

**Overview of Monthly Activity**

*The Bureau received 102 complaints during the month of June 2013.*

*116 complaints were closed*

*4 required more information to proceed with an investigation*

*51 were closed due to lack of Bureau jurisdiction*

*17 were referred back to the DOC*

*44 complaints were investigated*

*3 assists were given (referred back to DOC for action, however, the offender did not attempt to resolve with the facility previously)*

*9 complaints were substantiated (see below)*

*32 unsubstantiated*

*13 complaints remain open (4 from May; 9 from June)*

**Substantiated Complaints & Recommendations to IDOC for Resolution****1. Westville Correctional Facility**

<b>Complaint Type</b>	<b>Medical Care (mental health code)</b>
<b>Complaint Summary</b>	The offender was recently coded as a mental health code of “c” at the Reception Diagnostic Center (“RDC”), but he has always been an “a” code.
<b>Basis for Claim</b>	HCSO – 4.15- Mental Health Status Classification Assignments for Adult Offenders
<b>Investigative Summary</b>	The Bureau contacted and met with facility medical personnel and expressed concerns over the code being changed.
<b>Outcome</b>	Mental health code was reviewed and changed to an “a”.
<b>Follow-up</b>	The Bureau will follow-up in 30 days to ensure that code is changed.

**2. Wabash Valley Correctional Facility**

<b>Complaint Type</b>	Legal – Access to Courts
<b>Complaint Summary</b>	Offender contacted the Bureau because he says that the law librarian denied him filing papers with the court clerk. He complained that she told him that he could no longer send them through the mail, but she refused to send the papers on his behalf.
<b>Basis for Claim</b>	IDOC Access to Courts 00-01-102
<b>Investigative Summary</b>	The Bureau contacted the facility and Ms. Hinton indicated that she misunderstood the new policy. She thought that she needed consent from the offender to e-file his paperwork and that it would take much longer for him to file it himself through the mail.
<b>Outcome</b>	The Bureau instructed the offender to resubmit the paperwork to Ms. Hinton.
<b>Follow-up</b>	The Bureau will follow up with facility in 60 days to confirm facility's compliance with IDOC policy.

**3. Reception Diagnostic Center (“RDC”)**

<b>Complaint Type</b>	Religious – personal property
<b>Complaint Summary</b>	Outside interest group contacted the Bureau regarding the cutting of a Rastafarian's dreads at RDC.
<b>Basis for claim</b>	IDOC Offender, Grooming, Clothing, Hygiene policy 02-01-104 and Handbook of Religious Beliefs and Practices.
<b>Investigative Summary</b>	The Bureau reviewed the policy and contacted Director of Religious Services Dave Liebel. Policy 02-01-104 states that hair should be cut in accordance with the Handbook of Religious Beliefs and Practices. The Handbook says that haircuts upon intake should be in accordance with 01-03-101 the Development and Delivery of Religious Services.

When referencing this, however, it provides a circular reference back to the Handbook.

**Outcome** Director Liebel will redraft 01-03-101 so that the references do not provide a circular reference.

**Complaint Follow-up** The Bureau will follow-up with Director Liebel in 30 days to review the status of the policy update.

#### **4. Wabash Valley Correctional Facility**

**Complaint Type** Religious – personal property

**Complaint Summary** Offender is an MSTA (Moorish Science Temple of America) and complained of several policies that he did not believe were being implemented properly for MSTAs including lapel pins that are approved for MSTAs to keep in their property, but are being confiscated. Also, he complained that the approved Star and Crescent Medallion is no longer made and no medallion can be purchased that meets the description of the approved medallion.

**Basis for Claim** 01-03-101 the Development and Delivery of Religious Services.

**Investigative Summary** The Bureau contacted the Director of Religious Services Dave Liebel. We reviewed the complaints and policies and Director Liebel investigated the matters further.

**Outcome** Policy will be updated to prohibit the lapel pins due to safety and security. Pins are not usually acceptable items for offenders to possess and present security concerns. The Director directed facility personnel to allow for MSTAs to be in possession of the star and crescent medallion, even if it does not meet the specific criteria outlined in policy due to the one outlined in policy no longer being available. Director Liebel will further update policy to reflect the medallion that is available and acceptable under said policy.

**Complaint Follow-up** The Bureau will follow-up with Director Liebel in 30 days to review the status of the policy updates.

**5. Miami Correctional Facility**

<b>Complaint Type</b>	Medical Care
<b>Complaint Summary</b>	The offender contacted the Bureau concerning use of a wheelchair. He was denied the use of a wheelchair by Corizon Regional Medical Director, despite being classified as a “C” medical code since 2011. The facility doctor said that if his request for a wheelchair was denied, then he would have to stay in the infirmary. He was in the infirmary for a month prior to his denial of the wheelchair. While in the infirmary, he was on a walker, but he says that he is unable to use a walker to go to chow from a housing unit.
<b>Basis for Claim</b>	According to HCSD 2.14 a “C” medical code indicates a mobility or ambulation impairment
<b>Investigative Summary</b>	The Bureau contacted the facility who in-turn contacted Rebecca Hess, Corizon’s Northern Regional Director.
<b>Outcome</b>	The Bureau received response from Vice President of Corizon Chris Duffy indicating that Corizon Medical Director Dr. Mitcheff further reviewed the matter and determined that a wheelchair was appropriate for meals only, given that he had already been moved to the closest dorm to chow.
<b>Complaint Follow-up</b>	Quality check to ensure offender is doing well with wheelchair and dorm environment in 30 days.

**6. Westville Correctional Facility**

<b>Complaint Type</b>	Medical Care
<b>Complaint Summary</b>	The Bureau was contacted by a family member of an offender concerning the offender getting medical care for benign nodules in his throat that causes his breathing to be restricted during the night. He says that it has become much worse in the past year since he was last evaluated and has submitted a healthcare request form, but was not scheduled for further care.

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<b>Basis for Claim</b>	Access to Care HCSD 2.04
<b>Investigative Summary</b>	The Bureau contacted the Healthcare Administrator at the facility.
<b>Outcome</b>	After further review by the provider, Offender is being sent out to an offsite referral.
<b>Complaint Follow-up</b>	Quality check in 30 days to ensure offender received treatment pursuant to DOC policy and is responding well to the same.

### **7. Westville Correctional Facility**

<b>Complaint Type</b>	Visitation – Temporary Leave
<b>Complaint Summary</b>	Family members of offender contacted Bureau regarding letting their family member, who is incarcerated, attend the offender's father's funeral. They claim that they attempted to contact the facility via their attorney, but were told that the request would be denied due to shortage of staff.
<b>Basis for Claim</b>	02-04-104 Temporary Leaves for Adult Offenders
<b>Investigative Summary</b>	The Bureau contacted the Superintendent of the facility, as well as Deputy Commissioner James Basinger.
<b>Outcome</b>	Deputy Commissioner Basinger reviewed the matter and determined that the offender was able to attend the funeral.
<b>Complaint Follow-up</b>	Quality check within in 30 days to ensure facility is properly reviewing requests for temporary leaves.

### **8. Wabash Valley Correctional Facility**

<b>Complaint Type</b>	Disciplinary Action – Back pay
<b>Complaint Summary</b>	The offender contacted the Bureau regarding receiving back pay for a conduct report that was expunged in February. He contacted the DOC legal department in Central Office, who dismissed the case, as well as the Superintendent and Matt Loehr, but did not receive any responses.

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<b>Basis for Claim</b>	02-04-101 The Disciplinary Code for Adult Offenders
<b>Investigative Summary</b>	The Bureau contacted Rich Larsen at the facility and Lee Hoefling, Administrative Assistant, further reviewed the matter.
<b>Outcome</b>	The offender was awarded back pay.
<b>Complaint Follow-up</b>	Follow up in 30 days to ensure that offender has received back pay.

### **9. New Castle Correctional Facility**

<b>Complaint Type</b>	Visitation – Visitation With Minor Restriction “VMR”
<b>Complaint Summary</b>	Offender contacted the Bureau regarding his VMR that is preventing him from having visitation with his minor child. The denial was based on his current sex offense being with a minor.
<b>Basis for Claim</b>	02-01-102 Offender Visitation
<b>Investigative Summary</b>	The Bureau contacted DC Basinger regarding the restriction and met to discuss the matter.
<b>Outcome</b>	After further review, Central Office was allowing one special visit to occur and future visits would be determined after this.
<b>Complaint Follow-up</b>	The Bureau will follow-up concerning the special visit and future visits within 30 days.

### **Follow-up From Previous Months**

#### **May 2013**

##### **1. Pendleton Correctional Facility – Confinement Condition**

**Synopsis:** Temperatures in G housing unit were in the low 50s due to the heat being shut off.

**Follow-up:** Spoke with facility and they had further reviewed matters to ensure they would be able to handle temperature fluctuations in the future.

**2. Indiana State Prison – Visitation**

**Synopsis:** Gate closure placed on offender for “all current and future visitors”.

**Follow-up:** D.C. Basinger is further monitoring this with the facility.

**3. Liberty Hall – Confinement Conditions**

**Synopsis:** Offender was put into holding cell at the facility and claimed that he was not fed, given toilet paper, or medications and that the cell had no heat.

**Follow-up:** The Bureau drafted a new log that the facility has implemented. The facility has sent the Bureau completed logs in the new format and the logs were much more detailed. The Bureau considers this matter closed.

**4. Reception Diagnostic Center – Offender’s Safety**

**Synopsis:** Complaining offender does not want to be placed with another offender who was at Putnamville due to a history between the offenders. Complaining offender claims that he has been threatened by this offender in a previous incarceration and the two escaped from a juvenile detention center together.

**Follow-up:** Internal Affairs investigated the matter and found that monitoring was appropriate given the history between offenders. The Bureau checked on the monitoring within 30 days and did not find the monitoring to be in place. The Bureau followed up with IA, who ensured the Bureau that the monitoring should have been put in place and they would follow-up on the issue with the facility. The Bureau will follow-up with Internal Affairs again within 30 days.