



During August 2023, the OIG's Centralized Screening Monitoring Team randomly selected, and opened, 490 grievances for monitoring. This document presents **four** notable cases monitored and closed by the OIG during August 2023.

OIG Case Number
23-0060035-CSMT

Rating Assessment
Poor

Incident Summary

On April 26, 2023, an officer allegedly planted a mobile phone in an incarcerated person's cell and issued the incarcerated person a false rules violation report. On May 25, 2023, during escort to the related disciplinary hearing, the senior hearing officer and a second officer allegedly antagonized the incarcerated person. The senior hearing officer allegedly denied the incarcerated person's due process and wrongly found him guilty of the violation. On August 16, 2023, during a clarifying interview with the incarcerated person, he alleged that the senior hearing officer said, "Let's hurry up and get this over with," and that the second hearing officer said, "It's not smart to piss off the person who is hearing your case."

Disposition

The department's Centralized Screening Team (CST) routed the dispute of the rules violation report back to the prison as a routine issue. The screening team failed to identify allegations that an officer planted evidence and staff antagonized the incarcerated person during the escort to his disciplinary hearing. The OIG elevated the matter to CST and recommended a clarifying interview and that the allegation regarding the planting of evidence be referred as staff misconduct on the Allegation Decision Index. Following the OIG's elevation, the CST opened a new grievance log regarding the alleged antagonizing statements and routed it back to the prison as a routine issue. However, CST failed to address the allegation that staff planted evidence. The OIG did not concur with the scope of the CST's new grievance log and the issues identified in the new grievance log.

Case Rating

Overall, the department performed poorly. The screening team failed to identify the allegations that an officer planted evidence and staff antagonized the incarcerated person during the escort to his disciplinary hearing. The OIG elevated concerns with the screening team's decisions on July 20, 2023, July 28, 2023, and August 14, 2023. On August 16, 2023, 19 business days following our first email, the screening team conducted a clarifying interview about the alleged antagonism, not about the alleged planting of contraband. The screening team opened a new grievance log to





address the allegation that the senior hearing officer and another officer antagonized the incarcerated person during the escort to his disciplinary hearing. However, the screening team only routed the allegation as a routine issue and failed to address the alleged planting of evidence entirely.

Although the complaint contained insufficient detail about staff allegedly planting evidence and making antagonizing remarks to the incarcerated person during the escort to a disciplinary hearing, the screening team did not conduct a clarifying interview until August 16, 2023, 25 business days after the initial screening decision on July 12, 2023, and following three requests for consideration by the OIG. The clarifying interview was incomplete because the screener only asked questions about the antagonizing statements but failed to ask any additional questions about the staff planting evidence in the incarcerated person's cell.

OIG Case Number
23-0061520-CSMT

Rating Assessment
Poor

Incident Summary

On July 25, 2023, a physician allegedly retaliated against an incarcerated person by discontinuing his medication because the incarcerated person filed staff misconduct grievances against the physician and reported the physician for inappropriately sharing confidential medical information. The physician allegedly falsified documents in the incarcerated person's medical record.

Disposition

The department's Centralized Screening Team (CST) determined the allegation did not include allegations of staff misconduct and routed the grievance back to health care staff to address routine issues. The OIG did not concur. The screening team failed to identify and address the alleged retaliation for reporting staff misconduct. Although the OIG elevated the screening team's decision, the CST inappropriately maintained that the grievance did not include an allegation of staff misconduct and interpreted the allegation as a routine disagreement with treatment.

Case Rating

Overall, the department performed poorly. The screening team failed to appropriately address an incarcerated person's allegation that a physician retaliated against the incarcerated person for filing staff misconduct grievances and reporting staff misconduct. Following the OIG's elevation, screening team administrators inappropriately maintained their position that the alleged staff misconduct was a routine disagreement with medical treatment, despite acknowledging the incarcerated person had open complaints against the physician and had reported Health Insurance Portability and Accountability Act violations against the physician.



OIG Case Number
23-0062052-CSMT

Rating Assessment
Poor

Incident Summary

On August 4, 2023, a physician allegedly held an appointment with an incarcerated person on a public patio within hearing range of other incarcerated people, rather than in the physician's office. The physician allegedly failed to properly treat the incarcerated person following a shoulder surgery and ignored the incarcerated person's request to adjust his insulin.

Disposition

The screening team routed an allegation of staff misconduct on the Allegation Decision Index to the hiring authority for a local inquiry. The OIG elevated the matter and recommended that the case be referred to the Office of Internal Affairs' Allegation Investigation Unit as an allegation of staff misconduct given the allegation that the physician had inappropriately shared a patient's private health information. CST reviewed the OIG concern and responded that they believed the incarcerated person "ambushed" the physician, and ". . . there was no deliberate action by the provider to have this encounter (if it did occur) to be done in the building patio." CST's response made assumptions about the behavior of both the incarcerated person and the physician, assumptions that the incarcerated person lied about the encounter and that the physician did not intend to share the incarcerated person's health information, which clearly showed CST's bias in the screening process.

Case Rating

Overall, the department performed poorly. The screening team identified that a physician allegedly shared an incarcerated person's confidential medical information in a public place, in front of other incarcerated people. However, the screening team referred the allegation to the hiring authority for a local inquiry rather than to the Office of Internal Affairs' Allegation Investigation Unit for an investigation.

OIG Case Number
23-0062096-CSMT

Rating Assessment
Poor

Incident Summary

On August 4, 2023, a sergeant allegedly grabbed and attempted to break an incarcerated person's wrist while the incarcerated person was in handcuffs and waist restraints. The sergeant allegedly then failed to obtain medical attention for the incarcerated person.



Disposition

The screening team referred the allegation to the hiring authority for a local inquiry rather than to the Office of Internal Affairs' Allegation Investigation Unit for an investigation. The OIG did not concur because the incarcerated person made a clear allegation of excessive force.

Case Rating

Overall, the department performed poorly. The screening team referred an allegation of excessive force (staff misconduct on the Allegation Decision Index) to the hiring authority for a local inquiry. On August 18, 2023, the OIG elevated the screening decision and recommended the allegation that a sergeant attempted to break the incarcerated person's wrist be referred to the Office of Internal Affairs' Allegation Investigation Unit for an investigation. Following an elevation, the screening team elected to uphold their decision, and stated, in part, that the incarcerated person's perception of staff misconduct is insufficient for a referral without described behavior. In response to the OIG's elevation, the CST administrators said, "When handcuffed behind the back, staff at times may grab the inmate's wrist and just above the elbow for the same arm while escorting. Although this may be perceived as force by an inmate, this is not considered force until pressure is applied. In the same way, claimant has not let us know if any pressure was applied, if the Sgt squeezed, etc, or if they just perceived the intent of grabbing the wrist was to break it. At this time, claimant's allegation is perception without any overt behavior described." Notably, the institution's Office of Grievances disagreed with the screening team's decision to refer the allegation to the hiring authority and requested CST refer the case to the Office of Internal Affairs' Allegation Investigation Unit for an investigation.