

Count Discrepancies on August 9, 2019

**Per the Daily Activity Report dated August 10, 2019, and the attached LT Log from August 9, 2019*

The day began with 77 inmates assigned to ZA (SHU)

The 5 am E-1 (Institutional count) and respective ZA (SHU) count slip (eyes on count) show 77.

At 8:38 a.m., Inmate Reyes is "Pre Removed" from ZA (SHU) for court and taken off the LT log count. The accurate ZA (SHU) count moves down to 76. Reyes is removed from the Institution and does not, and should not, appear on any counts after this time.

At 3:15 p.m., Inmate Fernandez #86824-054 was placed on RA dry cell from ZA (SHU) which moves the accurate ZA count down to 75 on the LT Log.

The 4 p.m. E-1 shows a total of **76** inmates assigned to ZA (Census column) with 1 in Attorney Conference (Epstein). This indicates that Fernandez was not keyed out of SHU and keyed into RA. The ZA "eyes on" count slip shows 75 (inaccurate – it should have reflected 74 because although there were 75 inmates assigned to the SHU, Epstein was in Attorney Conference). There were no inmates assigned to RA on the E-1 (institutional count) and there was no count slip for RA (eyes on count). ***This is where the problem began.**

At 6:34 p.m., Inmate Hemmingway is moved from ZA to ES bringing the accurate count down to 74.

At 6:47 p.m., Inmate Reid is moved from ZA to ES bringing the accurate count down to 73.

At 8:21 p.m., Inmates Felix and Williams are moved from ZA to Suicide watch bringing the accurate count down to 71.

At 8:28 p.m., Inmate Garcia-Pena is moved from KN to ZA bringing the accurate count up to 72.

The 10 p.m. E-1 shows a total of 73 inmates assigned to ZA with 0 inmates assigned to RA. The ZA "eyes on" count slip shows 73 + 1 (inaccurate). However, there is an "R&D" count slip that shows 1 inmate although there is nothing on the E-1.

The August 10, 2019, 12 a.m. E-1 shows a total of 72 inmates assigned to ZA with 1 inmate assigned to RA. The ZA "eyes on" count slip shows 73 (inaccurate). There is an "RA" count slip that shows 1 inmate assigned to RA. There is no "R&D" count slip. It is believed that RA and R&D are the same.

Per LT [REDACTED] Inmate Fernandez was never keyed out of ZA (SUH) and placed in RA (or R&D). Therefore, she keyed him out of the SHU and added him to RA on the E-1 during the midnight count.

Initial conclusion: The 4 p.m., 10 p.m., and 12 a.m. SHU counts were not conducted.

Follow-up:

- Need to verify that RA and R&D are one in the same.
- Need to determine why there was a count slip for R&D at 10 pm but it wasn't reflected on the E-1.