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Independent

Prison Oversight

March 2024 Local Inquiry Team Retrospective Reviews
Published in May 2024

During the March 2024 review period, the OIG's Local Inquiry Team retrospectively reviewed 12 random local inquiry cases that were closed by the department from October 2023 through February 2024 in order to assess the department's performance on local inquiry cases that our office did not contemporaneously monitor.

OIG Case Number 24-0074632-INQ

Rating Assessment **Poor** 

#### **Case Summary**

On March 7, 2023, an officer allegedly performed a cell search and threw an incarcerated person's pictures throughout the cell, damaged a television, and confiscated a hat.

#### **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 officer who was the subject of the inquiry before interviewing the incarcerated person who submitted the complaint and all witnesses and failed to include an explanation in the inquiry report for this deviation. The investigator also failed to obtain all records of departmental policy and procedure relevant 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 the investigator's omissions and approved the investigator's inquiry report as adequate. The Office of Grievances unreasonably delayed the inquiry after it sent the draft inquiry report to the Office of Internal Affairs' Allegation Investigation Unit manager on August 25, 2023, 122 days after the investigator completed the report on April 25, 2023.

Additionally, the Office of Internal Affairs' Allegation Investigation Unit manager sent the inquiry report to the hiring authority on August 28, 2023, but the hiring authority did not render a final decision on the allegations until October 10, 2023, 43 days thereafter, creating further delay. The hiring authority rendered a determination regarding the allegations on October 10, 2023, 216 days after the Centralized Screening Team received the complaint on March 8, 2023, and 126 days beyond the department's goal.

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OIG Case Number 24-0073312-INQ

Rating Assessment **Poor** 

#### **Case Summary**

On March 21, 2023, a custodian allegedly responded in anger to an incarcerated person's question. Between March 23, 2023, and April 5, 2023, the same custodian allegedly harassed and intimidated the incarcerated person when she snatched his identification card from his hand and attempted to close the yard gate on 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 department unreasonably delayed and ultimately failed to timely complete the inquiry. The first investigator was assigned to the inquiry on August 3, 2023, but did not conduct any interviews. The department delayed until January 8, 2024, to assign a second investigator to the inquiry, 158 days after assigning the first investigator. The second investigator then delayed completing the first interview until February 9, 2024, 32 days after assignment. The second investigator failed to reference and include in the inquiry report the departmental policy and procedure standards related to the alleged misconduct. The Office of Internal Affairs' Allegation Investigation Unit manager reviewed and approved the inquiry report as adequate but failed to identify and remedy the omissions in the inquiry. Ultimately, the hiring authority untimely rendered a determination regarding the allegations on February 25, 2024, 220 days after the Centralized Screening Team received the complaint on July 20, 2023, and 130 days beyond the department's goal. The department's failure to ensure an investigator was actively working on the inquiry contributed to the inquiry's overall untimely completion.

OIG Case Number 24-0074660-INQ

Rating Assessment **Poor** 

#### Case Summary

On May 11, 2023, and other undetermined dates, an officer allegedly routinely refused to give shower priority to a disabled incarcerated person which forced the incarcerated person to wait several hours to shower.

#### **Case Disposition**

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

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#### **Overall Inquiry Assessment**

Overall, the department performed poorly. The department unreasonably delayed the inquiry and ultimately failed to timely complete the inquiry. Although the initial investigator was assigned to complete the inquiry on June 5, 2023, the investigator failed to initiate any work on the inquiry. The department delayed until January 2, 2024, to assign a second investigator to the inquiry, 212 days after assigning the first investigator, which caused the second investigator to complete the first interview on January 4, 2024, 231 days after the department received the complaint on May 19, 2023. The department deleted the video-recorded evidence before the inquiry began, pursuant to its 90-day video-retention policy. The investigator then failed to obtain all records of departmental policy and procedure relevant to the allegation, such as accommodations for disabled incarcerated persons. The Office of Internal Affairs' Allegation Investigation Unit manager also failed to identify the investigator's omission of applicable departmental policies and procedures in the inquiry report and approved the report as adequate. Ultimately, the hiring authority rendered a determination regarding the allegations on January 20, 2024, 247 days after the Centralized Screening Team received the complaint on May 19, 2023, and 157 days beyond the department's goal.

OIG Case Number 24-0073845-INQ

Rating Assessmen **Poor** 

#### Case Summary

On July 5, 2023, a lieutenant allegedly replied with inappropriate language toward an incarcerated person when the incarcerated person asked the lieutenant to pack his personal property.

#### **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 follow departmental training and best practices regarding the order for completing interviews by interviewing the lieutenant and a sergeant prior to the incarcerated person who submitted the complaint and failed to include an explanation in the inquiry report for this deviation. The investigator also failed to reference and include in the inquiry report records of departmental policy and procedure relevant to the allegation. Further, the investigator failed to utilize a housing unit diagram to identify incarcerated persons who were potential witnesses to the alleged misconduct and improperly concluded from the proximity of the incident that no other incarcerated

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people heard the lieutenant's inappropriate language. The Office of Internal Affairs' Allegation Investigation Unit manager approved the investigator's inquiry report as adequate despite a failure to identify and remedy the investigator's omissions.

OIG Case Number 24-0074659-INQ

Rating Assessmen **Poor** 

#### Case Summary

On July 10, 2023, two officers allegedly denied an incarcerated person's requests for an incontinence shower and a grievance form to document and submit a complaint.

#### **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 obtain all records of departmental policy and procedure relevant to the allegations and include those records as supporting exhibits to the inquiry report. The investigator also failed to follow departmental training and best practices regarding the order for completing interviews by interviewing the subjects of the inquiry before interviewing a staff witness and failed to include an explanation in the inquiry report for this deviation.

Additionally, the investigator failed to gather and review a sufficient duration of video evidence relative to the alleged time of the incident, relying only on 97 seconds of footage captured from body-worn cameras utilized by three officers which did not reveal the entirety of the encounter between the officers and the incarcerated person. The investigator also caused unreasonable delays by failing to timely conduct the inquiry. The investigator was assigned to the inquiry on July 18, 2023, but did not submit the draft inquiry report to the Office of Internal Affairs' Allegation Investigation Unit manager until November 15, 2023, 120 days thereafter. The Office of Internal Affairs' Allegation Investigation Unit manager reviewed and approved the inquiry report as adequate but failed to identify and remedy the omissions in the inquiry report. Overall, the department completed the inquiry untimely on November 29, 2023, 138 days from the date the Centralized Screening Team received the complaint on July 14, 2023, and 48 days beyond the department's goal.

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OIG Case Number 24-0075938-INQ

Rating Assessment **Poor** 

#### **Case Summary**

On July 24, 2023, officers allegedly failed to obtain a medical evaluation of an incarcerated person after he slipped and fell during a physical altercation with another incarcerated person and lost consciousness.

#### **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 obtain all records of departmental policy and procedure relevant to the allegations and include those records as supporting exhibits to the inquiry report. The investigator did not interview an officer and a nurse who appeared in video-recorded evidence and failed to explain the reasoning behind that decision in the inquiry report. The investigator also failed to retrieve the body-worn camera recordings of the officer who accompanied the examining nurse. Further, the investigator failed to identify one or more subjects even though there was clear video-recorded evidence showing three officers interacting with the incarcerated person during the allegation time frame.

Finally, the investigator unreasonably delayed the inquiry, completing the final interview on September 29, 2023, but failing to complete the inquiry report until December 4, 2023, 66 days thereafter. The Office of Internal Affairs' Allegation Investigation Unit manager reviewed and approved the inquiry report as adequate but failed to identify and remedy the omissions in the inquiry. Overall, the department completed the inquiry untimely on December 10, 2023, 125 days after the Centralized Screening Team received the complaint on August 7, 2023, and 35 days beyond the department's goal.

OIG Case Number 24-0073313-INQ

Rating Assessment **Poor** 

#### Case Summary

On September 2, 2023, an officer allegedly attempted to manipulate a nurse into making false claims against an incarcerated person. Additionally, officers allegedly harassed and tormented the incarcerated person causing him fear. Finally, officers allegedly manipulated their body-worn cameras.

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#### **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 that officers harassed and tormented the incarcerated person and failed to properly operate their body-worn cameras, which are allegations 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 Affair's Allegation Investigation Unit manager, and the hiring authority failed to identify allegations of harassment and failure to comply with body-worn camera policy, which are allegations in the Allegation Decision Index and should have referred the allegations to the Office of Internal Affairs' Allegation Investigation Unit for an investigation. The investigator also failed to inquire into the incarcerated person's allegations of harassment and torment during the interview and failed to pursue the incarcerated person's statement that officers manipulated their body-worn cameras. The investigator also failed to obtain all records of departmental policy and procedure relevant to the allegations and include those records as supporting exhibits to the inquiry report. The investigator failed to interview the officer based on a reliance on video-recorded evidence. In addition, the investigator only requested three minutes of video-recorded evidence and did not explain in the inquiry report the basis for requesting such a short amount of video-recorded evidence, which exacerbated the investigator's failure to interview the officer. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify and resolve the omissions in the inquiry report and improperly approved the inquiry report as adequate. The hiring authority reviewed the inquiry report and improperly found the inquiry sufficient to determine a finding for the allegations. The hiring authority should have returned the inquiry to the investigator to follow up on these outstanding issues.

OIG Case Number 24-0075934-INQ

lating Assessment **Poor** 

#### Case Summary

On September 23, 2023, and September 24, 2023, an officer allegedly allowed several incarcerated persons to watch another incarcerated person use the bathroom and bathe.

#### **Case Disposition**

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

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#### **Overall Inquiry Assessment**

Overall, the department performed poorly. The investigator failed to obtain and include all records of departmental policy and procedure relevant to the allegation. The investigator failed to obtain and include in the inquiry report the work schedule of the officer who was the subject of the inquiry which could have provided a more accurate time frame regarding the alleged misconduct. Additionally, the investigator failed to notify the officer in writing that she was the subject of the inquiry and failed to interview the officer and any witnesses. The investigator also failed to review the two previous complaints the incarcerated person submitted against the officer. The Office of Internal Affairs' Allegation Investigation Unit manager approved the investigator's inquiry report as adequate despite that the investigator failed to include relevant policies and procedures related to the alleged staff misconduct, failed to retrieve security video and body-worn camera recordings, failed to review the incarcerated person's prior grievances against the officer, and failed to interview the officer. The hiring authority determined the inquiry was adequate and rendered a decision despite the investigator's omissions in the report.

OIG Case Number 24-0073363-INQ

Rating Assessment **Poor** 

#### **Case Summary**

On October 6, 2023, and October 7, 2023, an officer allegedly refused to deliver a medical meal tray to an incarcerated person. The officer allegedly kept the incarcerated person's cell door open and watched the incarcerated person shower for five minutes. Additionally, when the incarcerated person initiated a hunger strike, two other officers and a psychiatric technician allegedly failed to follow hunger-strike protocol.

#### **Case Disposition**

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

#### **Overall Inquiry Assessment**

Overall, the department performed poorly. Although the investigator conducted a thorough inquiry, the investigator failed to reference and include in the inquiry report the departmental policy and procedure standards related to the alleged misconduct regarding sexual harassment. The investigator also improperly classified two officers and a psychiatric technician as witnesses rather than subjects of the inquiry, which led the investigator to issue the incorrect advisement of rights to the three staff members. The Office of Internal Affairs' Allegation Investigation Unit manager approved the investigator's inquiry report even though the investigator failed to include in the inquiry report the departmental policy and procedure standards related to the alleged

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misconduct regarding sexual harassment and misclassified three subjects of the inquiry as witnesses.

OIG Case Number 24-0075629-INQ

Rating Assessmen Satisfactory

#### Case Summary

Between October 14, 2023, and October 15, 2023, an officer allegedly threw away an incarcerated person's personal property that he left unattended in the dayroom.

#### **Case Disposition**

The hiring authority conducted an inquiry and determined that the conduct did occur, but the actions were justified, lawful, and proper.

#### **Overall Inquiry Assessment**

Overall, the department performed satisfactorily.

OIG Case Number 24-0074616-INQ

Rating Assessment **Poor** 

#### **Case Summary**

On October 30, 2023, two officers allegedly used inappropriate language toward an incarcerated person after he requested assistance from another incarcerated person to transport his medical meal. One of the officers allegedly retaliated against the incarcerated person for submitting complaints against medical and canteen staff.

#### **Case Disposition**

The hiring authority conducted an inquiry and found insufficient evidence to sustain the allegation against the first officer and failed to respond to the allegation against the second officer.

#### **Overall Inquiry Assessment**

Overall, the department performed poorly. The Centralized Screening Team failed to properly review the complaint and should have conducted a clarifying interview with the incarcerated person who submitted the complaint to determine if the allegation constituted staff misconduct listed in the Allegation Decision Index which would have required a referral to the Office of Internal Affairs' Investigation Unit for investigation. The investigator failed to reference and include in the inquiry report the departmental policy and procedure standards related to the alleged misconduct. The investigator

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failed to address the allegation that a second officer also used inappropriate language toward the incarcerated person and failed to interview him as a potential subject of the inquiry. The investigator also failed to address the allegation that the first officer's conduct was in retaliation for prior grievances the incarcerated person filed against medical and canteen staff. The Office of Internal Affairs' Allegation Investigation Unit manager failed to identify the omissions in the inquiry and approved the investigator's inquiry report as adequate.

OIG Case Number 24-0073861-INQ

Rating Assessmer **Satisfactory** 

#### **Case Summary**

On November 8, 2023, three officers allegedly targeted incarcerated persons based on their religion and denied one incarcerated person entry into the dining hall because he would not remove his religious headgear. One officer also allegedly used profanity toward the incarcerated person.

#### **Case Disposition**

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

#### **Overall Inquiry Assessment**

Overall, the department performed satisfactorily.