

EXHIBIT VI.

“VALID” Cell Phone- Class Action
& Multiple Assaults Report

EXHIBIT FACTS/INFO. SHEET



*Due to time constraints, the page herein has not been fully constructed. The “Facts/Info. Sheet” was designed to assist the Finder of Fact when considering exculpatory /substantive information extracted from the following exhibit.

*See Exhibit IV. for a completed “Facts/Info. Sheet”

Resident Grievance System

**Maryland Department of Health
201 West Preston Street, Room 546
Baltimore, Maryland 21201
1-800-747-7454**

To: Michael Kapneck

From: Rhonda [REDACTED] Director RGS

Date: January 5, 2021

**RE: RGS Grievance Number 031524CP2021
Stage 1 Decision and Investigation Report**

This is your copy of the Resident Grievance System Report Stage 1 report on the complaint filed with this office. Please carefully review the Rights Advisor's Stage 1 investigation and the decision below, and advise your decision by checking the appropriate option on the first page. Sign and date the top form and return to the Rights Advisor. You may keep this page for your record.

**Rights Advisor's Stage 1 Decision: VALID
Summary of Investigation Findings:**

Patient alleges that he observed 2 CTPHC staff on different occasions using their cell phones while on the unit, which can contribute to the patient on patient attacks on 2-west unit. He further stated this violates the cell phone use policy for staff.

Received patient complaint on 12/22/2020 from RA O/[REDACTED] Patient stated that on 12/12/2020 and 12/15/2020, he observed CTPHC Staff using their cell phones while on duty. Patient stated that there has been an "unprecedented" number of unprovoked, violent patient on patient assaults on the unit and there has also been an unprecedented number of staff that completely disregard the cell phone policy.

The first occasion was on 12/12/20 at 10:35 pm when the patient alleges he observed Officer [REDACTED] on his cell phone in front of the nursing station and then he went into the break room for over a half hour, during which time a fight almost broke out on one of the patient porches and Officer [REDACTED] was not present to address the situation and eventually Mr. [REDACTED] had to get Officer [REDACTED] out of the break room. Once out of the break room, Officer [REDACTED] walked around the hallways reading the newspaper and an hour later he went back into the break room.

The second occasion was on 12/15/20 at approximately 2:30-2:45. During Fresh Air Break in the courtyard, the patient alleges he observed staff member, Mr. [REDACTED] 'flagrantly' using his cell phone and when the patient spoke to him about it, Mr. [REDACTED] stated, "Write me up!"

The patient alleges in both grievances that many staff members use their cell phones while on duty and it is this disregard for the cell phone policy that has caused an overwhelming

number of assaults, both patient on patient and patient on staff assaults, any of which could have been easily avoided had staff been paying attention to the patients.

12/22/20 - RA requested a statement from Officer [REDACTED] and Mr. [REDACTED]. RA also submitted a request to view and copy the video for both incidents. Both staff accused denied the allegations.

12/28/20 - RA O [REDACTED] requested to review the videos for this grievance and Captain [REDACTED] emailed that he would not be available for this request until Thursday 12/31/2020.

12/31/2020 - RA O [REDACTED] and LAP F [REDACTED] viewed the videos for both alleged incidents. RA and LAP both agreed that they did not see any evidence of Officer [REDACTED] using his cell phone on 12/12/2020. However, the RA and LAP both saw staff [REDACTED] using the cell phone on 12/15/2020.

As a result of the video review, this grievance has been found valid and it is recommended that all staff are re-educated on the cell phone policy during work hours. It is also recommended that David [REDACTED] is counseled for his disregard of the cell phone policy.

RA's Signature

Date