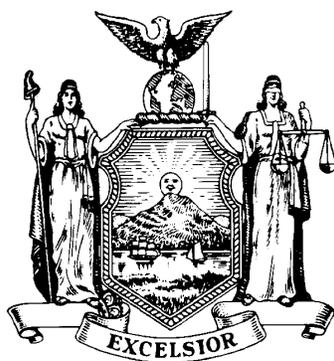


State of New York
Offices of the Inspector General



Inspections of New York State Department of
Corrections and Community Supervision
Correctional Facilities and Investigation of Former
Clinton Correctional Facility Employee Denise Prell

August 2018

Catherine Leahy Scott
Inspector General

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EXECUTIVE SUMMARY

In the wake of the New York State Offices of the Inspector General's investigation and report on the 2015 escape of David Sweat and Richard Matt from Clinton Correctional Facility, which found that complacency and lax supervision enabled a civilian employee of the prison's tailor shops to engage in an intimate relationship with the two inmates and provide them the tools for their escape, the Inspector General worked closely with the New York State Department of Corrections and Community Supervision (DOCCS) to ensure that recommended corrective measures to address deficiencies found at DOCCS and Clinton Correctional Facility were implemented.¹ DOCCS undertook a robust review of identified policies and procedures not only at Clinton Correctional Facility but also at correctional facilities across the state, implementing substantial security measures and enhancing civilian and correction officer training, among other improvements. Additionally, the Inspector General continued to audit, monitor, investigate and conduct unannounced inspections at DOCCS correctional facilities, including Clinton Correctional Facility, the results of which are reported herein.

On October 3, 2017, during the course of ongoing monitoring of DOCCS facilities, the Inspector General received information from DOCCS Office of Special Investigations (OSI) that during an unrelated internal investigation it discovered that Denise Prell, a civilian employee working in Tailor Shop 5 at Clinton Correctional Facility, was involved in an inappropriate relationship with an inmate. After investigating the allegations with the New York State Police (State Police), the Inspector General found that Prell was engaged in an ongoing romantic relationship with the inmate at both Clinton and Elmira Correctional Facilities from May through September 2017.

The investigation also found that while working as an industrial training supervisor 2 in Tailor Shop 5, Prell introduced contraband into the prison by giving the inmate \$100 cash, and the two engaged in an unlawful romantic relationship, which included kissing and fondling on at least three occasions. Additionally, the investigation found that Prell made bi-weekly deposits into the inmate's prison account while he was incarcerated at both Clinton and Elmira Correctional Facilities and paid an outstanding debt of the inmate's to another inmate's relative. It was further found that the two regularly communicated by telephone, mail, and the exchange

¹ See, Investigation of the June 5, 2015 Escape of Inmates David Sweat and Richard Matt from Clinton Correctional Facility: https://ig.ny.gov/sites/default/files/pdfs/DOCCS%20Clinton%20Report%20FINAL_1.pdf.

of notes and cards in the shop. Notably, the investigation found that the two took steps to hide their relationship through Prell's use of a fictional identity—Gwendolyn Freeman—and her purchase and use of a TracFone, a prepaid, no-contract cellular telephone. During interviews by the State Police and the Inspector General, both Prell and the inmate admitted to the relationship and the conduct described above.

Prell was terminated from her employment with DOCCS on September 20, 2017. The findings of the Inspector General and State Police's investigation were referred to the Clinton County District Attorney's Office, and on October 4, 2017, Prell was arrested by the State Police and charged with one count of Promoting Prison Contraband in the First Degree, a D Felony; 23 counts of misdemeanor Official Misconduct; and one count of Sexual Abuse in the Third Degree, a misdemeanor. On March 22, 2018, Prell was arraigned on a Clinton County grand jury indictment containing the abovementioned charges. On August 28, 2018, Prell pled guilty in Clinton County Court before Honorable Judge William A. Favreau to one count of Promoting Prison Contraband in the Second Degree, 23 counts of Official Misconduct, and one count of Sexual Abuse in the Third Degree, all misdemeanors. Prell is scheduled to be sentenced on November 13, 2018.

While investigating Prell, the Inspector General found that although Clinton Correctional Facility has made a number of substantial changes to policy and practice in the tailor shops pursuant to recommendations made in the Inspector General's report on the 2015 escape, some security concerns still exist. The Inspector General, therefore, recommends that DOCCS assign no fewer than two civilian employees and two correction officers to Tailor Shop 5, the largest of the tailor shops; remove all unnecessary cages and other visual obstructions in the shop to provide security officers unrestricted views of the shop; replace the current door to the computer room with a door containing a window, enabling the security officer to observe those in the computer room at all times; and install fixed cameras and monitors in the shop.

The Inspector General also found that despite significant changes to civilian training policies and practices, civilian employees continue to commence their employment in prisons without having first completed vital training regarding inmate manipulation of staff. Notably, the Inspector General previously identified this deficiency and made this same recommendation in the post-escape report. The Inspector General, therefore, again recommends that DOCCS ensure all civilian employees have completed all core training prior to commencing work in a facility. In addition, the Inspector General recommends that the period between civilian

“refresher courses,” currently scheduled to occur every five years, be reduced to no greater than every two years.

The Inspector General also recommends that DOCCS provide training to civilians and correction officers on recognizing and reporting indicators of inappropriate relationships between staff members and inmates, like those found in both the Clinton escape and Prell cases.

The Inspector General and OSI’s unannounced inspections at Clinton Correctional Facility found that DOCCS implemented many of the recommendations made by the Inspector General in response to the 2015 prison escape. Substantial improvements in equipment and protocols for facility security, inmate monitoring, and employee accountability were evident, including the installation of an electronic system to record rounds conducted by correction officers of inmate cell blocks, use of thermal imaging devices to detect the presence of inmates in their cells, and the installation of sensors and alarms in the cell block catwalks and tunnels beneath the prison, among other improvements. However, during the inspections, the Inspector General and OSI discovered evidence that correction officers working overnight shifts in some blocks were continuing to neglect their primary duty—ensuring that inmates are in their cells, alive and well. This evidence included the discovery of more than six working contraband television sets with cable connections in cabinets within officers’ areas in the cell blocks close to cushioned chairs, folded mattresses, pillows, alarm clocks and even a portable hammock.

In response to the Inspector General and OSI’s findings during the unannounced inspection of Clinton Correctional Facility, the administration of Upstate Correctional Facility conducted an unannounced facility inspection and found evidence that several correction officers working the overnight shift were neglecting their duties. Indeed, a pillow, sheets, and bedrolls in the basement beneath the prison’s infirmary were discovered. Additionally, in the same location, a fan/heater, alarm clocks, and a flashlight hidden in an HVAC duct were also found. DOCCS’s review of surveillance camera footage of the area revealed two correction officers working the overnight shift visited this area for periods of up to five hours during their eight-hour shifts. Notably, these officers were also found to own and operate outside businesses during their off-duty hours, which may have interfered with their ability to perform their duties responsibly during overnight shifts. Subsequent investigation by the Inspector General found that these two correction officers, a roundsman and a rover, neglected their assigned duties by spending hours in the basement location. Additionally, a second rover and a vacation relief watch commander admitted to “hanging out” in the prison’s infirmary for lengthy periods of time. In testimony

under oath to the Inspector General, they admitted to sleeping during their visits to the infirmary and basement, but only briefly.

The Inspector General recommends that DOCCS examine the duties and responsibilities of roundsmen, rovers, and vacation relief watch commanders at its facilities to ensure services are being provided as required and that inmates, staff and facilities are safe and secure. Additionally, the Inspector General recommends that DOCCS take disciplinary action as appropriate against the roundsman, rovers and vacation relief watch commander.

The Inspector General also found that DOCCS policy regarding outside employment exempts “self-employed individuals” from being required to seek approval for their outside activities. This exemption may not adequately allow for DOCCS to determine if outside employment by its employees “would adversely or has adversely affected the employee’s performance of duties, or if the facts and circumstances of such employment are contrary to the best interests of the Department.” The Inspector General therefore recommends that DOCCS examine this policy and ensure it does not negatively impact the safety and security of inmates, staff and facilities.

The Inspector General and DOCCS OSI, as part of a continuing review of DOCCS correctional facilities, also conducted an unannounced inspection of Taconic Correctional Facility in Bedford Hills, New York. This inspection included a search for contraband in all employee areas of the prison, the frisking of employees arriving for night and morning shifts, and a search of employee work lockers for contraband. Although no significant deficiencies were found in contraband control, as a result of the inspection, DOCCS pursued discipline against those employees implicated. DOCCS also filled the prison’s vacant position of deputy superintendent for security, drafted a corrective action plan, and scheduled Central Office staff to meet with facility management on the matter.

Lastly, the Inspector General and DOCCS OSI conducted an unannounced inspection of Wende Correctional Facility, which is located in Alden, New York. During a search of employees leaving the facility at shift change, their facility lockers, and employee areas within the facility, several contraband items were found. DOCCS subsequently pursued disciplinary action. The inspection also found the administration responsive and those areas searched within Wende Correctional Facility to be clean and orderly. Of note, periodic searches by

administration of employee lockers at the facility likely contributed to the orderliness of the locker rooms and the low incidence of contraband found there.

The Inspector General commends DOCCS for all corrective actions taken to date to ensure the safety and security of facilities, inmates, and staff.

In response to the Inspector General's investigation and report, DOCCS advised it accepted the findings and will continue to implement recommended changes. With respect to the findings at Upstate Correctional Facility, DOCCS reported it suspended without pay and filed Notices of Discipline against seven employees, including the four who neglected their assigned duties by spending hours in the prison's infirmary and a basement beneath the infirmary.

BACKGROUND

Denise Prell Employed as a DOCCS Industrial Training Supervisor 2 in Tailor Shop 5

Denise Prell began her employment with DOCCS at Clinton Correctional Facility on September 8, 2015, just over three months after the prison escape of David Sweat and Richard Matt, and was assigned as an industrial training supervisor 2 in the tailor shops. According to Prell's résumé, she worked as a designer and seamstress since 1999, and operated her own sewing business, Prell's Custom Designs, from 2005 to 2015. At the time of her hire, DOCCS mandated that Prell participate in 40 hours of training to familiarize her with Clinton Correctional Facility and to learn her job duties and responsibilities. Prell later completed additional required "Career One Training," which includes a course entitled "Recognizing, Evaluating and Controlling Aggressive Behavior (RECAB). The RECAB course is designed, in part, to help civilian employees recognize and report inmate manipulation. In total, DOCCS provided Prell over 200 hours of training in her first two years of employment at Clinton Correctional Facility.

As an industrial training supervisor 2, Prell was responsible for training inmates in garment manufacturing, tailor shop and departmental rules, safety practices, and production and behavioral expectations. After working in various tailor shops, in January 2016, Prell was assigned to Tailor Shop 5, but also received temporary assignments to other tailor shops substituting for absent civilian employees. In Tailor Shop 5, Prell and a second civilian supervised inmates while they cut material for garments. Security in Tailor Shop 5, the largest of the tailor shops measuring approximately 330 feet long and 63 feet wide, is maintained by a single correction officer. An inmate instructor, the highest paid inmate position in the tailor

shops, serves as a liaison between the shop civilians and the inmates and coordinates shop work. Weekday shifts at the shop ran from 7:45 a.m. to 3:45 p.m. On occasion, overtime was offered to tailor shop staff and inmates on Saturdays between 8:00 a.m. and 2:00 p.m. On overtime shifts, Tailor Shop 5 is supervised by one correction officer and one civilian.

A Haircutting Incident Reveals Prell's Relationship with an Inmate

On Monday, September 18, 2017, a correction officer reported to her supervisor that she had observed an unusual interaction between a civilian employee and an inmate on Thursday, September 14, 2017, while she was assigned to provide security in Tailor Shop 4. According to the correction officer, on that date she heard Prell, who had been temporarily assigned to Tailor Shop 4, state, "Hey, that was almost an inch." As the correction officer glanced up, she observed Prell sitting at her desk trimming her split ends with a scissor while three inmates stood nearby. At that time, the correction officer was unsure of the meaning of Prell's remark and the close proximity of the inmates. Upon reflection that weekend, the correction officer raised the issue with her spouse—who is also a correction officer—and he encouraged her to report the incident.

After the weekend, the correction officer notified her supervisor about the incident, and the supervisor directed the correction officer to ask Prell what had transpired. In response to the correction officer's inquiry, Prell advised that although she "did not think he would actually do it," an inmate had snipped a small lock of hair from her head with a scissor while he was at her desk. The correction officer notified her supervisor of this new information, and it was reported that same day to a captain, the watch commander, and the deputy superintendent of security. Prell was immediately removed from the shops and the inmate was interviewed about the incident. The matter was then brought to the attention of DOCCS OSI.

On September 19, 2017, OSI launched an investigation to determine if a relationship existed between Prell and this inmate, given both the inmate's inappropriate actions and Prell's nonchalant response. OSI's investigation, which was both rapid and comprehensive, discovered no evidence of a personal relationship between Prell and the inmate from Tailor Shop 4 who had cut her hair. However, OSI uncovered a lengthy, covert and personal relationship between Prell and the inmate instructor working in Tailor Shop 5. Specifically, OSI found evidence including Prell's use of a fictitious name, a secret cellular telephone, notes and letters between Prell and the inmate, a concocted inmate assault, gifts of money, and correspondence describing a secret kiss.

On October 3, 2017, OSI contacted the New York State Police and the Inspector General, and the instant investigation was commenced.

DENISE PRELL ENGAGED IN AN IMPROPER PERSONAL RELATIONSHIP WITH AN INMATE

The Inspector General's investigation found that Denise Prell engaged in an improper five-month relationship with an inmate while he was incarcerated at Clinton Correctional Facility and later at Elmira Correctional Facility. The inmate, who in January 2011 pled guilty to manslaughter for a 2008 killing in Brooklyn, had been incarcerated at Clinton Correctional Facility since April 2013 and was assigned to Tailor Shop 5 shortly after his arrival. In October 2015, the inmate was promoted to the position of tailor shop instructor and was responsible for training inmates on production duties and coordinating work to reach shop quotas. In August 2017, after falsely claiming he was assaulted by another inmate, the inmate was transferred to Elmira Correctional Facility. According to both Prell and the inmate, they had made plans to reside together after the inmate's release from prison.

In interviews before the Inspector General, Prell and the inmate described their early interactions in Tailor Shop 5 as businesslike, but stated that by the spring of 2017, their relationship had turned romantic. The Inspector General's investigation found that in May 2017, Prell and the inmate began engaging in personal conversations and leaving private notes for one another on a clipboard the inmate maintained for cutting projects in Tailor Shop 5. This exchange violated DOCCS directives governing personal interactions between staff and inmates. Of their discussions, Prell noted, "You can talk openly" in Tailor Shop 5, as "people don't know what you're saying because it's too big." Using the inmate's work clipboard, the two exchanged notes as well as "episodes" written by the inmate as part of a lengthy story. The notes and episodes, including some that the inmate described as "pornographic," went apparently unnoticed by shop security, the other shop civilian, and other inmates. Also in or around May 2017, according to the inmate, he asked Prell if she "would consider looking him up if he was moved to a different facility." She replied she would.

On May 31, 2017, the inmate added Prell to his telephone calling list under the alias "Gwendolyn Freeman," which, the two explained to the Inspector General, was a combination of Prell's middle name and the status—a free man—the inmate hoped to attain one day. According to both Prell and the inmate, at the inmate's suggestion, Prell then purchased a TracFone, a pre-paid, no-contract cellular telephone, on which she could receive telephone calls from the inmate

without discovery by Prell's husband. Once purchased, Prell provided the telephone number to the inmate on a piece of paper in the tailor shop and the inmate made his first call to Prell on June 10, 2017. Prell also purchased minutes on the inmate's prison telephone account under the name "Gwen Freeman." According to DOCCS telephone records, the inmate made 11 telephone calls to Prell while he was incarcerated at Clinton Correctional Facility and they spoke for a total of slightly more than four hours. This too violated DOCCS rules.

Also at the inmate's suggestion, Prell obtained a United States Postal Service post office box in Plattsburgh under her business name, Prell's Custom Designs, as well as her actual name. However, the two then discovered that mail to the post office box would only be accepted if addressed to the box holder by name, rather than an assumed name. As this would expose their relationship, the postal box remained unused by the inmate during the period he was incarcerated at Clinton Correctional Facility. The inmate began sending correspondence to "Denise Prell" at the postal box after he was transferred to Elmira Correctional Facility. Prell also mailed or gave the inmate over 25 cards and letters during their relationship, including a number mailed under her pseudonym Gwen Freeman.

In June 2017, in violation of prohibitions on contraband, Prell secretly gave the inmate a \$100 bill while the two were in Tailor Shop 5. The inmate had requested this money so that he could purportedly purchase a radio from another inmate who was being released from incarceration. According to Prell, she "slip[ped] the bill under some fabric." The inmate then "hid the money in his sock and used the money to purchase cigarettes to trade for the radio." Prell also gave the inmate food that she brought into the facility for herself. The inmate admitted that Prell gave him candy and beef jerky, which he found not to his liking and gave to another inmate. This other inmate confirmed this, stating that he saw the first inmate holding a Styrofoam cup filled with beef jerky shortly after the first inmate had met with Prell. Providing food to inmates is a violation of DOCCS's employee policy.

Between July 2017 and October 2017, Prell also made six bi-weekly deposits of \$50 into the inmate's prison account totaling \$300. Three of the deposits were listed as made by "Gwen Freeman," and three by "Denise Prell." According to the inmate, Prell also sent \$180 to another inmate's relative to pay a prison debt that the inmate had incurred while at Clinton Correctional Facility.

According to the inmate, as the romance continued, he began formulating a plan for the two to be together without being observed by security staff, civilians or inmates. Both Prell and the inmate began working overtime shifts on Saturdays when fewer inmates were in the shop and only one correction officer and one civilian were present. According to the inmate, he noticed that other inmates and the assigned shop officer were often distracted during the four daily periods when tools were either distributed or collected in the shop, and he thought this might provide time for him to meet privately with Prell. Another inmate advised the Inspector General that the machinery and cages in Tailor Shop 5 prevented security and civilian staff from observing all areas of the shop at all times, and many locations existed in the shop where one could remain unseen for periods of time.

According to security staff, the large size of the shop and the many visual obstructions (cages, machines, fabric rolls, etc.) made adequate supervision difficult. While Clinton Correctional Facility has installed cameras in Tailor Shop 5 in response to a recommendation by the Inspector General after the 2015 prison escape, no cameras or monitors were in the tailor shop at the time to assist the lone security officer in his duties. In addition, although two civilians were assigned to Tailor Shop 5, on many occasions one was transferred to fill a vacancy in another shop, leaving a single civilian in the shop.

While working in Tailor Shop 5 on two different Saturdays, Prell and the inmate were able to avoid detection by others and briefly kiss. According to the inmate, one day they were able to kiss at the beginning and end of the shift, while the second day they engaged in a long kiss and fondled each other's upper bodies. Evidence of their physical interactions was discovered in a later search of the inmate's cell, which revealed a card from "Gwen" that referred to their kissing, as well as in a recorded subsequent prison telephone call in which the inmate told Prell that he was thinking about the first time they kissed.

The inmate testified that in July 2017, he falsely claimed he was assaulted by another inmate so that he would be transferred to another facility. The inmate did this, he said, because requests for transfers were not acted on quickly, he "had to get out of there [because] it wasn't safe," and he wanted to be located in a facility that was closer to his mother's residence. The inmate said he felt he was a target of other inmates because too many had discovered his relationship with Prell, including an inmate porter who had "dropped a rat note"² revealing the

² The investigation found no evidence of this purported complaint against either Prell or the inmate.

relationship, and a second inmate who had observed Prell's earlier transfer of \$100 to the inmate. Other inmates reported to the Inspector General that they believed the inmate had sought a transfer to escape a debt owed to another prisoner. The inmate also noted that he believed at the time that this transfer would allow him to carry on his relationship with Prell. The inmate added that he subsequently learned that DOCCS policy prohibited employees from knowingly associating, communicating or engaging in a relationship with an inmate. According to the inmate, Prell was not aware that he had invented a fictitious assault to effectuate his transfer.

After being transferred to Elmira Correctional Facility, the inmate and Prell's relationship continued. According to Prell, prior to being transferred, the inmate gave Prell his mother's address and telephone number so that Prell could communicate with his mother about the transfer. Prell further stated that she contacted the inmate's mother who advised that the inmate had been relocated to Elmira Correctional Facility. Ironically, Prell was also chosen by DOCCS at this time to be an unpaid assistant to the actress Patricia Arquette, who was at Clinton Correctional Facility for the filming of a television series about the 2015 prison escape and playing the role of tailor shop civilian employee Joyce Mitchell, whose relationship with inmates David Sweat and Richard Matt facilitated their escape.

On September 4, 2017, Prell drove to Elmira and visited with the inmate at the facility for an hour, registering under her actual name. According to both, they held hands and kissed during their visit. Prell also deposited another \$50 into the inmate's prison account. According to DOCCS telephone records, the two exchanged six telephone calls between the time the inmate arrived at Elmira Correctional Facility and Prell's termination from DOCCS, speaking for a total of slightly less than one hour. Shortly before her termination, DOCCS barred Prell from further visits.

DOCCS terminated Prell's employment on September 20, 2017. The findings of the Inspector General and State Police's investigation were referred to the Clinton County District Attorney's Office, and on October 4, 2017, the State Police arrested Prell on one charge of Promoting Prison Contraband in the First Degree, a D Felony, 23 counts of misdemeanor Official Misconduct, and one count of Sexual Abuse in the Third Degree, a misdemeanor. On March 22, 2018, Prell was arraigned on a Clinton County grand jury indictment containing the abovementioned charges. On August 28, 2018, Prell pled guilty in Clinton County Court before Honorable Judge William A. Favreau to one count of Promoting Prison Contraband in the

Second Degree, 23 counts of Official Misconduct, and one count of Sexual Abuse in the Third Degree, all misdemeanors. Prell is scheduled to be sentenced on November 13, 2018.

UNANNOUNCED INSPECTIONS OF CLINTON CORRECTIONAL FACILITY REVEAL IMPLEMENTATION OF POSITIVE CORRECTIVE MEASURES PURSUANT TO THE INSPECTOR GENERAL'S RECOMMENDATIONS FOLLOWING THE 2015 ESCAPE OF DAVID SWEAT AND RICHARD MATT

Following the Inspector General's investigation of the 2015 escape of David Sweat and Richard Matt from Clinton Correctional Facility, the Inspector General monitored DOCCS's implementation of recommended corrective measures, including enhanced civilian and correction officer training and expanded security systems and procedures. Additionally, the Inspector General and DOCCS OSI conducted unannounced inspections at DOCCS correctional facilities, including Clinton Correctional Facility. These overnight-shift inspections focused on practices and procedures employed at the facility main entrances, watch towers, inmate blocks, and other select locations. Searches were conducted of incoming staff members and their personal belongings, facility lockers and secured areas within the inmate blocks. These inspections revealed that DOCCS had largely implemented the corrective measures recommended by the Inspector General in the post-escape investigation report.

For example, one deficiency found in the Inspector General's post-escape investigation was that despite instructions by DOCCS to conduct visual inspections of inmates' cells from the catwalks, which could expose breaches in the rear of inmates' cells, these inspections were not taking place. This failure represented a serious security lapse that contributed to the escape of Sweat and Matt. During the course of the current investigation, in October 2017, the Inspector General reviewed protocols and records pertaining to cell inspections from the catwalks and found that catwalk inspections are now conducted weekly by the facility. In fact, DOCCS has installed an electronic system at Clinton Correctional Facility that contemporaneously registers catwalk inspections. This information is thereafter sent to the captain's office where it is maintained and reviewed. Additionally, the Inspector General's physical inspection of the catwalks found that other security devices have been installed on the catwalks to monitor movement.

The Inspector General's post-escape investigation also found that correction officers on overnight shifts were either failing to do rounds of the inmate blocks or not adequately conducting them. The current investigation revealed that an electronic system has been installed

in all blocks at Clinton Correctional Facility, which ensures that rounds are being completed during the overnight shifts. Additionally, correction officers on overnight shifts have been provided with thermal sensors to detect if an inmate is present and alive in his cell.

The escape investigation also found that the subterranean tunnels beneath Clinton Correctional Facility had not been regularly inspected by trained personnel for security breaches. Despite policy that mandated alternating “quarterly” inspections of the tunnels and attics at the main and annex facilities, this was not being accomplished. Indeed, the Inspector General’s prior investigation revealed that only two tunnel inspections had been conducted in the year before the escape: one of the main facility in September 2014, and one of the annex facility in March 2015. It was quite probable that a thorough tunnel inspection would have revealed breaches and prevented the escape.

Since the 2015 escape of Sweat and Matt, numerous improvements have been made in this regard. Tunnel and attic inspections of the main and annex facilities are conducted every month with outside trained inspectors conducting them quarterly. New steel gates have also been installed throughout the tunnels with each having an independent key. Additionally, motion detectors and other electronic sensors have been installed in the tunnels located beneath the inmate blocks and the Industry Building and are monitored for activity. Moreover, tunnel inspections are recorded and compared with prior tunnel inspections to mark any differences in appearance.

After the 2015 escape, the Inspector General found that correction officers assigned to the front gate at Clinton Correctional Facility failed to comply with DOCCS policy requiring them to search the bags and containers of all employees entering and exiting the prison. The instant investigation noted improvements at the front gate, including a new policy requiring that prison employees utilize clear bags or containers of a certain size when entering the facility with personal property and food. Additionally, the Inspector General observed the implementation of a new policy requiring random metal detector searches of employees entering the facility. Other newly-deployed security measures and devices at the front gate, which will not be discussed in this report for security reasons, were also observed by the Inspector General while conducting inspections at the facility.

As for systemic deficiencies found by the Inspector General in the tailor shops at Clinton Correctional Facility following the 2015 escape, which included complacency and inattentive

oversight by correction officers assigned to provide security in the shops and a failure to effectively address Joyce Mitchell's misbehavior from its inception, the current investigation and inspection found numerous remedial measures have been taken. These include the requirement that all inmates pass through a metal detector when leaving the tailor shops, a bar on non-escorted inmate movement between the shops, the implementation of a civilian dress code (blue or gray polo shirts with the Corcraft logo), prohibitions on certain civilian jewelry, and restrictions on food allowed into the facility, among other things. Additionally, inmates are no longer permitted to be assigned to a particular tailor shop for more than two years.

The Inspector General's post-escape investigation also found that Clinton Correctional Facility's practice of searching inmates' cells did not ensure that all cells were regularly searched, and that cell searches, when conducted, were hasty and inadequate. Significantly, the earlier investigation found that a search of Matt's cell less than seven weeks before the 2015 escape failed to detect the large hole he had cut in his cell's rear wall. During the Inspector General's current inspection of Clinton Correctional Facility, the implementation of new search practices was evident. New policy now directs that every cell in the facility be searched every 60 days, including an integrity inspection of the cell walls, bars, sinks and toilet, and that records be maintained of the inspection, inspector and any contraband found. According to one inmate, the new cell search practices at Clinton Correctional Facility leave nothing uninspected. Additionally, inmates are no longer permitted to be assigned to a particular cell for a period longer than one year.

The post-escape investigation also found that a contractor working at Clinton Correctional Facility failed to secure tools and other items, which were then used in the escape. In compliance with the Inspector General's recommendations, Clinton Correctional Facility now prohibits the storage of any contractor tools within the facility, and contractors are now required to remove all tools from the facility on a daily basis.

The post-escape investigation also found that inmates were eligible for housing in the former "Honor Block"—where additional privileges were provided—without consideration of relevant criteria, such as history of escape and length of sentence. The Inspector General's most recent inspection of Clinton Correctional Facility found that the facility is creating a new "Earned Eligibility Housing Unit," which, similar to Honor Block, will provide inmates with certain privileges, including additional time for showers, telephones, televisions, and an open social area. Once implemented, the new housing unit will have additional requirements and

safeguards before an inmate's application is approved, including, among other restrictions, that the inmate not have a history of escape or attempted escape from a correctional facility, detention center or secure facility.

The Inspector General's post-escape investigation also found that guard posts, including two tower posts, were unstaffed at the time of the escape. According to the Clinton Correctional Facility superintendent at the time of the 2017 inspections, DOCCS has staffed an additional number of posts at the facility since the escape and is currently reviewing the former superintendent's request to make these posts permanent. Additionally, Clinton Correctional Facility has implemented a number of other security measures, including the installation of cameras throughout the facility and the commencement of a pilot program for correction officer body cameras, which are activated during incidents.

Despite Clinton Correctional Facility's successful implementation of the aforementioned corrective measures, the Inspector General's unannounced midnight inspection in October 2017 and the Inspector General and OSI's inspections in December 2017, uncovered evidence that certain correction officers assigned to the overnight shift were shirking their duties. As found in the post-escape investigation, night shift officers with virtually no responsibilities other than performing counts and ensuring that inmates are alive and well in their cells had failed to do so. This failure enabled Sweat and Matt to exit their cells undetected during overnight shifts and work on their escape in the tunnels beneath the facility. The continued abdication of these responsibilities is unacceptable.

The unannounced inspections of the facility found mattresses, pillows, blankets, alarm clocks, reclining chairs, and cable-enabled televisions in lockers used by correction officers and within areas utilized by correction officers in inmate blocks. Some of these same items had been discovered by the Inspector General following the 2015 escape. Upon this recent discovery, the facility superintendent ordered that the items be immediately removed. DOCCS OSI pursued these investigations and referred its findings regarding several individuals for discipline. DOCCS OSI also conducted inspections of employees arriving for duty at the facility, lockers maintained by employees at the facility, and officer areas, and found contraband including unauthorized batons, six television sets, a television/DVD player, numerous remote controls and cables, pornographic magazines and other books and magazines, an e-cigarette, pillows, blankets, alarm clocks and even a hammock.

**ITEMS FOUND DURING UNANNOUNCED SEARCHES OF OFFICER AREAS
WITHIN CELL BLOCKS AT CLINTON CORRECTIONAL FACILITY**



TV/DVD Player



TV Labeled "C.O. 11 + 12 Co. Do Not Touch"



Two Unauthorized Batons Found in Search of Locker



One of Six TVs Found in Officer Areas



Cable Service



Mattress and Sheets in Locker



Hammock



Sleeping Kit, Including Pillow, Alarm Clock,
Sheets and Hammock



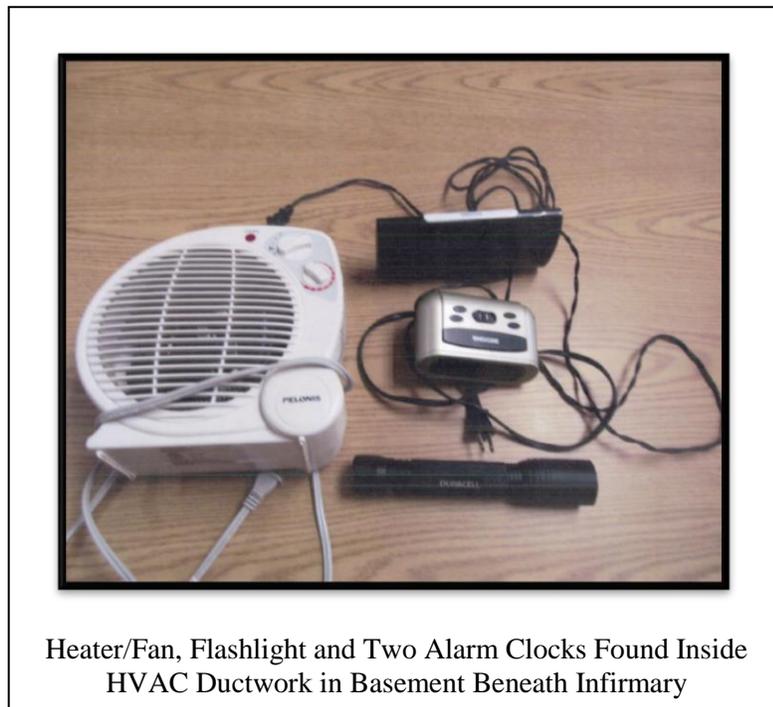
Alarm Clock

UPSTATE CORRECTIONAL FACILITY CONDUCTS UNANNOUNCED INSPECTION

On October 19, 2017, the Inspector General was informed by the administration at Upstate Correctional Facility that as a direct result of the Inspector General's unannounced inspection at Clinton Correctional Facility, a similar inspection was performed at Upstate Correctional Facility. The Inspector General was advised that while conducting a search of the basement beneath the infirmary, blankets, mattresses, and sheets, and, hidden in an HVAC duct, alarm clocks, a flashlight and a heater/fan were discovered.

Upon review of video from one of the fixed cameras maintained at the infirmary, two correction officers—a roundsman and a rover—working the overnight shift were observed

entering the basement beneath the infirmary and remaining in that location for as long as five hours. Two other employees, a correction officer assigned as a rover and a sergeant holding the title of vacation relief watch commander, were observed spending long periods in the infirmary. Given these findings and the administration's suspicions that the correction officers were neglecting their duties and possibly sleeping while on duty, the Inspector General and DOCCS were immediately notified.



The Inspector General commenced an investigation of the four Upstate Correctional Facility employees—three correction officers and a sergeant—who had entered the infirmary and the basement beneath the infirmary during the overnight shift at the prison. After they refused to provide voluntary statements to the Inspector General concerning their lengthy visits to the infirmary and the basement area beneath the infirmary while on duty, the Inspector General compelled them to provide testimony under oath. According to the roundsman, who was observed on video surveillance on no fewer than eight occasions for periods up to five hours during an eight-hour shift, his duties consisted of conducting a perimeter check at the beginning of his shift, checking doors, gates, the recreational pen and inmate cells; retrieving and delivering night count slips; and responding to emergency situations as a “Red Dot” responder. The roundsman further testified that after he completed his rounds and counts he typically went to the facility lobby to watch television or to the infirmary to sit, but eventually “end[ed] up going

down to the basement” for the purpose of “just hanging out,” where he would “kick back and relax,” reading books or magazines while he awaited to be summoned, if at all, as a Red Dot responder. While no statistics are maintained on emergency calls, the Inspector General was informed by DOCCS that this is an infrequent occurrence.

The roundsman testified that although he did not regularly sleep while in the basement area, at times he has “maybe dozed off here and there.” He added, “Have I dozed off on occasion? Yes,” but “I was not in a deep sleep.” Despite testifying that he often spends hours at a time in the basement with another correction officer talking or reading magazines, the roundsman was unable to recall the last book he had read or the date he had read it. Moreover, the roundsman testified, “It’s been past practice in that facility since it opened . . . It’s the only job that you’re not responsible for an inmate. I bid the job because it had less responsibility . . . that’s what the rovers do in every facility.” As for the sleeping kit found in the basement, the roundsman testified that he also had seen two alarm clocks, a flashlight, and a fan in the ductwork in the basement in October 2017 but failed to report finding these contraband items to his supervisor. “I figured it wasn’t mine,” the roundsman testified.

The second correction officer, a rover, also testified to lengthy periods of idle time in the basement and gymnasium while awaiting the rare emergency call. According to the rover, the basement location had been chosen, in part, because it was cooler than the infirmary. He also claimed to have read *The Shawshank Redemption* during this idle time and occasionally “doze[d] off.” The rover further claimed to have observed an alarm clock and flashlight in the ductwork in the basement but did not advise his superiors because he “didn’t want to get anyone in trouble.” Their supervisor, a sergeant/vacation relief watch commander, testified that he is generally aware that his subordinates can be found in the infirmary basement after they have completed their initial overnight rounds.

The other overnight shift rover and sergeant/vacation relief watch commander testified under oath to the Inspector General to spending long periods of idleness in the infirmary. According to the rover, although he, the other rover and the roundsman were all tasked with conducting individual nightly rounds to retrieve count slips, they would instead divide the total rounds via “rock, paper, scissors,” and each conduct only that portion of the overall rounds. This provided them more idle time to spend within the infirmary. However, according to the rover and sergeant/vacation relief watch commander, they did not sleep during that time. They also claimed they were not aware of the sleeping kit found in the HVAC ductwork in the basement.

Notably, two of the night shift workers implicated in this matter benefit from the lengthy downtime inherent in their DOCCS positions because both own and operate businesses during the day. Their outside employment may have interfered with their ability to perform their duties responsibly during overnight shifts. The roundsman owns a spray foam insulation business, which he testified he operates from approximately 9:30 a.m. to 3:00 p.m., three days per week. One of the two rovers owns a contracting business, and sometimes employs the roundsman to work on contracting jobs. Both also benefit from provisions in DOCCS's Outside Employment policy, which exempts "self-employed individuals" from being required to seek approval from DOCCS for outside employment that might conflict with their DOCCS jobs. DOCCS Directive 2218, entitled "Outside Employment," requires, "Except for employees in the military reserves, or self-employed individuals, or those in a family business who do not receive a salary, no Department employee may engage in outside employment without written approval from the Commissioner or the Commissioner's designee. Written permission must be obtained even for temporary, or one day work, if the employee receives pay for such activity." This exemption may not adequately allow for DOCCS to determine, per its policy, if outside employment by its employees "would adversely or has adversely affected the employee's performance of duties, or if the facts and circumstances of such employment are contrary to the best interests of the Department."

It should be noted that despite the correction officers seemingly neglecting their duties and spending extensive periods of time "hanging" out in the infirmary and infirmary basement, there is no indication that the safety and security of the inmates and the facility were jeopardized, except to the extent that the roundsman left the basement doors unlocked during visiting periods, when they should remain locked.

DOCCS reported it suspended without pay and filed Notices of Discipline against seven employees, including the four who neglected their assigned duties by spending hours in the prison's infirmary and a basement beneath the infirmary.

THE INSPECTOR GENERAL AND DOCCS OSI CONDUCT UNANNOUNCED INSPECTIONS OF TACONIC AND WENDE CORRECTIONAL FACILITIES

On March 27 and 28, 2018, the Inspector General and DOCCS OSI conducted an unannounced inspection of Taconic Correctional Facility, a medium-security prison for women, located in Bedford Hills, New York. The inspection included a search for contraband in all employee areas of the prison, including the housing units, employee offices, arsenals, mess hall,

commissary, package room, law library, school, basement, chapel and mosque. Additionally, prison employees arriving at the facility for the night and morning shifts were frisked for contraband and employee lockers were opened and searched.

Although the inspection found no major deficiencies in contraband controls within those areas reviewed, it revealed a workforce that is largely lackadaisical about its professional appearance; disorderly and, in the event of a fire, potentially dangerous employee locker rooms where off-duty employees sleep and prepare for work; employee lockers containing alcohol; confidential inmate financial records maintained in an unsecured area; and evidence of a possible romantic relationship between a former inmate and a correction officer.

Specifically, the inspection found that a number of non-uniformed employees arrived for duty wearing garb that appeared other than “neat, clean . . . [and] in good repair,” as per policy. The staff male and female locker rooms, located in a building outside the prison fence, were also in disarray and each contained approximately a dozen mattresses and cots for employees to use while off duty. Due to the crowded conditions, limited egress and boxed storage of records in the locker rooms, this arrangement might pose a fire hazard. Moreover, a search of employee lockers revealed two almost-empty and two full liquor bottles, wine and other unauthorized personal belongings. Additionally, 33 boxes of inmate account records, some containing confidential records, were found unsecured in one of the locker rooms. One employee locker even revealed evidence that its owner might be involved in an inappropriate romantic relationship with a now-parolee of the correctional facility.

Following the inspection, DOCCS pursued discipline against those employees implicated. DOCCS also filled the prison’s vacant position of deputy superintendent for security, drafted a corrective action plan, and scheduled Central Office staff to meet with facility management on the matter.

On July 9 and 10, 2018, the Inspector General and DOCCS OSI conducted an unannounced inspection of Wende Correctional Facility, located in Alden, New York, and searched employees leaving the facility at shift change, their facility lockers, and other employee areas in the facility. During these searches, contraband items were found, including three pocket knives with blades slightly longer than those permitted under DOCCS policy, a corkscrew, and a cigar cutter, among other things. DOCCS subsequently pursued disciplinary action. The inspection also found the administration of the facility to be responsive to the searchers and

compliant with requests. The areas searched in Wende Correctional Facility, which included employee locker rooms, were found to be clean and orderly. Of note, periodic searches by administration of employee lockers at the facility likely contributed to the orderliness of the locker rooms and the low incidence of contraband found there.

FINDINGS AND RECOMMENDATIONS

The Inspector General's investigation found that Denise Prell, a civilian industrial training supervisor working in Clinton Correctional Facility Tailor Shop 5, introduced contraband into the prison by giving an inmate food and \$100 cash, and the two engaged in an unlawful romantic relationship, which included kissing and fondling on at least three occasions. Additionally, the investigation found that Prell made bi-weekly deposits into the inmate's prison account while he was incarcerated at both Clinton and Elmira Correctional Facilities and paid an outstanding debt owed by the inmate to another inmate's relative. In addition, the investigation found that the two regularly communicated by telephone, mail, and the exchange of notes and cards in the shop. Notably, the investigation found that Prell and the inmate took steps to hide their relationship through Prell's use of a fictional identity—Gwendolyn Freeman—and her purchase and use of a TracFone, a pre-paid, no-contract cellular telephone. When interviewed by the State Police and the Inspector General, both Prell and the inmate admitted to their relationship and the conduct described above.

Prell was terminated from her employment with DOCCS on September 20, 2017. The findings of the Inspector General and State Police's investigation were referred to the Clinton County District Attorney's Office, and on October 4, 2017, Prell was arrested by the State Police and charged with one count of Promoting Prison Contraband in the First Degree, a D Felony, 23 counts of misdemeanor Official Misconduct, and one count of Sexual Abuse in the Third Degree, a misdemeanor. On March 22, 2018, Prell was arraigned on a Clinton County grand jury indictment containing the abovementioned charges. On August 28, 2018, Prell pled guilty in Clinton County Court before Honorable Judge William A. Favreau to one count of Promoting Prison Contraband in the Second Degree, 23 counts of Official Misconduct, and one count of Sexual Abuse in the Third Degree, all misdemeanors. Prell is scheduled to be sentenced on November 13, 2018.

The Inspector General also found, following unannounced inspections by the Inspector General and DOCCS OSI at Clinton Correctional Facility and Upstate Correctional Facility, that

DOCCS has implemented many of the recommendations made by the Inspector General in response to the 2015 escape of David Sweat and Richard Matt. Substantial improvements in equipment and protocols for facility security, inmate monitoring, and employee accountability were evident, including the installation of an electronic system to record rounds conducted by correction officers of inmate cell blocks, use of thermal imaging devices to detect the presence of inmates in their cells, and the installation of sensors and alarms in the cell block catwalks and tunnels beneath the prison, among other improvements. However, during one inspection, the Inspector General discovered evidence that correction officers working overnight shifts in some blocks were continuing to neglect their primary duty—ensuring that inmates are in their cells and alive. This evidence included working contraband television sets that were found in cabinets at locations within the cell blocks, close to cushioned chairs and a folded mattress. Subsequent inspections by the Inspector General and DOCCS OSI found contraband including unauthorized batons, six television sets, a television/DVD player, numerous remote controls and cables, pornographic magazines and other books and magazines, an e-cigarette, pillows, blankets, alarm clocks and even a hammock.

In response to the Inspector General’s unannounced inspection of Clinton Correctional Facility, Upstate Correctional Facility administration conducted an unannounced inspection and found evidence that several correction officers working the overnight shift at the facility were neglecting their duties. Subsequent investigation by the Inspector General found that two correction officers neglected their duties and were seen entering an area in which sleeping kits, including blankets, mattresses, sheets, alarm clocks, a flashlight, and a heater/fan were found. DOCCS reported it suspended without pay and filed Notices of Discipline against seven employees, including the four who neglected their assigned duties by spending hours in the prison’s infirmary and a basement beneath the infirmary. The Inspector General commends Upstate Correctional Facility for its proactive measures and recommends that all facilities conduct regular unannounced inspections.

The Inspector General and DOCCS OSI, as part of a continuing review of DOCCS correctional facilities, conducted an unannounced inspection of Taconic Correctional Facility in Bedford Hills, New York. The inspection included a search for contraband in all employee areas of the prison, the frisking of night and morning shifts employees, and a search of employee work lockers for contraband. Although no significant deficiencies were found in contraband control, as a result of the inspection, DOCCS pursued discipline against those employees implicated.

DOCCS also filled the prison's vacant position of deputy superintendent for security, drafted a corrective action plan, and scheduled Central Office staff to meet with facility management on the matter.

The Inspector General and DOCCS OSI also conducted an unannounced inspection of Wende Correctional Facility, and searched employees leaving the facility at shift change, their facility lockers, and employee areas within the facility. During these searches, several contraband items were found, and DOCCS subsequently pursued disciplinary action. The inspection also found the administration responsive and those areas searched within the facility to be clean and orderly. Of note, periodic searches by administration of employee lockers at the facility likely contributed to the orderliness of the locker rooms and the low incidence of contraband found there.

The Inspector General found that despite the many policy changes which have been implemented at Clinton Correctional Facility, the following additional remedial measures are needed to ensure the continued successful operation of the facility and the safety of all DOCCS employees.

Civilian Training

Although DOCCS and Clinton Correctional Facility have implemented significant changes to civilian training policies and practices, civilian employees continue to commence employment at facilities without having first completed vital training regarding inmate manipulation. Currently and at the time of the 2015 escape of Sweat and Matt from Clinton Correctional Facility, civilian employees are required to complete a 40-hour training course upon hire to familiarize themselves with their assigned facility and to learn their job functions. At the time of the 2015 escape, civilian employees were also required to complete additional "Career One Training," which included a course entitled "Recognizing, Evaluating and Controlling Aggressive Behavior" (RECAB), within one year of their hire. The purpose of RECAB training is to help civilian employees recognize and report inmate manipulation. Both Joyce Mitchell and Prell attended this training.

At present, civilian employees are also required to complete a new 80-hour "Initial Employee Training" (IET) within the first quarter after their hire. This training includes the new instructional video "Maintaining Professional Boundaries," which addresses issues that facilitated the escape of Sweat and Matt. While the Inspector General recognizes the importance

of these changes, the investigation found that some civilian employees are working in facilities without having first completed RECAP and IET training, leaving them susceptible to manipulation. Furthermore, the Inspector General previously noted this deficiency and made this same recommendation in the post-escape report. The Inspector General therefore again recommends that DOCCS ensure all civilian employees have completed all core training prior to commencing work in a facility. In addition, the Inspector General recommends that the period between civilian “refresher courses,” currently scheduled to occur every five years, be reduced to no greater than every two years.

Additionally, DOCCS should consider creating and providing training to civilians and correction officers on recognizing and reporting indicators of inappropriate relationships between staff members and inmates. Like staff training currently provided by DOCCS on recognizing indicators of growing tensions and potential disturbances in the inmate population, DOCCS should develop training on identifying and reporting the multiple signs of relationships of the kind found in both the Joyce Mitchell and Prell cases. Employees should be trained to recognize behavioral patterns including inappropriate behavior or friendliness by staff towards inmates, increased time spent by staff with inmates, and sudden changes in appearance and personal dress by civilian staff members, among others. Training and proactive intervention may also help prevent the next employee who is contemplating this type of relationship.

Tailor Shops

In October 2017, investigators from the Inspector General’s Office conducted an inspection of Clinton Correctional Facility Tailor Shop 5 and interviewed both civilian employees and correction officers who were assigned to the shop, as well as several inmates working in the shop. The interviews revealed some security concerns. Although Clinton Correctional Facility has made many substantial changes to policy and practice in the shops pursuant to the recommendations contained in the Inspector General’s post-escape investigation and report, the Inspector General recommends the following additional security measures.

At a minimum, there should be no fewer than two civilian employees and two correction officers assigned to Tailor Shop 5, and all unnecessary cages and other visual obstructions should be removed to provide security officers with lines of sight of the entire shop. Tailor Shop 5, the largest of the shops measuring more than 20,000 square feet, is currently overseen by a single correction officer and, depending on availability, one or two civilians. Often, one of the

two civilians assigned to Tailor Shop 5 is reassigned to another shop on a temporary basis to fill a vacancy. As the cages in Tailor Shop 5 remain from an earlier configuration and no longer serve a purpose, their removal will provide a clearer view of the shop and eliminate the numerous blind spots that currently exist. Additionally, the Inspector General recommends that the door to the computer room in Tailor Shop 5 be replaced with a door containing a window, enabling the correction officer to observe those in the computer room at all times, and fixed cameras be installed in the shop with a monitor on the security desk.

The Duties of Roundsmen, Rovers, and Vacation Relief Watch Commanders

The Upstate Correctional Facility roundsman, sergeant/vacation relief watch commander, and two rovers interviewed by the Inspector General almost uniformly described their duties during the overnight shift as requiring them to conduct a brief tour of the facility upon their arrival at work followed by lengthy periods of waiting in the unlikely event they are required to respond to a medical emergency or “Red Dot” situation. Although the need for a rapid response to an emergency is evident, the current practices, which include lounging in the infirmary, watching sports on the television in the gymnasium, “just hanging out,” “kick[ing] back and relax[ing],” and “maybe doz[ing] off here and there” in the basement for periods of up to five hours is not in conformity with DOCCS’s description of the employees’ duties and responsibilities or an efficient use of employees or taxpayer funds.

In fact, DOCCS’s bid/post descriptions for roundsmen and rovers require they “make frequent fire/safety/security rounds” of their assigned areas of the facility, or the entire facility, “noting any discrepancies or security breaches to the Watch Commander” and “[m]aintain an alert and observant demeanor at all times.” The sergeant’s bid/post description requires the sergeant, during his tour of duty, “to make unscheduled security checks on activities of officers and inmates in [his/her] assigned area.” Based upon both surveillance video of the infirmary area and testimony elicited from these correction officers, minimal time was actually spent by these individuals in fulfilling their obligations and ensuring the security and safety of the facility. The Inspector General therefore recommends that DOCCS review their conduct and discipline them as deemed appropriate. Additionally, the Inspector General recommends that DOCCS examine the duties and responsibilities of roundsmen, rovers, and vacation relief watch commanders at its facilities to ensure services are being provided as required and inmates, staff and facilities are safe and secure.

In addition, as at least two Upstate Correctional Facility employees observed two alarm clocks, a flashlight, and a fan in the ductwork in the basement beneath the prison's infirmary but failed to report this contraband because, as one testified, "I figured it wasn't mine," DOCCS should remind employees of their obligation to report all contraband found in the facility.

Outside Employment

The outside employment of two DOCCS employees detailed in this report may have interfered with their ability to perform their duties responsibly during overnight shifts yet, per policy, was not required to be reported to or approved by DOCCS. DOCCS Directive 2218, entitled "Outside Employment," reads, "Outside employment means employment by a private entity during off duty hours." It requires, "Except for employees in the military reserves, or self-employed individuals, or those in a family business who do not receive a salary, no Department employee may engage in outside employment without written approval from the Commissioner or the Commissioner's designee. Written permission must be obtained even for temporary, or one day work, if the employee receives pay for such activity." This exemption may not adequately allow for DOCCS to determine, per its policy, if outside employment by its employees "would adversely or has adversely affected the employee's performance of duties, or if the facts and circumstances of such employment are contrary to the best interests of the Department." The Inspector General therefore recommends that DOCCS review this policy and the "self-employed individuals" exemption to ensure it does not negatively impact the safety and security of inmates, staff and facilities.

DOCCS'S RESPONSE TO THE INSPECTOR GENERAL'S INVESTIGATION AND REPORT

In response to the Inspector General's investigation and report, DOCCS advised it has accepted the findings and will continue to implement all recommended changes.