



The Office of the Inspector General (the OIG), as part of our statute, maintains an Intake Processing Unit that receives complaints from the incarcerated population and the public. Staff in the Intake Processing Unit respond to complaints that the OIG receives through U.S. Postal mail, phone calls (toll-free hotline), and inquiries through our website, which can exceed 800 claims a month. Below are nine complaints that the Intake Processing Unit reviewed and closed as of November 2024. These cases highlight the OIG's impact and efforts to resolve the complainant's concerns.

Incident Date

April 13, 2024

Case Type

Centralized Screening Team (CST): Screening Decision

Mission

Division of Adult Institutions: Reception Center

OIG Case Number

24-0081889-PI and 24-0092190-PI

Complaint Summary

On May 28, 2024, the OIG received a letter from an incarcerated person (complainant) who alleged he had been assaulted by multiple incarcerated people on April 13, 2024, after an officer shared the incarcerated person's charges with other incarcerated people. The complainant alleged that soon after arriving at this prison, he was led by another incarcerated person to a group of incarcerated people who were lying in wait to assault him. The complainant stated he received a black eye, bloody nose, and a concussion after being assaulted. The complaint did not contain details such as the name of the officer involved.

On September 26, 2024, the incarcerated person wrote again to the OIG, stating he had exhausted his administrative remedies. At the same time, the department handled the complaint against the officer who allegedly shared the incarcerated person's charges as a routine claim, not as an allegation of staff misconduct. The incarcerated person provided a grievance log number and stated he had been slow to report the allegation due to fear of his life being placed in danger by reporting this misconduct.

OIG Actions

The OIG's review of departmental records found there were no medical records indicating an assault took place on April 13, 2024, and the incarcerated person had not filed a grievance at the prison. On May 31, 2024, two days after receiving the letter from the incarcerated person, the OIG responded to him and recommended he submit a grievance and exhaust all administrative remedies.

Subsequently, on September 27, 2024, after receiving the second letter, the OIG located the incarcerated person's grievance, which identified the date of the alleged attack, the name of the incarcerated person who was informed by the officer concerning the alleged complaint, and the name of the officer who shared the complainant's charges with other incarcerated people. Despite the detailed allegation information, the department's Centralized Screening Team (CST) did not acknowledge the incarcerated person's grievance as a staff misconduct complaint, stating it was based on hearsay (i.e., information received from someone other than the complainant). The department's Office of Grievances rejected the routine claim since it exceeded the 60-day time limit for submission starting from the date of the alleged incident. Furthermore, the department's Office of Appeals denied the appeal due to the time limitation even though there is no time limit for reporting staff misconduct.





According to our review, we believe that CST improperly routed the claim as routine, but should have identified it as an allegation of staff misconduct. On October 31, 2024, the OIG’s Centralized Monitoring Screening Team presented these concerns to CST and requested its staff reconsider their screening decision.

Disposition

On November 1, 2024, CST referred the allegation of staff misconduct by the officer to the department’s Office of Internal Affairs’ Allegation Investigation Unit for an investigation of integrity.

Incident Date

October 4, 2024

OIG Case Number

24-0094465-PI

Case Type

Safety Concerns

Complaint Summary

On October 18, 20, and 28, 2024, the OIG received five web complaints from a private citizen on behalf of an incarcerated person who was allegedly attacked by unknown incarcerated people while he slept. The incarcerated person allegedly suffered serious bodily injury, including fractures to his jaw and to a rib. Furthermore, the incarcerated person had an existing traumatic brain injury which placed him at a higher risk of developing complications from trauma to the head. The incarcerated person had allegedly received death threats prior to the assault and feared for his life. The private citizen requested an investigation, stating she had contacted the prison, but had not received a response.

Mission

Division of Adult
Institutions: Reception
Center

OIG Actions

The OIG reviewed departmental records and found on October 4, 2024, the incarcerated person reported to prison staff that he had sustained injuries from a fall in the shower. Prison staff recognized that the severity of the incarcerated person’s injuries required further investigation and reviewed a video recording of the incident. As a result, prison staff identified two incarcerated people who attacked the incarcerated person. That same day, all three involved incarcerated people signed an agreement to be housed together in the same facility, and rules violation reports were issued to the two assailants. The prison did not create offender-separation alerts¹ between the two assailants and the incarcerated person they attacked due to the signed agreement called a compatibility chrono—a document used to evaluate the seriousness of a dispute between incarcerated people.

On October 11, 2024, the incarcerated person who had been attacked was temporarily transferred to a prison with an outpatient housing unit (OHU) that had the means to treat his injuries. Once the incarcerated person recovered to the point he could return to the original prison, there remained the possibility he could again be housed at the same facility with his assailants.

1. A separation alert is a record placed in an incarcerated person’s central file that identifies an enemy concern. These alerts typically restrict an incarcerated person from being housed at the same prison (or facility) as any of the individuals identified in the record.



On October 23, 2024, the OIG recommended the warden at the prison to which the department planned to send the incarcerated person consider creating an enemy alert, if warranted, between the two assailants and the incarcerated person whom the first two had attacked. First, the incarcerated person was allegedly in fear for his life and did not initially report the attack to staff, instead claiming he fell in the shower. Second, the incarcerated person suffered a serious bodily injury that required surgery and wiring of the jaw. Third, the incarcerated person allegedly functioned at a lower mental capacity due to a preexisting traumatic brain injury.

Disposition

On October 31, 2024, the warden reevaluated the alleged safety concern and created a separation alert between the two assailants and the incarcerated person they had attacked. On November 1, 2024, the incarcerated person was returned to his original prison, but housed at a different yard from that of the two assailants.

Incident Date

October 16, 2024

OIG Case Number

24-0094599-PI

Case Type

Allegation of Staff
Misconduct: Excessive or
Unnecessary Use of Force

Complaint Summary

Between October 17, 2024, and October 22, 2024, the OIG received four voicemails from an incarcerated person and his family members alleging that on October 16, 2024, a sergeant and an officer used excessive or unnecessary force, beating the incarcerated person for no reason. The incarcerated person allegedly sustained serious bodily injury including a broken nose and facial injuries.

Mission

Division of Adult
Institutions: General
Population (Males)

OIG Actions

The OIG reviewed departmental records and verified that a use-of-force incident occurred on the date in question during which a sergeant allegedly slammed the incarcerated person against a metal holding cell, and an officer inappropriately forced the incarcerated person to the ground. The incarcerated person was subsequently transported to an outside hospital for medical evaluation and treatment. The OIG's review of hospital records indicated the incarcerated person sustained a fractured nose and lacerations to his nose and lip requiring sutures. A fracture meets one of the department's criteria for serious bodily injury, which requires the department to conduct a video-recorded interview with the incarcerated person within 48 hours of discovery of the injury.

Our review of departmental records showed prison staff timely conducted a video-recorded interview regarding the serious bodily injury. During this interview, the incarcerated person made an allegation of unnecessary or excessive use of force. Departmental policy requires the department to suspend its use-of-force review and refer the allegation to its Office of Internal Affairs' Centralized Screening Team (CST) for review and processing when an incarcerated person alleges excessive or unnecessary use of force. In this case, the department did not suspend its use-of-force review or refer the allegation of staff misconduct to CST. Therefore, on October 22, 2024, the OIG referred these concerns to the warden with the recommendation to suspend the use-of-force review and refer the allegation of staff misconduct to CST. Furthermore, on October 25, 2024, the Office of Grievances received a grievance from the incarcerated person regarding this incident that alleged staff misconduct, which was referred to CST.



	<p>Disposition</p> <p>On October 29, 2024, CST routed this claim to the Office of Internal Affairs' Allegation Investigation Unit for an investigation of excessive or unnecessary use of force. On November 7, 2024, the OIG's Staff Misconduct Monitoring Unit selected this case for monitoring.</p>
<p>Incident Date July 1 and 3, 2024, and August 20, 2024</p> <p>Case Type Allegation of Staff Misconduct</p> <p>Mission Office of Internal Affairs' Centralized Screening Team (CST)</p>	<p>OIG Case Number 24-0089665-PI</p> <p>Complaint Summary</p> <p>On August 26, 2024, the OIG received a complaint letter from an incarcerated person (complainant) that alleged he witnessed clerical staff responsible for collecting grievance forms collect and subsequently share the confidential grievances with three correctional officers. Specifically, on three occasions (July 1 and 3, 2024, and August 20, 2024) clerical staff allegedly went into an office for approximately 20 minutes with custody staff to share the contents of the grievance forms.</p> <p>OIG Actions</p> <p>The OIG reviewed departmental records and was able to locate a grievance the complainant submitted to the Office of Grievances regarding the clerical staff sharing grievance forms. The grievance identified the involved staff members' names, and the time, date, and location of incidents where the alleged misconduct occurred. The OIG found that on August 28, 2024, the Centralized Screening Team (CST) referred the complainant's allegation of staff misconduct for a local inquiry rather than sending it to the Office of Internal Affairs' Allegation Investigation Unit for an investigation. The department uses an allegation decision index to determine to which unit within the department a complaint should be referred for processing.</p> <p>On August 28, 2024, the OIG's review determined the allegation met the threshold noted on the allegation decision index to refer these concerns to the warden. Furthermore, the OIG recommended the warden consider refresher training for all staff members who collect grievance forms to ensure confidentiality with the grievance process.</p> <p>Disposition</p> <p>On September 5, 2024, CST staff conducted a second review of the grievance and referred the claim to the Office of Internal Affairs' Allegation Investigation Unit for an investigation into a violation of code of silence and endangering an incarcerated person.</p>



<p>Incident Date October 5, 2024</p> <p>Case Type Release Date Calculation; Disciplinary Hearing</p> <p>Mission Division of Adult Institutions: High Security</p>	<p>OIG Case Number 24-0094363-PI</p> <p>Complaint Summary Between October 11, 2024 and October 17, 2024, the OIG received multiple voicemail messages from an incarcerated person who alleged departmental staff were retaliating against him for filing grievances. The incarcerated person alleged a rules violation report (RVR) was issued to him as part of the retaliation. On October 17, 2024, the incarcerated person alleged the RVR hearing was not within departmental policy because it had exceeded the time requirements for processing.</p> <p>OIG Actions The OIG reviewed departmental records and identified the rules violation report issued on September 12, 2024, as cited in the complaint. The OIG found the prison had automatically applied a 90-day credit loss on October 5, 2024, pending the outcome of the disciplinary hearing because the incarcerated person was near his release date (October 20, 2024) and that the disciplinary hearing was still pending.</p> <p>The OIG verified the hearing was overdue because departmental regulations require that a rules violation report shall be heard within 30 days from the date the incarcerated person was provided a copy of the report. Since the incarcerated person received a copy of the RVR on September 16, 2024, the hearing should have been held on or before October 16, 2024, to meet due process requirements.</p> <p>The OIG notified the warden of the potential due process violation with the RVR on October 17, 2024, and requested an expedited review to remove the applied 90-day credit loss, because the incarcerated person was initially scheduled for release on October 20, 2024.</p> <p>Disposition On October 17, 2024, the department notified the OIG that the rules violation report was voided along with the previously applied 90-day credit loss. However, the department discovered other credit losses unrelated to the RVR, which led to the incarcerated person not being released to parole until November 7, 2024.</p>
<p>Incident Date October 20, 2024</p> <p>Case Type Allegation of Staff Misconduct: Excessive or Unnecessary Use of Force</p> <p>Mission Division of Adult Institutions: High Security</p>	<p>OIG Case Number 24-0094541-PI</p> <p>Complaint Summary Between October 22, 2024, and October 26, 2024, the OIG received six voicemails from an incarcerated person alleging excessive or unnecessary use of force. The incarcerated person stated he had been inappropriately handcuffed, strangled, slammed to the ground, and that pepper spray had been deployed against him. Furthermore, the incarcerated person alleged custody staff refused to provide him with his inhaler when he experienced breathing difficulties. This occurred because custody staff applied a spit mask after deploying the pepper spray.</p>



OIG Actions

The OIG reviewed departmental records and identified that the incarcerated person filed a grievance on October 24, 2024, reporting the alleged staff misconduct. The OIG obtained a report of the use-of-force incident that occurred on October 20, 2024, and found that the incarcerated person was transported to the treatment and triage area for evaluation and treatment after the incident. The incarcerated person made an allegation of excessive or unnecessary use of force, as documented by medical staff on a medical report, stating, "Officers beat me up, they beat me up bad. I'm not going to let them get away with this."

On October 28, 2024, the Centralized Screening Team referred the incarcerated person's grievance of staff misconduct to the Office of Internal Affairs' Allegation Investigation Unit (AIU) for an investigation. Due to the allegations the incarcerated person raised, including officers not offering decontamination after they had deployed pepper spray against him, officers refusing his request for an inhaler, and officers strangling him, the complaint was referred by the OIG's Intake staff to the OIG's Staff Misconduct Monitoring Unit (SMMU) to monitor the investigation.

Disposition

On November 6, 2024, the OIG's SMMU notified the AIU captain the OIG had selected the AIU investigation regarding the alleged staff misconduct of excessive or unnecessary use of force for monitoring.

Incident Date

July 2, 2024

OIG Case Number

24-0083465-PI

Case Type

Allegation of Staff
Misconduct: Retaliation

Complaint Summary

On July 12 and 18, 2024, the OIG received separate letters from an incarcerated person (complainant) alleging an officer retaliated against him for filing grievances, and the officer threatened the complainant after he had filed a staff misconduct allegation against the officer. The complainant also alleged he had been fired from his job assignment on July 2, 2024, because the officer accused him of assisting a second incarcerated person with writing a staff misconduct grievance against the officer. The complainant stated he did not submit these concerns through the Office of Grievances because he was afraid the grievance would be intercepted by the officer.

Mission

Division of Adult
Institutions: High Security

OIG Actions

The OIG was unable to locate a grievance submitted to the Office of Grievances regarding these allegations of retaliation against the officer. Therefore, we requested and received a signed waiver from the complainant, so we could share the complaint information with the department to conduct further review into the allegation of staff misconduct.

On August 15, 2024, the OIG received the signed waiver from the complainant. On August 28, 2024, the OIG elevated the allegation of staff misconduct to the hiring authority to conduct a review of the retaliation claim and consideration for processing as an allegation of staff misconduct against the officer.



	<p>Disposition</p> <p>On August 28, 2024, the hiring authority referred the allegation of staff misconduct committed by the officer to the Centralized Screening Team (CST) for review. On September 4, 2024, CST determined the claim met screening criteria for an allegation of staff misconduct, according to the Allegation Decision Index, for retaliation.</p>
<p>Incident Date November 16, 2023</p>	<p>OIG Case Number 24-0090031-PI</p>
<p>Case Type Transfer Issue: Undocumented Safety Concern</p> <p>Mission Division of Adult Institutions: High Security</p>	<p>Complaint Summary</p> <p>On August 29, 2024, the OIG received a letter from an incarcerated person (complainant) alleging he was going to be transferred to a prison where his life might be in jeopardy due to enemy concerns. The complainant alleged that an incarcerated person had previously hit him in the eye with a battery pack on November 16, 2023, which prison staff did not witness. The complainant stated he was transported to an outside hospital after the incident for medical care. Because this incident was never documented, the name of incarcerated person who hit him was not added as an enemy to the complainant's electronic central file.</p>
	<p>OIG Actions</p> <p>The OIG reviewed prison records and identified a confidential memorandum dated February 8, 2024, that documented the complainant's safety concerns and identified the second incarcerated person as a potential enemy concern. The lieutenant who conducted the review determined the complainant's safety concerns were partially valid because some of the information was corroborated through investigation into the alleged incident. However, no enemy concern had been added based on this confidential investigation.</p> <p>On October 4, 2024, the OIG requested the hiring authority at the current prison and the hiring authority at the prison to which the complainant was scheduled to be transferred reevaluate the complainant's safety concerns to determine whether a confidential offender-separation alert was warranted for the second incarcerated person. On October 21, 2024, the prison to which the complainant was to be transferred completed its review and determined that an enemy or safety concern did exist between the complainant and the second incarcerated person. Therefore, the complainant remained housed at his current prison and was not transferred to the prison where there was a safety concern.</p>
	<p>Disposition</p> <p>On October 25, 2024, a confidential offender-separation alert was added to the electronic central files of both the complainant and the second incarcerated person. This separation alert restricts the complainant and the second incarcerated person from being housed at the same prison (or facility).</p>



Incident Date

July 29, 2024

Case Type

Safety Concern

Mission

Division of Adult
Institutions: High
Security and Postrelease
Community Supervision
(PRCS)

OIG Case Number

24-0088399-PI

Complaint Summary

On August 12, 2024, the OIG received a letter from an incarcerated person (complainant) alleging detailed safety concerns if he were to be released to the county of last legal residence (CLLR) in September 2024. The complainant attached responses he received from the department, including a grievance decision from the Office of Grievances stating that office had no jurisdiction over this concern. Furthermore, the hiring authority's designee responded to the complainant on July 29, 2024, that the department had no authority over the complainant's protection once he was released from custody and recommended that upon release, he contact his local police department and report this concern. The complainant requested the OIG's assistance to change the county probation department location from the CLLR to another county.

OIG Actions

Although the OIG has no jurisdiction over postrelease community supervision (PRCS) as the supervision is handled at the county level, we reviewed departmental records regarding the alleged safety concerns. Our review of departmental records identified that the complainant had previously acted as a confidential informant, which directly resulted in the arrest and conviction of a formerly incarcerated individual. This individual had been discharged from the department's Division of Adult Parole Operations (DAPO) in 2021, at the same CLLR where the complainant was to be assigned to PRCS in September 2024.

Due to the alleged safety concerns identified by the complainant and also found in confidential departmental records, the OIG elevated these concerns on August 19, 2024, to the DAPO hiring authority. On August 21, 2024, DAPO confirmed its staff had reviewed the complaint and elevated these safety concerns to a division director with the respective county probation department's PRCS.

On September 21, 2024, after the complainant was released to the respective county probation department where the alleged safety concerns existed, the Office of Appeals (OOA) granted the complainant's grievance. The OOA response letter to the complainant where he was previously housed, stated, in part, "The Office of Grievances inappropriately deemed this claim as no jurisdiction." OOA stated the county or city of last legal residence is, in fact, determined by the department. OOA then instructed the Office of Grievances to open a new log number to review the complainant's claim about being released to the respective county. As of November 30, 2024, no new grievance log number had been created by the Office of Grievances in the complainant's electronic central file.

Disposition

The division director for the respective county probation department confirmed the complainant was released to PRCS within the same CLLR where alleged safety concerns had existed in September 2024. However, the complainant was subsequently transferred to another county probation department for supervision in November 2024.