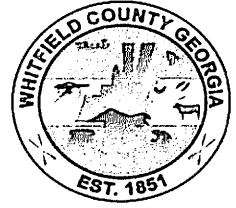




## WHITFIELD COUNTY



### WRITTEN REPRIMAND

**Employee Name: Nathan Styles**

**Department: Sheriff's Office/ Detention**

**Employee ID No.: S0705**

**Date of Counseling: 10/26/2020**

**Date of Employment: 11/01/10**

**Time in Position: 10 years**

**Job Title: Detention Officer**

**DATE OF INCIDENT: 10/18/2020**

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#### STATE REASON FOR ACTION:

- Violation of Policy: (WCSO) Operations Manual Section 11.16 Insubordination**
- Violation of Policy: (WCSO) Operations Manual Section 11.12 Competent Performance**
- Violation of Policy: (Whitfield County Merit Policy, 1-1-33(b)(8): "Violation of County ordinances, administrative, regulations, or departmental rules"**
- Violation of Policy: Whitfield County Merit Policy, 1-1-33(b)(3): "Inefficiency, negligence, or incompetence in the performance of duties".**

#### FACTS OF THE SITUATION:

##### Overview:

The command staff conducted a review of safety policy and practices after the intake of an inmate who claimed to have been in contact with Covid positive individuals. Upon review, it was determined that Detention Officer Nathan Styles, was not following numerous safety and security processes. An interview with Officer Styles on 10/23/2020 confirmed that he was aware of the violations, and was also aware that the directives were not being followed.

##### Details of Incident:

An inmate was arrested on the week of 10/12/2020-10/18/2020 and claimed to have been in contact with someone who had tested positive for Covid-19. A review of the video record showed that this inmate was received by Officer Nathan Styles at approximately 1:24 am.

The following issues occurred during the video review:

1. **Failure to wear Personal Protective Equipment (PPE) as directed:** At 1:23 am, Sgt Almon hands the clipboard with Covid Screening information to Officer Styles. Officer Styles immediately leaves the booking area to conduct the screening, but does not wear a face shield, as required by numerous written directives.

After a Covid Screening, Officer Styles gave a “red mask” to the inmate, indicating that the inmate had the potential to be infectious to others. However, Officer Styles still failed to wear a face shield as required by policy and directives. This occurred in full view of the supervisor, Orlando Almon, who was inventorying the inmate’s property at the time.

The inmate was also fingerprinted, requiring Officer Styles to be in close proximity to the inmate. Video shows that this process was also conducted by Officer Styles. Officer Styles also did not wear a face shield during this process.

A review of numerous other inmates’ intake process during the same evening showed that Officer Styles did not wear his face shield when conducting their Covid Screening either.

- 2. Failure to follow directives to only allow “red mask” inmates out of their cells in “extreme circumstances”:** Numerous directives have made it clear that inmates who are either confirmed ill, or suspected to be ill are to be isolated as much as possible. It is clear that employees on the shift intended for this inmate to be included in this group, as Officer Styles provided the inmate with a red mask. Instead of being isolated, the inmate was not immediately placed in a cell to await booking, but was allowed to sit in the main booking area while his booking paperwork was being completed. The inmate remained at the booking counter for over fifteen minutes, with numerous personnel walking past him, who had no face shield, including Officer Styles. The inmate was in the booking area for a total of approximately 35 minutes before he was secured in a cell by himself.

Both personnel (Styles and Almon) agreed that this could have been easily avoided by placing the inmate in a cell, “pre-booking” (a common practice) the inmate, then removing him only for fingerprints and for the purpose of a photograph. This would have limited the exposure time substantially and would have been in line with current safety practices.

- 3. Failure to follow proper search procedures.** Detention procedures require that officers fully frisk search inmates prior to removing their restraints, upon intake. This search is conducted to find dangerous contraband, but also make certain that the inmate is not carrying any weapons prior to the restraints being removed.

In a review of the video, with the inmate in question and with others, it was determined that Officer Styles did not conduct a complete frisk search prior to removing the inmates’ restraints. Instead, Officer Styles would search inmate’s pockets, then simply (and lightly) search their legs. This did not include a search of the torso, neck, under-arms, waistline, or groin areas in most cases observed.

This search, and others, was conducted in full view of Sgt. Almon. Both Sgt. Almon and Officer Styles were aware that a full frisk search was required before removing restraints to search for weapons. Both parties were shown an example video and agreed that the search did not meet those guidelines.

Examples of issued directives relating to these tasks include:

**1. Memo: Pre-Intake Screening 4/17/2020:**

*“Starting on 4/18/2020, Intake will begin pre-evaluating inmates prior to entrance into the facility. During this process, a booking officer with a face shield and a N95 respirator will meet the arresting officer in the sally port.”*

*“4. Isolate the inmate in the booking area, in a negative pressure room if available.”*

*“5. Minimize the inmate’s access outside of his or her cell.”*

**2. Email, Captain Lynch, 9/8/2020:**

*“When dealing with individuals who are potentially contagious, or known to be contagious, employees **should use full face shields** and respirators (N95’s).”*

**3. Email, Captain Lynch, 10/9/2020:**

*“Red: These inmates have been placed in (individual) isolation due to a valid reason that they either have Covid or have been exposed to someone who has. Any individuals in an area with these individuals must wear an N95 respirator, not simply a surgical or cloth mask. **Individuals in close contact should wear face shields as well. These inmates should not be removed from their cells except in extreme circumstances. They should not be in areas with other inmates.**”*

**4. Memo, Lt. McMillan, “Colored Masks”, 10/16/2020:**

*“Inmates that have had a **possible exposure**, symptoms, or segregated by medical due to illness should receive a red mask. (These inmates will also need to be placed in a holding tank alone and medical notified.*

*“If an inmate has a red mask they should be treated as if they are sick and when officer deal with these inmates, a face shield, N95(KN95), and gloves will be worn.”*

**5. Detention Policy, Frisk Searches:**

*“Newly admitted inmates are to be frisk searched immediately upon entering the facility and before their restraints are removed. After their property has been removed and inventoried, they are to be frisk searched again.”*

*“All searches should be systematic by following a logical procedure, and **thorough by ensuring that the search is complete** and correctly performed. Example; generally search from the top of the body down to ensure **no area is missed.**”*

**Conclusion:**

Management has a right to develop safety and security procedures, and the organization has an obligation to ensure that employees can perform job related tasks. Employees have an obligation to conform to these expectations.

**WCSO Policy and Procedure Section 11.16 Insubordination** indicates that employees must subordinate their personal preferences to a supervisor's directives. This conduct qualifies as insubordination in that the employee agrees that he and his subordinate were informed of the procedures, but he did not ensure that his staff was following them. It also qualifies in that the employee is violating written policies, as noted below.

1. This qualifies as a violation of **WCSO Policy and Procedure Section 11.08 Competent Performance**, in that the supervisor has (11.12.C.9) failed "... *satisfy performance standards on any assigned or assumed duty or task after receiving comparable training and experience as the typical member.*"

In this case, Officer Styles was aware of the procedures to correctly perform these tasks and failed to do so.

**Previous Counseling and Date(s) for Same Infraction:**

**Changes in Performance or Conduct since Last Counseling: Similar behaviors have continued, see above.** \_\_\_\_\_

**FUTURE CONDUCT OR PERFORMANCE REQUIREMENTS:**

1. Actively seek and find proper ways to comply with the expectations of the office, including safety and security procedures, and ensure that all others do so as well.
2. Make sure frisk searches are completely done and that the inmates are searched completely.

**CONSEQUENCES:**

**Consequences of Failure to Correct or Improve Conduct/Performance: Progressive disciplinary action, up to and including termination.**

**TIME PERIOD FOR IMPROVEMENT AND FOLLOW-UP:**

1. Time period for improvement: Immediately as the standard is known.
2. Follow-up date(s): The employee's behavior will be monitored bi-monthly by the Division Lieutenant for a period of three months.

**EMPLOYEE COMMENTS:**

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(Attach additional sheets if necessary)

This written reprimand along with any other related documents shall be filed with the Human Resources Director. At your request, you shall be entitled to a review of this written reprimand to be conducted by the Human Resources Director. Three written reprimands within a twelve (12) month period shall be grounds for dismissal pursuant to Section 1-1-33(a) (4) of the Merit Policy.

I have read and understand the contents of this document, and understand that it will be part of my personnel record. My signature confirms that the content has been reviewed with me.

Math Stey 10/29/20  
Employee Signature Date

[Signature] 10/29/20  
Supervisor/Manager Signature Date

Scott Clewood 11/25/2020  
Department Head Signature Date

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Human Resources Signature Date