

**Notice:** The Office of the Corrections Ombuds is currently updating our case closure process to ensure that our data reflects the outcomes reached by the office and to provide greater transparency into the work of the office. We anticipate implementing these changes with the March 2022 Monthly Outcome Report.

The Office of the Corrections Ombuds (OCO) investigates complaints regarding any Department of Corrections’ (DOC) actions or inactions that adversely affect the health, safety, welfare, and rights of incarcerated individuals (RCW 43.06C.040). Per RCW 43.06C.040(2)(k), at the conclusion of an investigation of a complaint, the ombuds must render a public decision on the merits of each complaint.

As of September 1, 2020, all cases open at the time and all cases opened since by OCO are considered investigations for the purposes of the statute. The following pages serve as the public decision required by RCW 43.06C.040(2)(k).

In providing an anonymous summary of each complaint, OCO staff have worked to limit as much identifying information as possible while still providing a substantive explanation of the concern so as to protect the complainant’s confidentiality while also providing transparency into the office’s work.

Note: The following case summaries also include OCO’s closed case reviews, in which a complainant whose case was closed requests a review by the supervisor.

All published monthly reports are available on <https://oco.wa.gov/reports-publications>.

<b>Case Status</b>	<b>Explanation</b>
<b>Assistance Provided</b>	OCO, through outreach to DOC staff, was able to achieve full or partial resolution of the person’s complaint.
<b>DOC Resolved</b>	Case was resolved by action of DOC staff prior to OCO action.
<b>Lack Jurisdiction</b>	Complaint did not meet OCO’s jurisdictional requirements (not about an incarcerated individual, not about a DOC action, or person did not reasonably pursue grievance/appellate procedure).
<b>No Violation of Policy</b>	After reviewing all relevant documents and DOC policy, OCO staff determined that DOC policy was not violated.
<b>Unable to Substantiate</b>	Insufficient evidence existed to support the complainant’s allegation.
<b>Information Provided</b>	OCO provided self-advocacy information.
<b>Substantiated</b>	OCO substantiated the concern/allegation, but it was not resolved by DOC and OCO was unable to reach a negotiated agreement.
<b>Decline/Other</b>	Some other reason existed for the closure of the case, generally release.

# Monthly Outcome Report

## October 2021

Institution of Incident	Complaint/Concern	Outcome Summary	Case Closure Reason
<b>Airway Heights Corrections Center</b>			
1.	Incarcerated individual filed kite for medical/dental for treatment of two back teeth. DOC staff did not accept medical kite and the person lost his tooth.	Identified areas of concern with the DOC medical resolution process. Due to staff shortages throughout the facility, resolution responses were heavily delayed, especially medical resolution requests. Because of this complaint and others, we were able to identify concerns within their process. DOC resolutions are now making changes based on the concerns the OCO identified.	Assistance Provided
2.	Complaint that DOC conducted a cell search based on suspicion that an incarcerated individual had items in violation of his Judgment and Sentence (J&S) in his cell. His cell was searched and many personal items including his JPAY player were confiscated. DOC did not provide a search report and still has not.	New staff failed to follow the proper DOC protocol when searching the incarcerated individual's cell. Unit staff have worked with them to review the confiscated items and items confiscated in error have been returned to you after OCO contact.	Assistance Provided
3.	Complaint that an incarcerated individual was supposed to receive eight books but only received four. The incarcerated individual requested the remaining four books back.	Books have been returned to this person. The OCO recommended filing a tort claim if he does not still have the books. DOC does not have them.	Assistance Provided
4.	Family member expressed concern about their incarcerated family member receiving an infraction for refusing a cell assignment. They believe this is retaliation for filing a grievance.	Incarcerated individual has not appealed the infraction. Per RCW 43.06C, OCO cannot investigate a concern until the incarcerated individual has reasonably attempted to resolve it via the grievance process, administrative action, or appellate process.	Information Provided

5.	Incarcerated individual reports that he is two years past his Earned Release Date (ERD) and that he is pending civil commitment. He doesn't understand why he hasn't been released or why he was subject to possible civil commitment.	No violation of policy was found. Information was provided to the incarcerated individual relating to available options for assistance. OCO staff researched why the person was held past their ERD and what steps were needed to be considered for release. The OCO staff found the issue related to release plans and the civil commitment process. The incarcerated individual was informed of the option to seek advice from an attorney as an attorney will have more information about working with the prosecutor's office to start the civil commitment trial process.	Information Provided
6.	Incarcerated individual reported that they have lost years of good time due to the current Indeterminate Sentence Review Board (ISRB) and "sexually violent predator" (SVP) determination structure. Wants good time back or to have the SVP proceeding begin at a person's ERD.	No violation of policy was found. Information was provided to the incarcerated individual relating to available options for assistance. OCO staff researched why the person was held past their ERD and what steps were needed to be considered for release. The OCO staff found the issue related to release plans and the civil commitment process. The incarcerated individual was informed of the option to seek advice from an attorney as an attorney will have more information about working with the prosecutor's office to start the civil commitment trial process.	Information Provided
7.	Incarcerated individual reported staff misconduct on behalf of his friend who is incarcerated at another facility.	The OCO explained to the complainant that this office may investigate if granted permission by the incarcerated individual. The OCO contacted the incarcerated individual to determine if the OCO had his permission to further investigate the staff misconduct concern; the OCO did not receive a reply from this person.	Information Provided
8.	Incarcerated individual reports that they cannot call the IRS at the provided 1-800 number. He was told by letter to call a 1-800 number or email. DOC will not facilitate a call or unblock the number.	Explained to the incarcerated individual that the best way to contact the IRS is by mail.	Information Provided

9.	Incarcerated individual filed a complaint related to an OCO investigation alleging that the original OCO work was not a sufficient response to an allegation of elder abuse.	The OCO conducted a closed case review of the original concern and found the original OCO staff work appropriate and accurate. The OCO reviewed the incarcerated individual's original complaint that DOC violated policy by failing to investigate an assault by his cellmate as elder abuse. The OCO again was unable to substantiate a violation of policy because the individual does not meet the criteria for "vulnerable adult" as set forth in DOC 350.550 (Reporting Abuse and Neglect/Mandatory Reporting). The Assistant Ombuds conducted an extensive review of confidential documents including the outcome of a Multi-Disciplinary Team meeting consisting of mental health, medical, leadership, and unit staff held after OCO's request to review internal DOC process. The AO reviewed relevant DOC policies and confidential correspondence between OCO and DOC. The AO also conducted a confidential in-person meeting with complainant.	No Violation of Policy
10.	Incarcerated individual was denied <i>Muscular Development</i> magazine because certain bodybuilding/fitness pictures were determined to be sexually explicit. He was trying to appeal another mail rejection with the publication review committee and was denied his right to appeal with them.	OCO staff reviewed the rejected material and found the rejections could be justified under the DOC policy due to the sexually explicit material in some of the depictions in the magazine.	No Violation of Policy

11.	The incarcerated individual was terminated from their Correctional Industries (CI) job position and had five days earned time taken from him as a result of the termination. He reports that he never stated that he wanted to quit and was also going to school at the time the five earned time points were taken.	The OCO was unable to substantiate a violation of policy. Under DOC policy 350.100, an individual may not earn earned time for any month in which he or she refuses, or is terminated from, mandatory programming. Policy 350.100 states that an incarcerated individual will not be eligible for earned time if "S/he is not involved in mandatory programming as determined through the classification process and consistent with his/her Custody Facility Plan. This includes refusing mandatory programming or being terminated from a program assignment for documented negative or substandard performance. An [incarcerated individual] who is on a waiting list and refuses a program assignment will not earn earned time for the month in which s/he refused." This means any type of refusal or termination is subject to loss of earned time points, regardless of any other programming.	No Violation of Policy
12.	Incarcerated individual reports that their attempted transfer to another facility was denied by headquarters. Person recently lost a relative and could potentially lose his mother and that is the reason for wanting to transfer (hardship transfer) along with programming needs.	The OCO found DOC was not violating policy and that the transfer was not completed due to statewide closures. The incarcerated individual has a new plan in place where they will request a transfer to WCC.	No Violation of Policy
13.	Incarcerated individual received an infraction for alleged contact with another individual, but no evidence was presented to the individual during the hearing. DOC based the infraction on confidential information and the individual wasn't allowed the opportunity to challenge it.	The OCO was not able to substantiate the claim or violation of policy. The OCO reviewed the confidential information upon which the infraction was based. The confidential information was sufficient to meet the standard of proof to find that the infraction was committed. Although the individual alleged that DOC staff conducting confidential interviews was coercive during their interaction, because those interviews are not recorded, the OCO has no way to substantiate that claim.	No Violation of Policy
14.	Incarcerated individual claims he was falsely accused of being involved in two different incidents, both resulting in loss of good conduct time. The individual believed the confidential information used against him was fabricated, and he was given no opportunity to review it.	The OCO was not able to substantiate the claim or violation of policy. The OCO reviewed the confidential information upon which the infraction was based. The confidential information was sufficient to meet the standard of proof to find that the infraction was committed.	No Violation of Policy

15.	<p>Incarcerated Individual reports that the incident report regarding the assault that occurred at an earlier date was not truthful and is minimized to favor the aggressor. There was a third person present at the time of the attack and they were not contacted by staff nor able to submit a statement. Incident report also claims person had prior contact with person who assaulted him, and person claims this is not true. Person says staff failed to stop aggressor from choking his windpipe and no effort was made to control or restrain aggressor.</p>	<p>The OCO was not able to substantiate the claim or violation of policy. The OCO staff was unable to locate language within the incident report that appeared to favor the aggressor. DOC ensured that both parties were assessed by medical, and the incident was investigated. The incarcerated individual was not infracted, and DOC separated both involved parties.</p>	<p>Unable to Substantiate</p>
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**Clallam Bay Corrections Center**

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16.	<p>Unbeknownst to complainant's son, his cellmate had hidden contraband in a box of sugar which itself was hidden in the cellmate's property. The cellmate admitted it was his contraband and told DOC that complainant's son had no knowledge of it. At the hearing a written statement from the cellmate was presented which stated that complainant's son did not have knowledge of the contraband, but complainant's son still was penalized for his cellmate's action. Complainant's son is now in close custody and has lost three months good time due to this incident.</p>	<p>The OCO was able to provide assistance in this case. The complainant's son received an infraction for introducing drug or drug paraphernalia, but claims it was his cellmate's. The cellmate claimed possession of the unauthorized substance. DOC staff reduced the charge to possession of an unauthorized drug, alcohol, or intoxicating substance.</p>	<p>Assistance Provided</p>
17.	<p>Incarcerated individual filed a grievance that led to lawsuit due to deliberate indifference to medical needs. Complainant was supposed to have medication three to four times a day. The nurse said it would only be given twice. She is named in grievance and subsequently in the lawsuit.</p>	<p>The medication in question was only prescribed for twice a day. Medical responded to his grievance and his treatment plan was updated.</p>	<p>DOC Resolved</p>
18	<p>The incarcerated individual received an infraction that he believes shouldn't stand, as a related infraction assessed at the same time has been dismissed.</p>	<p>The OCO was unable to find a violation of policy by DOC. The OCO reviewed the individual's infraction materials. While one infraction was dismissed, evidence remained to uphold the other infraction. Elements of each infraction were different, and dismissal of one does not necessitate dismissal of the other.</p>	<p>No Violation of Policy</p>

19.	Incarcerated individual was infracted for fighting and using a weapon. He states that he did not have a weapon. He was charged for the weapon based on a phone call that he had with his family. Intelligence and Investigations Unit (IIU) is saying that the phone call proves that he had a weapon. This person states that he did not say anything about using a weapon against the other person he was fighting.	The OCO was unable to find a violation of policy by the DOC. The OCO obtained the recording of the phone call and confirmed that the incarcerated person did state on the call that he had a weapon.	No Violation of Policy
20.	Incarcerated individual raised a medical concern in connection with staff retaliation case. Patient was issued a single cell by medical for sickle cell symptoms increased by anxiety. Custody staff told him they were hearing complaints from other incarcerated people about him having a single cell. Within 24 hours of being issued the single cell, it was removed. Potential custody interference with medical Health Status Report (HSR). Also received lesser medications while in quarantine. Requested single cell be reinstated.	The OCO was unable to resolve this case despite finding the allegation substantiated. The OCO substantiated that the HSR was issued and then removed. The OCO alerted facility but was unable to remedy the concern. The situation was raised to headquarters but was not resolved.	Substantiated

**Coyote Ridge Corrections Center**

21.	Incarcerated individual reports they have a lump in their side that causes significant pain. Initially, patient says they saw the doctor who ordered an ultrasound and told him it was lipoma. They were told it was cosmetic so DOC would not perform surgery, but DOC did not do a biopsy. After that DOC medical did not follow up with them. The incarcerated individual wrote kites and filed a grievance. Staff then said they would follow up, so the incarcerated individual agreed to closing the grievance. DOC staff still have not followed up. Requested to have lipoma removed.	The OCO was able to provide assistance. The patient received ultrasound in 2019 and DOC agreed to schedule the patient for follow up to determine if there are any new complications. DOC agreed to submit consult to Care Review Committee (CRC) if medically indicated.	Assistance Provided
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22.	Incarcerated individual reports that a particular correctional officer (CO) is abusing older people in his unit and himself. He reports that the CO looked up his conviction and berates him for it. He wants this to stop and for the CO to leave him alone.	The OCO contacted DOC facility administration about this concern. In response to the OCO's contact, facility leadership informed the OCO that DOC had previously investigated similar allegations against this officer and there was insufficient evidence to substantiate. However, based on this OCO inquiry, the facility acted to limit the officer's assignments to units other than the unit where complainant is housed.	Assistance Provided
23.	Incarcerated individual has been waiting for two months to move from minimum-3 (MI3) custody to work release. The person reports that he is due to get out soon and is concerned that if he doesn't go to work release, he won't be able to earn any money to release with. He talked to his counselor and Correctional Unit Supervisor (CUS) and people are being sent to work release and doesn't know why he hasn't been.	Complainant is now at work release facility.	DOC Resolved
24.	Complainant reported to OCO on behalf of the incarcerated family member who has history of schizophrenia and Post-Traumatic Stress Disorder (PTSD). The incarcerated individual has been on two psychotropic medications since entering DOC which help significantly. DOC just stopped his medication due to missed appointments. At Coyote Ridge DOC uses callouts for appointments and he's missed the callouts because it's so noisy. He requests the appointment but then he misses it.	Alerted DOC mental health staff to these concerns. Was able to confirm that person now has access to mental health medication and treatment.	DOC Resolved
25.	Incarcerated individual concerned about conduct of staff members. Feels he is being targeted and made to feel uncomfortable with certain correctional officer who has accused him of things that he is not doing,	The OCO provided information to the incarcerated individual that the OCO could not take the case because the incarcerated person had not grieved to level 2. Per RCW 43.06C, OCO cannot investigate a concern until the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative action, or appellate process. Informed complainant that level 2 grievance is required for concern to be investigated.	Information Provided



26.	The printer in the JPay Kiosk cuts off the last sentence of the page. Seems printer doesn't to have a bottom margin set up. Having to pay for extra copies when it should all be able to be printed on one page.	The OCO provided information to the incarcerated individual that the OCO could not take the case because the incarcerated person had not grieved to level 2. Per RCW 43.06C, OCO cannot investigate a concern until the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative action, or appellate process. Informed complainant that level 2 grievance is required for concern to be investigated. The incarcerated person requested the grievances be withdrawn and closed after level 1 response. The OCO cannot review because no level 2 response and person withdrew the grievances.	Information Provided
27.	Incarcerated individual states that a DOC employee disclosed private information about his record that could make him unsafe in a mainline situation. Feels that this staff member should be reprimanded.	The OCO provided information to the incarcerated individual that the OCO could not take the case because the incarcerated person had not grieved to level 2. Per RCW 43.06C, OCO cannot investigate a concern until the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative action, or appellate process. Informed complainant that level 2 grievance is required for concern to be investigated.	Information Provided
28.	Incarcerated individual reports that DOC will not allow him to provide his family with funds from his savings account for Covid-19 relief. He feels that this should qualify as a "natural disaster" and wants to be able to send out money to help his family.	The OCO provided information to the incarcerated individual that the OCO could not take the case because the incarcerated person had not grieved to level 2 and that DOC no longer allows individuals to send out money due to Covid. Per RCW 43.06C, OCO cannot investigate a concern until the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative action, or appellate process. Informed complainant that level 2 grievance is required for concern to be investigated.	Information Provided
29.	Complainant states that minor grandchild denied visits with father (son of complainant) after his Judgment and Sentence was amended to allow visitation with his children. Denial appeal is in a pending status based on the requirement of a Visitation Multidisciplinary Team will consider visit privileges if a licensed mental health professional indicates that the child would benefit from a visit in a prison facility.	The OCO was unable to substantiate a violation of policy. The denial was within DOC policy and the requirement for the situation remains.	No Violation of Policy

30.	Incarcerated individual reports he was personally served court hearing papers. CRCC is refusing him access to a phone to be present in the hearings. He has grieved this action.	The OCO was unable to substantiate a violation of policy. The incarcerated person did not follow the DOC procedure required to attend the court hearing.	No Violation of Policy
31.	Incarcerated individual reported that a book was rejected - <i>Vampire the Masquerade</i> - as a role-playing gamebook. However, other role-playing gamebooks have been allowed and no other reason was given. Appealed all the way to headquarters.	The OCO was unable to substantiate a violation of policy. The book rejected because it was an unapproved game.	No Violation of Policy
32.	Incarcerated individual believes he was wrongfully terminated and infracted from his job. Didn't feel comfortable working in medical due to the fact that he is high risk for Covid. He was terminated and was denied his appeal.	The OCO was unable to substantiate a violation of policy. There was evidence that the incarcerated individual requested this job and attended it until the shifts changed to less desirable shifts.	No Violation of Policy
33.	Family member concerned that incarcerated person was denied visitation for their mother's funeral. He has been approved for escorted leave to attend two other funerals and family doesn't understand why this time he was denied.	The OCO was unable to substantiate a violation of policy. While this incarcerated person met the requirements for escorted leave per DOC 420.110, ultimately leave was denied at the facility level due to safety and security risk factors. The decision by the Superintendent is not appealable per policy. OCO reviewed the notification to the Deputy Director of the denial and reasoning as required in policy.	No Violation of Policy
34.	Incarcerated individual is frustrated with mailroom conduct at CRCC; says his mail is continually being rejected and he isn't getting mail from his family. They are violating the 5-day rule and not giving him his mail. Wants conduct of mailroom looked into.	The OCO was unable to substantiate a violation of policy. The complainant expressed concern about mail rejections. Upon review, all rejections were within DOC policy.	No Violation of Policy
35.	Incarcerated individual was infracted for contraband items that he says were his cellmate's. DOC staff searched his cell and took many items that were allowed, but never returned them to him. He states that his hearing was conducted poorly and that the items were not his. He reports that these infractions have greatly changed his progress in prison, and he feels this is unjust, as the items were not his.	The OCO could not take the case because the incarcerated person had not grieved to level 2. Per RCW 43.06C, OCO cannot investigate a concern until the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative action, or appellate process. Informed complainant that level 2 grievance is required for concern to be investigated. Advised that he needs to grieve this issue.	No Violation of Policy

36.	Incarcerated individual states that DOC is attempting to transfer him to a facility with the same individuals who are currently causing problems for him at his current facility. Was told he would be closed out if he did not go. Has been housed in Protective Custody (PC) for a month. Is now on quarantine.	The OCO was unable to substantiate a violation of policy. Complainant concerned about transfer to another facility. This transfer was not outside of DOC policy and is necessary for complainant to complete court-required treatment.	No Violation of Policy
37.	Concerns about denial of (Extended Family Visit (EFV).	The OCO was unable to substantiate a violation of policy. The complainant was concerned about denial of EFVs; however, the denial was within DOC policy 590.100(III)(A)(10).	No Violation of Policy
38.	False infraction complaint. Incarcerated individual states that DOC staff have been harassing him and other people. Reports that this CO has written a false infraction on him that was dismissed. He wants infractions investigated and a keep separate issued between him and named officer.	The OCO was unable to substantiate a violation of policy. Complainant expressed concerns about false infraction; however, the infraction was dismissed. Also was concerned about staff retaliation but was unwilling to participate in the resolution process.	No Violation of Policy
39.	Incarcerated individual expressed concern about an infraction for refusing a urinalysis/failure to provide a sample. He says he was not given a full hour to provide a sample.	The OCO was unable to substantiate a violation of policy. The OCO reviewed the hearing officer's decision and could not identify any policy violation.	No Violation of Policy
40.	Incarcerated individual feels two mail rejections were for improper reasons. 1. rejected for containing unknown substance (contains excess ink that penetrated envelope and stained card) 2. rejected because greeting card contained glitter	The OCO was unable to substantiate a violation of policy. The complainant expressed concern about mail rejection; however, the rejections appeared to be within DOC policy.	No Violation of Policy

### Monroe Correctional Complex

41.	Incarcerated individual says that he was found guilty of an infraction based on incorrect and inconsistent information. He says that he was infringed for committing sexual harassment against another incarcerated person, but the hearing officer found him guilty of committing sexual harassment against a staff member. Incarcerated individual says there is no credible evidence to prove that he was in violation.	The incarcerated individual was infringed for committing sexual harassment against another incarcerated person when he allegedly shouted a sexual statement at another incarcerated person from across a busy dayroom. Both individuals were wearing masks and the video showed the complainant "adjusting himself." After the OCO discussed this concern with DOC the infraction was reduced to a general infraction for abusive language.	Assistance Provided
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42.	Incarcerated individual has not received a medical treatment and would like to begin treatment immediately. He was recently transferred to a new facility and tested. Delays in treatment are around 14 months. He has not received treatment due to protocol.	The OCO contacted DOC to ensure that a follow up appointment was set, the case was presented to Hep C Care Review Committee, treatment was approved, and treatment started.	Assistance Provided
43.	Incarcerated individual has significant mental health disability. Concern regarding his ability to sufficiently participate in "Sex Offender Treatment and Assessment Programming" (SOTAP), maintain stability, maintain medication compliance, etc. in order to be found releasable by the Indeterminate Sentence Review Board (ISRB). Original sentence was nine months with a max date of life; person has already served 14 years.	Alerted DOC to concerns regarding accessibility of SOTAP for individuals with serious mental health concerns. Researched potential outside/community supports. Ensured person had access to attorney for ISRB hearing.	Assistance Provided
44.	Incarcerated individual says he received a notice from MCC trust accounting to inform him that the facility had received an Economic Impact Payment (EIP) in the form of a Visa card, and it was returned to the IRS. The notice had a 1040 rebate form attached with instructions to fill out and return to MCC and MCC would send it to the IRS which he did. Complainant says it has been over five months and they have not received the rebate. The IRS claims they never received the 1040 form from him nor the returned Visa card. MCC is responsible for the missing EIP.	It appears that DOC has sent out the appropriate documents and debit card to the IRS. The OCO explained how to best reach the IRS and that they are still working to remedy the issue of debits cards being sent out to individuals who cannot use them.	Information Provided
45.	Incarcerated individual would like a review of DOC form 21-142 and the insistence by WA DOC to use "mandated" for the standard of religious ceremony, practice, traditional ritual, or sacred item used in personal or group services.	The OCO informed this person that this office would not open an individual case at this time. The OCO does not have authority to change language in DOC policies and there was no violation of policy alleged in this complaint.	Information Provided
46.	Complainant applied for a housing voucher as release date is set for November. Counselor pushed back release date until December.	The OCO informed complainant that his projected release date (PRD) is still in November; it does not appear that the counselor pushed back his release date.	Information Provided

47.	Incarcerated individual states he has been convicted of a crime he did not commit.	The OCO lacks jurisdiction to investigate an incarcerated person's underlying criminal conviction. The OCO advised them to contact an attorney specializing in criminal convictions who would have more information about the next steps regarding this concern.	Lack Jurisdiction
48.	Incarcerated individual disputes infraction. Said he was given a 12-day community custody violation sanction and sent to MCC. While there he was infracted, and DOC has since revoked his community custody and taken 500+ days from him.	The OCO lacks jurisdiction in this case. The infraction occurred while incarcerated person was on community custody, so the OCO does not have jurisdiction.	Lack Jurisdiction
49.	The incarcerated individual says the DOC has not provided sufficient proof to the Social Security Administration that he is not a "DECEASED-INDIVIDUAL" which prevents him from using his Social Security number to claim the stimulus payments.	The OCO could not take the case because the incarcerated person had not grieved to level 2. Per RCW 43.06C, we cannot review an issue unless the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative actions, and/or an appellate process. Sent letter to complainant to explain next steps. Suggested he contact our office once those have been completed.	Lack Jurisdiction
50.	The incarcerated individual's family member received an infraction for allegedly introducing or transferring drugs or drug paraphernalia and was later found guilty. The hearing is outside of the 15-day window and per DOC policy he was denied due process.	The OCO was not able to substantiate a violation of policy. The family member was concerned about loved one not having an appeal and it wasn't in a timely manner. The electronic record shows that appeal was received, and a decision was made. Timeframes are not grounds for dismissal. Evidence substantiated the infraction for introduction of drugs.	No Violation of Policy
51.	The incarcerated individual reports they agreed to transfer to MCC from WSP on the premise he will be able to enroll in college courses to both better himself and further his education and meet the educational requirements for clemency which he is currently working on. He met with a community college representative and was enrolled in the Business Management Associate of Technical Arts (ATA) Degree class for fall 2020. When fall classes started, he wasn't on the callout. He then learned that he isn't eligible to take educational classes per DOC 500.000. Person states this is wrong and a violation of his rights.	The OCO was not able to substantiate a violation of policy. DOC policy 500.000 does state that individuals who have a life without parole (LWOP) sentence do not qualify for vocational and workforce education which is defined as a series of courses or classes necessary to achieve competency in a particular field and earn a certificate or degree.	No Violation of Policy

52.	The incarcerated individual received infractions for items that belonged to her cellmate. She says she was completely unaware of them. Also concerned about a book being termed "theft" as part of the infraction group.	The OCO was unable to identify a violation of policy. The OCO reviewed documentation associated with each of the infractions and each appears to be supported by evidence that satisfies DOC's low evidentiary standard. DOC applied its "cell-tag" rule for three of the infractions (those she received for possessing ingredients/instructions for making drug/alcohol, possessing unauthorized tool, and acquiring unauthorized tattoo/piercing or possessing paraphernalia). DOC uses the term "cell-tag" to describe contraband that is found in a common area of a cell, such as a shared shelf. If the contraband is found in an area controlled by multiple incarcerated individuals, all cellmates can be infringed regardless of if one person claims possession.	No Violation of Policy
53.	The incarcerated individual states that he submitted an address for release to be close to his son, however, it was denied for domestic violence (DV) reasons. The incarcerated individual states that he does not have any DV related convictions, only traffic related convictions. He was charged with DV in the past but found not guilty. Person says DOC's electronic records show no community concerns, but DOC keeps stating there are community concerns with his release address.	The OCO was unable to substantiate a violation of policy. The investigation revealed that the release address was denied in Pierce County because the sponsor was not a relative and the Community Custody Officer found this location to be non-prosocial. Per DOC 350.200 Transition and Release, an exception outside of the county of origin can be made if the release plan includes prosocial support from a sponsor, but those conditions were not met here. The OCO staff confirmed that the incarcerated individual was later accepted into housing in Kitsap County, which is the county of origin.	No Violation of Policy
54.	Incarcerated individual states that they are being retaliated against by a correctional officer (CO) and grievance coordinator in their unit. Initially they filed a Prison Rape Elimination Act (PREA) report and were infringed shortly after filing by the officer identified in the report. The infraction was dismissed. Then, shortly after, he was infringed again by the same CO and the infraction was again dismissed. He grieved the CO, but the grievance coordinator withdrew the grievance and only allowed him one day to appeal, so he missed the appeal window.	The OCO was unable to substantiate a violation of policy. The OCO Staff determined that the infractions were dismissed, and that the grievances were filed and are proceeding through the grievance process. The OCO staff informed the superintendent of the concern regarding grievance. The OCO was unable to substantiate retaliation and unable to substantiate that he was denied the grievance process.	No Violation of Policy

55.	The incarcerated individual has been having a problem with the mailroom. They lost his marriage license, lost his beadwork. During pow wow, they have a gift giveaway (give away beaded work to families). Due to Covid, they did not have the pow wow, so the chaplain got it cleared to send the beaded work out through the mail. Complainant was infringed.	The OCO was unable to substantiate a violation of policy. The incarcerated individual received an infraction for committing fraud/obtaining goods or services under false pretenses because he listed the value of the gifts on the insurance form as exceeding \$279. He also received an infraction for failing to follow rules/policy because he sent pow wow gifts through personal mail. Contacted chaplain; learned that complainant did not send out items via chaplain's office. Further, chaplain reported that facility and headquarters had overridden original decision to send items via mail. Additionally, learned that complainant had tried to mail non-religious items (including hot pot) by listing them as religious. Elements of the infractions appear to have been met.	No Violation of Policy
56.	The incarcerated individual requested review of past infractions. He believes the narratives overstated his actions and made him seem more aggressive. Also requested further information about an alleged change in policy for appeal receipts.	The OCO reviewed the infractions in question. One was never appealed; the other has already undergone review, and closed case review, by OCO. The OCO reached out to facility administration to request information about a policy change regarding appeal receipts, but DOC clarified that no such policy change has taken place.	No Violation of Policy
57.	Incarcerated individual's fiancé is in an area of Monroe that is being closed so he will need to move. Family wants him to stay at Monroe in Twin Rivers Unit (TRU) because of its proximity to them. However, this person has "keep separate" orders that prevent him from being housed in a facility with certain other incarcerated individuals, including someone housed at TRU. Fiancé reports that because the keep separate order was not court-ordered, he should be able transfer to TRU.	The OCO was unable to substantiate a violation of policy. The investigation determined the incarcerated individual had separation status orders in place per DOC policy 320.180 that prevent him from going to certain facilities, including the facility requested by the fiancé.	No Violation of Policy

58.	Incarcerated individual thinks DOC wants him kicked out of mental health treatment. He alleges that he notified the OCO and Disability Rights Washington. He also states that he was infractioned in May 2020 for assaulting a staff member that was modified by the hearing officer to an infraction for threatening.	The OCO was unable to substantiate a violation of policy. The investigation determined that there was evidence that could support a finding in this case. The DOC is only required to have “some evidence to support the findings made in the [prison] disciplinary hearing.” The OCO was unable to substantiate the claim that DOC wants to remove him from mental health treatment.	No Violation of Policy
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**Olympic Corrections Center**

59.	<p>The complainant relayed concerns of incarcerated family member:</p> <ol style="list-style-type: none"> <li>1. DOC violated solitary confinement policy when incarcerated person was in segregation for 20 days.</li> <li>2. Infractioned for introducing/transferring drugs/paraphernalia despite a lack of evidence to show he was involved with the contraband; he was in the area four minutes after a man was seen in the woods and then infractioned for contraband that was found eight days later.</li> <li>3. No contraband was found in his possession.</li> <li>4. COs threatened to put him in jail and press charges because they wanted him to “snitch.”</li> <li>5. Sanctions are cruel and unusual. These include inability to keep in contact and see his family as well as taking away store privileges because he must go to bed hungry as DOC is not providing him with enough food.</li> </ol>	The OCO is unable to substantiate a violation of policy. The investigation determined there is video evidence showing the incarcerated individual catching a bundle that is thrown over the fence from the outside. This would qualify as introduction and satisfy the elements of the infraction. There is also an admission of the incarcerated individual on the audio recording of the hearing that he disposed of something he wasn’t supposed to have. The loss of visitation and store privileges are mandatory sanctions for this infraction.	No Violation of Policy
60.	Incarcerated individual reports that they had a change in medication and resulted in a transfer to a different facility. They have all their custody points (67), so they do not understand why they were removed from camp. Person states that DOC staff lied and said they weren’t taking their medication when they never stopped taking it.	The OCO was unable to substantiate a violation of policy. The incarcerated individual was moved to address medical needs. The OCO was unable to find evidence that the DOC staff reported the incarcerated individual was not taking medication. Also, he was not demoted in custody; he was moved to another camp.	No Violation of Policy



**OTHER- Jail CC**

61.	Incarcerated individual says they were not given their right to a fair trial. The Attorney General and Governor need to know this and how innocent people are going to prison for crimes not committed thus costing the state millions of dollars in lawsuits.	The OCO does not have jurisdiction over court proceedings. Sent letter with information on how to contact the court.	Lack Jurisdiction
62.	Several people in Klickitat County Jail have requested both mental health and medical help that the jail refuses to bring in. There are no doctors or mental health clinicians available for these people. Meds are given out by officers who do not know what they are doing. Complainant has received someone else's meds several times. He has also seen the meds dropped onto the floor and then still given to him and other persons.	The OCO does not have jurisdiction over issues that take place within the county jail system. Gave information on how to contact the jail to hopefully get concerns addressed.	Lack Jurisdiction
63.	Person says that they were wrongfully arrested and imprisoned. Person says they are trying to reasonably pursue a civil claim and should have received drug and alcohol treatment rather than revocation of Drug Offender Sentencing Alternative (DOSA).	DOSA revoke was out of SCORE jail. Complaint pertained to Community Custody which is outside of OCO's jurisdiction. Sent letter with information for DOC's Community Custody Division at DOC headquarters (HQ) to help resolve complainant's concern.	Lack Jurisdiction
64.	Person says that DOC officers took his tablet (iPad) and cell phone for an investigation. Person says they were not given a receipt of the items that were taken, and they didn't sign a property receipt. They were taken to SCORE jail for 35 days before being transferred to WCC and his property was never returned nor released to their family.	Complaint pertained to Community Custody which is outside of OCO's jurisdiction. Sent letter with information for DOC's Community Custody Division at headquarters to help resolve complainant's concern.	Lack Jurisdiction
65.	Person says their rights have been violated because he was found guilty of the Persistent Offender Accountability Act (POAA). Person reports that they do not have two or more sex offenses on their record.	OCO does not have jurisdiction over the sentencing court's action. Sent letter and provided information on how to contact the sentencing court.	Lack Jurisdiction

## Stafford Creek Corrections Center

66.	Incarcerated patient has been consistently rescheduled for appointment with provider, has gone to appointments only to not be seen at the scheduled call out. Incarcerated patient asked to keep appointment and be seen by doctor and develop a pain management plan to use until specialist appointment.	Confirmed appointment with facility medical director (FMD) and short-term pain management. The OCO raised the additional concern about prescription only lasting for three days to facility and headquarters.	Assistance Provided
67.	Inadequate Health Status Reports (HSRs) and Americans with Disabilities Act (ADA) accommodations. Person is experiencing falls and further injury. Poor conditions while in quarantine.	DOC agreed to meet with the incarcerated patient. The HSR was renewed as clinically indicated and an MRI ordered. Ophthalmology consult resubmitted to Care Review Committee. Unable to reach negotiated agreement regarding wet cell. Patient no longer in quarantine.	Assistance Provided
68.	Incarcerated patient feels that medical lied to him and put him in a position where he was injured. Cannot carry weight on either wrist. Also, medical has denied request for specific support brace for shoulder. Patient requested therapy aide for wrists.	DOC agreed to meet with patient. Confirmed therapy aide for lifting laundry and carrying store purchases provided because of his shoulder issues. Therapy aide then withdrawn, prompting additional OCO follow up with DOC and delayed DOC responses. Confirmed physician also ordered wrist splints for patient's carpal tunnel syndrome. Patient had been approved for therapy aide through ADA. DOC headquarters will follow up with ADA specialist for further resolution.	Assistance Provided
69.	Incarcerated individual received a serious infraction for "failure to comply" with a cell confinement sanction. Although he stated he attempted to comply to the best of his abilities, DOC still infringed him. Caller requested OCO review the relevant video.	The OCO reviewed the disciplinary materials, including video. Statements in the infraction report were not consistent with the video record. The OCO elevated to DOC administration; DOC agreed to expunge the infraction from the individual's record.	Assistance Provided
70.	Incarcerated individual reports SCCC systemic employment discrimination.	The incarcerated individual did not want this case opened as the issue was resolved.	Declined, Other
71.	Incarcerated individual was assaulted by officers in an excessive use of force that he believes was racially motivated.	The OCO informed complainant that this office was monitoring DOC's internal investigation into the actions taken by staff. Informed complainant that DOC ultimately rescinded the infraction he had received for allegedly assaulting staff.	Information Provided

72.	Incarcerated individual reports that they received information from a public records request that he did not request. He was charged for it by DOC. He wants to be refunded and get the correct documents. He requested a copy of his J&S, but he received that and more, that he was charged for. When he grieved the matter, the Resolution Program stated that this was out of their jurisdiction.	The OCO contacted DOC headquarters regarding the concern. After review of the documents and request this person made, it was possibly broader than they anticipated. To resolve this concern, the incarcerated individual will need to appeal the request response. The OCO provided the incarcerated individual with information on Information on the process to appeal through the Public Disclosure Agency Appeals office.	Information Provided
73.	Incarcerated individual has been housed in IMU on maximum custody for multiple years pending out of state transfer.	The OCO contacted DOC and learned that DOC has been engaged in negotiating this person's out of state placement but has not been successful to date. Provided this information to complainant and informed him that this office will continue to monitor the process.	Information Provided
74.	Person says they received two EIP checks, and DOC deducted from the two checks. Person wants to know why, if the checks are the same, only one was exempt from state deductions. Person cannot get a straight answer and thinks DOC has illegally taken their stimulus funds.	The OCO could not find evidence of any illegal actions. It appears that DOC is following current state and federal protocols for deductions. The OCO provided information to complainant that explains allowable deductions as outlined per RCW 72.09.480(2).	Information Provided
75.	Reopened due to changed circumstances. Incarcerated patient has been sent to a podiatrist but at visits he is asked to fill out a form he does not feel comfortable signing. Patient reported that specialist's office said they would not see him if he had not signed the form, so he offered to sign an alternative agreement form that he had been provided by DOC before. The nurse said she would look into it, but he hasn't heard back. He wants procedure but doesn't want to sign form against his will. He has been waiting for eight months for consult.	DOC is scheduling and providing specialist consults. Offsite provider will not provide care without patient signature, which is standard practice. Confirmed patient scheduled for follow up with DOC medical and did not show to appointment. OCO cannot assist with offsite provider consent form.  Updated/Reopened Case Outcome: The OCO informed the patient that, although the OCO cannot assist with offsite provider consent form, we did notify DOC's Chief Medical Officer of his concern and requested that DOC look into this matter.	Information Provided
76.	Incarcerated individual says that there are inaccuracies in their WA ONE assessment which have caused him to be classified as "high violent." Person states that they are currently serving time for a nonviolent property crime.	After speaking with DOC staff and reviewing applicable policies, we were informed this person has a review every six months. During their next review he will have the opportunity to appeal the inaccuracies and provide proof. We provided this information to complainant.	Information Provided

77.	Incarcerated individual reports that they have been treated unfairly and that the ISRB's conduct is unethical, prejudiced, and biased against them. Person says they are on a violation revocation of 24 months and chemical dependency, and they set a new term of 18 months. Person says this is excessive and expensive for taxpayers.	The OCO cannot change ISRB decisions; ISRB decisions can be appealed by filing a Personal Restraint Petition (PRP) to the Court of Appeals. Sent letter and recommended that person seek legal counsel if interested in pursuing a PRP.	Lack Jurisdiction
78.	Loved one contacted the OCO with concerns about an individual who received an infraction and subsequent classification change. The individual claimed he was unjustly denied witness statements during his hearing and was concerned that he was not given access to confidential information.	The OCO reviewed disciplinary records. Witness statements were properly denied under WAC 137-28-300. DOC provided sufficient evidence to uphold the infraction, and sanctions were within policy. No other violations were evident.	No Violation of Policy
79.	The incarcerated individual says that he has a conviction for human trafficking in the second-degree which is not considered a sex offense. However, upon his review for camp, DOC staff asked that headquarters further evaluate his review. HQ screened him for SOTAP and was told he had a choice. He declined, saying he did not need it. Now DOC says he refused treatment and cannot be promoted. Person wonders why he is being treated as a "sex offender."	The OCO's investigation revealed that DOC had administered a Static-99R assessment as authorized by policy. Individuals with a Static score of 3 or higher are placed into treatment if they are amenable through the screening process. If a client is not amenable as defined in policy, they are not accepted into treatment. Amenability is defined as someone who is willing to engage in treatment by being curious about their inappropriate/illegal sexual behaviors and willing to agree to the treatment expectations. These circumstances were met here. OCO did not find a violation of policy because DOC made this part of this person's programming plan as allowed in policy. According to DOC 500.00(VI)(A)(1)(2), "failure to participate in assigned programming may result in disciplinary action, loss of earned time and/or programming points, and incentives." Therefore, they are not able to participate in other programming and incentives.	No Violation of Policy
80.	Individual says he was attacked in the dayroom by another individual. He was put in segregated housing and his good time was taken from him even though he stated he was not the aggressor. Requested that OCO review the video and prove he was acting in self-defense.	The OCO was unable to substantiate a violation of policy. The OCO reviewed the individual's infraction and the related video and noted that the individual's actions seen on the video would support the infraction he received. It appears that DOC met their standard of evidence to show the individual participated in a mutual physical struggle and did not act in self-defense.	No Violation of Policy

81.	Patient says he is having trouble accessing medical care and says when he kites medical for appointments, they don't respond. He grieved but grievances don't get him anywhere. He is trying to get specific bloodwork done and DOC won't listen to him. Requested specific blood tests.	Notified DOC health services to request clinical review. OCO cannot impact change related to specific tests as they are not medically recommended.	No Violation of Policy
82.	Person says they were found guilty of being out of bounds and failing to comply with sanctions. Person says he believes his due process rights were violated and that the write up and hearings were done improperly and were prejudiced based on the wrongfully stated report and actions taken by DOC staff.	The infraction for being out of bounds was substantiated by DOC. DOC reduced the infraction for failure to comply to a lower-level infraction for failure to follow an order/rule.	No Violation of Policy
83.	Person says they were infractioned for failure to program (employment), however, he attempted to explain to staff how the job would have a negative impact on his health. He was also not given sufficient time to gather documents that prove his existing medical condition.	Person says he was given the infraction for refusing kitchen work, but he refused because it would be harmful to his health. Medical staff confirmed his medical concerns would not impact the kitchen work.	No Violation of Policy
84.	Person reports they should not be found of guilty of the borrowing/lending/trading infraction. DOC staff failed to follow the procedure when he filed a grievance on this issue before it became an infraction. Then DOC failed to follow procedure during the infraction process. At no time did DOC allow him to produce his receipts or donation receipt/form as he had donated the books.	Person says he shouldn't be found guilty of stealing. However, he admits that the "property changing hands was result of deceit and debts being paid" and when he showed his receipt for the books, the officer found it to not appear to be computer printed and had misspellings. Evidence substantiated the infraction.	No Violation of Policy
85.	Complainant was given an infraction for refusal to respond to an order to take a breathalyzer test. Says that he has a hearing impairment that prevented him from hearing the order. He has "hearing impaired" printed in red on his ID badge. He was not drinking and would have taken the breathalyzer test. Appealed the infraction after the hearing, but was denied.	Complainant says he is hearing impaired and didn't hear the breathalyzer directive, but they were infractioned for refusing. Staff testimony indicates that this person complied with all other directives and intoxicating substances were found in his cell, substantiating the elements of the infraction.	No Violation of Policy

86.	Person says that the federal government has made it clear to the state that they are only allowed to take federal deductions from federal checks like EIP payments and stimulus checks. Person believes federal guidelines state that only 5 per cent is to be taken.	DOC is following current state and federal protocols for Economic Impact Payment deductions. Sent form letter providing information regarding the allowable EIP deductions.	No Violation of Policy
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### Washington Corrections Center

87.	Person says they wrote records and records said they have 68 days credit. Person says they were released from AHCC and their DOSA was then revoked. Sixty-Eight days is therefore insufficient, and they are missing three months so they should have five months credit toward their sentence.	Provided person with contact information for the records department at DOC headquarters to assist their self-advocacy efforts regarding time calculation issues.	Information Provided
88.	Reports that he is unable to call the IRS to confirm his identity. Reports that DOC will not allow the call or facilitate it. Also reports that he does not have his address book.	Explained the best way to contact the IRS and also ensured that DOC staff located his address book.	Information Provided
89.	Loved one wrote in concerned about an individual being taken to administrative segregation and possibly receiving an infraction. She believed he may also not have had access to medication while in segregation.	Individual had not filed a grievance. Per RCW 43.06C, we cannot look into an issue unless the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative actions, and/or an appellate process. Information was provided on what steps the individual should take to contact medical if medication needs are not being met.	Lack Jurisdiction
90.	Person says that the law librarian is refusing to make copies or mail legal documents to their out-of-state attorney regarding their criminal case there. The law librarian claims he only has to make copies and legal mail to WA and federal courts. Person says this is a violation of their constitutional right of access to all criminal and habeas/civil courts.	Per RCW 43.06C, OCO cannot look into an issue unless the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative actions, and/or an appellate process therefore we lack jurisdiction. Person was released from DOC custody after filing the complaint with OCO. No forwarding address provided.	Lack Jurisdiction

91.	Person says they were found guilty of failure to report (FTR) which is their first violation on a Douglas County Court cause. Person wants classification to look at WAC and why their probation was revoked on their first violation. Person says they received 25.6 months for FTR and that is an extreme sanction for a common violation.	Complaint pertained to Community Custody which is outside of OCO's jurisdiction. Provided contact information for DOC's Community Custody Division at headquarters to help resolve complainant's concern.	Lack Jurisdiction
92.	Nonbinary person reports that, since they have started hanging out with folks in the LGBT+ community, they have been targeted and harassed by staff. Person believed a recent infraction received was due to this harassment. They want people who are LGBT+ to have the same respect as everyone else and not assume that people who are friends are intimate.	Person had not grieved the reported staff misconduct to a higher level, nor had the individual appealed the infraction in question. OCO sent back information on jurisdiction; we cannot investigate an issue until it has been appealed, or grieved to at least level 2 (level 1 for medical issues). OCO takes staff discrimination claims very seriously; the person's information is on file, and if they take these steps and reach back out, we will investigate further.	Lack Jurisdiction
93.	Individual reported that his cell has too many people in it, resulting in injury to the individual when trying to move about the cell. Family member expressed concern that multiple tiers in the facility were over capacity.	OCO sent concerns about overcrowding to facility administration, who countered that the individual's tier was not at capacity. Floor beds are a temporary housing practice that has long been in place at DOC, and the pandemic has further amplified the need for cohorting during quarantine. The individual expressed some additional concerns about not getting adequate medical attention for the injury; OCO provided information on how to grieve the issue and recommended getting back in contact if that process is not successful.	No Violation of Policy
94.	Complainant received an infraction and was sanctioned with 180 days of no visitation. He says that taking away visitations is not family friendly, as DOC claims to be, especially when visitations had been suspended for 18 months.	The OCO is unable to substantiate a violation of policy. The DOC is within policy to deny visits as a sanction even after Covid visit limitations. Hearing officers have discretion to adjust sanction application, but adjustment is not mandatory. OCO plans to highlight the harmful effects of visit limits applied as sanctions as part of an upcoming systemic report.	No Violation of Policy
95.	Patient says he is being tapered off medication for mental health. Other people are not tapered off and he doesn't understand what the criteria is that makes him different. Additionally, they are not allowing him to be on suboxone for recovery.	Confirmed prescriber met with patient about medication options available within DOC Health Plan and updated patient's treatment plan. OCO does not have authority to direct DOC to prescribe any specific mental health medication.	No Violation of Policy

**Washington Corrections Center for Women**

96.	Patient requested crutches or lower tier Health Status Report (HSR) while testing/diagnosis for their leg and hip.	Confirmed consult was submitted and accepted for physical therapy and follow up appointment scheduled. DOC agreed to bring case to CRC since patient does not meet conditions set in protocol for lower bunk/tier outside of CRC referral.	Assistance Provided
97.	Patient says provider dropped her estrogen dose after she requested an increase. She feels that the provider isn't adequately trained in trans healthcare and doesn't know how to accurately assess estrogen levels for a transitioning woman. She also is awaiting trans healthcare approval either at the facility level or CRC and asked if OCO could check on the status. Patient is also having difficulty accessing IPL hair removal machine. She kited medical and was told they don't have it. Requested return to regular estrogen dose or see specialist to see if she is eligible to increase dose, access to IPL machine, and proper monitoring and weekly shots.	Confirmed IPL equipment is now available at facility. Confirmed CRC case reviewed and requested copy of decision document be provided to patient. DOC medical scheduled follow up monitoring and found levels decreased into therapeutic range. Facility medical director confirmed dose increased and now provided weekly.	Assistance Provided
98.	Family reports incarcerated individual experienced a low blood sugar episode and possibly related use of force. Requested daughter be stabilized and provided proper medical care following episode. Also requested staff be instructed on how to properly respond to diabetic patients experiencing similar symptoms.	Confirmed patient placed in infirmary for medical monitoring after incident. Individual now released. Concerns documented. Use of force concerns filed in separate complaint.	Declined, Other
99.	Person says that there is a serious case of gender biased presumption of sexual identity evidenced by the fact that in the women's prison men must ring a bell when entering the unit while females do not need to alert incarcerated people to their presence.	The OCO informed this person that this office would not open an individual case at this time. Per RCW 43.06C, the OCO cannot investigate a concern until the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative action, or appellate process. The OCO informed this person that this topic may be reviewed for consideration for future systemic work.	Information Provided



100.	Person states that the DOC should apply the same restrictions to gay female staff that it applies to straight male staff. States incarcerated women feel their rights are being violated because DOC allows employees of the same gender to touch/view them against their will and/or under duress during pat searches.	The OCO informed this person that this office would not open an individual case at this time. Per RCW 43.06C, the OCO cannot investigate a concern until the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative action, or appellate process. The OCO informed this person that this topic may be reviewed for consideration for future systemic work.	Information Provided
101.	Patient says she has irritable bowel syndrome (IBS) and has been experiencing worsening symptoms and flare ups. She recently called medical emergencies and was observed in the infirmary three times. She recently underwent testing but has not received testing results or treatment. Her symptoms are progressing. She requested to be seen by a specialist but has not been seen. Requested gastroenterology specialist appointment and interim management plan for pain and symptom flare ups.	Confirmed follow up appointments scheduled. DOC health services cannot move forward until the ordered celiac and FIT testing is completed. Learned that testing did not substantiate IBS diagnosis. Discussed possible dietary options and next steps for pending testing. Provided information to patient.	Information Provided
102.	Closed case review. Patient is working a job that causes pain in her hands with which she has ongoing medical issues (recent cancer removal, stitches, wrist braces). Patient says she has arthritis in her hands and tendons drawing her hands closed. She has heart and lung diseases, skin cancer, and recently sustained burns on her hands. She is not physically capable of performing her job duties as a laundry worker. After being treated for skin cancer and first-degree burns, she returned to work and is having trouble getting taken off of that position. Dragging out the heavy blankets as part of her job duties is impacting her hands and wrists and causing worsening pain and symptoms. She requested an HSR for light duty work or change in job.	Job placement staff agreed to find new placement, pending medical approval. Facility health services failed to resolve concern or issue HSR after OCO outreach. Patient requested transfer to MCCCW, was approved, and transferred. Alerted DOC headquarters as an unresolved case. Noted that patient had to transfer to get resolution. -- Updated outcome: Patient was approved for work release and will be leaving facility.	Substantiated

## Washington State Penitentiary

103.	Reports that the community custody officer was biased against her and because of that denied her loved one access to live at her house. Reports that this DOC staff denied her house for release unjustly.	Provided information for self-advocacy in regard to community corrections officer complaint. Person has been released.	Information Provided
104.	Caller reports a negative BOE that has been written on him after correspondence with the medical team. This person feels that the BOE was written after he engaged in pro social methods to communicate with medical staff. Doesn't think that the BOE is justified.	The OCO cannot investigate this matter until the person has first pursued resolution within DOC. BOEs have an appeal process through the Correctional Program Manager of the facility. Suggested the incarcerated individual contact the OCO after appealing BOE.	Information Provided
105.	Loved one's emergency button has not worked all day. He has talked to staff and ask them to fix it. He has missed video visits due to his buttons not working and the officers' speaker box being shut off so they cannot hear the incarcerated population. Complainant called and asked them nicely to turn it all back on, but staff hung up phone.	The OCO reviewed the incarcerated person's grievance history and cannot find a grievance on this topic. Relayed to the complainant that the incarcerated person needs to take a grievance to at least Level 2 on non-healthcare issues before we can open an investigation.	Lack Jurisdiction
106.	Incarcerated person reports that he has been in segregation for 40 days without a hearing.	The OCO was unable to substantiate a violation of policy. The person was being held in administrative segregation pending an infraction hearing which was held one day after contact with the OCO. Person was held and then released from the intensive management unit in compliance with DOC 320.200 Administrative Segregation.	No Violation of Policy
107.	Complainant says that officers instigated a use of force. Says that he was hitting his head against the wall and the CO told him, "I hope you knock yourself out, you f**** r****d." He has mental health issues and when he tried to grieve staff actions, it was returned as not grievable because related to use of force.	The AO reviewed DOC confidential documents and relevant DOC policies. The AO also had a confidential conversation with complainant. DOC Policy 410.200 Use of Force (Restricted) permits emergent uses of force for defense of another. Staff's written narrative supports the defense of another rationale; however, the OCO recognized opportunities for de-escalation that may have prevented the need for the use of force. The OCO also did not find a violation of policy in failing to accept the grievance due to the time limit for the grievance; however, the incarcerated individual's explanation of events was grievable as described to the OCO.	No Violation of Policy

108.	Person says that they were found guilty in a hearing because staff failed to follow established search policies. Individual asked why the infraction was upheld on appeal despite alleged staff misconduct.	The OCO was unable to substantiate a violation of policy. The OCO reviewed infraction information and witness statements confirming that the items in question did not receive special handling. However, the individual's property was not properly registered as requiring special handling, per DOC policy regarding religious items and cell searches. Staff are not required by policy to respect religious items that are not registered as such. Other evidence supported DOC's finding in the infraction.	No Violation of Policy
109.	Person tried to send out finished curio and some of it was rejected. Now, DOC is keeping all of the mail that was rejected and he will not be able to send it out.	The OCO was unable to substantiate a violation of policy. Per DOC 450.100 Mail for Individuals in Prison, "if the rejection is upheld for outgoing mail, the facility will retain the mail in a separate file for 2 years, and then it will be destroyed. Rejected mail will not be returned to the individual per RCW 72.02.260." The OCO reached out to DOC administration to see if the pieces of the rejected mail that would not have been rejected could be sent out. After waiting for an official response, DOC did not agree to release the materials.	No Violation of Policy
110.	Incarcerated individual says that he is adopted, and his adopted family has now rejected him, so he is without family. He wants his Mormon priest to help pay \$100 for an Ancestry DNA testing so he can possibly find his real family. He says that DOC leadership is telling him he cannot get a DNA test, but there is no DOC policy on this matter.	The DOC does not have any policy about allowing DNA testing. The OCO reached out to DOC headquarters staff and asked that they review this request. DOC decided that, due to multiple concerns noted by the assessment team, they will not allow DNA testing for ancestry information.	No Violation of Policy
111.	Complainant reports that his grievances have been held at level 3 for months with no final answer.	Appears grievances have now been answered. DOC staff going past resolution timeframes is a statewide issue that OCO is watching to ensure that people get meaningful access to the resolution program. With that said, DOC is experiencing numerous staffing issues and that can make resolution requests take longer because staff are temporarily assigned additional tasks. Although OCO cannot force DOC to complete resolution requests, the OCO can identify concerns with resolutions being completed within time frames.	Substantiated

112.	Person reports that he has a retaliation concern. He was infracted for inciting a riot, but he reports that the did not do that. This happened after he filed a grievance against DOC for conducting cell searches disguised as security checks, not leaving cell search reports, and not changing gloves in the height of the pandemic. The same staff he grieved wrote the infraction.	Because the DOC staff member that was notified of the retaliation is no longer a DOC employee, and because some time has passed, it is difficult to investigate. Reviewed available documentation and see no further pattern of retaliation. Recommended he reach out if there are more incidents.	Unable to Substantiate
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## Abbreviations

The following are the full terms for abbreviations used in this report:

**ADA:** Americans with Disabilities Act

**AHCC:** Airway Heights Corrections Center

**AO:** (OCO) Assistant Ombuds

**BOE:** Behavioral Observation Entry

**CI:** Correctional Industries

**CO:** Correctional Officer

**CRC:** Care Review Committee

**CRCC:** Coyote Ridge Corrections Center

**CUS:** Correctional Unit Supervisor

**DOSA:** Drug Offender Sentencing Alternative

**EFV:** Extended Family Visit

**ERD:** Earned Release Date

**HSR:** Health Status Report

**IIU:** (DOC's) Intelligence and Investigations Unit

**MCC:** Monroe Correctional Complex

**MCCCW:** Mission Creek Corrections Center for Women

**SCCC:** Stafford Creek Corrections Center

**SOTAP:** Sex Offender Treatment and Assessment Program

**SVP:** Sexually Violent Predator

**WCC:** Washington Corrections Center

**WSP:** Washington State Penitentiary

## Glossary

**Closed Case Review:** These reviews may be conducted by the OCO when a complainant whose case was closed requests a review by the supervisor of the original case handler.