



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 regular mail, phone calls (toll-free

hotline), and web inquiries through our website, which can exceed 800 complaints a month. Below are six complaints that the Intake Processing Unit reviewed and closed as of May 2024. These cases highlight the OIG's impact and efforts to resolve the complainants' concerns.

Incident Date

August 22, 2023

Case Type

Classification Issue

Mission

Division of Adult
Institutions: General
Population Males

OIG Case Number

24-0072964-PI

Complaint Summary

On January 31, 2024, the OIG received a mail complaint from an incarcerated person (complainant) who alleged a classification error had been made, which restricted him from using a computer. The error disqualified him from any job or vocational assignment that required access to a computer.

OIG Actions

The OIG reviewed prison records, departmental policy, regulations, and penal code requirements. We found that a classification committee had placed the restriction on the complainant because an incorrect commitment offense that restricts computer access had been cited from the California Penal Code. Based on the OIG's assessment, the complainant should not have been restricted from a vocational assignment that required computer usage.

The OIG reviewed the related grievance submitted by the complainant and identified that the Office of Grievances' (OOG) response cited the incorrect penal code requirement for computer crimes and improperly restricted the complainant's access to or ability to work on a computer for a possible vocational assignment. The complainant appealed the OOG's decision to the Office of Appeals (OOA). However, the OIG determined that the OOA did not sufficiently assess and review the appeal before it closed the complaint. On February 16, 2024, the OIG referred the complainant's concerns to the OOA to reconsider the initial response.

Disposition

On February 22, 2024, the OOA provided an amended response to the complainant and directed the OOG to open a new grievance and refer the claim back to the classification committee for review to determine whether the computer restriction was valid. On March 21, 2024, the OOG opened a new grievance, and on April 18, 2024, the grievance was granted because the OOG had inappropriately applied the computer restriction. On April 16, 2024, the complainant was heard by the classification committee, and the complainant's restriction from computer usage was lifted.





Incident Date

June 22, 2023

Case Type

Mail Operations

Mission

Division of Adult
Institutions: General
Population Males

OIG Case Number

24-0075175-PI

Complaint Summary

On March 1, 2024, the OIG received a voicemail complaint from an incarcerated person who alleged that mailroom staff had inappropriately refused to deliver his mail that included a map of a city within the state of Kansas.

OIG Actions

The OIG identified the related grievance, appeal, and related documents. On June 22, 2023, the incarcerated person's grievance was received by the Office of Grievances (OOG). The grievance stated the aerial city map within Kansas was nowhere near any state prison. On July 12, 2023, the OOG refused to deliver the map to the incarcerated person because it determined the map was within a 10-mile radius of a Kansas correctional facility. The complainant appealed the OOG's decision to the Office of Appeals (OOA). On September 18, 2023, the OOA granted the appeal requesting that the OOG open a new grievance and substantiate whether the map was within a 10-mile radius of a facility.

A new grievance was assigned, and on November 15, 2023, the OOG again denied issuing the aerial map, claiming the map was within a 10-mile radius of a correctional facility. The complainant appealed the OOG's decision to the Office of Appeals (OOA); however, the OIG determined that the OOA had not sufficiently assessed and reviewed the appeal before it closed the complaint.

The OIG reviewed departmental regulations that prohibited incarcerated people from possessing a map depicting any area within a 10-mile radius of a correctional facility. Our review found that the distances shown in the aerial map were outside of the 10-mile radius of any nearby correctional facility. The OIG determined that the prison had used a mapping application that provided accurate distances when measured directly within the application. However, the distances to nearby correctional facilities in Kansas were distorted and appeared closer than 10 miles away when the map was converted to a PDF.

On March 14, 2024, we shared our findings with the OOG, and requested reconsideration of the previously denied grievances and appeals because the aerial map appeared to comply with departmental regulations.

Disposition

On March 21, 2024, the prison's mailroom supervisor agreed with the OIG's findings and provided the withheld mail including the map to the incarcerated person.



Incident Date

March 21, 2024

Case Type

Transfer Issue or Transfer Requests; Safety Concern

Mission

Division of Adult Institutions: High Security

OIG Case Number

24-0077036-PI

Complaint Summary

On March 25, 2024, the OIG received a voicemail complaint from an incarcerated person, who alleged he was going to be transferred to another prison where he had safety concerns and was at risk of being assaulted.

OIG Actions

The OIG identified and reviewed the related grievance and classification documents. The OIG found that because a yard was going to be deactivated, a captain had notified the incarcerated person on March 21, 2024, that he was being transferred to another prison. The incarcerated person stated in a grievance received by the Office of Grievances (OOG) on March 26, 2024, that over several days, beginning on March 21, 2024, he had notified a correctional counselor, a lieutenant, a captain, and the investigative services unit, of his imminent safety concerns if he were to be transferred to the other prison. Nevertheless, the incarcerated person was subsequently transferred to the other prison on March 27, 2024.

The OIG searched the historical “backfile” documents and found a confidential investigation memorandum from March 2011 indicating that the incarcerated person had safety concerns at the prison in which he had been transferred.

On March 27, 2024, the OIG notified the warden at the prison where the incarcerated person had recently been transferred of the safety concerns and provided the warden with the information found in the confidential memorandum.

Disposition

On March 27, 2024, the incarcerated person was promptly placed in the restricted housing unit due to the safety concerns the OIG had shared with the warden. On March 28, 2024, the incarcerated person was returned to the prison from which he had transferred from the previous day.



Incident Date

March 19, 2024

Case Type

Contraband; Rules
Violation Report

Mission

Division of Adult
Institutions: High Security

OIG Case Number

24-0076480-PI

Complaint Summary

On March 19, 2024, the OIG received two anonymous voicemails from an incarcerated person alleging that incarcerated people in four separate cells were in possession of mobile phones.

OIG Actions

We reviewed the prison's housing data and found that three of the prison's cells housed six incarcerated people who had previously received rules violation reports for the possession of a mobile phone in the past year.

On March 20, 2024, the OIG notified the hiring authority of the alleged contraband mobile phones, along with the housing-cell numbers provided by the anonymous source. On March 25, 2024, the OIG reviewed prison records, but found no documentation that a cell search had been conducted or that any mobile phones had been discovered. Thus, on March 27, 2024, the OIG followed up with the hiring authority to determine what actions, if any, had been taken based on the OIG's notification.

After the OIG's subsequent contact, the prison notified the OIG that the search that had been conducted on March 27, 2024, resulted in the discovery of one mobile phone in one of the four housing cells that had been searched. A rules violation report was issued to the incarcerated person for possession of a mobile phone. Of note, the cell search was conducted seven days after we had initially notified the prison of the alleged contraband mobile phones.

Disposition

Although the incarcerated person who possessed a mobile phone received a rules violation report, the rules violation report was ultimately dismissed because of a due-process violation by departmental staff. On April 9, 2024, an officer provided the incarcerated person with a copy of the rules violation report, and a senior hearing officer was not assigned until May 8, 2024. The rules violation report hearing took place on May 13, 2024, more than 30 days after the rules violation report was provided to the incarcerated person. Thus, because of staff's due-process violation, the incarcerated person did not incur discipline.



Incident Date

March 10, 2024

Case Type

Safety Concern

Mission

Division of Adult
Institutions: Female
Offender Programs and
Services/Special Housing

OIG Case Number

24-0076808-PI

Complaint Summary

On March 21, 2024, the OIG received a voicemail complaint from an incarcerated person (complainant) alleging a safety or enemy concern with another incarcerated person, but the department failed to resolve the concern. The complainant stated that after reporting the safety concern, the complainant was placed in the restricted housing unit at another prison. Departmental staff then attempted to return the complainant to the same facility with the other incarcerated person.

OIG Actions

The OIG reviewed prison records and identified a confidential memorandum dated March 10, 2024, documenting the complainant's safety concerns. The sergeant who conducted the review determined that the complainant was unreliable and that the safety concerns were unsubstantiated. Therefore, no steps were taken to confidentially separate the complainant and the incarcerated person.

On March 16, 2024, another investigator interviewed the complainant at the same prison for a separate safety concern. This investigator identified the complainant as a reliable source. Thus, the investigator documented that the complainant was an enemy of the third incarcerated person.

The OIG reviewed departmental policy and identified a concern with the department's conclusion. On March 22, 2024, the OIG notified the hiring authority of the complainant's possible safety concerns with the other incarcerated person. Furthermore, the OIG requested that the prison reevaluate the complainant's safety concerns to determine whether they warranted a confidential offender-separation alert with the other incarcerated person.

Disposition

Following the OIG's notification to the hiring authority on March 22, 2024, there was no documentation indicating that the prison had reevaluated the complainant's safety concerns. The complainant was transferred to another prison in May 2024. Although the complainant and the other incarcerated person are currently housed at different prisons, the safety concern appears unresolved.



Incident Date

January 31, 2024

Case Type

Prison Rape Elimination
Act: Incarcerated Person
on Incarcerated Person

Mission

Division of Adult
Institutions: Female
Offender Programs and
Services/Special Housing

OIG Case Number

24-0077289-PI

Complaint Summary

On March 28, 2024, the OIG received a mail complaint from a third party alleging that a transgender women (PREA aggressor) housed in a female prison sexually assaulted another incarcerated person (PREA victim).

OIG Actions

The OIG immediately reviewed prison records and determined that the department had first become aware of this Prison Rape Elimination Act (PREA) allegation on March 6, 2024, and initiated PREA protocols. During the investigation, the date of the alleged incident was determined to be January 31, 2024. The alleged PREA aggressor was housed in the prison's restricted housing unit on February 1, 2024, due to an unrelated matter. The department completed its PREA investigation on March 21, 2024, before the OIG received the complaint, and the allegations against the PREA aggressor were sustained.

On March 28, 2024, the complaint was referred to the OIG's Field Investigations Monitoring Unit (FIMU) to monitor the Institutional PREA Review Committee (IPRC). The OIG's review of the IPRC is to include, in part, whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.

Disposition

On April 5, 2024, a classification committee hearing was held for an Involuntary Gender Identity Based Transfer and Department Review Board Referral consideration in accordance with the Transgender Respect, Agency, and Dignity Act. The committee endorsed the transfer of the PREA aggressor to a male prison on April 19, 2024.