addition, the investigator failed to address and investigate the allegation that the first officer's conduct was in retaliation for prior grievances and lawsuits the incarcerate person filed against officers. The investigator then failed to identify and include in the inquiry report the records of departmental policy and procedure applicable to the alleged misconduct. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the investigator's omissions in the inquiry report and approved the report as adequate. The hiring authority improperly found the inquiry sufficient to determine a finding for the allegations despite the investigator's failure to finalize a complete and thorough inquiry report.



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# April 2024 Local Inquiry Team Retrospective Reviews Published in June 2024

OIG Case Number 24-0078338-INQ

Rating Assessmen Satisfactory

### **Case Summary**

Prior to November 3, 2023, an officer allegedly threatened to change the incarcerated person's cell assignment if the incarcerated person accepted medical equipment. Subsequently, on November 3, 2023, medical staff offered an incarcerated person a walking cane which he declined.

# **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegations.

# **Overall Inquiry Assessment**

Overall, the department performed satisfactorily.