



**POLICY AND ADMINISTRATIVE
PROCEDURE**
Manual of Policies and Procedures

Title

THE OPERATION OF THE OFFICE OF INTERNAL AFFAIRS

| Legal References (includes but is not limited to) | Related Policies/Procedures (includes but is not limited to) | Other References (includes but is not limited to) |
|--|---|--|
| IC 11-8-2-5(a)(2); 11-8-2-5(a)(8); 11-11-5-1 <i>et seq.</i> 11-11-6-1(a)(5) | 00-01-101 02-04-101 03-02-101 04-03-103 | ACA: ACI: 4-4102, 4-4207, 4-4234 JTS: 3C-09 |

I. PURPOSE:

The purpose of this policy and administrative procedure is to establish guidelines for the operation of the Internal Affairs Section of the Department of Correction, governing the investigations of allegations of misconduct and serious violations of federal, state and local laws and Department policies and procedures by staff, offenders/students, contractors, volunteers, and civilians.

II. POLICY STATEMENT:

The Department of Correction shall establish an Internal Affairs Office that shall be responsible for conducting investigations of alleged misconduct by staff and offenders/students and assisting in maintaining safety and security in the Department's facilities. The Office of Internal Affairs shall report to the Department's Executive Director of the Legal Services Division.

The Office of Internal Affairs shall be responsible for ensuring that investigations are undertaken and reports made to the appropriate executive and administrative staff regarding all job-related allegations of misconduct and serious violations of federal, state and local statutes, as well as Department policies and procedures.

Staff shall be responsible to collect, secure, and maintain any evidence which may lead to either a disciplinary hearing or criminal prosecution. In order for physical evidence to be considered as evidence in disciplinary hearings or judicial proceedings, whether civil or criminal, against offenders, staff, or visitors, an appropriate Chain of Custody must be maintained and documented. The Office of Internal Affairs shall ensure that appropriate procedures are developed which will outline the collecting, protecting, tagging, submitting, storing, and the proper disposal of evidence. The Internal Affairs office at each facility shall be responsible for the receiving, transferring, and disposal of evidence.

The reports generated during investigations shall be considered confidential to the

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extent provided by State law and Department policies and procedures.

The Office of Internal Affairs shall cooperate with all external agencies when investigations are being conducted by that agency in accordance with applicable statutory authority. Additionally, all staff of the Department shall be expected to cooperate fully with staff from the Office of Internal Affairs and other external agencies when investigations are being conducted. Failure of staff to cooperate with these investigations may result in disciplinary action, up to, and including dismissal.

III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **ADMINISTRATIVE REVIEW:** A brief evaluation of a situation by the facility PREA Coordinator into an allegation of sexual abuse or sexual harassment that initially does not appear criminal in nature.
- B. **CHIEF INVESTIGATOR:** The staff person assigned to supervise the day-to-day operations of the Office of Internal Affairs and provide statewide operational supervision of field investigation units consistent with these procedures.
- C. **CIVILIAN:** Any person not employed by the Department or having status as a contract employee, volunteer, or offender/student.
- D. **CONFIDENTIAL INFORMANT:** A person who provides information relevant to an investigation and wishes to remain anonymous for safety and/or security reasons.
- E. **CONTRABAND:** An item, the possession of which is in violation of Indiana State law, federal statute, or a violation of Department policy.
- F. **DEPUTY CHIEF INVESTIGATOR:** The staff person assigned to Central Office with the responsibility of ensuring compliance with these procedures, managing Security Threat Groups and conducting investigations as applicable.
- G. **EMERGENCY:** Incidents involving the death of an offender, duty-related staff deaths, escapes, riots, and felony trafficking by staff or civilian.

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- H. **EVIDENCE:** Any item or items that support charges against staff, civilian, offender/student, volunteers, and contractors in facility hearings, boards, disciplinary actions, administrative hearings, or judicial hearings.
- I. **EVIDENCE RECORD:** The form completed to track the chain of custody of evidence (State Form 2287 [R2/8-98]).
- J. **EVIDENCE STORAGE AREA:** The area designated by the Superintendent for storage of evidence.
- K. **FACILITY INVESTIGATOR:** Staff person(s) at a facility assigned, either on a full-time, part-time, or case-by-case basis, to conduct investigations at the facility level.
- L. **FOREIGN NATIONAL:** Any offender/student who is committed to the Department who is not a citizen of the United States of America or who is not legally a permanent or temporary resident alien of the United States.
- M. **INTERNAL REMEDIES:** Policy, procedure, statutes, available to staff and offenders, including, but not limited to: Affirmative Action, grievance procedures, conduct hearing appeals and/or tort claims.
- N. **INVESTIGATION:** A systematic inquiry to determine facts.
- O. **MISCONDUCT:** Any violation of federal, State, local law, or Department policies and procedures.
- P. **OFFENDER/STUDENT:** An adult (offender) or juvenile (student) person committed to a department of correction (federal, state, or local) and housed or supervised in a facility either operated by the department of correction or with which the department of correction has a contract, including an adult or juvenile under parole supervision; under probation supervision following a commitment to a department of correction; in a minimum security assignment, including an assignment to a community transition program.
- Q. **PROHIBITED PROPERTY:** Any property item, other than contraband, that:
 - a. Is not specifically permitted by Department administrative procedures, or by a Superintendent of a specific facility;
 - b. Exceeds established limits;
 - c. Is misused or is used in a manner other than has been approved by the Superintendent or designee; or,

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d. Is in the possession of an unauthorized person.

- R. **REPORTING PARTY:** Any member of the public, staff, or offender population.
- S. **SEXUAL ASSAULT RESPONSE TEAM (SART):** A multi-disciplinary team developed to provide services to victims of sexual assault in conjunction with victim advocates, forensic examiners and prosecutors to aid in successful prosecution of perpetrators.
- T. **SEXUAL HARASSMENT:** Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, or gestures or actions of a derogatory or offensive sexual nature by one person directed toward another.

IV. DUTIES AND RESPONSIBILITIES:

- A. The Office of Internal Affairs shall establish a mechanism for the receipt, investigation, and resolution of offender and staff misconduct. The Office of Internal Affairs shall ensure that the integrity of the Department is maintained through a system of internal review in which fairness is assured by an objective and impartial investigation.
- B. The Office of Internal Affairs shall conduct investigations at the request of the Department's Executive Staff. During an Internal Affairs Investigation every member of the Department, regardless of rank, shall treat a request from a member of the Office of Internal Affairs as an order from the Commissioner. The Office of Internal Affairs shall have the authority to interview any staff person or offender and review Department records and reports relevant to any investigation.
- C. The Office of Internal Affairs shall investigate or review any allegation of misconduct that is a potential violation of the Department's policies and procedures. This obligation extends to acts of misconduct that are alleged to have occurred outside the Department's jurisdiction or while the subject was off-duty, and the alleged misconduct has a negative impact on the Department.
- D. The Office of Internal Affairs shall maintain a comprehensive central file on all investigations conducted by the Department whether investigated by the Office of Internal Affairs or investigative units at the facilities.
- E. Allegations or complaints received from anonymous sources, either by telephone, electronically, or in writing shall be reviewed, evaluated for

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any credible substance and, if found to provide sufficient information to cause “reasonable suspicion,” the information may be acted on.

- F. The Office of Internal Affairs shall assist in the coordination and operation of the Department’s and facility’s Criminal Activity Task Force and in investigative matters that impact the safety and security of the facilities, such as offender telephone monitoring, drug interdiction, etc.
- V. RESPONSIBILITIES OF THE CHIEF INVESTIGATOR:
- A. The Chief Investigator is available for assistance to all facilities on a 24-hour, seven (7) day per week basis in situations deemed to be an "Emergency." Each Superintendent shall be provided with the office, home, and cellular telephone number of the Chief Investigator.
- B. The Chief Investigator is responsible for:
1. Monitoring Internal Affairs investigations;
 2. Evaluating complaints or allegations for appropriate response;
 3. Providing investigative assistance to Superintendents, the Deputy Chief Investigator, and Facility Investigators;
 4. Reviewing and auditing Internal Affairs reports for completeness, uniformity, deficiencies, and ensuring that all concerns are shared with the appropriate person(s);
 5. Maintaining files and records of Internal Affairs investigations;
 6. Maintaining statistical data on Internal Affairs investigations;
 7. Conducting audits of facility investigation operations;
 8. Providing investigative assistance to outside agencies upon request;
 9. Supervising Deputy Chief Investigator(s), Intelligence Officer, Indiana Intelligence Fusion Center (IIFC) Watch Officer, and the Fugitive Apprehension Officer; and,
 10. Oversight of the Security Threat Group operations.

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VI. RESPONSIBILITIES OF THE DEPUTY CHIEF INVESTIGATOR(S):

- A. The Deputy Chief Investigator is available for assistance to all facilities on a 24-hour, seven (7) day per week basis in situations deemed to be an "Emergency." Each Superintendent shall be provided with the office, home, and cellular telephone number of the Deputy Chief Investigator(s).
- B. The Deputy Chief Investigator(s) is responsible for:
 - 1. Monitoring Internal Affairs investigations;
 - 2. Providing investigative assistance to Superintendents and Facility Investigators;
 - 3. Reviewing and auditing Internal Affairs reports for completeness, uniformity, deficiencies and ensuring that concerns are shared with appropriate person(s);
 - 4. Conducting audits of facility investigation and Security Threat Group operations;
 - 5. Providing investigative assistance to outside agencies upon request; and,
 - 6. Managing the Security Threat Group operations throughout the Department.

VII. RESPONSIBILITIES OF THE INTELLIGENCE/WATCH OFFICER

- A. The Intelligence/Watch Officer positions are responsible to gather intelligence data from Department facilities, interpret this intelligence data, and disseminate the data to the Indiana Intelligence Fusion Center (IIFC). These positions report to the Chief Investigator.
- B. The duties of these officers are:
 - 1. Serve as a liaison between the Department and the IIFC;
 - 2. Disseminate intelligence information to other law enforcement agencies and task forces as needed;
 - 3. Collect and disseminate open source material from press, broadcast media, the internet, and similar sources;

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4. Assist with criminal investigations as required, as well as developing raw information on Security Threat Group members and disseminating that information both internally and externally;
5. Disseminate characteristics and information regarding Security Threat Group feuds, treaties, alliances, and outside support groups to facilities;
6. Identify those individuals that pose or may pose a threat to facilities, staff, offenders/students, the State of Indiana, and/or the United States of America;
7. Coordinate the release of Department intelligence information to all outside sources; and,
8. Co-author the Monthly Intelligence Bulletin for internal release.

VIII. INVESTIGATING ALLEGATIONS OF MISCONDUCT:

- A. The Chief Investigator or designee shall review all requests for investigation, allegations, and complaints regarding staff or offender/student misconduct made by any source referred to the Office of Internal Affairs. If warranted, the Chief Investigator, or designee, shall refer said requests, allegations, and/or complaints to the Chief Investigator or cause the respective facility to conduct the investigation. The Chief Investigator or Deputy Chief Investigator may initiate an internal investigation upon notice to, or at the direction of, the Commissioner or designee.
- B. All Internal Affairs investigations shall be afforded the highest degree of confidentiality. Investigators, administrators, and all others involved in an investigation shall not discuss any aspect of any Internal Affairs investigation with any person not authorized to receive such information. Violation of this provision shall be grounds for disciplinary action.
- C. Staff and offenders/students are to exhaust all internal remedies (e.g., Affirmative Action, grievance procedures, appeals, etc.) prior to requesting an internal investigation unless the allegation or the circumstances of the case requires immediate action.
- D. All reports, documents, evidence, other material, or information relevant to any Internal Affairs investigation shall be processed and stored in a

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manner best suited to prevent unauthorized access, disclosure, or loss. All investigative reports are confidential to the extent provided by statute.

- E. All documentation and evidence related to any Internal Affairs investigation shall be clearly marked "CONFIDENTIAL." Documentation and evidence includes, but is not limited to, audio or video recordings, photographs, notes, and other investigative material. Such material shall be secured in a manner designed to prevent or reduce unauthorized access.
- F. Department staff shall not interfere with any investigation, whether internal or external, in accordance with Policy and Administrative Procedure 04-03-103, "Information and Standards of Conduct for Departmental Staff."
- G. In accordance with Policy 04-03-103, every staff member with knowledge of staff or offender misconduct shall report any such act to the proper authority and cooperate fully in the investigative process.
- H. Complaints and/or allegations regarding staff or offender misconduct may be submitted directly to the Chief Investigator, Executive Director of Adult Facilities, Executive Director of Youth Services, Deputy Commissioner, or the Commissioner.
- I. Allegations of misconduct shall be made in writing whenever possible. In those situations where, in the opinion of the reporting staff person, an emergency exists or an investigation may be compromised or jeopardized, a verbal report to any supervisor or administrator is acceptable. Although the initial reporting of an allegation may be done verbally, it shall be followed by a signed report or recorded statement.
- J. The investigator or other staff person assigned to conduct the investigation shall prepare the written report of the allegation and the investigative results.
- K. In the event the allegation of misconduct is submitted to Central Office by the Superintendent or a complaining party, the complaint shall be reviewed to determine if:
 - 1. The allegation is to be assigned for investigation by the Office of Internal Affairs; or,
 - 2. The allegation should be investigated at the facility level.

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- L. In the event the allegation of staff misconduct is determined to be non-job related and/or a violation of law, the reporting party shall be referred to an external agency (e.g., law enforcement). Internal Affairs shall provide assistance to those parties, facilities and/or agencies involved in these matters, if appropriate.
- M. If a violation of law has occurred and a warrant for the arrest of a staff member has been obtained, the Department may initiate appropriate disciplinary action consistent with Policy 04-03-103
- N. Internal Affairs shall interview the complainant, all known witnesses, and the subject, as well as review and obtain information and material. The procedures for interviewing staff subjects shall be as follows:
1. If there are criminal implications involved, the investigator, (with law enforcement authority) shall advise the suspect of their constitutional rights (Miranda) prior to any interview. The interview must be video and audio recorded. If the subject is being interviewed and statements or evidence arise that lead one to believe a criminal offense might have occurred, the interview must stop, the Miranda Rights must be read to the subject. At this point the video and audio recording of the interview is mandatory.
 2. Before the staff person's interview begins the investigator shall notify him/her of:
 - a. The nature of the complaint.
 - b. The name of the person in charge of the interview and the names of all persons who will be present during the interview.
 - c.. Requests for any investigative material may be made to the Superintendent upon conclusion of the investigation.
- O. Upon completion of interviews and all possible avenues of the inquiry have been completed; the Internal Affairs Investigator shall complete the following reports.
1. Investigation report: This is the objective report of all the investigative activity including all of the information obtained during the course of the investigation.
 2. Summary report: This report shall summarize the matter and provide recommended dispositions for each allegation. Possible disposition include the following:

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- a. Substantiated;
 - b. Unsubstantiated;
 - c. Referred to other agency; or,
 - d. Open.
3. Forward the completed reports to the Chief Investigator and Commissioner, Chief of Staff or Deputy Commissioner.

IX. INVESTIGATING SEXUAL ABUSE AND SEXUAL HARASSMENT:

A. Training

1. All investigators shall receive specialized training for conducting sexual assault and sexual harassment investigations in confinement settings. This training will include the following topics:
 - a. Interviewing sexual abuse victims;
 - b. Proper use of Miranda and Garrity warnings;
 - c. Sexual abuse evidence collection in confinement settings;
 - d. Criteria and evidence required to substantiate a case for administrative action; and,
 - e. Criteria and evidence required to refer a case for prosecution.
2. Investigators must be trained as SART members prior to completing investigations of sexual abuse or sexual assaults.

B. Investigation

1. A prompt, thorough, and objective investigation of sexual abuse and/or sexual harassment shall begin:
 - a. As outlined in Investigating Allegations of Misconduct (section VIII of this document);
 - b. Upon activation of a facility SART team; and/or,
 - c. If determined to be necessary following an administrative review.
2. If the alleged sexual conduct involves an offender under the age of eighteen (18), the incident shall be reported to the Child Protective Services as required in Policy and Administrative Procedure 03-02-103, "The Reporting, Investigation, and Disposition of Child Abuse and Neglect."

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3. Investigations of sexual abuse or sexual harassment shall be done promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.
4. Investigators shall:
 - a. Gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data;
 - b. Interview alleged victims, suspected perpetrators, and witnesses; and,
 - c. Review prior complaints and reports of sexual abuse involving the suspected perpetrator.
5. The Garrity warning shall be used when interviewing staff for simple fact-finding
6. An effort shall be made to determine whether staff actions or failures contributed to abuse or harassment.
7. It is required that two investigators be present during interviews, with at least one interviewer being of the same gender as the subject of the interview.
8. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as offender or staff. A Voice Stress Analysis exam is never to be used on an offender as a condition for proceeding with an investigation of a sexual abuse or sexual harassment report.
9. The substantiation standard for sexual abuse and sexual harassment administrative investigations is preponderance of the evidence. Substantiated cases that appear to be criminal in nature shall be referred for prosecution.
10. Departure of the alleged perpetrator(s) or victim(s) from employment or custody/supervision does not warrant termination of investigation. Outside law enforcement shall be contacted if this occurs.

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11. Consultation with the prosecutor's office or Indiana State Police is permitted at any time during the investigation. If deemed appropriate, Indiana State Police may assist in an investigation of an act of sexual abuse or sexual harassment reported to facility investigators. Facility investigators shall be responsible for the coordination of all investigations.
12. Follow up with an offender's allegation of sexual abuse or sexual harassment shall be done in accordance with Policy and Administrative Procedure 02-01-115, "Sexual Assault Prevention, Investigation, Victim Support, and Reporting."

C. Evidence and Case Reporting Procedures and Best Practices

All evidence and case reporting procedures shall remain consistent with Duties and Responsibilities for Evidence (section XII) and Case Reports (section XIII) of this document. Special attention shall be paid to the following procedures and best practices.

1. If a report is made within the ninety-six (96) hour time frame, in plain language, encourages victims to preserve bodily evidence by not showering, not brushing teeth, not having a bowel movement, or washing clothes.
2. If the situation warrants, ensure security of the crime scene. Possibly including but not limited to, involved parties clothing, bedding, and object(s) used for penetration. If necessary, ensure retrieval of new clothing for the victim after forensic medical exam is done without disturbing the crime scene.
3. In cases of sexual abuse, offenders shall be offered a forensic examination without financial cost, that is developmentally appropriate for youth when applicable, through a SANE or SAFE at a local hospital.
4. Each facility shall establish a written plan for ensuring proper chain of custody of sexual assault evidence collection kits (Rape Kits) from the hospital to the facility evidence room, or other secured location (e.g., evidence lab).
5. Play an active role in SART team actions and decisions including, but not limited to:
 - a. Responding to call;

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- b. Enhancing safety for victims, witness, and suspects;
- c. Pursuing medical examinations and necessary transport arrangement;
- d. All interviews, including compelled interviews;
- e. Chain of Custody needs; and,

An active role shall be played in any potential court or administrative process.

- 6. All reports shall be kept for the length of an offender's sentences or the length of the employee's employment plus five (5) years.

X. OFFENDER/STUDENT FACILITY HOTLINE:

The TIPS (Timely Information Promotes Safety) Line allows offenders/students to make calls to report crimes, both inside the facilities and in the communities, directly to an Investigator.

Each facility shall ensure that telephones used in the offender/student telephone program are programmed to permit offenders to call the TIPS Line. In order to use the TIPS Line, an offender/student will simply need to go to any of the Offender Telephone System telephones and dial # 80 (# 22 for juvenile facilities). These calls will be directed to Internal Affairs staff who can determine the most appropriate manner in which to process those calls for investigation.

The intent of the TIPS Line is to allow offenders/students to communicate information regarding past, present, or future criminal activity, either within the facility or in the community. The TIPS Line is to be used to communicate only credible information about serious events that pose a threat to the safety and security of Indiana communities and the Department. This information will be used to assist the Department and law enforcement agencies in on-going criminal investigations and improving safety in the communities and the Department. The TIPS Line is not to be used to present complaints about general conditions of confinement, quality of life issues, or to attempt to retaliate against staff for lawful actions taken in the course of their duties.

This service is available seven days a week and can be used any time that the offender/student has access to the Offender Telephone System. During regular business hours and at certain facilities, the offender's/student's call can be answered by an Investigator who will take information from the offender/student. If the call is made during non-business hours, the call will be directed to an answering machine or voice-mail and the offender/student will be instructed to leave a detailed message (including his/her name, DOC #, housing facility and the degree to which he/she will cooperate or furnish other information). These

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messages will be retrieved the next business day. On weekends and holidays, an Investigator or other designated administrative staff will monitor the calls at least once per day. All calls requiring investigative action shall be logged and reported on the monthly TIPS Hotline Report. The monthly report format will be provided to the facilities by the Office of Internal Affairs and those reports shall be due by the 5th of each month. The Investigator shall ensure that a copy of the report is provided to the Facility Task Force for review and discussion at its next meeting.

All serious allegations shall be investigated, and the evidence collected shall be fairly weighed. The Investigator or other administrative staff shall review all information obtained and either conduct an investigation or forward the information to the appropriate authorities for further review and action.

The facilities are to ensure that the procedures for using the TIPS Line are posted near the offender/student telephones. Also, the facilities are to ensure that information on the TIPS Line is added to the new staff and offender/student orientation programs.

Staff shall not hinder an offender's/student's ability to access the offender/student telephone TIPS Line, except during counts and in declared emergency situations. Offenders/students who abuse this service (such as providing deliberately false information or repeatedly calling with calls unrelated to criminal activity) shall be subject to disciplinary action.

Upon receipt of a hotline page, Division of Youth Services staff shall retrieve the message at the earliest opportunity. If the staff determines the call is an emergency, the staff person shall notify the on-duty Custody Supervisor and the Superintendent of the facility for further investigation. If the call is determined not to be of an emergency nature, the staff person shall notify the facility no later than the next business day. All calls received on the hotline shall be investigated by a facility staff person or facility investigator. Reports on the outcome of the investigation shall be forwarded to the Superintendent.

XI. INVESTIGATIONS OF CONTRACTORS:

When a Department staff person becomes aware of an alleged violation of the law or Department/facility procedures by a contractor or an employee of a contractor, the staff person shall report the alleged violation to the Superintendent. The Superintendent shall review the allegation(s) and determine what action, if any, is necessary.

In those cases where the allegation is sufficient to warrant immediate action (e.g., allegations of trafficking, abuse of staff or offenders, possession or use of alcohol/controlled substances, etc.), the Superintendent may have the contractor

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escorted from the facility as soon as possible and issue a “gate closure” against the contractor. In such cases, the Superintendent shall notify the appropriate Executive Director of Adult Facilities or Executive Director of Youth Services and the contractor’s employer and shall advise as to the allegations and that the allegations have not been substantiated. The Superintendent shall determine whether the contractor’s employer will investigate the allegations or whether facility staff should conduct the investigation. If the situation meets the criteria to be considered a “serious, significant or highly sensitive” incident, the Superintendent shall ensure that a “Report of Critical Incident” is completed and submitted in accordance with Department procedures.

When an investigation is necessary, the Superintendent shall follow the Department’s procedures for initiating an investigation by assigning the case to a facility investigator or notifying the Central Office Internal Affairs Office.

If an investigation is necessary, staff conducting the investigation shall follow all Department procedures regarding the conducting of investigations and shall ensure the confidentiality of the investigation. Any investigation of a contractor shall be conducted in the same manner as an investigation involving a Department staff person. Once the investigation is completed, the Superintendent shall review the results of the investigation and determine whether the allegations have been substantiated. The Superintendent shall advise the appropriate Executive Director of Adult Facilities or Executive Director of Youth Services and the contractor’s employer of the results of the investigation and what further actions shall be taken. The Superintendent may share the contents of the internal investigation with the contractor’s employer. Actions which may be taken include counseling the contractor regarding Department procedures and expectations, suspension from the facility for a specific period of time, barring the contractor from working in the facility, or recommending that the contractor be barred from further work within the Department. The Superintendent shall advise the Department’s Contract Compliance Division of the results and actions taken.

XII. DUTIES AND RESPONSIBILITIES FOR EVIDENCE:

A. Discovery:

The staff person discovering contraband or prohibited property shall be responsible for properly packaging, tagging the contraband/prohibited property and immediately delivering the item to Internal Affairs or to an approved temporary evidence storage area. The REPORT OF CONDUCT (State Form 39590) or REPORT OF INCIDENT (State Form 7212) is to be attached to the evidence bag. Additionally, if the contraband/prohibited property is seized from an offender/student or has been identified as belonging to an offender/student, State Form 36030, NOTICE OF

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CONFISCATED PROPERTY, shall be completed and copies distributed to the offender/student, the offender's/student's facility packet, and attached to the evidence bag.

B. Handling:

When packaging items, staff shall use a paper storage device, such as an envelope or sack, for delivery. All evidence delivered to either location shall be accompanied by State Form 2287, EVIDENCE RECORD, with a valid chain of custody attached. Chain of custody is imperative to ensure that any person who handled the evidence properly signs as to having handled the evidence. Staff shall not leave evidence unattended in an unsecured area. The fewer amount of people handling the evidence, the stronger the chain of custody. When packaging items for delivery to either location staff shall always make sure universal precautions are used and the outside of all packages containing sharp or pointed weapons, needles, syringes, etc., is clearly marked, "hazardous material," and sheathed to prevent accidental injury.

C. Delivery:

Delivery of evidence shall be directly to an Internal Affairs Officer or to an approved temporary storage area (evidence lockers). Temporary evidence lockers shall be in an area under continuous visibility to staff, under 24 hour video surveillance or in a high security area not accessible to offenders/students. Each temporary storage locker shall be equipped with a snap lock device to allow the staff member transporting the evidence to place it in the locker and secure the lock without using a key. Photographing for disciplinary hearings may be accomplished before delivery to the temporary lockers. Consumables such as food or liquid substances shall not be placed into evidence lockers. A photograph shall be taken and submitted in place of the actual evidence.

D. Retrieval:

An Internal Affairs staff member (required) and the Disciplinary Hearing Officer shall be responsible for retrieving, logging, storage, and destruction of all evidence. When retrieving evidence from the temporary lockers the Internal Affairs member shall identify and secure evidence to be retained by the Internal Affairs Section. The types of evidence to be retained by Internal Affairs are: weapons, escape paraphernalia, cell phones, STG material, tobacco (except small personal use amounts), narcotics, etc. The Disciplinary Hearing Officer shall take possession and be responsible for storage and destruction of all other evidence required

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for a disciplinary hearing and shall secure it in an area designated for disciplinary hearing evidence pending the actual hearing. The Internal Affairs member and Disciplinary Hearing Officer shall ensure the evidence card, the chain of custody, and the REPORT OF CONDUCT are properly completed. The Internal Affairs Department shall be the only staff authorized to have keys to the temporary evidence lockers.

E. Logging:

All Internal Affairs evidence shall be logged into a database with the corresponding case number as follows: (example 10-COA-0001). The first two numbers will note the year, the next three letters the facility, and the last series of numbers are to be assigned sequentially. A database or computer program will be used for the logging of the evidence and contain at a minimum the following information on the evidence card:

- Evidence number;
- Date Found;
- Description of evidence;
- Location found;
- Suspect name/doc number/title (if applicable);
- Staff member logging item; and,
- Date of destruction

This database shall be backed up on disc or other portable storage device on a monthly basis to prevent loss of data. If this is not accomplished a hand written log must be completed along with the digital log.

F. Storage:

After retrieval from the temporary storage lockers the Internal Affairs evidence shall be placed in a permanent evidence storage area. Access to this area shall be strictly controlled with in/out logs, Internal Affairs key access only, etc. Evidence shall be kept in the permanent evidence storage area and be retained as described later in this policy and administrative procedure.

Narcotics, Drugs, or Drug Paraphernalia shall be maintained in storage compartment separate from all other evidence. Narcotics storage must be secured behind three (3) separate locks to comply with Federal requirements. Narcotics shall be handled using a two (2) person rule. This means two (2) staff members must be present at any time narcotics evidence is transferred, or destroyed after the initial submission.

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Weapons shall be secured in a container separate from the narcotics in the same evidence locker.

Bio-Hazardous items may be stored in the permanent evidence area and kept in a bio-hazard approved container.

G. Retention:

The Evidence Officer shall maintain retention of evidence for the facility. With the exception of court ordered, possible civil action, tort claims, or Departmental requests to retain certain evidence the evidence shall be retained in the following manner.

- 30 day Retention: To be used when no name can be placed to the evidence. This evidence is usually found in common areas in the facility. These items shall be destroyed after 30 days of retention. Evidence relating to a Disciplinary Hearing Board (DHB) action on a charge not causing a grievous loss may be destroyed after a 30 day waiting period.
- 6 month retention: The reason for this length of time is due to Disciplinary appeals. This is evidence that was confiscated during shake downs of an offender/student and/or their property and the Hearing Officer sanctioned the offender/student to a grievous loss. In all cases digital photographs will be taken of the evidence/evidence card and stored electronically. Disposition of these items shall be in accordance with the administrative procedure for Policy 02-01-101, "Offender Personal Property."
- Long term evidence retention: This is for evidence that is linked to an Internal Affairs Investigation. This evidence shall be retained as long as deemed appropriate by the Evidence Officer and the Internal Affairs Supervisor. This shall include evidence to support outside criminal charges, relating to a civil case, or used in a staff disciplinary hearing.
- Staff clothing retention: This evidence shall be maintained as long as necessary if linked to an outside prosecution or a disciplinary hearing sanction of a grievous loss to an offender. If there is no prosecution the shift supervisor or the clothing officer will be notified to take possession. If clothing is not reusable the clothing

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should be burned during the next controlled destruction of evidence.

- Narcotics retention: Narcotics retention shall be determined by whether it is used in internal disciplinary proceedings or is evidence in an outside criminal case. When all appeals and outside proceedings have been satisfied the narcotics shall be inventoried and a control burn is to be completed by an investigator, a CPO, and/or the Safety Officer present.
- Video and Audio Evidence: Unless there are outside court needs for this type of evidence, retention shall be a maximum of two (2) years.

H. Destruction:

All steps in destruction of evidence shall be taken to prevent the evidence from returning back in to the general population or becoming accessible to the general public. Compacting, burning, or utilization of a disposal unit is the best method of destruction.

When disposing of evidence, staff shall look for items that can be recycled back into use such as offender/student or staff clothing, blankets, shoes etc. Electronic items that are in good condition, or have never been used, (e.g., TV's, electronic music storage devices, radios, etc.) may be considered for donation or used in a loaner program for offenders/students. The final decision on donations or loaner programs shall be with the approval of the Superintendent. Cell phones are to be shipped to a designated recycling center as approved by Central Office Administration

The facility electronic evidence log shall note the date the evidence was destroyed and any witnesses. After the electronic database is completed the destruction of the evidence and evidence cards may be completed. The electronic logs are to be retained a minimum of three (3) years. After the three (3) years the Internal Affairs supervisor may authorize the destruction or elimination of the logs in accordance with all applicable records retention schedules.

I. Outside Laboratory Assistance:

An outside laboratory may be needed for testing contraband materials. In all cases staff shall adhere to policies and practices put into place by the laboratory in delivering, documenting, and picking up the item(s).

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XIII. CASE REPORTS:

It is critical that all case reports generated by a member of Internal Affairs be well documented. These investigative reports may be used during an employment appeal or criminal prosecution. A case report shall detail all known information, how it was obtained, and why it is related to the case.

A case report is a permanent record that can/will be used by staff of the Department, as well as by outside agencies. It is essential that a person, other than the investigator, be able to read through a case report and understand fully the steps taken by the investigator and the evidence collected. In the end, the reader should be able to agree with or at least understand why the investigator drew his/her conclusion(s).

Jargon is not necessary. Words like "suspect", "victim", and "reporting party" are unnecessary and add to confusion when reading.

Each case report shall be proof read for grammatical errors, misspelled words, proper punctuation, etc. These reviews are important since these reports may be used in any criminal or civil proceeding. These errors could potentially damage the validity and accuracy of the report and, in some cases, reflect poorly on one's investigative abilities.

A good case report needs to be organized and provide a complete picture of the entire investigation. For example, the report should begin with a narrative of who initiated the investigation and a brief description of the incident. This is to be followed by a detailed explanation of each step the investigator took: e.g., who was interviewed; what did they say that was significant; what evidence was collected; what did the investigator do with the information received; what evidence is to be presented; and, a summary of each interview. Finally, the case report needs to summarize all the facts and information that supports the investigator's conclusion(s). If a case report is prepared properly, most people can read and understand the incident from start to finish and understand the investigation as well as the conclusion(s).

XIV. INTERNAL AFFAIRS CASE MANAGEMENT:

- A. All investigations shall be entered into the Internal Affairs Case Management (IACM) database, accessible on the State of Indiana Extranet.
- B. Each case report in IACM must be completed so that all information is a logical and formatted presentation. The principles and witness section

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clearly defines a person's role in the investigation case and the investigator must ensure all known particulars of each subject is complete. Each case must show the progression of the investigation from the assignment of the investigation to the conclusion of the case. The IACM will aid the investigator in presenting this format.

Any time new case information is obtained or developed the investigator shall go back into the IACM and indicate such. Once the prosecution is completed, the investigator shall make an entry indicating the outcome, including any sanctions.

See the Attachment for guidelines in entering information in the case reports.

- C. Each report shall be assigned a case number, as described below, in numeric sequence. All other required data fields indicated with an asterisk (*) on the database shall be completed when the case number is assigned.
 - 1. Year – 13
 - 2. Facility Designation – COA
 - 3. Number – 0000
- D. On conclusion of the case all information fields shall be completed, using the information accumulated during the course of the investigation. That information shall be printed out and made a part of the investigative file. The narrative and additional information contained within the database may serve as the investigative report, i.e. CVSA reports, minor offenses, intelligence, etc.
- E. The Chief Investigator shall be the database manager with the assistance of the Deputy Chief Investigator(s). All requests for access rights to the IACM database must be submitted to the Chief Investigator for approval.
- F. It shall be the responsibility of the assigned investigator to see that all case data is current and as complete as possible. It shall be the responsibility of the facility's Lead Investigator to audit the respective facility's IACM database at least monthly to ensure all entries are up to date. Access to the IACM database is limited to those individuals approved by the Office of Internal Affairs.
- G. The facility Lead Investigator may transfer or reassign cases to investigators within the facility. Transfer of cases or reassignment of cases between facilities shall be approved and completed by the Office of Internal Affairs.

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- H. The Lead Investigator has security clearance to access and “view only” cases assigned to investigators within the respective facility.
- I. The Internal Affairs Secretary has security clearance to access and edit all cases entered by investigators at the respective facilities. This clearance is dependent upon the specific request of the facility Lead Investigator.
- J. The Superintendent may have access (“view only”) to all investigative case information entered under the respective facility designation code. Security clearance will be granted upon request to the Office of Internal Affairs.
- K. All members of the Department’s Executive Staff shall be granted full access rights to all information contained on the IACM database, this access is limited to “view only.” Requests for access should be directed to the Office of Internal Affairs.

XV. CONFIDENTIALITY:

- A. The progress of Internal Affairs investigations and all supporting materials shall be confidential information.
- B. The contents of internal investigation case files shall be retained in the Office of Internal Affairs. The files shall be clearly marked confidential.

XVI. USE OF CONFIDENTIAL INFORMANTS:

The Investigator may use information provided by a confidential informant. However, the informant’s credibility must be established before his/her testimony may be used in a disciplinary proceeding. Informant credibility may be established by:

- A. Information provided on previous investigative matters, or,
- B. Independent evidence.

XVII. USE OF VOICE STRESS ANALYSIS:

Only certified examiners may conduct truth verification testing. Recertification may be accomplished through membership in, or the International Association of Voice Stress Analysts (IAVSA). The examiner’s parent facility shall be responsible for maintaining the examiner’s membership and re-certification training.

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The Voice Stress Analyzer (VSA) is designed to be used as an investigative tool, only. The investigator shall have gathered evidence, obtained relevant reports, and interviewed all known witnesses and suspects in the case. Once all avenues have been explored and an allegation or statement remains in dispute, the investigator may request a review and authorization for a VSA examination from Central Office Internal Affairs. Central Office Internal Affairs shall review the request and gathered evidence and make a recommendation to the Deputy Commissioner. If the Deputy Commissioner approves the request for a VSA examination, the investigator shall conduct the examination.

The investigator shall provide all investigative information to the VSA examiner for review prior to any testing. The examiner will review the information and determine if a VSA examination is appropriate.

The case investigator shall advise the intended examinee of the need for a VSA examination and ask the examinee if they will voluntarily participate in the examination. If the examinee agrees to participate, the examinee shall be required to sign a VSA release form. The examinee has the absolute right to decline the examination and understand that his/her refusal may not be used against him/her in any manner. The examination shall be strictly controlled by the examiner, limiting questions to administrative wrongdoing or criminal violations relevant to job related activities. In those cases where criminal proceedings appear to be imminent and the case is to be referred to a law enforcement investigation unit or to the Prosecutor's Office the investigator must consult with the Prosecutor's Office or the law enforcement agency to ensure the examination will not compromise their prosecution or investigation.

The results of the VSA examination shall be made a part of the investigative case file and shall be entered into the Internal Affairs Case Management (IACM) database.

XVIII. USE OF SURVEILLANCE EQUIPMENT:

When the Office of Internal Affairs receives information and/or evidence that an illegal activity or serious breach of safety/security is occurring, such information is to be carefully reviewed for accuracy. The credibility of the person(s) providing the information shall be established by determining the veracity of the information by established investigative methods, i.e. previous validation of the informant's credibility and/or some tangible evidence. The seriousness, severity and/or the legality of the alleged offense shall be considered as necessary components of the preliminary process in determining the best investigative methods to be utilized.

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If it is determined surveillance equipment would best serve to resolve the matter, the investigator(s) shall study the physical location(s) of the alleged violation(s). The investigator(s) shall determine what method of surveillance is to be utilized, if and when surveillance equipment can be installed and what time frame will be needed to accomplish the task.

The Investigator shall verbally communicate his/her findings to the Superintendent. If the Superintendent concurs with the Investigator's recommendation then the Superintendent and/or Investigator shall communicate the request for the use of surveillance equipment to the Office of Internal Affairs. The Chief Investigator or Deputy Chief Investigator shall study the information provided by the facility and either approve or reject the proposed course of action. The Central Office Investigator shall consult with the Commissioner, or designee, for the final approval of the surveillance request.

A notice shall be posted at all facilities indicating that persons may be subject to video surveillance consistent with the above procedures.

XIX. INTERNAL AFFAIRS RECORDS:

- A. Internal Affairs personnel shall maintain a secure filing system accessible only to unit personnel, the Executive Director of Legal Services Division, the Executive Director of the Division of Inspector General and Public Safety Liaison, the Commissioner, and Deputy Commissioners. Other personnel may be given access based on an as-needed basis after approval from the Commissioner or designee, or the Chief Investigator and/or Deputy Chief Investigator.
- B. Internal Affairs records shall be maintained in accordance with all established Records Retention Schedules. Records pertaining to felonies shall be maintained until all appeals have been satisfied. Records pertaining to homicides shall be kept minimally until all court and disciplinary actions have been completed, including all appeals.

XX. FACILITY INVESTIGATOR REPORTING RESPONSIBILITIES:

- A. The Facility Investigator shall conduct investigations of staff or offender/student misconduct and/or allegations or violations of law on facility property. Where the evidence suggests that a violation of law has occurred, the investigator, after notifying the Superintendent, shall notify the appropriate law enforcement agency and cooperate fully with the agency conducting the investigation.

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B. The Chief Investigator or Deputy Chief Investigator shall be notified of facility investigations that involve:

- The death of an offender;
- Duty related staff deaths;
- Cases that involve serious bodily injury to staff or offenders;
- Escapes;
- Felony trafficking by staff, offender or civilian; and,
- Investigations being conducted in conjunction with outside agencies.

The above notifications shall occur at the Investigator's earliest convenience.

The Chief Investigator or Deputy Chief Investigator shall advise the Commissioner or designee of any such notifications.

XXI. FACILITY CRIMINAL ACTIVITY TASK FORCE:

Each facility shall establish a Facility Criminal Activity Task Force. The Facility Task Force shall include:

- Superintendent;
- Assistant Superintendent/Operations;
- One (1) Internal Affairs representative;
- Custody Supervisor;
- Security Threat Group Coordinator; and,
- Other staff as designated by the Superintendent

The Superintendent shall ensure that a staff person is assigned to serve as the recorder at each meeting.

The Facility Task Force shall meet monthly or more often as necessary. Minutes of the meetings shall be prepared which shall include the topics discussed, plans of action or interdiction to be implemented, and other recommendations made by the Task Force to address security concerns. The minutes of the meetings shall be forwarded electronically to the Deputy Commissioner, Executive Director of Legal Services Division, Executive Director of Adult Facilities or Executive Director of Youth Services, the Executive Director of the Legal Services Division, and the Chief Investigator no later than the seventh working day of the following month. Staff shall continue to submit other reports required by Departmental administrative procedures, such as the monthly Security Threat Group report.

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The purpose of the Facility Criminal Activity Task Force shall be to oversee and make recommendations in the following areas:

A. Security Threat Group (STG) Activity

All monthly STG Coordinator reports shall be made available to the Facility Task Force during the monthly meetings. This information shall include a breakdown of STG membership by housing unit, recently confirmed STG members and a summary of STG related activities for the month.

B. Monitoring of Foreign Nationals

All foreign nationals shall be monitored to determine whether any potential threats are posed by these offenders/students and to ensure that the Department is effectively gathering and disseminating information or intelligence that is obtained to all appropriate agencies.

1. All offenders/students who are foreign nationals are to be identified by Classification staff at Intake and verified at the receiving facilities.

a. Staff shall advise the identified offender that he/she has the right to contact his/her foreign consulate.

b. Intake Unit staff shall notify the Division of Legal Services of any foreign nationals committed to the Department. This notification shall include:

- (1) Offender's name and DOC Number
- (2) Country of citizenship
- (3) Committing Offense and Sentence
- (4) Date admitted
- (5) Projected Release Date

c. The Division of Legal Services shall ensure that the foreign national offender's consulate is notified of the offender's commitment to the Department in accordance with the in rules established by the United State Department of State.

2. Any Classification/assignment change, disciplinary issue, or other significant change in the offender's/student's activity is subject to

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review by the Facility Task Force. The activities of foreign nationals shall be reviewed at least quarterly.

3. All visits, telephone calls, or other contacts with persons outside the facility shall be monitored and/or reviewed by the Facility Task Force, in accordance with applicable Department administrative procedures.
 - a. The Facility Lead Investigator shall oversee the monitoring of telephone calls to and from offenders/students identified as foreign nationals and shall determine which offenders/students are to be targeted for monitoring and the priority of the monitoring.
 - b. The Facility Lead Investigator shall maintain contact with the Indiana Department of Homeland Security to establish military and private sector contacts who are involved with the Department of Homeland Security and shall be familiar with the organizational structure and goals of the Intelligence Community in the United States which consists of:
 - (1) U.S. Army, Navy, Air Force and Marine Corps Intelligence elements
 - (2) Central Intelligence Agency
 - (3) Defense Intelligence Agency
 - (4) Department of Homeland Security
 - (5) U.S. Energy Department
 - (6) Federal Bureau of Investigation
 - (7) National Geospatial-Intelligence Agency
 - (8) National Reconnaissance Office
 - (9) National Security Agency
 - (10) U.S. Department of State
 - (11) U.S. Treasury Department
 - (12) U.S. Coast Guard
 - c. All information obtained at the facilities through the monitoring of foreign nationals shall be forwarded to the Office of Internal Affairs in Central Office. The Chief Investigator or designee shall review the information received and determine whether it contains information that may be a threat to the safety and security of the Department or a threat to national security. The Chief Investigator shall advise the appropriate Executive Staff if the information

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appears to be a threat to safety and security and, with the approval of the Executive Staff, shall forward the information to the Department of Homeland Security.

- d. The Office of Internal Affairs in Central Office shall serve as a central location for the receipt and storage of all investigative reports regarding foreign nationals.
4. A background check shall be completed on all visitors to a foreign national in accordance with the administrative procedures for Policy 02-01-102, "Offender Visitation," and the results of the check shall be forwarded to the Facility Task Force for review.
5. The monitoring of specific foreign national offenders/students based upon apparent security concerns shall be initiated only with the approval of the appropriate Executive Director of Adult Facilities or Executive Director of Youth Services.

In cases where it appears that a specific foreign national requires additional monitoring, the Facility Investigator shall consult with the Superintendent to explain the rationale for the monitoring. If the Superintendent approves the need for additional monitoring, the Superintendent shall submit a confidential report to the appropriate Executive Director of Adult Facilities or Executive Director of Youth Services explaining the findings of the Investigator and the need for the monitoring.

6. The STG Coordinator at the facility shall be responsible for the intelligence gathering process at the facility. The information process shall include:
 - a. The monitoring of offenders/students designated as primary targets for monitoring.
 - b. The collection of information in a foreign language by using:
 - (1) Facility staff with a demonstrated fluency in the language and the ability to translate the information in a time and accurate manner.
 - (2) Other agencies in the Indiana Department of Homeland Security.

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(3) Military Units whose members possess language skills, as determined by successful completion of the Defense Language Aptitude Program.

(4) Selected personnel from universities.

c. The STG Coordinator shall process all information collected through the monitoring of offender telephone calls and ensure that it is shared with the Facility Task Force as necessary.

d. The Facility Task Force shall ensure that all information shared by the STG Coordinator is forwarded to the Chairperson of the Department's Task Force for appropriate distribution.

C. Drug/Contraband Interdiction Efforts

Each facility shall submit information on a monthly basis of all drugs and prohibited property/contraband confiscated during the month. This information shall include information on the offenders allegedly involved in the possession or trafficking of these items into the facility. The Facility Task Force shall review this information as well as the Critical Incident Monitoring and Mapping data, urinalysis reports, intelligence information, and any other data relevant to the interdiction efforts.

The Facility Task Force shall make recommendations to curtail the flow of narcotics. These recommendations may include:

- Increased shakedowns of high intensity drug trafficking areas,
- Enhanced security procedures for the offender visitation area(s),
- Revision of the facility's entrance and exit procedures,
- Changes in the facility's perimeter surveillance,
- Increased telephone monitoring of persons suspected of trafficking or dealing in prohibited property/contraband or drugs

The Facility Task Force shall work in conjunction with the Internal Affairs Office of the facility and the facility's Custody Supervisor or designee to implement searches of staff at shift changes in accordance with these and other Department administrative procedures. These searches shall be beyond the routine searches conducted of staff and others entering the facility and may include the use of cellular telephone detection equipment

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and K-9 units. The Facility Task Force shall determine the frequency of these searches.

Additionally, the Internal Affairs Office of the facility shall identify a "Top 10" list of offenders/students suspected of dealing in cellular telephones, drugs, tobacco or other prohibited property/contraband. The offenders/students on these lists shall be subjected to:

- More frequent searches and shakedowns of their property;
- Increased monitoring of their telephone calls;
- Video surveillance of their visits (where possible);
- Relocation to an area where staff can observe their movement more closely;
- Additional sanctions in accordance with the appropriate disciplinary code; and,
- Referral for prosecution if found with these items.

The Facility Task Force shall monitor all of these activities and shall ensure that Department policies and administrative procedures are followed in dealing with these offenders/students.

The Facility Task Force shall ensure that these activities are included in the monthly report submitted to the Superintendent, Executive Director of Adult Facilities or Executive Director of Youth Services, the Executive Director of the Legal Services Division, the Executive Director of the Division of Inspector General and Public Safety Liaison, and the Chief Investigator.

D. K-9 Deployment

The Facility Task Force shall review all security concerns where the increased use of Department K-9 units would aid in curtailing or stopping breaches of security at the facility. Increased use of K-9 units trained in the detection of tobacco or drugs may be considered in areas such as perimeter areas, parking lots, industry areas and other points where the opportunity exists for tobacco or drugs to be smuggled into the facility. Additionally, K-9 units may be used in strategic locations or points of entry or in areas where items may enter the facility such as the Mailroom or Warehouse delivery areas.

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E. Visiting Room Security

The Facility Task Force shall ensure that the Department's administrative procedure for Policy 02-01-102, "Offender Visitation" is implemented correctly in the facility. Additionally, the Facility Task Force shall periodically inspect the visiting area(s) and ensure that security is being maintained when visits are conducted.

F. Entrance/Exit Security

The Facility Task Force shall review the facility's operational procedures for Policy 02-03-103, "Facility Entrance/Exit Procedures," to ensure that the facility is adhering to the Department's administrative procedure. Special attention shall be taken to ensure that persons entering the facility are being adequately searched and that searches are being conducted in accordance with the administrative procedure for Policy 02-03-101, "Searches and Shakedowns."

G. TIPS/Hotline Calls

See Procedure VIII above.

H. Protective Custody Requests

Copies of all requests for Protective Custody shall be forwarded to the Facility Task Force for review. The Facility Task Force shall review the request to determine the nature of the request and whether sufficient information is provided. Additionally, the Facility Task Force shall ensure that the administrative procedure for Policy 02-01-107, "The Use and Operation of Protective Custody," is followed.

I. Accusations of Extortion

All accusations of extortion by offenders/students or staff shall be forwarded to the Facility Investigator for investigation. The Investigator shall conduct an investigation into the allegation. A copy of the allegation and investigation shall be presented to the Facility Task Force.

The Facility Task Force shall review all such reports and investigations and determine what action will be appropriate to ensure the safety of the individuals involved and the security of the facility. The Facility Task Force shall determine whether the accusation is based upon issues involving prohibited property/contraband or potential trafficking.

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J. Mailroom and Parcel Package Delivery Security

The Facility Task Force shall ensure that facility procedures/directives are developed which ensures that all parcel deliveries and offenders/students correspondence are searched by K-9 units, trained facility staff, and/or Ion Scan equipment.

These facility procedures/directives shall include:

- A central location for the delivery of all parcel packages and deliveries other than U.S. Mail;
- Routine deployment of K-9 units for tobacco and drug searches of parcels prior to the parcels being released to the identified destination;
- All offender mail coming through the U.S. Mail shall be opened and inspected in accordance with the administrative procedures for Policy 02-01-103, "Offender Correspondence;" and,
- Offender mail should be subjected to searches by K-9 units, x-rays, and/or Ion Scan detection equipment periodically.

Activity reports shall be filed with the Chairperson of the Facility Task Force. These reports shall be completed each time a search is conducted and shall include the results of the search.

K. Security and/or Intelligence-Based Technology

The Facility Task Force shall ensure that frequent reviews are conducted of relevant literature and other materials to determine advancements in the technology that may be used to make the facilities more secure. Members of the Facility Task Force shall ensure that new advancements are brought to the attention of the Task Force and considered for implementation in the facilities. The Task Force shall determine whether new technology should be reviewed or researched and whether the Department should pilot the use of the technology.

L. Offender/Student Telephone Monitoring

The facility Internal Affairs Office shall ensure that offender/student telephone calls are monitored in accordance with the administrative procedure for Policy 02-01-105, "Offender Telephone Privileges."

At facilities using offender telephone call monitoring staff, these staff shall conduct a review of the calls to randomly selected numbers to

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determine if any illegal activity or other threats to the safety and security of the facility is found. A weekly activity report shall be prepared and submitted to the Lead Investigator at the facility and to the chairperson of the Facility Task Force.

Additionally, the Internal Affairs Office shall provide a list of suspected or known prohibited property/contraband dealers in the facility. The calls of the offenders/students on this list shall be monitored and a report on the findings of the monitoring shall be submitted to the Lead Investigator at the facility and to the chairperson of the Facility Task Force.

M. Referrals for Criminal Prosecution

The Lead Investigator of the facility shall prepare a monthly report of investigative cases and submit this report to the Superintendent, Central Office Internal Affairs, and the chairperson of the Facility Task Force. All investigative cases that are suspected of involving criminal activity or are obvious criminal activity shall include information on any action taken to refer the case to an outside law enforcement agency or to a local Prosecutor’s Office. The monthly report shall also include updated activity on cases previously referred to outside law enforcement or for criminal prosecution.

XXII. APPLICABILITY:

This policy and administrative procedure is applicable to all Department staff and facilities.

signature on file
Bruce Lemmon
Commissioner

Date