



ORANGE COUNTY SHERIFF'S OFFICE

110 WELLS FARM ROAD GOSHEN, NEW YORK 10924- 6740

845-291-4033

FAX: 845-294-1590

SHERIFF CARL E. DUBOIS



KENNETH T. JONES
UNDERSHERIFF

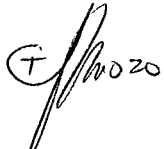

ANTHONY J. WEED
ASSISTANT UNDERSHERIFF






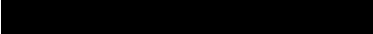
DENNIS D. BARRY
CHIEF DEPUTY











ANTHONY M. MELE
CORRECTIONS ADMINISTRATOR

WWW.ORANGECOUNTYGOV.COM

MEMORANDUM

TO: Sheriff Carl E. Dubois
FROM: Lieutenant Luis A Moreno 020 
DATE: January 29, 2021
RE: New York State Commission of Corrections complaint 

This memorandum is in response to New York State Commission of Correction complaint  filed by Inmate  on January 17th 2021. The complaint was forwarded to the facility for review and investigation January 25th 2021. In sum and substance, Inmate  claims that he has been physically assaulted, as well as the subject if racial slurs by corrections staff. Inmate  also claims that his concerns that have been voiced by way of the grievance program have not "made it to Albany". Inmate  included three prior grievances for reference to his claims, grievance 

 In sum and substance, Inmate  claims that staff lied and refused to transport him to a medical appointment outside of the facility. This grievance was thoroughly investigated by Grievance Coordinator Sergeant Keith Kiszka 134 and found to be without merit. Inmate  refused to accept the grievance decision and an appeal was subsequently forwarded to the Citizen's Policy and Complaint Review council on 1/14/2021. I have reviewed the circumstances regarding this grievance. After review of all supporting documentation regarding this complaint it was found that Inmate  refused to go to the scheduled appointment because he did not want to be subject to a mandatory quarantine upon his return to the facility. Due to the ongoing global pandemic all inmates are required to quarantine for the specified time period upon return from any medical visit outside of the facility. Once made aware of the quarantine procedures Inmate  refused to report to movement control for the transport. Inmate  was later called to Main Medical to speak with the Health Services Administrator Marsha Dixon in regard to his concerns with the mandated quarantine period. HSA Dixon explained that he would not be exempt from the quarantine period. Inmate  did subsequently agree to the quarantine period after speaking with HSA Dixon however, the delay caused the appointment to need to be rescheduled. The appointment was rescheduled for the earliest available date in January 2021. Inmate  did go to the appointment on January 19, 2021. Inmate  grievance in this case is unfounded. Inmate  actions caused the delay in the original appointment which was subsequently rescheduled and attended without incident. (Supporting documentation included)

~ A C C R E D I T A T I O N S ~



██████████: In sum and substance, Inmate Stubbs claims that the facility Grievance Coordinator, Sergeant Keith Kiszka cannot "be trusted" due to being the subject of an investigation himself, Officer Daniel Cappelli 522 has intimidated and used racial slurs toward him in the presence of Sergeant Joseph Cimorelli 142 and Lieutenant Michael Zappolo 019, and Officer Christopher Hatfield 144 physically assaulted him without any authority. This grievance was denied due to being submitted 5 days beyond the act or occurrence of incident however, the allegations made therein were investigated and also found to be without merit. The grievance was issued to Inmate ██████████ on December 29th 2020 and not submitted until January 4th 2021. As per facility Policy and procedure grievances are collected each day. Staff are required to report to each housing unit to collect any pending grievances and log the collection in the area logbook. This procedure was followed and documented in the area logbook on each day in question. This grievance decision was appealed by Inmate ██████████ and subsequently forwarded to the Citizen's Policy and Complaint Review council on 1/21/2021. Inmate ██████████ provides no supporting documentation or direct knowledge of any investigation of wrongdoings regarding Sergeant Kiszka.

Officer Daniel Cappelli, Sergeant Joseph Cimorelli and Lieutenant Michael Zappolo have all authored memorandums which indicate that the allegations of the use of a racial slur have never occurred. Inmate ██████████ provides no date or time of when the alleged incident occurred in his grievance.

Officer Hatfield has authored a memorandum into the alleged "assault" upon Inmate ██████████. The alleged incident occurred on July 13th, 2020 at 1215 hours. During said incident Inmate ██████████ placed his left hand within six inches of Officer Hatfield's face while making threatening statements. In an effort to keep from being struck by Inmate ██████████ Officer Hatfield used his right hand to push Inmate ██████████ hand away from his face. This incident was the subject of disciplinary hearing ██████████ in which Inmate ██████████ was found guilty of making threatening statements, conduct which disrupts or interferes with the facility, disobeying a corrections officer, disorderly conduct, and disrespect towards staff. Inmate ██████████ claim that Officer Hatfield lacks the authority to use force against him. This claim is false, Officer Hatfield is authorized to use force as a certified Peace Officer for the State of New York. The legal authority is defined under New York State Penal Law, Article 35 and New York State Corrections Law 137.05 and 500k. As reported during this incident, Inmate ██████████ created a scenario in which the Officer was confronted with a situation that required immediate action to prevent physical injury. The minimal force used by staff was a direct result of Inmate ██████████ aggressive and threatening actions toward staff. The force was within the parameters of New York state Law and the facilities Policy and Procedure for Use of Force scenarios. I have found that Inmate Stubbs claims and concerns during this particular grievance are unfounded. (Supporting documentation included).

██████████ In sum and substance, Inmate ██████████ claims that Sergeant Kiszka, Sergeant Cimorelli and Sergeant Vincent P. Murphy have all told him that his grievances "will go nowhere and be denied" without seeing the grievance. Inmate ██████████ requests that facility policies be changed so that inmates be heard and treated fairly. Sergeant Kiszka, Sergeant Cimorelli and Sergeant Murphy have all authored memorandums regarding the allegations. This grievance was denied due to being submitted 5 days beyond the act or occurrence of incident however, the allegations made therein were investigated and also found to be without merit. The grievance was issued to Inmate ██████████ on December 29th 2020 and not submitted until January 4th 2021. As per facility Policy and procedure grievances are collected each day. Staff are required to report to each housing unit to collect any pending grievances and log the collection in the area logbook. This procedure was followed and documented in the area logbook on each day in question. This grievance decision was appealed by Inmate ██████████ and subsequently forwarded to the Citizen's Policy and Complaint Review council on 1/21/2021. Inmate ██████████ has in fact been issued 31 grievances since his entry to the facility on September 23, 2019, several of the grievances were requested and not submitted. Each grievance submitted has been investigated and a decision rendered and/or accepted. As with any inmate complaint or concern, the area supervisors are tasked with attempting to find a resolution to the issue and or issue a formal grievance if requested. Sergeant Kiszka, Sergeant Cimorelli and Sergeant Murphy have all previously issued grievances to inmate ██████████ after being unable to come to an amicable resolution.

I spoke with Inmate [REDACTED] regarding the complaint received on January 28th, 2021. Inmate [REDACTED] reiterated that he did not believe that his concerns were being properly investigated and that his appeals were not being forwarded to the Citizen's Policy and Complaint Review Council. Inmate [REDACTED] could not provide any clear example of this claim. I explained to Inmate [REDACTED] that I had personally reviewed each example that he provided in his complaint. In each of the examples provided, Inmate [REDACTED] refused to accept the decision of the Chief Administrative Officer and his signature was required to verify that he wished to appeal to the Citizen's Policy and Complaint Review council. His signature was present on each document and a receipt was issued. In conclusion, I find that Inmate [REDACTED] complaint to the New York State Commission of Corrections is unfounded. Inmate [REDACTED] claims that his grievances are not investigated are false. Each of the three examples provided by Inmate [REDACTED] have been investigated and found to be without merit. I have reviewed those decisions and concur with the findings. Inmate [REDACTED] concerns that his grievances are "not making it to Albany" are also unfounded. In each of the examples provided, Inmate [REDACTED] refused to accept the decision rendered and the grievances were forwarded to the Citizen's Policy and Complaint Review council.

cc:

Files



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WWW.ORANGECOUNTYGOV.COM



MEMORANDUM

TO: Sheriff Carl E. DuBois

FROM: Lieutenant Michael Zappolo #021 *mz*

DATE: January 28, 2021

RE: Response to NYSCOC Complaint [REDACTED]

On 01-28-2021 I was directed to author a memorandum in response to a complaint made to the New York State Commission of Correction by Inmate [REDACTED]. In his complaint, Inmate [REDACTED] writes that I heard an officer use the "N" word towards inmates and about inmates and that I "sat around laughing about it". At no time did an officer use the "N" word in my presence towards inmates or about inmates. If this was to occur in my presence, appropriate supervisory action would have taken place. End

~ A C C R E D I T A T I O N S ~





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ASST. UNDERSHERIFF

ANTHONY M. MELE
CORRECTIONS ADMINISTRATOR

WWW.ORANGECOUNTYGOV.COM

To: Sheriff Carl E. DuBois

From: Grievance Coordinator Sgt. Keith Kiszka 134

Date: 1/28/2021

Regarding: Inmate

[REDACTED]

Grievance

[REDACTED]

On 1/28/2021 I was directed by Lieutenant Luis Moreno 020 to author a memorandum regarding allegations made by Inmate [REDACTED] against me. Inmate Stubbs stated that I told him "His paperwork will not go anywhere if I have anything to do with it." I have never said anything like this to Inmate [REDACTED]. Inmate [REDACTED] also stated that none of his grievances are being submitted to the New York State Commission of Corrections. Any grievance of Inmate [REDACTED] has been appealed in accordance with facility policy and procedure and New York State Commission of Corrections. Inmate [REDACTED] has also received receipts for any grievance that has been appealed to the Citizens Policy Complaint Review Board. (See attached receipts)

- A C C R E D I T A T I O N S -





Commission of Correction

ALLEN RILEY
Chairman

THOMAS J. LOUGHREN
Commissioner

January 25, 2021

Sheriff Carl Dubois
Orange County Sheriff's Office
110 Wells Farm Road
Goshen, New York 10924

RE: Complaint # [REDACTED]

Dear Sheriff Dubois:

Enclosed please find correspondence received by the Commission of Correction from Mr. [REDACTED] who is currently incarcerated at the Orange County Jail. Mr. [REDACTED] is alleging that he has been physically assaulted by staff and have had staff use racial slurs towards him.

I am requesting that an investigation be conducted regarding the aforementioned complaint. If such an investigation has already been completed, please forward the results of the investigation to the Commission. If an investigation has not been completed, please conduct an investigation into the complaint and forward the results to the Commission by March 25, 2021.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Terrence Moran".

Terrence Moran
Director of Operations

cc: Cynthia Allen, Supervisor
Attachment

RECEIVED

JAN 21 2021

SCOC

1-17-21

Dear Mr. Alfred E. Smith:

Hello Sir you don't know me, My name is [REDACTED] I am writing to you about an ongoing issue with myself 1st & foremost but not limited to many inmates with the same issue of the Grievance Administrations neglect & bias acts on my serious concerns here at Orange County Correctional Facility. (See All Attachments Please)

I have named & sent numerous grievances in the past with no response & most recently have been violated by being told by the Grievance Coordinator Sgt Kitzka that "my paper work will not go anywhere if he has anything to do with it" end Quote. So now I truly believe none of my prior concerns had made it to Albany & neither will my most recent that I am sending now.

Contents contain my serious & necessary outside treatment due to a horrific accident to which I am required special needs. As well as two grievances that were neglected & not picked up on time & I was faulted for the jail's neglect even though I submitted all my paper works on time in accordance to Form SCOC 7032-1 guidelines. The seriousness of my concerns have been violated so please look into my issue. I have exhausted all remedies possible & am acting nowhere Sir. So now I am reaching out

New York State Commission of Correction
Inmate Grievance Form
Form SCOC 7032-1 (11/2015)

Facility: Orange County Correctional Facility

Housing Location: [REDACTED]

Name of Inmate: [REDACTED]

Grievance # [REDACTED]

Brief Description of the Grievance (Submitted by the grievant within 5 days of occurrence)
Number of Sheets Attached ()

On Dec 15, 2020 I was disrespectfully denied my extremely necessary Dr's appointment for my back injury at my outside Dr's Facility by lies from Officer Eckerson & Sgt. Curran claiming I refused my appointment. I was denied my grievance & was also lied to he never reported it. (See Attachments)

Action requested by the grievant (Submitted by the grievant within 5 days of occurrence)
Number of Additional Sheets Attached (2)

I want both of these officers to be demoted & punished for these malicious acts towards me & my medical needs. As well as a guarantee that this can not & will not happen to another inmate has special medical needs in this facility.

Grievant Signature: [REDACTED]

Date/Time Submitted: 12-26-20 11:30 am

Receiving Staff Signature: [Signature]

Date/Time Received: 12/29/2020 0747

Investigation Completed by: [Signature]

Date Completed: 1/5/2021

Decision of the Grievance Coordinator

Number of Sheets Attached ()

Written decision shall be issued within 5 business days of receipt of grievance and shall include specific facts and reasons underlying the determination

- ☐ Non-Grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CAO)
☐ Grievance Accepted
☒ Grievance Denied on Merits
☐ Grievance Denied due to submitted beyond 5 days of act or occurrence (can be appealed to CAO)
☐ Grievance Accepted in part/ Denied in part (Note specific Acceptance/Denial parts below)

Your grievance was investigated & found to be without merit. You did in fact refuse your doctor's appointment on December 15th 2020. Your appointment has been subsequently rescheduled for January of 2021. There is no evidence that any staff lied. You verbally refused your visit.

Signature of the Grievance Coordinator: [Signature]

Date: 1/5/2021

To Whom it May Concern :

I [REDACTED] am writing this grievance
due to the malicious & neglectful actions taken
by (1) Officer Eckerson & Nursing staff as well
as (2) Sgt Conroy. The actions these officers &
staff members displayed on Tuesday Dec 15 2020
in regards to my extremely necessary & required
medical attention for my back injuries at an outside
facility can not be allowed any further. Sgt Conroy
& Officer Eckerson have displayed malice & prejudice
behavior towards me repeatedly with regards
to this grievance & my medical issues.
Both of these officers refused my outside
necessary Dr's appointment without my
say so or permission. I sat around all
morning waiting to leave at 12:30 pm 12/15/20
only to find out it was refused by Officer
Eckerson w/out permission from me & when
I asked for a grievance, Sgt Conroy lied
to my face stating he had a recording
of me refusing my medical attention. "LIES"
These are bold blatant & racist lies
against me. These Dr's appointments are
necessary to my treatment & proper recovery!
I would never refuse them no matter
what. I was waiting & prepared to quarantine
upon my return due to the fact I need
these medical tests done.

Therefore for these officers to lie

Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures;

I refuse my medical emergency appointment they will be held accountable in my current lawsuit for my injury. My attorneys know of this occurrence I am holding these officers in the wrong. These officers have abused their powers against me in what I know & feel is a racial profiling of me as a person & human being. They are not allowed to just do what they want & continue to hurt inmates whether physically or mentally. They are supposed to help & not be corrupt. I want action taken immediately.

Respectfully Submitted

P.S. These are clear unjust violations to my rights protected by the Constitution as well as violations to the Facilities Guidelines to handle such protocol procedures.
Un-Acceptable

New York State Commission of Correction
Inmate Grievance Form
Form SCOC 7032-1 (11/2015)

Facility: OC1

Housing Location: [REDACTED]

Name of Inmate: [REDACTED]

Grievance #: [REDACTED]

Brief Description of the Grievance (Submitted by the grievant within 5 days of occurrence)

Number of Sheets Attached () "This Grievance is being added to a Federal Law Suit"

This is directed towards the Grievance Coordinators & Admin. of OC5. I have had numerous issues only to be ignored. Officer Kitzka, Sgt. Smorelli, Sgt. Murphy have all told me before seeing my grievance issue that each said complaint will not go nowhere & be denied. This is not how it's suppose to work. My issues are not spiteful yet the officers are! I want to be helped fairly & heard on my concerns & trust the administration to do the right thing. It's obvious they don't care.

Action requested by the grievant (Submitted by the grievant within 5 days of occurrence)

Number of Additional Sheets Attached () "This Grievance is being sent directly to Albany Authority for investigation"

I want the grievance Coordinator & administration to make some serious changes to their procedures & protocol so that inmates are heard & treated fairly. I want a guarantee & right hearing for all inmates to be heard on their issues & not have them done by Admin. to rectify our concerns

Grievant Signature: [REDACTED]

Date/Time Submitted: 12-31-20 12pm

Receiving Staff Signature: [Signature]

Date/Time Received: 1/4/2021 2747

Investigation Completed by: [Signature] 194

Date Completed: 1/11/2021

Decision of the Grievance Coordinator

Number of Sheets Attached ()

Written decision shall be issued within 5 business days of receipt of grievance and shall include specific facts and reasons underlying the determination

- ☐ Non-Grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CAO)
- ☐ Grievance Accepted
- ☐ Grievance Denied on Merits
- ☒ Grievance Denied due to submitted beyond 5 days of act or occurrence (can be appealed to CAO)
- ☐ Grievance Accepted in part/ Denied in part (Note specific Acceptance/Denial parts below)

Just
malice
6 days later
passed 5-day limit

Your grievance has been submitted beyond the 5 days of the act or occurrence. You were issued this grievance on 12/29/2020. It was not received until 1/4/2021 @ 2747.

Signature of the Grievance Coordinator: [Signature] 194

Date: 1/11/2021

"I submitted this 2 day after I received it on time"

New York State Commission of Correction
Inmate Grievance Form
Form SCOC 7032-1 (11/2015)

0017

Facility: OC1

Housing Location: [REDACTED]

Name of Inmate: [REDACTED]

Grievance #: [REDACTED]

Brief Description of the Grievance (Submitted by the grievant within 5 days of occurrence)

Number of Sheets Attached (1)

"This Grievance is being added to a Federal Law Suit"
This grievance is being submitted due to racial profiling, cruel racist slurs & actions taken against me by numerous officers on the Orange County Correctional Staff. These officers have made personal comments to me with cruel intentions towards me in any & all disciplinary allegations against me. I have not deserved any of these ill will & misguided treatment what so ever. (See Attachments)

Action requested by the grievant (Submitted by the grievant within 5 days of occurrence):

Number of Additional Sheets Attached (1)

"This Grievance is being sent Directly to Albany Authority for investigation I want strict verbal/written actions against all said officers & all others not included to be forewarned & a zero tolerance policy put into place to ensure that Racism has no place in this amongst Correctional officers towards inmates or inmates' families." "Black Lives Matter" I have rights!

Grievant Signature: [REDACTED]

Date/Time Submitted: 12/30/20 8pm

Receiving Staff Signature: [Signature]

Date/Time Received: 1/4/2021 0147

Investigation Completed by: [Signature]

Date Completed: 1/11/2021

Decision of the Grievance Coordinator

Number of Sheets Attached ()

Written decision shall be issued within 5 business days of receipt of grievance and shall include specific facts and reasons underlying the determination

- ☐ Non-Grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CAO)
- ☐ Grievance Accepted
- ☐ Grievance Denied on Merits
- ☒ Grievance Denied due to submitted beyond 5 days of act or occurrence (can be appealed to CAO)
- ☐ Grievance Accepted in part/ Denied in part (Note specific Acceptance/Denial parts below)

Just Malice 6 days later after 5 day limit

Your grievance was Received beyond the 5 days of the act of occurrence. You Received this grievance on 12/29/2020 & it was Not received until 1/4/2021 @ 0147.

Signature of the Grievance Coordinator: [Signature]

Date: 1/11/2021

"I Submitted this 1 day after I recieved it on time"

To whom it may concern:

I have experienced unusual treatment to say the least in my whole stay of incarceration this term. It's been ongoing with numerous complaints only to be brushed aside without merit. I can only wonder who decides the merits of my rights & cares none the less.

1) Grievance Officer Ritzke has proven he can't be trusted in this position to handle grievances as he was recently investigated himself for his wrong doing & actions.

2) EPT Officer Cappelli has intimidated & provoked me numerous times & has recently used the "N" word towards ^{inmates} ~~me~~ about ^{inmates} ~~me~~ during ~~the most recent~~ ^{many} incidents that have come to light. Lt Zappolla & Sgt Simonelli both heard this horrible word used & they both sat around laughing about it as to say the "N" word is ok to use.

3) Officer Hatfield to with I have grieved upon his actions of striking me for no just cause & is not permitted to as he is not EPT nor has any authority to make such inexcusable acts against any inmate let alone man.

All these said officers have continuously violated my rights & safety only to have a blind eye turned. These officers all have proven that they don't care to keep peace or justice for inmates rights. So now I will exercise my right to be heard by the higher authorities.

ORANGE COUNTY JAIL
110 WELLS FARM ROAD
GOSHEN, NEW YORK 10924

LEGAL MAIL

STATE COMMISSION OF CORRECTIONS
Alfred E. Smith State Office
80 South Street 12th floor
Albany N.Y 12210

122223243536



ORANGE COUNTY SHERIFF'S OFFICE

110 WELLS FARM ROAD GOSHEN, NEW YORK 10924- 6740

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ASST. UNDERSHERIFF

WWW.ORANGECOUNTYGOV.COM

Date: 1/21/2021
New York State Commission of Corrections
Alfred E. Smith State Office Bldg.
80 S. Swan St., 12th Floor
Albany, NY 12205-2670

To Whom It May Concern:

Enclosed please you will find Grievance [REDACTED] for appeal to the Citizens Policy and Complaint Review Council.

If you have any questions or require additional information, please feel free to contact me at [REDACTED]

Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures.

Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures.

Thank you,
Sergeant Keith Kiszka 134
Grievance Coordinator
[REDACTED]

- A C C R E D I T A T I O N S -





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ANTHONY M. MELE
CORRECTIONS ADMINISTRATOR

GRIEVANCE RECEIPT

Name [REDACTED]

Inmate ID # [REDACTED]

Date: 1/21/2021

REF: Grievance # [REDACTED]

Please be advised your appeal has been submitted to The Citizen's Policy and Complaint Review Council this date.

Sincerely,

Sergeant K. Kiszka #134
Grievance Coordinator
Corrections Division

cc: file

- A C C R E D I T A T I O N S



New York State Commission of Correction

Inmate Grievance Form

Form SCOC 7032-1 (11/2015)

Facility: OC1Housing Location: [REDACTED]Name of Inmate: [REDACTED]Grievance #: [REDACTED]

Brief Description of the Grievance (Submitted by the grievant within 5 days of occurrence)

Number of Sheets Attached () "This Grievance is being added to a Federal Law Suit"

This is directed towards the Grievance Coordinators & Admin. of OC5. I have had numerous issues only to be ignored. Officer Kitzka, Sgt. Smorelli, Sgt. Murphy have all told me before seeing my grievance issue that each said complaint will not go nowhere & be denied. This is not how it's suppose to work. My issues are not spiteful yet the officers are! I want to be helped fairly & heard on my concerns & trust the administration to do the right thing. It's obvious they don't care to

Action requested by the grievant (Submitted by the grievant within 5 days of occurrence):

Number of Additional Sheets Attached () "This Grievance is being sent directly to Albany Authority for investigation"

I want the grievance Coordinator & administration to make some serious changes to their procedures & protocol so that inmates are heard & treated fairly. I want a guarantee & legit hearing for all inmates to be heard on their issues & what's going to be done by Admin. to rectify our concerns

Grievant Signature: [REDACTED]Date/Time Submitted: 12-31-20 12pmReceiving Staff Signature: [REDACTED]Date/Time Received: 1/4/2021 2747Investigation Completed by: [REDACTED] 134Date Completed: 1/11/2021

Decision of the Grievance Coordinator

Number of Sheets Attached ()

Written decision shall be issued within 5 business days of receipt of grievance and shall include specific facts and reasons underlying the determination

- ☐ Non-Grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CAO)
- ☐ Grievance Accepted
- ☐ Grievance Denied on Merits
- ☒ Grievance Denied due to submitted beyond 5 days of act or occurrence (can be appealed to CAO)
- ☐ Grievance Accepted in part/ Denied in part (Note specific Acceptance/Denial parts below)

Your grievance has been Submitted beyond the (5) days of the act or occurrence. You were issued this grievance on 12/29/2020. It was not received until 1/4/2021 @ 0247.

Signature of the Grievance Coordinator: [REDACTED] 134Date: 1/11/2021

New York State Commission of Correction
Inmate Grievance Form Part II

NOTE: IF GRIEVANT HAS BEEN TRANSFERRED OR RELEASED FROM THE FACILITY, FORWARD TO C.A.O. FOR DETERMINATION

Grievant's Appeal to the Chief Administrative Officer

Must submit within two business days of receipt of the Grievance Coordinator's written decision

I have read the above decision of the Grievance Coordinator and

() I agree to accept the decision

(X) I am appealing to the Chief Administrative Officer

Grievant Signature: _____

Date: 1-11-21

Decision of the Chief Administrative Officer:

Number of Sheets Attached ()

Shall be issued within five business days after receipt of appeal and provided to grievant

☐ Non-grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CPCRC)

☐ Grievance Accepted (attach written directive of provided remedy/relief pursuant to 9 NYCRR §7032.4(l))

☐ Grievance Denied on Merits

☒ Grievance Denied due to submitted beyond 5 days of act or occurrence (may be appealed to CPCRC)

☐ Grievance Denied due to appeal submitted beyond 2 business days (may be appealed to CPCRC)

☐ Grievance Accepted in part/Denied in part (attach written directive of provided remedy/relief pursuant to 9 NYCRR §7032.4(l) for the Accepted portion of grievance)

Signature of the Chief Administrative Officer: _____

Date: 01/14/2021

Pursuant to 9 NYCRR §7032.5(a), any grievant may appeal any grievance DENIED by the facility administrator, in whole or in part, to the State Commission of Correction.

I have read the above decision of the Chief Administrative Officer and

() I agree to accept the decision

(X) I am appealing to the Chief Administrative Officer

Grievant Signature: _____

Date: 1-20/21

Submission to the Citizen's Policy and Complaint Review Council

NOTE: IF GRIEVANT HAS BEEN TRANSFERRED OR RELEASED FROM THE FACILITY, FORWARD TO CPCRC UNLESS C.A.O. HAS ACCEPTED THE GRIEVANCE IN ITS ENTIRETY

NOTE: A GRIEVANCE ACCEPTED IN ITS ENTIRETY BY THE CHIEF ADMINISTRATIVE OFFICER OR FOUND NON-GRIEVABLE BY THE CHIEF ADMINISTRATIVE OFFICER MAY NOT BE APPEALED, AND SHALL NOT BE FORWARDED, TO THE CITIZEN'S POLICY AND COMPLAINT REVIEW COUNCIL.

I HAVE ISSUED THE GRIEVANT A RECEIPT INDICATING THE DATE THE APPEAL HAS BEEN SUBMITTED TO THE CITIZEN'S POLICY AND COMPLAINT REVIEW COUNCIL. I HAVE ENCLOSED WITH THIS GRIEVANCE THE INVESTIGATION REPORT, THE WRITTEN DIRECTIVE OF PROVIDED REMEDY/RELIEF FOR GRIEVANCES SUSTAINED IN PART (IF APPLICABLE) AND ALL OTHER PERTINENT DOCUMENTS.

Signature of the Grievance Coordinator: _____

Date: 1/21/2021

**New York State Commission of Correction
Grievance Investigation Form**

Date(s) of Investigation: 12/29/2020

Inmate's Name

Facility: Orange County Correctional

Facility Grievance Number:

Description of the issues

Supplement Attached (1)

Inmate [REDACTED] is claiming that Grievance Coordinator, Admin of OCJ, Sergeant Cimorelli, Sergeant Murphy, and Kiszka have told him before seeing his grievance all said that each complaint will go nowhere and be denied.

**Interview summary of ALL persons involved with the grievance: List names
AND brief summary of each interview**

Statements Attached (1)

Sergeant Cimorelli - Officer's Report

Summary of Findings

Supplement Attached (1)

This grievance investigation is on file if requested. The following grievance was issued on 12/29/2020 and was not collected until 1/4/2021. This puts this grievance outside the 5 days of the act or occurrence.

List of other relevant information/documentation

Supplement Attached

Logbook Documentation

Report prepared on: 1/11/2021

Printed Name: Sergeant Keith Kiszka 134

Signature: 

Title: Grievance Coordinator

Officer's Report

Date of Report: 12/29/2020

Time Report Written: 1435

Date of Incident: 12/29/2020

Time Incident Occurred: 1045

Location of Incident:

Public Officers Law Section
reveal criminal investigative
techniques or procedures,
except routine techniques
and procedures;

Incident: Inmate [REDACTED] requested a grievance.

Officer Reporting: Sergeant Joseph Cimorelli

Shield # 142

Narrative: Explain fully any action taken by you, any event observed, information received. Set forth names, other officers, inmates, and a detail of the information of what, who, when, where, and how. Be explicit in all information given.

On the above date and time, I was working my assigned post as the Delta Wing Sergeant. While on rounds in the [REDACTED] Housing Unit Inmate [REDACTED] requested a grievance. Inmate [REDACTED] stated that Officer Daniel Cappelli 522 was a racist. I asked Inmate [REDACTED] for an incident. Inmate [REDACTED] stated, "he's a racist". I again asked Inmate [REDACTED] for an incident involving Officer Cappelli. Inmate [REDACTED] stated, "I want a grievance and if I get written up I'm writing up any Officer that does something wrong". Inmate [REDACTED] was issued Grievance [REDACTED] End of Report.

Page 1 of 1 Pages

Reporting Officer Signature: _____ Date: _____

Sergeant Signature: SJS [Signature] Date: 12-29-2020

Shift Commander Signature: [Signature] Date: 12/29/2020

Administrator or Designee Signature: _____ Date: _____



ORANGE COUNTY SHERIFF'S OFFICE

110 WELLS FARM ROAD GOSHEN, NEW YORK 10924- 6740

845-291-4033

FAX: 845-294-1590

SHERIFF CARL E. DUBOIS



KENNETH T. JONES
UNDERSHERIFF

ANTHONY J. WEED
ASSISTANT UNDERSHERIFF

DENNIS D. BARRY
CHIEF DEPUTY

ANTHONY M. MELE
CORRECTIONS ADMINISTRATOR

WWW.ORANGECOUNTYGOV.COM

MEMORANDUM

TO: Sheriff Carl E. Dubois
FROM: Sergeant Vincent Murphy 062 *Sgt. 2A 062*
DATE: January 4, 2021
RE: [REDACTED] grievance.

I am authoring this memo at the direction of Sergeant Keith Kiszka 134 in response to Grievance [REDACTED] by Inmate [REDACTED]. I have not ignored any issues from Inmate [REDACTED]. Inmate [REDACTED] has requested numerous grievances from me which I have issued to him. I have tried to solve Inmate [REDACTED] issues and explained the reason for some of the issues. Inmate [REDACTED] refused to accept my findings and requested a grievance anyway. I have never told Inmate [REDACTED] that his grievances would go nowhere or be denied. End of memo

CC:
Files

~ A C C R E D I T A T I O N S ~





ORANGE COUNTY SHERIFF'S OFFICE

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DENNIS D. BARRY
CHIEF DEPUTY

ANTHONY M. MELE
CORRECTIONS ADMINISTRATOR

WWW.ORANGECOUNTYGOV.COM



MEMORANDUM

TO: Sheriff Carl E. DuBois

FROM: Sergeant Joseph Cimorelli 142 *JT Cull/142*

DATE: January 5, 2021

RE: In response to Grievance [REDACTED]

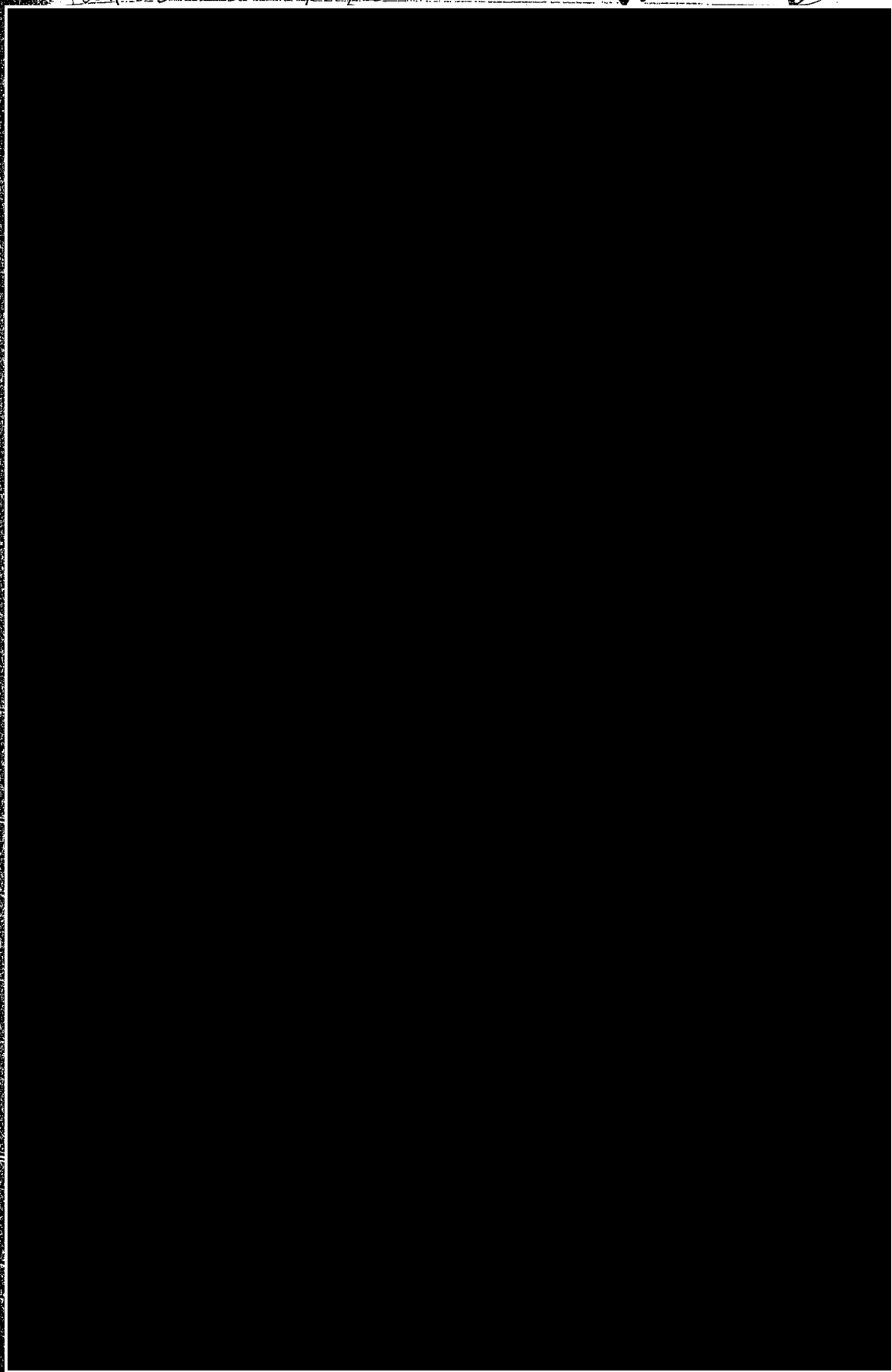
On 01-05-2021 I was directed to give a written response to Grievance [REDACTED] Inmate [REDACTED] requested two grievances from me on 12/29/2020. I issued Inmate [REDACTED] two grievances as requested on 12/29/2020 and I have issued Inmate [REDACTED] other grievances prior to the two issued on 12/29/2020 and at no time have I state that the grievances will go nowhere or be denied. End of Memo.

~ A C C R E D I T A T I O N S ~



30 40th Street Jan 15 1966 Lt. Lapelle / Sgt. Connor

198 Sgt. G. W. Kondo 8 grievances *
Cell Searches complete *



10-2020 clo Carter 339 D-2 0700-1500 Sgt. Pascal / Lt. Munro

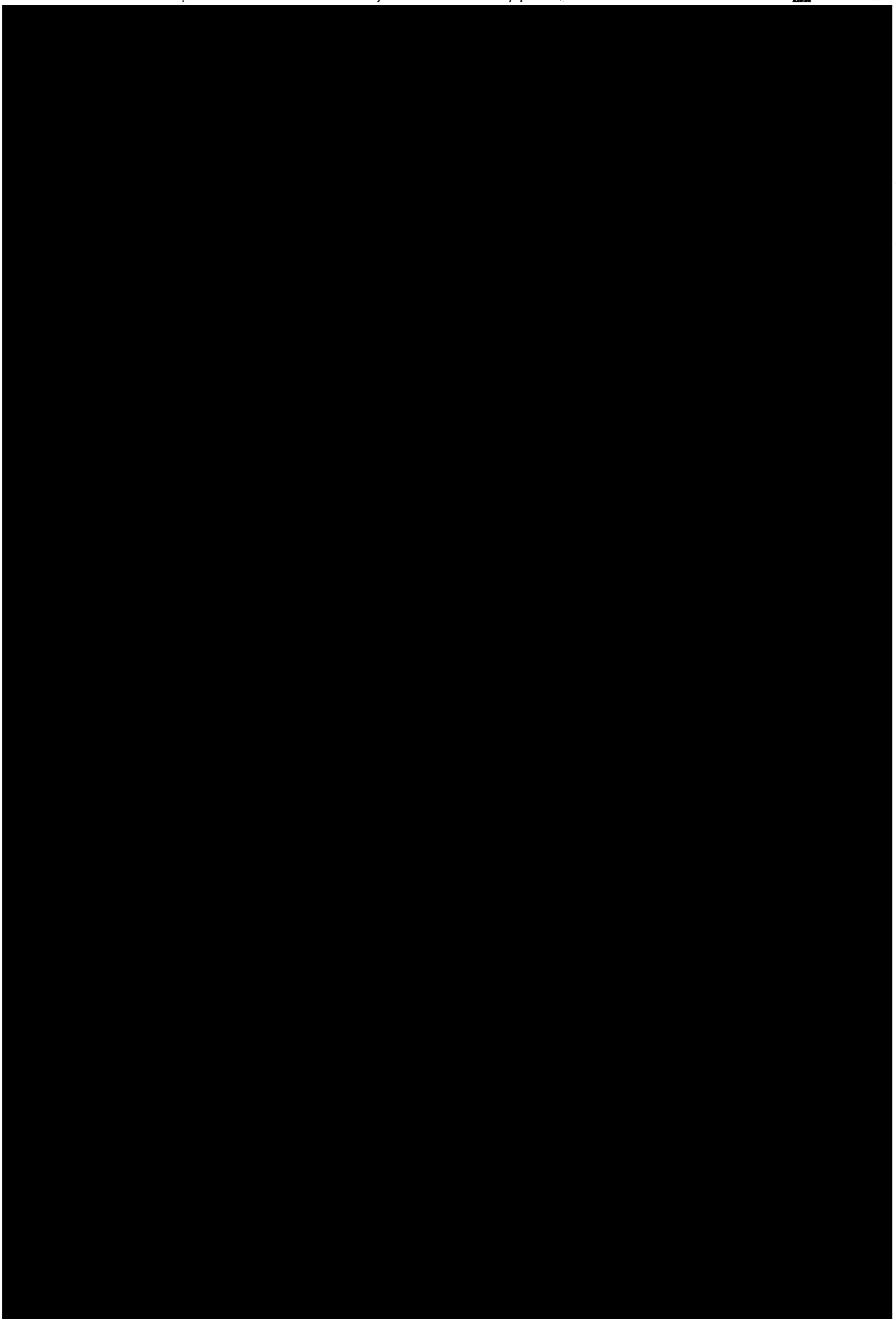
0259 co. Hartzel arranged - @ grimmer collected.

0244. 60 West 1 on rounds - @ Danzmann's collection

12-27-2020 Cho Carter D-2 0700-1500 S-P. P/B/G/10 1st round



0744 Co. Hetero. rounds - @ grievances collected. 



12-28-2020

clo Carter 339

D-2

0709-1520

ST. Porres/Lt. Zanna

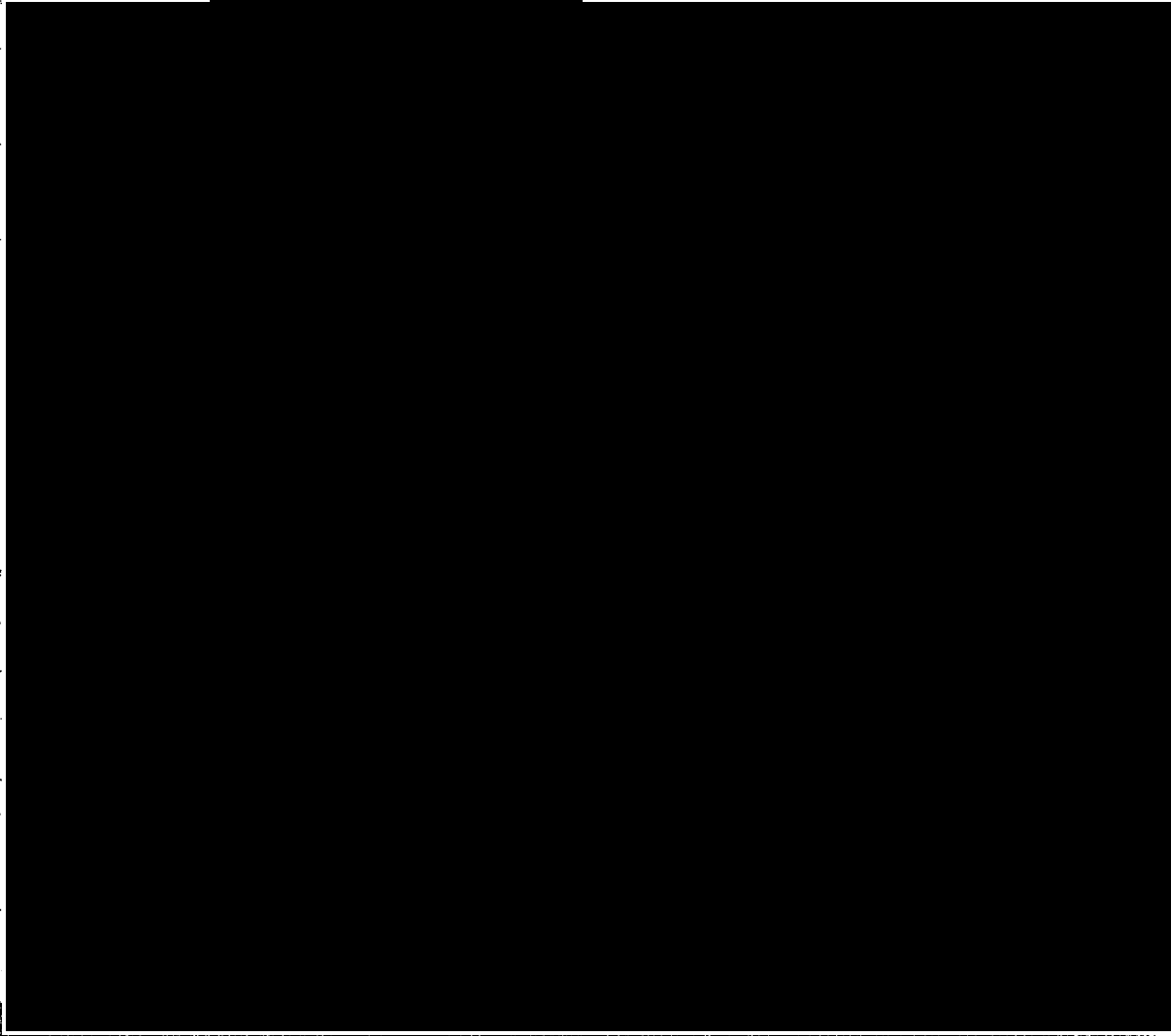
0733

co. Hester on rounds - ⑤ gr. swarms collected ✓

1979-2020 To Handford 0700-1500 H. Apple/Std. (mosses)



0747 co water! on rounds - (1) grievance collected #0500-0360 ✓



82

12302020

C/O Haggard

0700-1500

C/O Depolla / Sgt. P. Ross

The (X) on cards of names ~~Y~~ ~~10~~ A

12-31-2020

C/O Parks 26

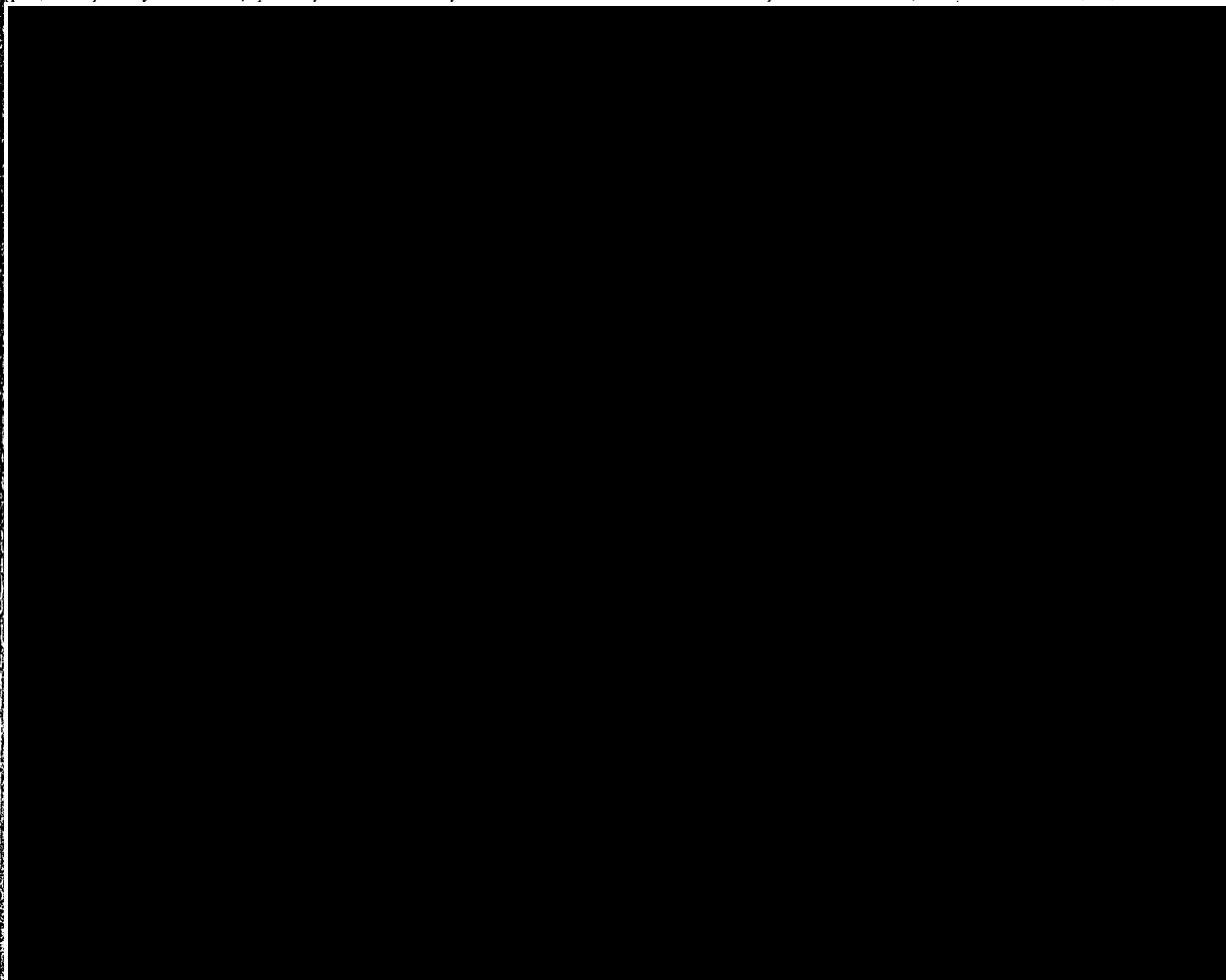
Delta 2

0700
1500

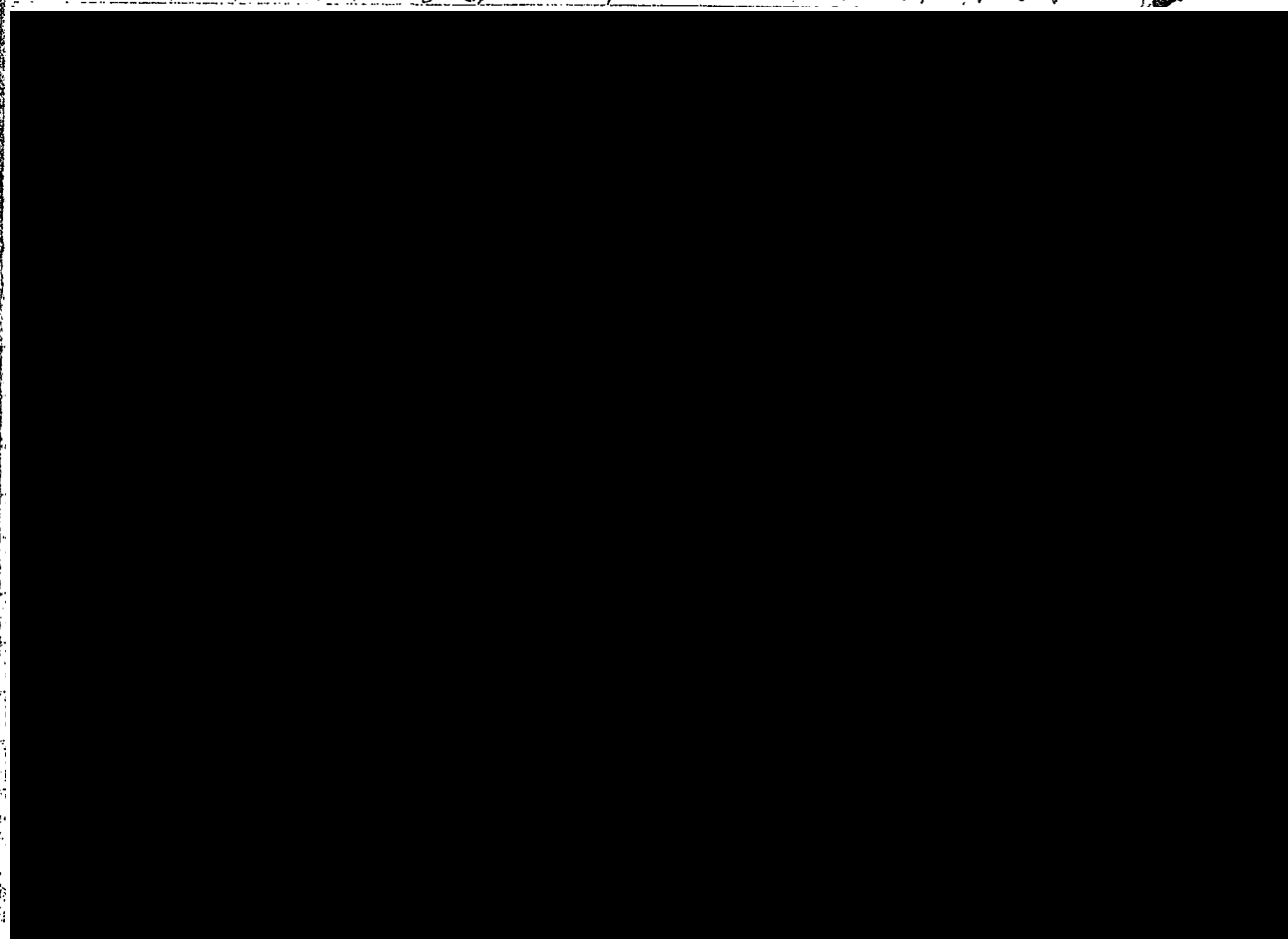
SA Proctor Lt Monahan

0855 ~~Stop~~ on radio - Issued Tincture
 11:11 ~~Received~~ that the ~~arrived~~

01/01/2001 c/o Halsey cad 148 0700-1500 D2 Sgt. Pajant Lt. Moreno



0750 Sgt. Pajant on Patrol - No incident at this time. [Signature]



01/02/2021 L/c Halsford 148 0700-1500 D2 Sgt. Pascal L.F. Manno

0745 co Netzel on rounds - ④ grammers collected

1-3-21 40 141 Archini. ID2 ²³⁰⁰/₂₁₀₀ Sgt. Short LIT Campbell

*

* 0750 ... co Wetzel on roads - @ answerer →


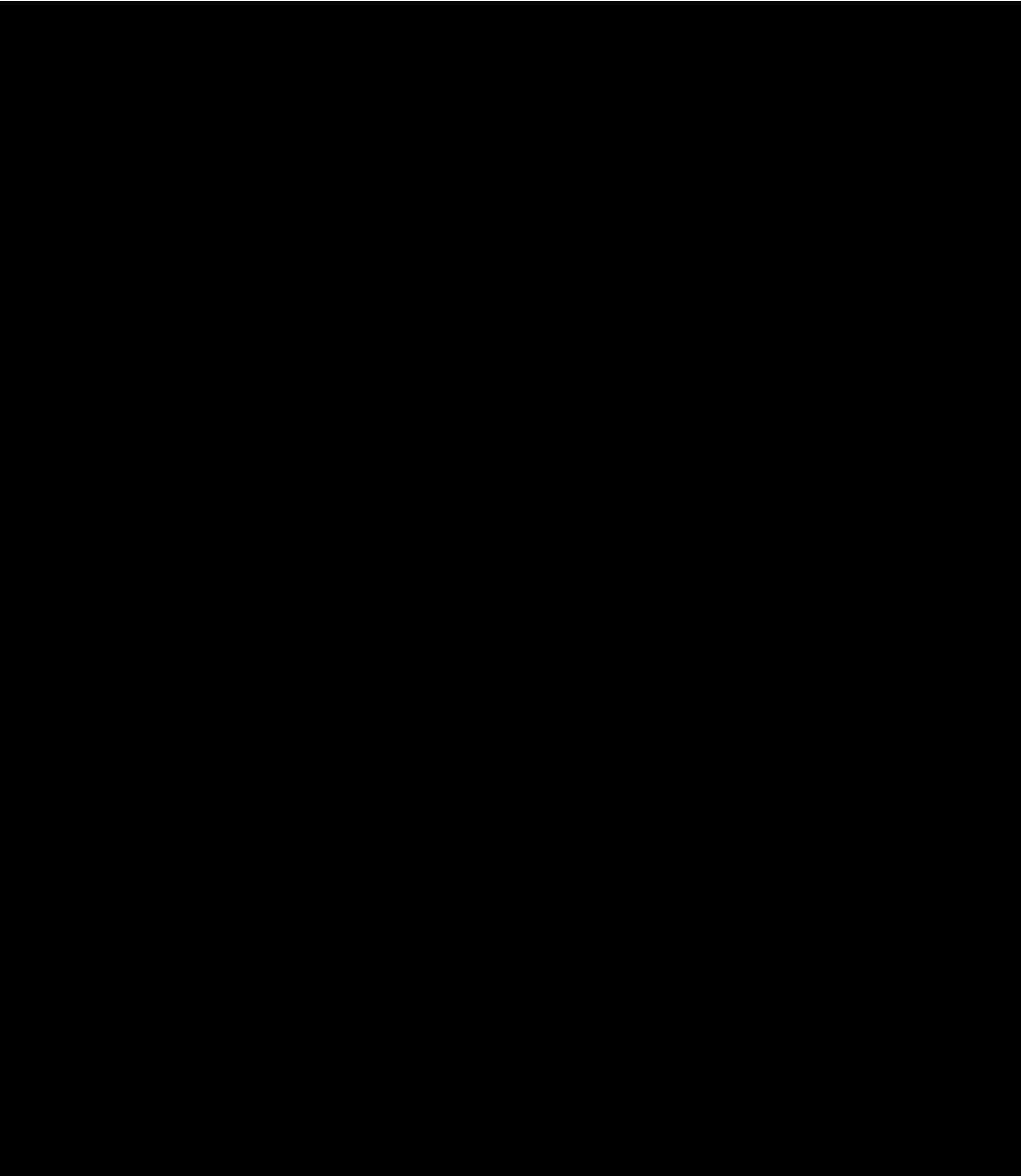
* -4-2021 8 Andy ¹⁰⁸ D-2 0700-1500 Sgt Pascal LT Zwick

* 0747 Co. Hefel on ramps - @ grain areas collected. 2020-0362 — 3
 2020-0368

15/01 Service: D2 0700/1500 Sgt Presa/Lt Zappalo



0753 co H&W on rounds - @ 9:15 AM





ORANGE COUNTY SHERIFF'S OFFICE

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UNDERSHERIFF

ANTHONY J. WEED
ASST. UNDERSHERIFF

WWW.ORANGECOUNTYGOV.COM

Date: 1/14/2021

New York State Commission of Corrections

Alfred E. Smith State Office Bldg.

80 S. Swan St., 12th Floor

Albany, NY 12205-2670

To Whom It May Concern:

Enclosed please you will find Grievance [REDACTED] for appeal to the Citizens Policy and Complaint Review Council.

If you have any questions or require additional information, please feel free to contact me at [REDACTED]

Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures.

Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures.

Thank you,
Sergeant Keith Kiszka 134
Grievance Coordinator
[REDACTED]

- A C C R E D I T A T I O N S -





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ANTHONY M. MELE
CORRECTIONS ADMINISTRATOR

GRIEVANCE RECEIPT

Name: [REDACTED]

Inmate [REDACTED]

Date: 1/14/2021

REF: Grievance # [REDACTED]

Please be advised your appeal has been submitted to The Citizen's Policy and Complaint Review Council this date.

Sincerely,

Sergeant K. Kiszka #134
Grievance Coordinator
Corrections Division

cc: file

- ACCREDITATIONS



New York State Commission of Correction
Inmate Grievance Form
Form SCOC 7032-1 (11/2015)

Facility: Orange County Correctional Facility

Housing Location: [REDACTED]

Name of Inmate: [REDACTED]

Grievance #: [REDACTED]

Brief Description of the Grievance (Submitted by the grievant within 5 days of occurrence)
Number of Sheets Attached ()

On Dec 15, 2020 I was disrespectfully denied my extremely necessary Dr's appointment for my back injury at my outside Dr's Facility by lies from Officer Eckerson & Sgt Conroy claiming I refused my appointment. I was denied my grievance & was also lied to he never reported it. (See Attachments)

Action requested by the grievant (Submitted by the grievant within 5 days of occurrence):
Number of Additional Sheets Attached ()

I want both of these officers to be demoted & punished for these malicious acts towards me & my medical needs. As well as a guarantee that this can not & will not happen to another who has special medical needs in this facility

Grievant Signature: [REDACTED]
Public Officers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures;

Date/Time Submitted: 12-26-20 11:30 am

Receiving Staff Signature: [Signature]

Date/Time Received: 12/29/2020 0747

Investigation Completed by: [Signature]

Date Completed: 1/5/2021

Decision of the Grievance Coordinator

Written decision shall be issued within 5 business days of receipt of grievance and shall include specific facts and reasons underlying the determination

Number of Sheets Attached ()

- ☐ Non-Grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CAO)
- ☐ Grievance Accepted
- ☒ Grievance Denied on Merits
- ☐ Grievance Denied due to submitted beyond 5 days of act or occurrence (can be appealed to CAO)
- ☐ Grievance Accepted in part/ Denied in part (Note specific Acceptance/Denial parts below)

Your grievance was investigated & found to be without merit. You did in fact refuse your doctor's appointment on December 15th 2020. Your appointment has been subsequently rescheduled for January of 2021. There is no evidence that any staff lied. You verbally refused your visit.

Signature of the Grievance Coordinator: [Signature]

Date: 1/5/2021

To whom it may concern:

I [REDACTED] am writing this grievance due to the malicious & neglectful actions taken by (1) Officer Eckerson & Nursing Staff as well as (2) Sgt Conroy. The actions these Officers & Staff Members displayed on Tuesday Dec 15 2020 in regards to my extremely necessary & required medical attention for my back injuries at an outside facility can not be allowed any further. Sgt Conroy & Officer Eckerson have displayed malice & prejudice behavior towards me repeatedly with regards to this grievance & my medical issues. Both of these officers refused my outside necessary Dr's appointment without my say so or permission. I sat around all morning waiting to leave at 12:30 pm 12/15/20 only to find out it was refused by Officer Eckerson w/out permission from me & when I asked for a grievance, Sgt Conroy lied to my face stating he had a recording of me refusing my medical attention. "LIES" These are bold, blatant & racist lies against me. These Dr's appointments are necessary to my treatment & proper recovery! I would never refuse them no matter what. I was waiting & prepared to quarantine upon my return due to the fact I need these medical tests done.

Therefore for these officers to lie

I refuse my medical emergency & appointment they will be held accountable in my current lawsuit for my injury.

My attorneys know of this occurrence & are holding these officers in the wrong.

These officers have abused their powers against me in what I know & feel is a racial profiling of me as a person & human being. They are not allowed to just do what they want & continue to hurt inmates whether physically or mentally.

They are supposed to help & not be corrupt

I want action taken immediately

Re: 11.11.9.1.m.11.11.11

P.S. These are clear & unjust violations to my rights protected by the Constitution as well as violations to the Facilities Guidelines to handle such protocol procedures.

Un-Acceptable

New York State Commission of Correction
Inmate Grievance Form Part II

NOTE: IF GRIEVANT HAS BEEN TRANSFERRED OR RELEASED FROM THE FACILITY, FORWARD TO C.A.O. FOR DETERMINATION

Grievant's Appeal to the Chief Administrative Officer

Must submit within two business days of receipt of the Grievance Coordinator's written decision

I have read the above decision of the Grievance Coordinator and

- () I agree to accept the decision
(X) I am appealing to the Chief Administrative Officer

Grievant Signature: _____

Date: 1-5-20

Decision of the Chief Administrative Officer:

Number of Sheets Attached ()

Shall be issued within five business days after receipt of appeal and provided to grievant

- ☐ Non-grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CPCRC)
☐ Grievance Accepted (attach written directive of provided remedy/relief pursuant to 9 NYCRR §7032.4(l))
☐ Grievance Denied on Merits
☒ Grievance Denied due to submitted beyond 5 days of act or occurrence (may be appealed to CPCRC)
☐ Grievance Denied due to appeal submitted beyond 2 business days (may be appealed to CPCRC)
☐ Grievance Accepted in part/Denied in part (attach written directive of provided remedy/relief pursuant to 9 NYCRR §7032.4(l) for the Accepted portion of grievance)

Signature of the Chief Administrative Officer: _____

Date: 01/11/2021

Pursuant to 9 NYCRR §7032.5(a), any grievant may appeal any grievance DENIED by the facility administrator, in whole or in part, to the State Commission of Correction.

I have read the above decision of the Chief Administrative Officer and

- () I agree to accept the decision
(X) I am appealing to the Chief Administrative Officer

Grievant Signature: _____

Date: 1/12/2021

Submission to the Citizen's Policy and Complaint Review Council

NOTE: IF GRIEVANT HAS BEEN TRANSFERRED OR RELEASED FROM THE FACILITY, FORWARD TO CPCRC UNLESS C.A.O. HAS ACCEPTED THE GRIEVANCE IN ITS ENTIRETY

NOTE: A GRIEVANCE ACCEPTED IN ITS ENTIRETY BY THE CHIEF ADMINISTRATIVE OFFICER OR FOUND NON-GRIEVABLE BY THE CHIEF ADMINISTRATIVE OFFICER MAY NOT BE APPEALED, AND SHALL NOT BE FORWARDED, TO THE CITIZEN'S POLICY AND COMPLAINT REVIEW COUNCIL.

I HAVE ISSUED THE GRIEVANT A RECEIPT INDICATING THE DATE THE APPEAL HAS BEEN SUBMITTED TO THE CITIZEN'S POLICY AND COMPLAINT REVIEW COUNCIL. I HAVE ENCLOSED WITH THIS GRIEVANCE THE INVESTIGATION REPORT, THE WRITTEN DIRECTIVE OF PROVIDED REMEDY/RELIEF FOR GRIEVANCES SUSTAINED IN PART (IF APPLICABLE) AND ALL OTHER PERTINENT DOCUMENTS.

Signature of the Grievance Coordinator: _____

Date: 1/12/2021

New York State Commission of Correction
Grievance Investigation Form

Date(s) of Investigation: 12/15/2020

Inmate's Name: [REDACTED]

Facility: Orange County Correctional

Facility Grievance Number: [REDACTED]

Description of the issues

Supplement Attached 3

Inmate [REDACTED] claims that he was denied a Doctors Appointment for an outside the facility appointment. Inmate [REDACTED] claims that Officer Eckerson (Emerson) and Sgt. Conroy refused his appointment. That he was denied grievances and was lied to.

Interview summary of ALL persons involved with the grievance: List names
AND brief summary of each interview

Statements Attached (1)

Sergeant Conroy - Officer's Report

Summary of Findings

Supplement Attached (1)

This grievance has been investigated which is on file if requested. This grievance is denied due to the fact that it was submitted beyond the 5 days of the act or occurrence. Inmate [REDACTED] has never been denied a grievance. Inmate Stubbs has a history of being issued numerous grievances.

List of other relevant information/documentation

Supplement Attached 2

Logbook Documentation / Black Creek Document

Report prepared on: 1/5/2021

Printed Name: Sergeant Keith Kiszka 134

Signature: [Signature] 134

Title: Grievance Coordinator

Officer's Report

Date of Report: 12/24/2020

Time Report Written: 1400

Date of Incident: 12/24/2020

Time Incident Occurred: 1047

Location of Incident:

Public Officers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures.

Incident: Inmate [REDACTED] requested a grievance on Medical.

Officer Reporting: Sergeant Keith Conroy

Shield # 117

Narrative: Explain fully any action taken by you, any event observed, information received. Set forth names, other officers, inmates, and a detail of the information of what, who, when, where, and how. Be explicit in all information given.

On the above date and time of incident, I was the assigned Delta Wing Sergeant for the 0700-1500 tour. At 1047 hours, I was conducting a Supervisory round in [REDACTED]. At this time, Inmate [REDACTED] requested a grievance on Medical. Inmate [REDACTED] states he was scheduled for an outside doctor visit and Officer Jason Emerson advised Medical that he was refusing the visit. At 1045 hours, I spoke with Health Services Administrator Marsha Dixon. HSA Marsha Dixon stated that Officer Emerson did not in any way advise them that Inmate [REDACTED] was refusing the transport. HSA Marsha Dixon did state that Officer Emerson advised them that Inmate [REDACTED] did not want to be quarantined after the medical transport. HSA Marsha Dixon requested that Inmate [REDACTED] be sent to Main Medical so he could be educated on the necessity on Inmate [REDACTED] making his medical appointment and that due to the pandemic, he would have to be quarantined for a fourteen day period. Inmate [REDACTED] still did not want to be quarantined and did not go to his medical appointment. Per HSA Marsha Dixon, this appointment has been rescheduled. On this date at 1355 hours, Inmate [REDACTED] was issued grievance [REDACTED]. Lieutenant Zappolo notified. End of report.

Page 1 of 1 Pages

Reporting Officer Signature: _____

Date: _____

Sergeant Signature: _____

Date: 12/24/2020

Shift Commander Signature: _____

Date: 12/24/2020

Administrator or Designee Signature: _____

Date: _____

12-24-80

2-3

40 Handled 0125-15 Lt. Lapelle / Sgt. Connor

0198 Sgt. G. W. Spence Discrepancies *
Cell Searches Complete

7 11 12

[illegible]

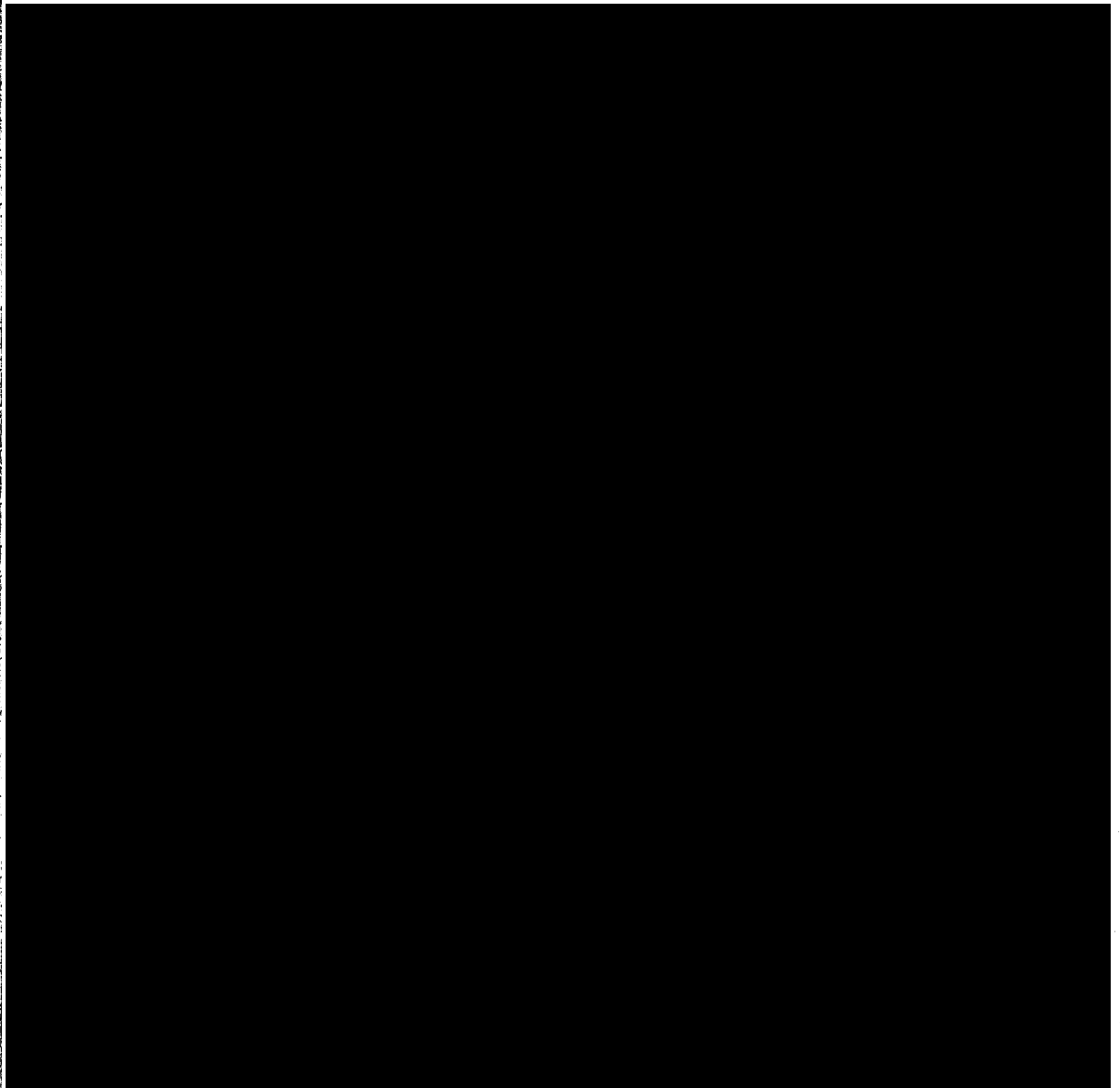
0759 co Nitzel as above - (D) ginseng collected. *

$\frac{6}{7}$

12-26-70

0654

cto Center on Duty / Rounds unit / 103/MD



* 0744 ca Water! as rounds - @ grizzlies collected. *



262

12-27-2020 Cho Corbin D-2 0700-1500 SSI POCAM / LT Zumbado

* 0744 co. distal rounds - @ grievances collected *

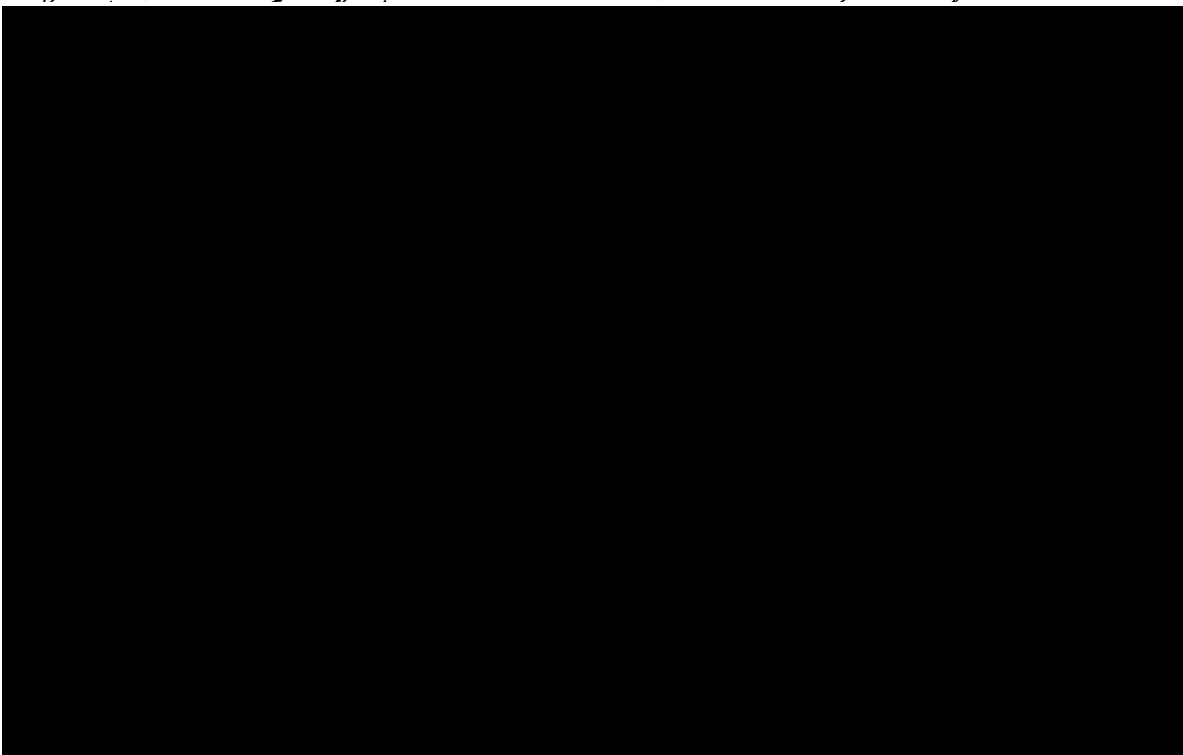
[illegible]

1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.

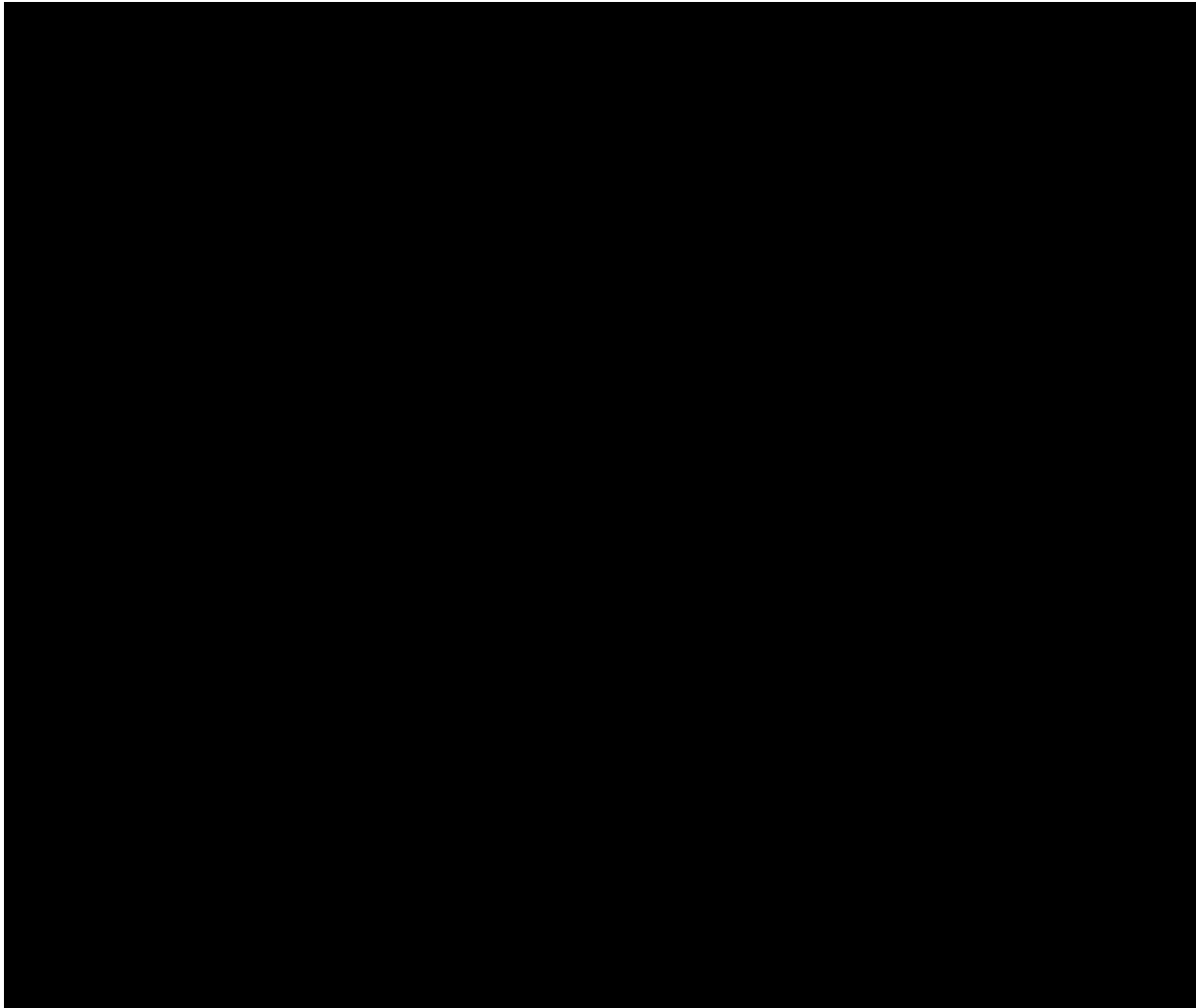
1929-2020 To Handford

0700-1500

H. J. 10110 / St. Louis



* 0747 co. Wetzel on rounds - (G) grievance collected # 0000-0340 *



1. The first step in the process of identifying a problem is to recognize that a problem exists. This involves gathering information about the situation and identifying the specific issue that needs to be addressed.

Select Grievance



ORANGE COUNTY SHERIFF'S OFFICE

110 WELLS FARM ROAD GOSHEN, NEW YORK 10924- 6740

845-291-4033

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ANTHONY M. MELE
CORRECTIONS ADMINISTRATOR

WWW.ORANGECOUNTYGOV.COM

MEMORANDUM

TO: Sheriff Carl E. Dubois
FROM: Jason Emerson #369 *#369*
DATE: December 29, 2020
RE: Response to Grievance [REDACTED]

On 12-15-2020 I was working my assigned post of [REDACTED] for my tour. Inmate [REDACTED] was scheduled for an outside doctor appointment for this day. I received a phone call at approximately 0900hrs from Movement Control Officer Miller, A. #383 informing me of Inmate [REDACTED] doctor visit. I was informed by Officer Miller, A. Inmate [REDACTED] would have to quarantine upon returning to Facility and to notify Inmate [REDACTED] of the protocol. I notified Inmate [REDACTED] of the quarantine protocol for outside doctor visits and he said "I'm not gonna quarantine". Inmate [REDACTED] then asked if he could reschedule the appointment so he doesn't have to quarantine. I then asked Inmate [REDACTED] while on the Phone with Movement Officer Miller, A. if he was still going to the outside doctor visit. I informed Inmate [REDACTED] Movement was ready for him to go to the scheduled doctor visit. Inmate [REDACTED] continued to stay seated at the table in the dayroom and continued to say " I'm not answering you, I'm not gonna quarantine." I asked several more times if he was gonna go, and Inmate [REDACTED] continued to repeat himself. I then notified Officer Miller, A. of his response about going to the outside doctor visit, " I'm not answering you, I'm not gonna quarantine", Officer Miller, A. said "Ok he is refusing". It was not documented in the [REDACTED] Jnit log book that he refused his doctors vist. Inmate [REDACTED] a while later requested to speak to H.S.A. Marsha Dixon about his appointment and his wanting to reschedule it due to not wanting to do a mandatory quarantine upon returning. I called H.S.A. Dixon in regards to Inmate [REDACTED] refusing his appointment, and Inmate [REDACTED] wanting to reschedule it. She advised he should have went to his appointment, but that is his right to refuse medical treatment. H.S.A. Dixon said "tell him to put another medical slip in to discuss this further". H.S.A. Dixon said she will call him to Medical in the afternoon at the earliest and speak to him about refusing the outside Doctor appointment.--End of report.

CC:

Files

~ A C C R E D I T A T I O N S ~



To: SGT. Keith Kiszka

From: Marsha Dixon, RN, HSA

Subject: [REDACTED]

Date: 12/26/2020

[REDACTED]
Statement pursuant to Cornelius Stubs Grievance [REDACTED]

On 12/15/2020 patient came to medical to discuss the current Center for Disease Control (CDC) quarantine recommendations. Patient inquired on mandated 14 day (as of 01/08/2021 10day quarantine) quarantine he would have to endure post his outside provider visit. It was explained to patient he was not exempt from the recommendations and the lack of authority I held to make any decision in the matter for his individual case. It was explained that his appointment would be rescheduled for the nearest date available and his compliance was expected. Patient verbalized understanding.

Patient signed refusal:

Patient did not sign a refusal physically, however patient actions of not following directives with corrections retrieving for appointment, and patient delaying departure to appointment to "confirm quarantine" was considered a direct refusal. Appointment was missed and rescheduled due to actions of the patient.

Wellpath policy is that a refusal form should be signed at time of refusal. However, given the conversation with the patient the refusal form was not signed, an education was given to the patient pursuant to COVID-19 practices and the appointment was rescheduled.

NY Spine: appointment 1/19/2021 at 13:00

Marsha L. Dixon, RN,BSN,WCC,OMS,ONC


HSA



To: Sgt Kiszka

From: Kaitlin Menard, DON

Date: 12/30/2020

Re [REDACTED]

Grievance Date: 12/26/2020

Mr. [REDACTED] reports having been "denied my extremely necessary Dr's appointment for my back injury at my outside Dr's facility..."

Mr. [REDACTED] sustained a back injury resulting in chronic pain from which he reports no relief with regimens offered within the facility. The appointment referred to by Mr. [REDACTED] was with the NY Spine Institute on 12/15/20 @ 1300; it was cancelled following a verbal report of patient's refusal. Mr. [REDACTED] states prior to his appointment that day he received conflicting information pertaining to quarantine protocol after returning from outside appointment.

While in medical later that day (for signature of refusal, explanation of risks etc.) Mr. [REDACTED] clarified with M. Dixon, HSA that he did not intend to refuse his appointment that day; it was subsequently rescheduled for the next earliest date in January 2021 per patient request.

Thanks,

Kaitlin Menard, DON



FOUNDED 1870





ORANGE COUNTY SHERIFF'S OFFICE

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KENNETH T. JONES
UNDERSHERIFF

ANTHONY J. WEED
ASST. UNDERSHERIFF

WWW.ORANGECOUNTYGOV.COM

Date: 1/21/2021

New York State Commission of Corrections

Alfred E. Smith State Office Bldg.

80 S. Swan St., 12th Floor

Albany, NY 12205-2670

To Whom It May Concern:

Enclosed please you will find Grievance [REDACTED] for appeal to the Citizens Policy and Complaint Review Council.

If you have any questions or require additional information, please feel free to contact me at [REDACTED]

Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures;

Thank you,
Sergeant Keith Kiszka 134
Grievance Coordinator
[REDACTED]

- A C C R E D I T A T I O N S -





ORANGE COUNTY SHERIFF'S OFFICE

110 WELLS FARM ROAD GOSHEN, NEW YORK 10924-6740

845-291-4033

FAX: 845-294-1590



SHERIFF CARL E. DUBOIS

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DENNIS D. BARRY
CHIEF DEPUTY

ANTHONY M. MELE
CORRECTIONS ADMINISTRATOR

GRIEVANCE RECEIPT

Name: [REDACTED]

Inmate [REDACTED]

Date: 1/21/2021

REF: Grievance: [REDACTED]

Please be advised your appeal has been submitted to The Citizen's Policy and Complaint Review Council this date.

Sincerely,

Sergeant K. Kiszka #134
Grievance Coordinator
Corrections Division

cc: file

- ACCREDITATIONS



New York State Commission of Correction
Inmate Grievance Form
Form SCOC 7032-1 (11/2015)

Facility: OC1

Housing Location: [REDACTED]

Name of Inmate: [REDACTED]

Grievance #: [REDACTED]

Brief Description of the Grievance (Submitted by the grievant within 5 days of occurrence)

Number of Sheets Attached (1)

This Grievance is being added to a Federal Law Suit
This grievance is being submitted due to racial profiling, cruel racist slurs & actions taken against me by numerous officers on the Orange County Corrections Staff. These officers have made personal comments me with cruel intentions towards me in any & all disciplinary allegations against me. I have not deserved any of these ill will & misguided treatment what so ever. (See Attachments)

Action requested by the grievant (Submitted by the grievant within 5 days of occurrence):

Number of Additional Sheets Attached (1)

This Grievance is being sent Directly to Albany Authority for investigation I want strict verbal & written actions against all said officers & all others not included to be forewarned & a zero tolerance policy put into place to ensure that Racism has no place in ~~OC1~~ amongst Corrections officer towards inmates or human beings "period". "Black Live's Matter" I have rights!

Grievant Signature: [REDACTED]

Date/Time Submitted: 12/30/20 8pm

Receiving Staff Signature: [Signature]

Date/Time Received: 1/4/2021 0747

Investigation Completed by: [Signature]

Date Completed: 1/11/2021

Decision of the Grievance Coordinator

Number of Sheets Attached ()

Written decision shall be issued within 5 business days of receipt of grievance and shall include specific facts and reasons underlying the determination

- ☐ Non-Grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CAO)
- ☐ Grievance Accepted
- ☐ Grievance Denied on Merits
- ☒ Grievance Denied due to submitted beyond 5 days of act or occurrence (can be appealed to CAO)
- ☐ Grievance Accepted in part/ Denied in part (Note specific Acceptance/Denial parts below)

Your grievance was Received beyond the 5 days of the act of occurrence. You Received this grievance on 12/29/2020 & it was not received until 1/4/2021 @ 0747.

Signature of the Grievance Coordinator: [Signature]

Date: 1/11/2021

To whom it may Concern:

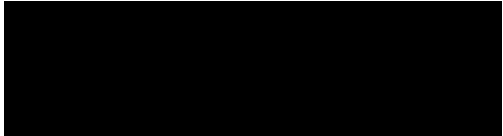
I have experienced unusual treatment to say the least in my whole stay of incarceration this term. It's been ongoing with numerous complaints only to be brushed aside without merit. I can only wonder who decides the merits of my rights & cares none the less.

1) Grievance Officer Ritszen has proven he can't be trusted in this position to handle grievances as he was recently investigated himself for his wrong doings & actions.

2) ERT Officer Cappelli has intimidated & provoked me numerous times & has recently used the "N" word towards ^{inmates} ~~me~~ about ^{inmates} ~~me~~ during ~~the most recent~~ ^{many recent} incidents that have come to light. Lt Zappallo & Sgt Simonelli both heard this horrible word used & they both sat around laughing about it as to say the "N" word is ok to use.

3) Officer Hatfield to with I have grieved upon his actions of striking me for no just cause & is not permitted to as he is not ERT nor has any authority to make such inexcusable acts against any inmate let alone man.

All these said officers have continuously violated my rights & safety only to have a blind eye turned. These officers all have proven that they don't care to keep peace or justice for inmates rights. So now I will exercise my right to be heard by the higher authorities.



New York State Commission of Correction
Inmate Grievance Form Part II

NOTE: IF GRIEVANT HAS BEEN TRANSFERRED OR RELEASED FROM THE FACILITY, FORWARD TO C.A.O. FOR DETERMINATION

Grievant's Appeal to the Chief Administrative Officer

Must submit within two business days of receipt of the Grievance Coordinator's written decision

I have read the above decision of the Grievance Coordinator and

☐ I agree to accept the decision

☒ I am appealing

Grievant Signature: _____

Date: 1-11-21

Decision of the Chief Administrative Officer:

Number of Sheets Attached ()

Shall be issued within five business days after receipt of appeal and provided to grievant

☐ Non-grievable issue as per 9 NYCRR §7032.4(h) (may not be appealed to CPCRC)

☐ Grievance Accepted (attach written directive of provided remedy/relief pursuant to 9 NYCRR §7032.4(l))

☐ Grievance Denied on Merits

☒ Grievance Denied due to submitted beyond 5 days of act or occurrence (may be appealed to CPCRC)

☐ Grievance Denied due to appeal submitted beyond 2 business days (may be appealed to CPCRC)

☐ Grievance Accepted in part/Denied in part (attach written directive of provided remedy/relief pursuant to 9 NYCRR §7032.4(l) for the Accepted portion of grievance)

Signature of the Chief Administrative Officer: _____

Date: 01/14/2021

Pursuant to 9 NYCRR §7032.5(a), any grievant may appeal any grievance DENIED by the facility administrator, in whole or in part, to the State Commission of Correction.

I have read the above decision of the Chief Administrative Officer and

☐ I agree to accept the decision

☒ I am appealing

Grievant Signature: _____

Date: 1-20-21

Submission to the Citizen's Policy and Complaint Review Council

NOTE: IF GRIEVANT HAS BEEN TRANSFERRED OR RELEASED FROM THE FACILITY, FORWARD TO CPCRC UNLESS C.A.O. HAS ACCEPTED THE GRIEVANCE IN ITS ENTIRETY

NOTE: A GRIEVANCE ACCEPTED IN ITS ENTIRETY BY THE CHIEF ADMINISTRATIVE OFFICER OR FOUND NON-GRIEVABLE BY THE CHIEF ADMINISTRATIVE OFFICER MAY NOT BE APPEALED, AND SHALL NOT BE FORWARDED, TO THE CITIZEN'S POLICY AND COMPLAINT REVIEW COUNCIL.

I HAVE ISSUED THE GRIEVANT A RECEIPT INDICATING THE DATE THE APPEAL HAS BEEN SUBMITTED TO THE CITIZEN'S POLICY AND COMPLAINT REVIEW COUNCIL. I HAVE ENCLOSED WITH THIS GRIEVANCE THE INVESTIGATION REPORT, THE WRITTEN DIRECTIVE OF PROVIDED REMEDY/RELIEF FOR GRIEVANCES SUSTAINED IN PART (IF APPLICABLE) AND ALL OTHER PERTINENT DOCUMENTS.

Signature of the Grievance Coordinator: _____

Date: 1/21/2021

**New York State Commission of Correction
Grievance Investigation Form**

Date(s) of Investigation: 12/29/2020

Inmate's Name: [REDACTED]

Facility: Orange County Correctional

Facility Grievance Number: [REDACTED]

Description of the issues

Supplement Attached 2

Inmate [REDACTED] is claiming that he is being racially profiled, cruel racist slurs, and actions taken against him by numerous officers.

**Interview summary of ALL persons involved with the grievance: List names
AND brief summary of each interview**

Statements Attached (1)

Sergeant Cimorelli - Officer's Report

Summary of Findings

Supplement Attached (1)

This grievance investigation is on file if requested. The following grievance was issued on 12/29/2020 and was not collected until 1/4/2021. This puts this grievance outside the 5 days of the act or occurrence.

List of other relevant information/documentation

Supplement Attached (13)

Logbook Documentation

Report prepared on: 1/11/2021

Printed Name: Sergeant Keith Kiszka 134

Signature: [Signature]

Title: Grievance Coordinator

Officer's Report

Date of Report: 12/29/2020

Time Report Written: 1316

Date of Incident: 12/29/2020

Time Incident Occurred: 1045

Location of Incident:

Public Officers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures.

Incident: Inmate [REDACTED] requested a grievance.

Officer Reporting: Sergeant Joseph Cimorelli

Shield # 142

Narrative: Explain fully any action taken by you, any event observed, information received. Set forth names, other officers, inmates, and a detail of the information of what, who, when, where, and how. Be explicit in all information given.

On the above date and time, I was working my assigned post as the Delta Wing Sergeant. While on rounds in the [REDACTED] Housing Unit Inmate [REDACTED] requested a grievance. Inmate [REDACTED] stated that Officer Michael Carter 339 lied on the misbehavior. Inmate [REDACTED] stated how can he say one thing on one misbehavior then another thing on a different misbehavior. Inmate [REDACTED] stated that how can he say I was fighting when I wasn't. I informed Inmate [REDACTED] that I watched the incident, and it was obvious that he was fighting. Inmate [REDACTED] stated that there are a lot of ways people move that doesn't mean they are fighting. Inmate [REDACTED] again requested a grievance. Inmate [REDACTED] issued Grievance [REDACTED] End of Report.

Public Officers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures.

Page 1 of 1 Pages

Reporting Officer Signature: _____ Date: _____

Sergeant Signature: *SP Cimorelli* Date: *12-29-2020*

Shift Commander Signature: *[Signature]* Date: *12/29/2020*

Administrator or Designee Signature: _____ Date: _____



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MEMORANDUM

TO: Sheriff Carl E. DuBois

FROM: Sergeant Joseph Cimorelli 142 *jt Cimorelli*

DATE: January 5, 2021

RE: In response to Grievance [REDACTED]

On 01-05-2021 I was directed to give a written response to Grievance [REDACTED] Inmate [REDACTED] [REDACTED] claims that an Officer used the "N" word while a lieutenant, Inmates and I were present and that the Lieutenant and I sat there and laughed about it. I don't know what "N" he is referring to but I am assuming a racial slur. This event that is stated on the grievance never happened. There was never a time when I or when a Lieutenant and I were sitting around with Inmates, while an Officer or anyone used racist slurs and we laughed about it. I always conduct myself in a professional manner when dealing with all Inmates. End of Memo.

~ A C C R E D I T A T I O N S ~





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MEMORANDUM

TO: Sheriff Carl E. Dubois
FROM: Officer Daniel Cappelli 522 *[Signature]*
DATE: January 5, 2021
RE: In response to grievance [REDACTED] filed by [REDACTED]

This Memorandum is in response to Grievance number [REDACTED] and the complaints from Inmate [REDACTED]. I have no knowledge of what N word Inmate [REDACTED] is referring to. I handle myself in a professional manner, adhering to facility policy and procedure always. End of the memo.

CC:
Files

~ A C C R E D I T A T I O N S ~





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MEMORANDUM

TO: Sheriff Carl E. DuBois
FROM: Christopher Hatfield *Christopher Hatfield*
DATE: January 5, 2021
RE: Response to Grievance [REDACTED] filed by Inmate [REDACTED]

On Monday January 4th, 2021 I received an Email from Sergeant Keith Kiszka directing me to author a memo pertaining to Inmate [REDACTED] allegations in Grievance [REDACTED]. On July 13th, 2020 I was working as the Main Medical Officer and I ordered Inmate [REDACTED] to leave Main Medical due to his non-compliant behavior. Inmate [REDACTED] response to my order was to get into my personal space and put his hands within two inches of my face nearly striking me. I did use my right hand to push away Inmate [REDACTED] hand from my face. Inmate [REDACTED] confrontational actions required a response from the facility Emergency Response Team in order to gain control of the situation due to Inmate Stubbs' confrontational behavior.

~ A C C R E D I T A T I O N S ~



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17 Jan 1988

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1988

Sgt. G. J. Rando
Cell Searches Complete

Grievances

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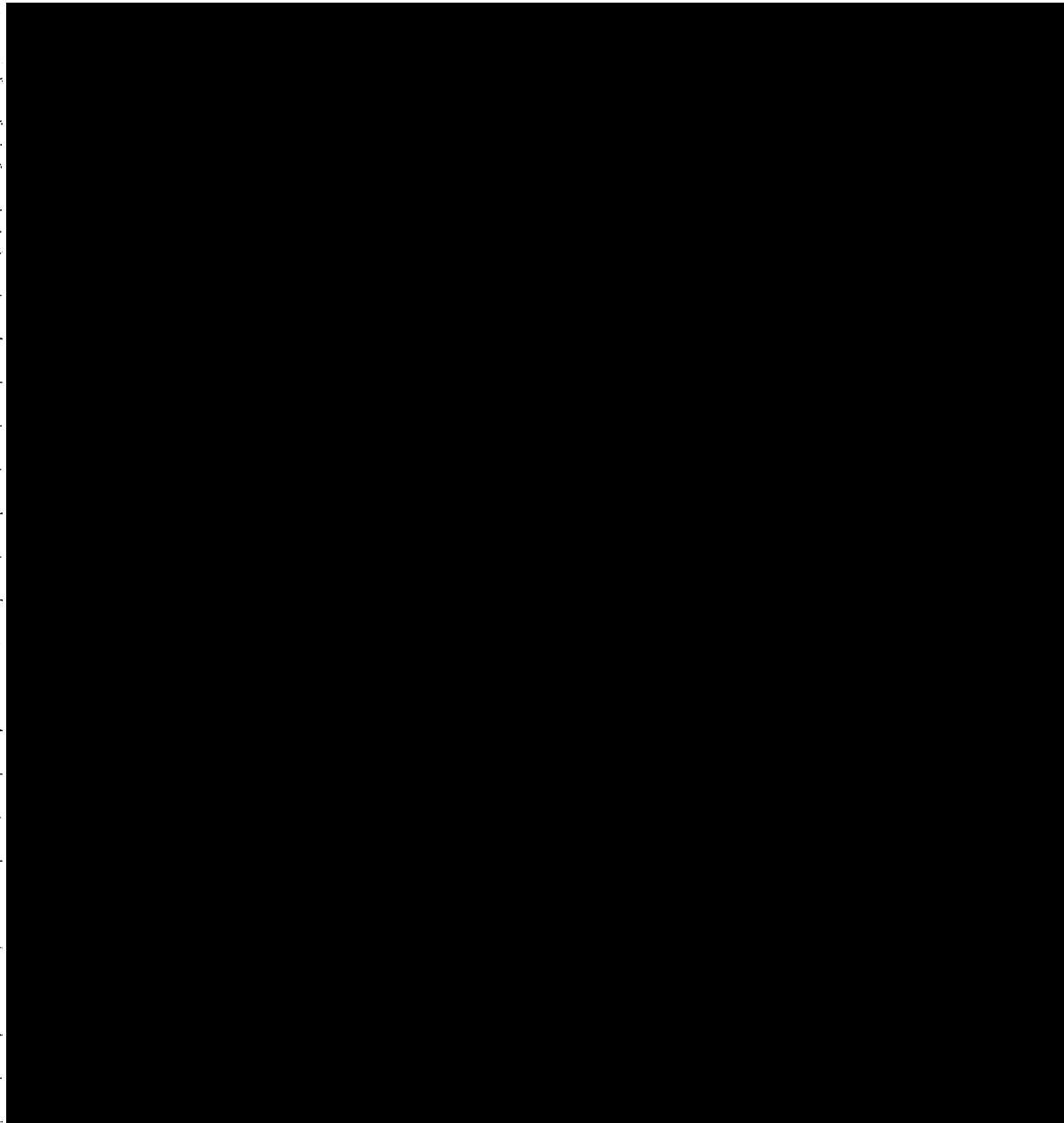
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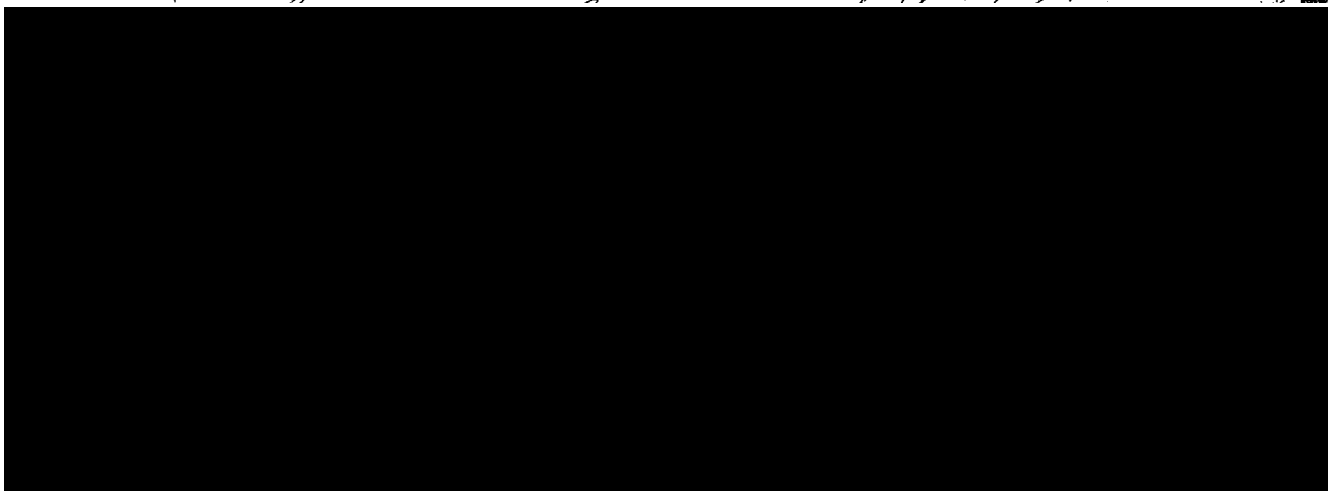
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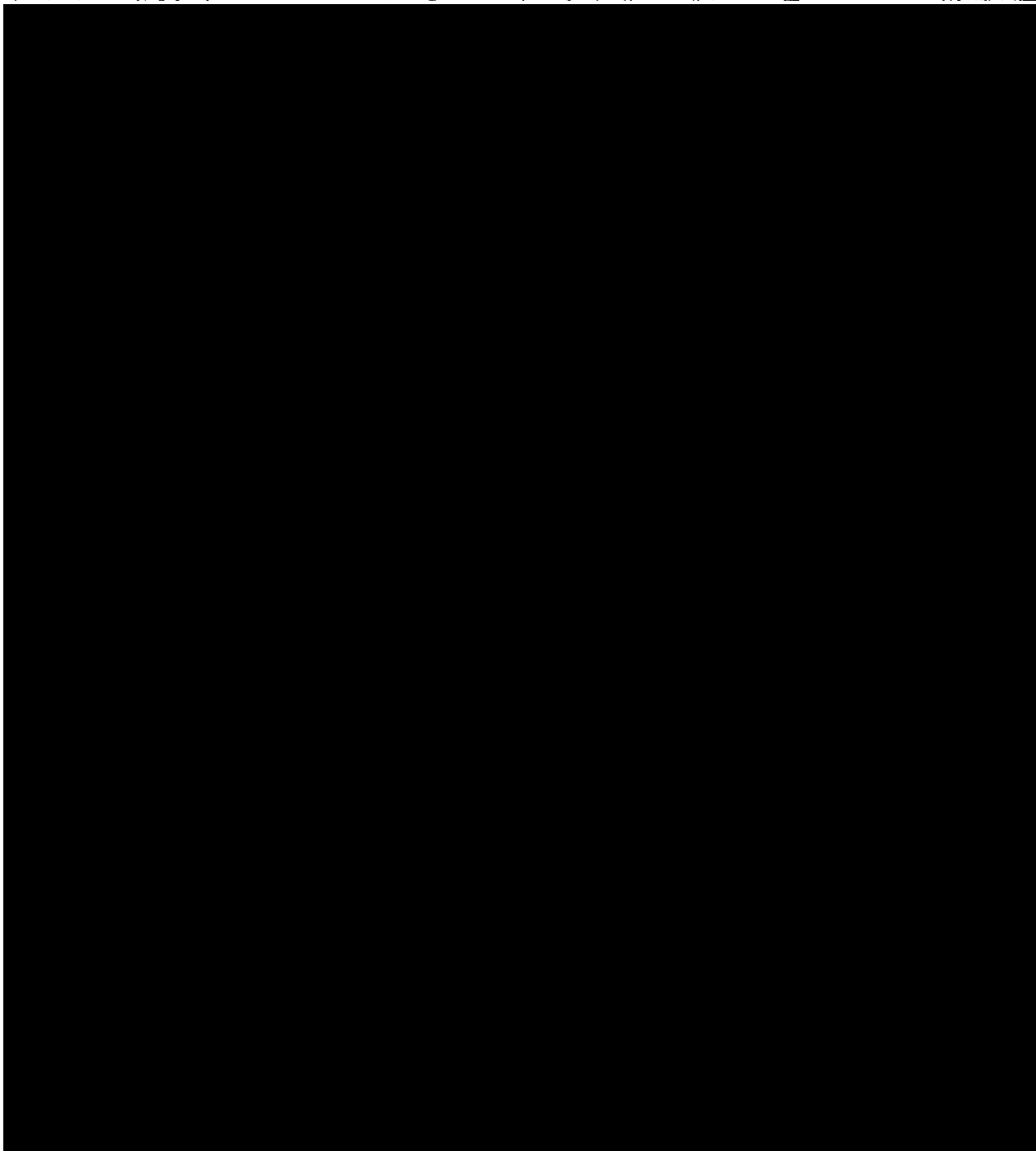
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C/O Parks ²⁰⁰ Delta $\frac{0700}{1500}$ Salt Pines 1/24/20200855 ~~1007~~ on roads - Tssed Tmte

01/01/2001 1/1 Halsek ad 148 07.00-15.00 D2 Sgt. Pascal Lt. M...

0750 SGT P. on P. 465 - No evidence at the time of the

921 1/2 Halskood 148 0700-1500 42 Sgt. Pascal Lt. Manno

co Netzel on rounds - ④ grammers collected

1-3-21 40 M Archini ID2 ²³⁰⁰/₀₁₀₀ Sgt. Short Lt Campbell

* 1/3/21 Salvucci DO 0700/1500 Sgt Pasca / Lt Zappala

* 0750 co Westel on rounds - @ grimmer
0801 Sgt Asel on foot - 4/5 7/8

10mms

*

-4-2021 8 Andypr108 0-2 0700-1500 Sgt Pascal LT Zwick

24 S/b's —

*

0247 Co. Hester on rounds - (2) Arizona's collected. 0600-0817 — 2

1/5/01 Service: DO 0700/1500 SGT Prescia/La Zappala

0753

co Netzel on rounds - @ grievances

~~W~~