# OFFICE OF THE CORRECTIONS OMBUDS

## Monthly Outcome Report November 2022

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. RCW 43.06C.040(2)(k) directs the ombuds to render a public decision on the merits of each complaint at the conclusion an investigation. All cases opened by the OCO are considered investigations for the purposes of the statute. As of March 15, 2022, the OCO opens a case for every complaint received by this office. The following pages serve as the public decisions required by RCW 43.06C.040(2)(k).

Case Closure Reason	Meaning	Total
Assistance Provided	The OCO achieved full or partial resolution of the person's complaint.	67
Information Provided	The OCO provided self-advocacy information.	72
DOC Resolved	DOC staff resolved the concern prior to OCO action.	34
Administrative Remedies	The incarcerated person did not yet pursue internal	39
Not Pursued	resolution per RCW 43.06C.040(2)(b).	
Substantiated Without	The OCO verified the concern but was unable to achieve	15
Resolution	a resolution to the concern.	
Insufficient Evidence to	Insufficient evidence existed to substantiate the	25
Substantiate	concern.	
No Violation of Policy	The OCO determined that DOC policy was not violated.	60
Unexpected Fatality	The incarcerated person died unexpectedly, and the	7
Review	death is under review.	
Person Left DOC Custody	The incarcerated person left DOC custody prior to OCO	5
	action.	
Person Declined OCO	The person did not want the OCO to pursue the concern	15
Involvement	or the OCO received no response to requests for more	
	information.	
Lacked Jurisdiction	The complaint did not meet OCO's jurisdictional	18
	requirements (typically when complaint is not about an	
	incarcerated person or not about a DOC action).	
Declined	The OCO declined to investigate the complaint per WAC	4
	138-10-040(3).	

All published monthly outcome reports are available at <a href="https://oco.wa.gov/reports-publications/reports/monthly-outcome-reports">https://oco.wa.gov/reports-publications/reports/monthly-outcome-reports</a>.

### **Monthly Outcome Report: November 2022**

	Complaint Summary	Outcome Summary	Case Closure Reason
	Airway Heights Corrections Center		
1.	An external person reports that their loved one's cell was searched but a search report was not left for the individual or his cellmate. The loved one believes this was retaliation for another incident in their cell.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
2.	The incarcerated individual reports that he wants to take SOTAP at a state accredited program outside of the DOC and was infracted for refusing to participate in mandatory programming. The individual reports that he will have to take SOTAP again if he has to take it through the DOC. The individual reports that he lost his job as a result of being found guilty of the infraction.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
3.	The incarcerated individual reports they developed severe stomach issues during a three-year period at their previous facility. The person says a cause was never discovered, but they suspect it might have been from contaminated water at that facility.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
4.	Person expressed concerns about an infraction as they disagree with the allegations of what transpired.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
5.	External person reports an incarcerated individual is housed with another individual who is storing used diapers with feces under his bed. In addition, the individual has had accidents and only cleans them up with water. The reporter says this unsanitary and a biohazard.	The OCO contacted the facility regarding this concern. The DOC leadership staff agreed to investigate this issue and remedy the situation if it is substantiated. The OCO also provided information to the incarcerated person on how to file a resolution request or send a kite to the Correctional Unit Supervisor for future issues.	Assistance Provided
6.	The incarcerated individual reports that their unit is 80 degrees and several people filed emergency resolution requests and was told that the temperature was bearable and fine.	The OCO provided assistance. This office contacted leadership at the facility and discussed the heating issue in the individual's unit. The OCO confirmed shortly after that maintenance had repaired the problem with the heat.	Assistance Provided
7.	Another incarcerated individual called on his behalf, speaks only Spanish. Has been working at CI for five years and recently he was fired for not having his GED. He cannot get his GED because DOC doesn't provide an ESL GED instructor. Resolution request says that this is a classification issue and to speak with his counselor. Counselor had told them to file a resolution request on this because this is a staffing issue. Also concerned that they were hired and worked for five years before he was fired.	The OCO provided assistance. The OCO contacted DOC staff and they resolved the issue by reinstating the person back at their CI position. He will be exempted by HQ.	Assistance Provided
8.	Incarcerated individual reports his family member purchased a plane ticket to visit him but, after the visiting restrictions were	The OCO provided assistance. The OCO made DOC staff aware of the concern and DOC worked with the family to ensure that they	Assistance Provided

changed, their visit was cancelled. The individual recently filed a resolution request but has not received a response and is concerned about getting this issue resolved in time because the visit date is approaching.

filed the DOC 21-787 Special Visit Request form to request accommodation for the visit. The DOC 21-787 is a document used to request a visit outside of normal visiting times set by the facility. This document allows the facility to make accommodations for visitors travelling long distances or other circumstances requiring visitation outside of normal hours. DOC processed the request and approved the visit outside of the visiting schedule to accommodate the travel plans of the individual's family member, and they will be able to visit at the scheduled time.

Person reports a delayed "informally 9. resolved" grievance response. In June, DOC asked people to sign quarantine waivers. DOC told him he was high risk, and that they needed him to sign the waiver or he would go to N unit during outbreaks. He asked why he was determined to be high risk and medical could not provide a direct answer. He put a note on the form requesting information regarding why he is high risk. He treatment in his current housing until clarified. He met with his doctor and the doctor said he is not high risk. Person filed a grievance in June but he has not received a response and it has been three months.

The OCO contacted health services and substantiated a DOC grievance response was lost in the mail. DOC reports sending the attachment of the prior response to the individual. The clinician who made the documentation in June no longer works for DOC and the health record did not identify a reason for a high-risk identification. DOC scheduled the patient with their primary care provider to address the issue and answer any signed but also asked that he receive medical remaining questions. The OCO also contacted the Health Service Administrators (HSAs) about delayed AHCC medical grievance responses and substantiated general delays in health service grievances at AHCC due to a vacancy in the position. DOC is actively recruiting two health services grievance coordinator positions.

Assistance Provided

10. The incarcerated individual reports that he was told he is scheduled to be transferred. He was previously told he had a hold to stay at AHCC. He reports that he told DOC the transfer was a mistake. He was then told he would get a major infraction for refusing transfer. He did refuse the transfer and was infracted.

The OCO contacted the facility to discuss his custody facility plan, the transfer, and the infraction. This office verified he stayed at AHCC and the infraction is no longer on his record.

Assistance Provided

11. Person reports that for the last four months they have not had a shower wand available. He says it has been broken and missing. He cannot get under the stream of water and is in a wheelchair. Patient also reports having a Health Status Report (HSR) for a shower chair so he can reach the rails. Showering has been very hazardous for him. Person states that staff are threatening him to change facilities.

The OCO confirmed the patient has active HSRs Assistance and contacted the ADA Coordinator. This office Provided substantiated that one of the two shower wands has been broken and a replacement is on order. Both tiers have access to check out the shower wand; shower chairs are built into the showers and fold up when not in use. The ADA Coordinator agreed to meet with the patient to discuss his concerns and is working to get a larger portable chair for the unit. The ADA Coordinator drafted and submitted ADA accommodation requests for the next DOC HQ review.

12. Incarcerated individual reports he was terminated from his job because DOC found that he had not yet completed his high school equivalency programming. The individual reports that he did not complete the program because the instructor position for the English as a Second Language (ESL) GED programming is vacant, and the classes are not currently in session. The individual reports that he will enroll in the programming once it begins. The individual requests he get his job back since he cannot complete the required programming.

The OCO provided assistance. The OCO spoke with DOC staff and requested they consider giving this individual his job back due to the circumstances surrounding his educational programming. DOC reviewed the concern and agreed to give him his job back. The OCO verified that the individual was placed back on the callout list for his job and ensured all areas of the facility were aware that he was returning to work.

**Assistance** Provided

13. Patient reports he is unable to access proper medical supplies recommended by a specialist and has trouble applying

The OCO substantiated delayed supplies and DOC provided alternatives. Supplies have now been ordered and replenished. The patient's Health Status Report (HSR) for a wand to apply

Assistance Provided

	prescription cream to his back due to mobility limitations.	the cream has been discontinued and a new HSR for nursing administration of the cream has been written. The facility communicated that it put in place a new system for monitoring and ordering supplies.	
14.	Person reports their counselor has refused to conduct another classification review and he is eligible.	The OCO contacted DOC Classifications who agreed he is eligible for a classification review. The DOC HQ has since contacted the facility. He will receive a classification review in the upcoming weeks.	Assistance Provided
15.	External person reports their loved one is being neglected by medical at his facility. The incarcerated person may have an infection that is worsening but medical continuously sends him away saying he is fine. The wound is from a tattoo that is about two years old but is swelling, changing color, and is purulent at times. The incarcerated person reports feeling ill, diaphoretic, and vomits.	assessment and treatment plan for concerns.  DOC expedited the appointment, prescribed	DOC Resolved
16.	Person reports being arrested under violator status. Under violator status he is not allowed phones, JPay, etc. He cannot get a phone PIN to call his lawyer. He filed an emergency grievance at the advice of the CUS. He received it back a few minutes later saying DOC was working on it.	The OCO reviewed this concern and his community custody had left DOC employment. He has been moved back to general population and has access to electronic communication and the telephones.	DOC Resolved
17.	The individual requested a low-carb, low-sugar, high-protein diet for ADHD symptoms and was told to ask medical for a health status report (HSR). This person reports that they were denied the HSR and have filed a grievance.	The OCO reviewed the patient's HSRs and related grievance investigation and found the individual was provided an alternative diet HSR for boiled eggs and an Orange Snack HSR which consists of a rotation of egg salad, tuna salad, and beef patty sandwiches for additional protein. DOC does not currently have an ADHD-specific diet within policy and an alternative was provided.	DOC Resolved
18.	A loved one reported that their fiancé was moved into a cell with another incarcerated individual who was demonstrating questionable and dangerous behavior. As a result, the incarcerated individual refused to house with this person and was sent to segregation where they remain today. The loved one is requesting information about why there has not been an administrative segregation hearing, or a counselor going to speak with him.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The DOC was able to assist in moving this person out of segregation and into another room.	DOC Resolved
19.	Has severe headaches nearly every day and may be related to injury he received at work. He has been seen by physical therapy and given exercises but this has not fixed the pain issue.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO contacted Health Services management and were informed the patient was already scheduled for follow up. The OCO tracked this appointment for completion and verified the patient had an updated treatment plan including additional imaging, after the appointment occurred.	DOC Resolved
20.	Person reports concern about the Superintendent picking up resolution requests, which is not the proper process. They understand that only resolution program staff are supposed to pick them up. They are also concerned about process changes relating to grievances.	The OCO informed the individual that all policies and procedures regarding the grievance/resolution process are available for review in their unit.	Information Provided
21.	The incarcerated individual reports that he wrote a resolution request regarding DOC staff retaliation and the Resolutions Department requested a rewrite because it contained two separate concerns and said it is not accepted per the Resolution Program	The OCO provided information regarding writing Resolution Requests per the Resolution Program Manual. This office recommended the individual write another Resolution Request. and to contact the OCO again if it is not accepted.	Information Provided

	(BOE) and was told that BOEs have an appeal process. The individual says that the request was not specifically about the BOE.		
22.	The incarcerated individual reports they are not getting the new mattresses. The unit orders them, but no one is receiving them. This person mentioned they had submitted a grievance regarding this issue but also wanted to report it because of the OCO memo.	The OCO provided information regarding the mattresses being on backorder. The DOC will be providing more information about this issue in the near future.	Information Provided
23.	The incarcerated individual is concerned about DOC getting him the decision from the Indeterminate Sentencing Review Board (ISRB) and moving forward with his release or civil commitment planning.	The OCO provided information regarding the process that will happen before this person goes to see the ISRB.	Information Provided
24.	Incarcerated individual reports he was sent to the Special Management Unit (SMU) at Airway Heights Corrections Center (AHCC) pending an infraction. The individual went to the hearing and the infraction was dismissed. He was then sent back to general population and placed in a four-person cell. He feels that this is unjust punishment because the infraction was dismissed. The individual wants to be placed back in a two-person cell and does not believe he should have been placed in a four-person cell.	been released from the SMU, they must first be placed in a four-person cell until a bed in a two-person cell becomes available. This is the protocol for any individual leaving the SMU, not only for individuals that were housed in the SMU for behavioral reasons. The OCO also verified that the individual has been moved to a two-person cell.	Information Provided
25.	Incarcerated individual reports concerns with the resolution program at their facility. The individual reports that resolutions staff are not reading the concern and frequently do not accept the resolution request or ask for the individual to rewrite the resolution request. The individual reports that resolutions staff often do not respond within the timeframes allotted which makes it difficult to appeal resolution responses or provide re-writes within the timeframes given. The incarcerated individual reports this is not meaningful access to the resolution program and impacts him and many others at Airway Heights Corrections Center (AHCC).	The OCO provided information regarding the findings of the OCO investigation. The OCO reviewed resolution requests from 2022 and found that while numerous resolution requests were completed per the DOC Resolution Program Manual, the OCO identified two requests with concerns related processing. The OCO was able to substantiate two resolution requests were not handled per the DOC Resolution Program Manual however, the other resolutions from 2022 were processed per the DOC Resolution Program Manual .	Information Provided
26.	The incarcerated individual reports that he downloaded some albums on his JPay tablet, but several of the songs are missing. The individual says that he still had to pay full price for the albums despite missing some songs.	The OCO provided information regarding how the individual may contact JPay to file a dispute. Incarcerated individuals may write to JPay to open a dispute over any concerns with their services. This office does not have jurisdiction over JPay.	Information Provided
27.	Person says they were not COVID tested to go to Cognitive Behavioral Therapy class which is a mandatory program and important for his success in reentry. He was, however, tested for COVID to go get commissary, which is not mandatory. Person says their priority is mental health.	The OCO contacted the Correctional Program Manager to inquire about his concern. The OCO was able to verify that this individual had been approved for the therapy but had not started yet. Due to the COVID protocols at the time, they were not allowing new people to join the class. The COVID protocols have since changed and he will now be attending the class.	Information Provided
28.	A loved one of the incarcerated individual reports concerns about her loved one's property being stolen while he was in administrative segregation, and the DOC not acknowledging his missing property other than a pair of shoes	The OCO provided information regarding how the individual may file a Tort Claim if his property is missing and is not found through his Resolution Request.	Information Provided

Manual. The individual reports that he mentioned a Behavior Observation Entry

than a pair of shoes.

29.	Person is wondering how they would go about seeking compensation for time served for a conviction he anticipates will be overturned by the court.	The OCO provided information to the individual. Per RCW 43.06C.040, "[t]he ombuds must remain neutral and impartial and may not act as an advocate for the complainant or for the department." Additionally, this service is not a part of the administrative requirements that need to be exhausted before a person can sue the DOC. The individual will need to seek out an attorney to receive compensation for his time served.	Information Provided
30.	The incarcerated individual reports that their counselor has not notated that they are transgender on their digital record. The individual reports that this has led them to be in risky situations.	The OCO provided information regarding how the incarcerated individual can update DOC Form 02-420, Preference Request, to reflect their gender identity.	Information Provided
31.	Patient reports the knee brace that was prescribed by an outside orthopedic specialist was taken from him. He was approved for the brace by the facility. He filed a grievance about it taking so long to be approved. He filed an emergency medical grievance after several weeks of not receiving the brace. He was taken to medical and told they lost the knee brace and issued an HSR for lower bunk, lower tier until the brace is located or replaced. DOC communicated that he would be going to a doctor for a new knee brace. He was moved from long term minimum to medium because it is the only place that had open lower tier lower bunk cells to accommodate the HSRs.	The OCO reviewed a related grievance and found the investigation was closed as informally resolved with the patient being provided an HSR for knee brace. After confirming HSRs for knee brace, lower bunk, lower tier, the OCO contacted the person's counselor for information about his bed assignment and custody level. The OCO substantiated the individual is currently housed in a medium unit while he awaits a bed to become available in minimum unit that meets HSR requirements. He is on the list and will be moved when the bed becomes available. The OCO substantiated the patient's knee brace was lost during a week-long makeover of supply and equipment areas. The patient was approved and sent to an orthotics specialist to be measured for a new knee brace. DOC reports they expect to receive the brace in about two weeks. The OCO provided information about tort claim options and how to follow up if the knee brace is not provided by DOC.	Information Provided
32.	The incarcerated individual reports that he needs help getting his attorney's information as he reviewed his Judgement & Sentence and has returned to prison on a parole revoke. He reports that he was sent back to prison for moving without permission from his community corrections officer and should not be in prison for this.	The OCO provided self-advocacy information for this person directing them to use the law library in order to locate the contact information they need.	Information Provided
33.	Incarcerated individual reports that they filed a Prison Rape Elimination Act (PREA) report about a DOC staff member, and they have not been able to access mental health services and the staff member is back working on the unit they live in. They also report that DOC did not notify them of the outcome of the PREA investigation in a respectful way.	The OCO was unable to substantiate the concern due to insufficient evidence. The OCO found the PREA investigation was conducted per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation. The individual was able to see mental health and the visit was documented. The OCO verified the notification of the outcome of the investigation was in compliance with the facility protocol.	Insufficient Evidence to Substantiate
34.	Patient reports delayed post-operation medications and is concerned this will happen again after his recent follow up with the specialist and prescription updates.	The OCO was unable to identify evidence to substantiate the patient was denied post-op prescription medications. Patient was advised that when a recommended dosage is not available or in stock, DOC may provide a comparable dosage of the same medication. The OCO contacted health services and confirmed the patient's updated prescription was ordered and available via pill line.	Insufficient Evidence to Substantiate
35.	The incarcerated individual reports that he filed a tort claim and has attempted to	The OCO lacks jurisdiction to investigate this complaint because the complaint relates to an	Lacked Jurisdiction

	inquire about the status of the tort claim and has not received a response.	action taken by an agency other than the Washington State Department of Corrections.	
36.	Person reports per policy people are allowed to have two mattresses per person. Person also reports DOC staff is issuing infractions for having two mattresses and removing the mattresses.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed policy 440.050 State-Issued Items. Only one mattress is issued per person. No infraction was found in person's file.	No Violation of Policy
37.	Person states they are not being allowed a minimum classification status due to having a protective custody status.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed the person's file. The latest CFP states person must remain at their current housing and in PC status. DOC policy 300.380 states that a review by the HCSC committee may be made if there are safety and security concerns to the person. The HCSC committee's decision is final.	No Violation of Policy
38.	Individual expressed concerns about an infraction, not being allowed to listen to the transcripts from the phone call and infraction paperwork being stamped with past due dates.	The OCO reviewed the infraction and appeal narrative and find there is evidence to substantiate the infraction. The individual was informed that timeframes are nonjurisdictional and not grounds for dismissal and DOC form 05-093 states "you do not have a right to examine physical evidence, receive confidential information or have access to audio from the offender phone system."	No Violation of Policy
39.	Incarcerated person states they were denied the time allotted prior to an Indeterminate Sentence Review Board hearing to access the law library, legal materials, and policy in order to prepare for the hearing. Person also states they were denied access to review their Sinka packet prior to their hearing despite contacting multiple staff ahead of time to request this. Person says this is in violation of their rights to due process.	provided time and materials needed for ISRB	No Violation of Policy
40.	Incarcerated individual was infracted for threatening a female staff member when they were talking about a TV show in their cell with their cellmate. The incarcerated individual states that they were not talking about the female staff and they should never have gotten an infraction.	The OCO reviewed the infraction concern and found there was evidence to substantiate the infraction as the individual specifically made statements that were threatening towards the staff member.	No Violation of Policy
41.	Incarcerated individual reports DOC terminated his video visiting with his loved one, but he is still eligible for in-person visitation with this person. The individual and his loved one applied for Extended Family Visits (EFV's) and DOC denied the EFV's citing the multiple violations during video visiting they received. The individual reports that he was already punished for the violations because the video visiting was terminated and does not agree that DOC should deny them EFVs as well. Wants to be able to have video visiting and EFV's with his loved one because they live far away from AHCC.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Per DOC 590.100 Extended Family Visiting, "The individual must not have any pending, non-adjudicated infractions that may result in the visit being denied. a. All other infractions or related behavior will be handled per WAC 137-28, including interruption of visitation between the individual and a specified individual(s) per DOC 460.050 Disciplinary Sanctions, when there has been an infraction for visit-related behavior or behavior that presents a security or safety threat." Which means the behavior that determined DOC's decision to terminate video visiting is taken into consideration when determining eligibility for EFVs and led to the decision for denial. The OCO shared this information with the individual and provided self-advocacy information about re-applying for video visitation after one year.	No Violation of Policy
42.	Person reports their cellmate was removed from his cell per a decision made by a clinical therapist. They were taking SOTAP together	The OCO was unable to identify evidence to	No Violation of Policy

	and they were family members, and it was beneficial for them to be cellmates.		oved for any concerning factors and a staff member can make that decision.	
43.	Incarcerated individual expressed concerns about an infraction that was not dismissed but they believe there was a policy violation and this has caused them emotional and mental anguish.	sumn	OCO reviewed the infraction and appeal nary and found there is sufficient nce to substantiate the infraction.	No Violation of Policy
44.	The incarcerated individual reports that he is planning to start his own ministry and was talking to staff about the ability to start a podcast with the Twitch platform. The incarcerated individual also reported that he is having issues with staff members making sexual statements and calling people rapists.	the O inforr encor	ncarcerated individual did not respond to ICO's request to provide additional mation within 30 days. The OCO uraged this person to contact this office if would like to request assistance.	Person Declined OCO Involvement
45.	The incarcerated individual was transferred out of state for a court appearance and their property was packed by a staff member. The individual was gone from this facility for over four months and their personal property was stored and lost. This person filed a grievance and escalated the issue, but the investigation did not locate their property.	but wood person containves person sever outbrimissin	tigation. The DOC reported that this	Substantiated Without Resolution
	Brownstone - Spokane County			
46.	The incarcerated individual reported staff misconduct at the reentry center.		The incarcerated individual advised the OCO they did not want the OCO to investigate the complaint; person reported they no longer needed help from this office.	Person Declined OCO Involvement
47.	Per RCW 72.09.770, the OCO formally reques the incarcerated individual's death be referre an unexpected fatality review.		This case was reviewed by the unexpected fatality review team. RCW 72.09.770 directs DOC to conduct an unexpected fatality review in any case in which the death of an incarcerated individual is unexpected, or any case identified by the OCO for review. UFR-22-028 is publicly available on the DOC website.	Unexpected Fatality Review
	Cedar Creek Corrections Center			
48.	There is no running water at Cedar Creek faci Incarcerated individuals are only receiving tw bottles of water for the day.	-	The OCO provided assistance. The OCO contacted DOC staff immediately and to make them aware of the situation. The OCO confirmed with DOC staff that they were in process of resolving the water issue. The tank needed a full day in order to refill.	Assistance Provided
49.	Individual reports for two days there have been water concerns at the facility. There has been no access to showering, washing hands and they have only been provided limited bottled water.		The OCO provided assistance. The OCO contacted DOC staff immediately and to make them aware of the situation. The OCO confirmed with DOC staff that they were in process of resolving the water issue. The tank needed a full day in order to refill.	Assistance Provided
50.	There is no water at Cedar Creek.		The OCO provided assistance. The OCO contacted DOC staff immediately and to make them aware of the situation. The OCO confirmed with DOC staff that they were in process of resolving the water issue. The tank needed a full day in order to refill.	Assistance Provided
51.	Person reports not having access to running v	water.	The OCO provided assistance. The OCO contacted DOC staff immediately to ensure they were made aware of the situation. The OCO confirmed with DOC	Assistance Provided

		staff that they were in process of resolving the water issue. The tank needed a full day in order to refill.	
52.	Person reports that all facilities should have law libraries for access so people do not have to transfer to access the library. Person also mentioned there is not a copy of the DOC Health Plan on the JPay tablets and is wondering if DOC can add this.	The OCO provided assistance. This office met with the Health Service Administrators (HSAs) and substantiated the health plan is not currently available on tablets. The OCO learned that HSAs are working with IT to get the DOC Health Plan added to the tablets. The OCO added this topic to its reoccurring HSA meeting agenda in order to follow up on progress.	Assistance Provided
53.	Person has been conditionally approved for track one of GRE. He has a 35-day notifier and still has not been informed if he is finalized or not. Person would like to know if they are or will be finalized.	The OCO provided assistance. The OCO alerted DOC of the concern. The DOC staff then confirmed that this person was finalized, and a transfer order was placed in the person's file.	Assistance Provided
54.	The incarcerated individual reports that after a long prison sentence he was supposed to transfer to a reentry center, and the transfer was cancelled due to COVID outbreaks.	The OCO provided assistance by contacting the Superintendent to alert him of the concern. DOC then confirmed that the person will be on transport to his reentry center as soon as it is allowed by the reentry center per COVID guidelines. This person has since been transferred.	Assistance Provided
55.	Individual expressed concerns about policy not being followed after providing a urinalysis (UA).	The OCO reviewed the infraction and appeal packet after the positive test was sent out to the lab at the individual's request for confirmation and came back positive. The OCO also reviewed the policy and protocol concerns as well as the chain of custody and found no violation of DOC policy.	No Violation of Policy
56.	Incarcerated individual expressed concerns about receiving an infraction for attending an event while on quarantine. They state they were on the call out to attend and their tier did not have any active COVID cases.	The OCO reviewed the infraction and appeal packet and contacted DOC to see if they would be willing to reduce it to a general infraction. DOC stated that because of the misunderstanding, they dismissed one infraction but upheld this infraction because the individual was not on the facility call out and was clearly in an area they should not have been without being on a call out or checking out with staff.	No Violation of Policy
	Clallam Bay Corrections Center		
57.	The incarcerated individual reports that staff are discriminating against the African American population. DOC staff will tell all Black individuals to cell in, but then will not ask the white people to cell in. This person has recently received several infractions and the hearings officer told him to shut up and would not listen to anything he had to say. This person is frustrated that DOC staff are not willing to listen to him or take anything he has to say seriously.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process. The individual was advised to file a resolution request on the staff conduct.	Administrative Remedies Not Pursued
58.	Incarcerated individual explained he reported a concern through the internal channels provided by Prison Rape Elimination Act (PREA) related to an incident occurring in 2019. The individual reports DOC did not investigate the report and provided a few details to the OCO about the incident for further review.	The OCO has declined to review this concern. The OCO is required to establish priorities based on the limited resources available to the office. The PREA report listed in this concern is from 2019 and lacks information to investigate. As WAC 138-10-040(3)(f) states, "[t]he ombuds may decline to investigate any complaint or may close any investigation of any complaint when	Declined

		the alleged violation is a past rather than an ongoing issue."	
59.	Loved one expressed concerns about attempting to get a prohibited contact order removed and visitation restored for several years without success.	The OCO contacted DOC to gain further details about this concern and the individual was advised of the process that would need to occur to remove the cessation.	Information Provided
60.	The incarcerated individual is concerned about the current minimum wage of \$55.00 per month. The individual would like to the wage to be double the amount due to the cost of living inside the facility. The individual reports that the DOC will not accept his resolution request regarding this matter.	The OCO provided information regarding the process by which DOC may increase compensation for incarcerated individuals. RCW Chapter 72.64 and DOC 700.100 Class III Work Programs govern incarcerated individuals' pay. Per 72.64.020, "[t]he secretary shall make the necessary rules and regulations governing the employment of prisoners, the conduct of all such operations, and the disposal of the products thereof, under such restrictions as provided by law." The OCO reviewed DOC 700.100 Class III Work Programs which states, "[w]orkers will be compensated for hours worked. Compensation must be supported within facility budgeted funds and will not exceed \$55 per month. Exceptions to compensation, including flat rate compensation assignments, require written, advance approval from the Assistant Secretary for Prisons/designee."	
61.	External person reports they work at the county jail. They sent a Jpay to an individual offering to help as a character reference when they were released. The DOC contacted their agency stating they were being inappropriate.	The OCO contacted DOC Leadership at the facility to inquire about this concern. They had no record of this incident. The OCO could not find evidence to substantiate this concern.	
62.	Person states he was placed in involuntary protective custody in retaliation for filing a public disclosure request.	The OCO was unable to substantiate the concern due to insufficient evidence. The OCO reviewed the custody facility plan and contacted DOC staff who informed the OCO that this person was in max custody, not protective custody, for continuous negative behavior and infractions.	Insufficient Evidence to Substantiate
63.	The incarcerated individual reports that at his facility, the DOC is not providing three hot meals per day. The individual says that at least one meal per day at the facility is not a hot meal. The individual reports this is only occurring at their facility.	The OCO was unable to identify evidence to substantiate there was a violation of policy by the DOC. Per DOC 240.100 Food Services Program, the DOC will provide at least three meals, two of them hot, at regular times during each 24-hour day. This policy applies to all Washington State DOC facilities.	No Violation of Policy
64.	Person was terminated from his job for receiving multiple infractions although he was found not guilty at the disciplinary hearings. Person filed a staff misconduct complaint on the staff member that terminated him.	The OCO was unable to substantiate the concern due to insufficient evidence. The OCO contacted DOC staff and they informed the OCO that the infraction was dismissed because of a technical error on behalf of DOC. Therefore, the infraction should not have been dismissed. When the person had his FRMT, it was decided that his behavior was still an issue and because he had access to certain items while in that position, he would not return to a porter position. At this time DOC staff is monitoring behavior and he may apply to the job again once he is put on the list. If behavior has improved at that	No Violation of Policy

			time, he will then be able to receive his old position back.	
65.	The incarcerated individual says that they are getting yard on weekends at their facility. The individual reports that other custody levels ar getting yard or gym on the weekends.	<u>:</u>	The OCO was able to substantiate this concern but was not able to achieve a resolution. Staffing issues at the individual's facility have impacted yard and gym time; however, the OCO reviewed the facility schedule, and it does not appear that other custody levels have more yard or gym time. This office also brought this concern to the Superintendent's attention.	Substantiated Without Resolution
	Coyote Ridge Corrections Center			
66.	The incarcerated individual reports that they received mail from Disability Rights Washington, and the officer who opened the mail threw part of it away and gave part of it to the individual. The individual reports that they were not given a mail rejection form for the pages taken from them, the officer just	interr 43.06 comp reaso DOC i	nal resolution of this concern. Per RCW	Administrative Remedies Not Pursued
	threw them away.			
67.	Person states their dental appliance was broken during an altercation and states DOC will not pay to fix it.	interr 43.06 comp reaso DOC i	ncarcerated person has not pursued hal resolution of this concern. Per RCW (C(2)(b), the OCO cannot investigate a plaint until the incarcerated person has mably attempted to resolve it through the internal grievance process, administrative, pellate process.	Administrative Remedies Not Pursued
68.	Individual expressed concerns about getting a job as they are being discriminated against based on their conviction.	interr 43.06 comp reaso DOC i	ncarcerated person has not pursued hal resolution of this concern. Per RCW (C(2)(b), the OCO cannot investigate a plaint until the incarcerated person has mably attempted to resolve it through the internal grievance process, administrative, pellate process.	Administrative Remedies Not Pursued
69.	External person reports loved one is not receiving medical treatment. Patient reports symptoms are worsening and increasing. He said he keeps being told he will be on sick call but has not been seen. He has been kiting for two months and said he was finally seen but not for the issues he needed to discuss. He was only supposed to be on medications for weeks and he has been on them for about a year now. He has rashes and scabs all over his body still and reports medication is not working and he has been on it longer than recommended. The family and patient requested emergency transfer to MCC to see a specialist.	confir specia the pa OCO for confir the pa	PCO contacted health services and remed the patient was scheduled with a alist to discuss medication and treatment; atient declined the appointment. The followed up with health services and remed the re-entry nurse is working with atient to plan for post-release nuality of care and appointments.	Assistance Provided
70.	Patient reports that he had a serious injury to his shoulder during a softball game. He was taken to the hospital and the doctor told him he needed an MRI but it was not scheduled. The patient was later taken to the hospital again and the doctor said the individual needed surgery to repair the injury. Individual is being released in November. The patient said recovery should take four to six months and he wants to know what to do when he is released. He said DOC gave him a tort claim form and suggested he file it.	confir patier subm sched again his up quest	oco contacted health services and rmed the re-entry nurse met with the nt, however, the complaint to OCO was itted after this date. DOC agreed to lule the patient with the re-entry nurse to discuss continuity of care considering ocoming release date and any remaining tions. DOC confirmed the patient is luled for surgery post-release.	Assistance Provided
71.	The incarcerated individual reports that there was a medical emergency in his unit during which time he came out to use the	Resol	OCO reviewed the infraction and the ution Request that was filed. The OCO antiated that this individual did have a	Assistance Provided

bathroom and was told to go back to his cell medical condition and was not allowed to use (dry cell). The individual has a medical the restroom resulting in an accident. This condition and cannot hold his urine. He office contacted the facility leadership, who started to urinate on himself as he was agreed to dismiss this infraction. walking back to the cell. He was then infracted for an 884 safety/sanitation violation. Patient reports they are in a wheelchair The OCO contacted health services and Assistance temporarily and was in the hospital for followed up with additional questions since Provided several days. Patient reports tumors on DOC only addressed pain management in their nerves in several locations. He has been told initial response. Patient's requested resolution if he calls a medical emergency he runs the was surgery and this office asked DOC to speak risk of getting a major infraction due to the to whether he had been assessed for surgical "chronic" nature of his condition. He was intervention. DOC reports their local upset and hung up when OCO provided selfneurosurgeon did not feel qualified to assess advocacy information via hotline. The person this case and it was sent to another specialist later followed up to report DOC had taken for consideration. The specialist accepted the his wheelchair. patient for a surgery consult. The OCO added this case to the office's appointment tracker and later verified the appointment was scheduled. DOC reports the patient's wheelchair was taken after ongoing clinical assessments in conjunction with "third party observations". The OCO identified third party observations were made by non-medical, custody staff at CRCC and could not identify a medical assessment for wheelchair use had been conducted when the wheelchair was taken. When the individual was transferred to MCC, DOC agreed to provide a medical assessment for wheelchair use and HSAs are now aware of the issue of third-party medical observations. The OCO confirmed the assessment was provided, the individual received his recent surgery, and a referral for physical therapy was submitted. Person reports staff misconduct at their prior The OCO provided assistance by reporting the Assistance information to the Superintendent at the Provided facility regarding infractions and GRE procedures. facility. Person is on partial confinement. The incarcerated individual reported that the The OCO provided assistance by raising this Assistance religious ceremony (Sweat for Change of concern to DOC leadership and getting a Provided follow-up on the substantiated resolution Seasons) was supposed to take place recently. The fry bread supplied by DOC to request. The facility fixed the problem by break and consume during the ceremony giving the impacted individuals a new order of was contaminated with insects because it sat fry bread. on the floor for two days before it was delivered. The incarcerated individual reported that his The OCO contacted the DOC and Walla Walla Assistance teacher used the racial slur "n\*\*\*\*r" several Community College about this incident. After Provided times. He told the teacher what she was initial review of their response, the OCO began doing bothered him, and she used the word negotiations with the DOC and the community several more times. The individual grieved college to obtain a better resolution for all this issue and received a response saying the students. In return, Walla Walla Community issue had been escalated beyond the College created an intensive training focused resolution department. The individual on what it means to center Black, Indigenous, reports that DOC is threatening to take him and students of color in policies, instruction, out of the class, but he wants to stay in curriculum, and navigation. This curriculum was made available to all community college school. The incarcerated individual also reported that he did not go to class today staff at Coyote Ridge Corrections Center and because he does not feel comfortable Washington State Penitentiary in October of around that teacher. this year.

an adverse reaction and was told that the wrong insulin was in his prescription

Given an infraction for failure to provide a

urinalysis, even though person had an HSR

Person says they were given an almost fatal

dose of the wrong kind of insulin. Person had

for more time or a mouth swab instead.

72.

73.

74.

75.

76.

77.

The OCO provided assistance. This office contacted the Health Service Administrators and confirmed a Quality Review Request was submitted for this incident and will result in

The OCO provided assistance. The OCO

contacted DOC staff and they dismissed this

Assistance Provided

Assistance

Provided

person's infraction.

container. Person says the nurse on duty did recommendations. This office substantiated a not check to ensure the medication was medication error that was addressed the next correct nor did they find the error until the day. The OCO also identified that HSAs were not notified of Medical Incident Reports (MIRs) following day. until a level II or III grievance or OCO outreach. After OCO mediation, the HSAs have now changed this to be immediately notified of all MIRs regardless of grievance level investigation. 78. The incarcerated individual reports that the The OCO provided assistance by raising this Assistance DOC is denying them Native American concern to DOC leadership and getting a Provided religious services. Bags of fry bread were follow-up on the substantiated resolution delivered to the unit and were not handed request. The facility fixed the problem by out. Instead, staff stored it on the floor and giving the impacted individuals a new order of handed them out two days later covered in fry bread. ants. The individual made the correctional unit supervisor aware of what happened with the fry bread, and he recommended that the individuals throw it away. 79. The OCO contacted facility leadership The incarcerated individual reports that he Assistance and his cellmates have had issues with count regarding this concern. The facility leadership Provided lights being left on after they are supposed has contacted the unit staff to ensure the lights to be turned off. He reports that he gets are turned off and on at the appropriate times. headaches and it is causing other issues. The requirement is for the count lights be turned off when count clears. Some officers, as a courtesy, turn them off upon completion of counting the pod/unit, which is not required. 80. The person was infracted in 2016 and 2018 The OCO has declined to review this concern. Declined for positive urinalysis results. However, since The OCO is required to establish priorities then, a report was published finding that the based on the limited resources available to the test kits produced by the manufacturer were office. The infractions listed in this concern are from January 2016 and 2018. WAC 138-10-040 faulty, and the recommendation in the report indicated that disciplinary injunctions states that "[t]he ombuds may decline to based on those test kits' results should be investigate any complaint or may close any expunged. investigation of any complaint when the alleged violation is a past rather than an ongoing issue." 81. The incarcerated individual reports that staff DOC staff resolved this concern prior to the **DOC Resolved** asked for his DOC number and infracted him OCO taking action on this complaint. The OCO with a major infraction for being out of followed up on the individual's concerns and bounds. Staff searched his cell and reported determined that this person did not receive an that they found spice in a tea bag. This infraction and has been released on GRE. person reports that now he has been given a major infraction and is being taken off graduated reentry (GRE). The individual wants to go to GRE. 82. Patient reports the medical staff at their The OCO contacted health services and asked **DOC** Resolved that they address the HSR access and facility is not honoring their current Health Status Report (HSR) supply needs nor treatment concerns. DOC reports recent providing medications as prescribed. Person testing, treatment updates, and monitoring; believes not honoring prescriptions for records indicate HSR pick-ups at pill line when medications or providing the necessary supplies were available. Patient was on a medical supplies is retaliation for filing supplement for a short time while there was a complaints and grievances against the supply shortage and DOC also documented a medical department. supply shortage of another item and confirmed the patient received this item when available. This office was unable to identify evidence to

83. Incarcerated individual wants to apply for the Graduated Reentry (GRE) Program and release to their county or origin. The individual reports they are not receiving help from their unit counselor to initiate the

The OCO provided information regarding the individual's GRE application. The OCO found that the GRE application is being reviewed at the DOC headquarters level and is pending a final decision. The OCO provided the individual

prescription medications. Records indicate the patient reported improved symptoms after updated treatment plan and medication change, dated after the patient's outreach to

substantiate the patient was denied

Information Provided

the OCO.

process. The individual says they have six months left and qualify for GRE Track 1.

with self-advocacy information about how to contact the DOC headquarters staff responsible for processing GRE applications for more information about his application status.

84. Patient reports receiving a recommendation for low-dose radiation for a benign condition. They were evaluated by outside specialists who recommended the treatment as well as gel insoles as a temporary remedy. The Care Review Committee (CRC) denied the recommended treatment, stating they needed to see if the insoles helped before approving the radiation.

The OCO provided information to the patient regarding Care Review Committee (CRC) decisions and the process to have his case reviewed again. When the CRC recommends conservative treatment options, the patient is asked to attempt the treatment and notify the provider of any changes in symptoms. Their case can be re-presented to the CRC based on the treatment outcome or changes in symptoms.

Information Provided

85. The incarcerated individual reports that he is The OCO contacted the ADA Compliance visually impaired. He says he is taking a course for reading braille and has taken the first portion of the course, but due to COVID and not having access to a tutor, he has worked with the property room and ADA to request he be allowed to utilize his CD player components to create tattoo machines. for the braille course. He reports that his CD player was damaged and his counselor was his CD player and it was approved. It was sent to the property room but the property sergeant is refusing to trade the CD player. The property sergeant says that the individual needs to go through education or that he needs to speak to the ADA coordinator to give him the new CD player. The individual has ASRs for the player and other disability needs. He reports that ADA is now backtracking on saying he can have the CD player. He wants to trade his broken CD player with the new one that was ordered for him.

Manager and DOC reports incarcerated individuals are no longer allowed to have CD players; in 2016 the DOC Security Advisory Committee determined CD players pose a security risk for storing contraband and use of Washington Talking Book & Braille Library (WTBBL) material has its own digital tape communicating with ADA regarding replacing player and cartridges and does not require a CD player. The CD player was reviewed and denied by the Accommodation Review Committee. The OCO confirmed the person has an ASR for the digital tape player and talking books for the course. This office provided the individual with information to request the braille course through Hadley Low Vision Resources for use on his approved tape player.

Information Provided

86. The incarcerated individual reports that he has been at the facility for five months and does not have a job yet. The individual reports that he does not have family support and would like a job. His unit counselor told him that it may take up to a year to get a job.

The OCO provided information regarding accessing jobs and expected wait times. The OCO spoke with the individual's counselor and discussed that he currently has two open and approved job referrals, and the individual's counselor recently opened two more referrals at the individual's request. The individual was eligible for Correctional Industries jobs but declined those positions. Due to numerous applicants for a limited number of jobs, individuals can be on the waitlist for jobs for six or more months. This office confirmed that the individual has been assigned a job at the facility since this concern was reported.

Information **Provided** 

87. Incarcerated individual reports an issue when trying to call the Internal Revenue Service (IRS). The individual reports that he is that DOC does restrict 1-800 numbers even trying to call the 1-800 number provided by the IRS to authenticate his identity, but the DOC phone systems will not allow him to complete the call. The individual filed a resolution request about this concern and was told by DOC resolutions that 1-800 numbers are not authorized. The individual reports this is untrue because he remembers other incarcerated individuals calling the IRS 1-800 number successfully. Requests OCO assistance in facilitating a call with the IRS.

The OCO provided information regarding the IRS and how to contact them. The OCO found when related to the IRS. DOC shared with the OCO that incarcerated individuals are at high risk for identity theft or other fraud, often by requesting individuals call and verify their identity. This is the reason DOC has restricted calls out to specific 1-800 numbers. The OCO shared information with the individual about how to communicate with the IRS by providing accurate contact information for them.

Information Provided

88. Incarcerated person alleged the DOC violated his Eighth Amendment right by negligently exposing him to tuberculosis (TB) and not testing incarcerated individuals for

The OCO contacted Health Services management and confirmed this patient has been treated for tuberculosis. The OCO provided information to the patient regarding

Information Provided

TB during the COVID-19 pandemic. This tort claims. Individuals who believe they have person requested to be released from DOC been harmed or have suffered a loss as a result custody and monetary compensation. of negligent actions by a state employee or agency can submit a tort claim to the Office of Risk Management (ORM). ORM is required by law (RCW Chapter 4.92) to receive these claims. The OCO is unable to request the person be released from DOC custody before their release date. 89. Person says DOC is denying timely access to This case was previously reviewed by the OCO. Information the correct doctor to perform her necessary The patient is scheduled for the needed Provided and approved procedure. Person has two appointment. This office will continue to track approved procedures; however the the appointment for completion. The OCO scheduled appointment is almost a year out provided information on who the patient can Person says she has been waiting three years contact to discuss the plan of care and to have this one procedure done and should treatment timelines. The OCO does not have not have to wait another year. the ability to request the outside clinic get the patient scheduled for sooner than is currently available. 90. Incarcerated individual reports having a false The OCO provided information to the Information Prison Rape Elimination Act (PREA) report individual about his current placement and the Provided filed against him that caused him to be process DOC follows to comply with federal moved from his cell. The individual wants the PREA standards. Per DOC 490.850 Prison Rape PREA report allegations to be dropped and Elimination Act (PREA) Response, "[t]he wants to be moved back to his cell. Department will respond to allegations of sexual misconduct to support and provide assistance to the alleged victim, enhance security, and maximize the ability to obtain evidence to use in investigations and criminal prosecutions where applicable." This means that DOC is required to respond to every PREA allegation reported. DOC did move the individual per PREA investigation protocol, and he has since been moved back to a minimum custody unit. We shared this information with the individual and explained why DOC is allowed to investigate in this manner. 91. Individual states they failed a drug test The OCO discussed concerns about a possible Information Provided because they had THC in their system as they policy violation of DOC 420.380(II)(F) as the just recently entered prison and was on an individual was tested for THC prior to being incarcerated for 45 days. However, because antibiotic that made them test positive. they also tested positive for another substance, and it was confirmed they were not on an antibiotic at the time, DOC was unwilling to overturn the infraction. 92. The OCO contacted health services to request Insufficient Patient reports a fracture and being sent to the hospital for a medical emergency. Person they address this concern. DOC confirmed the Evidence to says he had no follow up since the initial patient had been seen by a DOC provider the Substantiate diagnosis. The ER doctor said he needed to day after returning to the facility. The OCO get follow up within a week and it has been confirmed the patient was scheduled with an three weeks as of reporting to the OCO. orthopedic specialist and the appointment occurred. 93. The incarcerated individual reports another The OCO requested a meeting with DOC Insufficient incarcerated individual, is a stroke patient leadership and asked for an investigation into Evidence to and is paralyzed on the right side of his body these allegations. Since this was anonymously Substantiate and is also diabetic has slurred speech and reported to the OCO, this office did not have uses a wheelchair. The individual says he saw specific dates or times of the incidents DOC staff yelling at the individual and reported or names of the staff involved. The mistreating him. The individual says they OCO could not find a record of the individual's took his TV for several days for no reason TV being taken away or that his cell assignment and staff purposely kept him in a room that was maliciously assigned. The Superintendent made it difficult for him to get around with will continue to monitor the situation. the wheelchair and could not access several places. 94. The incarcerated individual reports that he The OCO lacks jurisdiction to investigate this Lacked complaint because the complaint relates to an Jurisdiction received a 28-day sanction at a county jail and the sanctions are now complete. The action taken by an agency other than the Washington State Department of Corrections.

	individual now has another three-day sanction for the same behavior.		
95.	Incarcerated individual expressed concerns about Union Supply sending them moldy food and still not receiving the refund for this.	The OCO lacks jurisdiction to investigate the concern as the complaint relates to an action by an agency other than WA DOC.	Lacked Jurisdiction
96.	Individual has suffered burns while working as a teaching assistant for welding class. Incarcerated individual filed a tort claim and was alerted by Financial Services that there were only 4 pages of documents instead of the 14 to 15 pages of documents when the individual examined the file. This individual has since released from custody.	This individual is involved in a tort claim regarding this incident and the information he alleged is being suppressed is information the Office of Risk Management has requested from the DOC. The OCO lacks jurisdiction to assist the Office of Risk Management in their investigation.	Lacked Jurisdiction
97.	External person reports they were denied visiting with their loved one. Visiting denial was because of a deferred sentence.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO contacted external person to find out details of deferred sentence. Per DOC visiting policy a person must be off supervision for a total of two years. The OCO encouraged the person to reapply in a year.	No Violation of Policy
98.	Person states they were screened for GRE but at the end of the process were denied. Person states they think DOC is trying to make them take SOTAP for a previous charge.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed person's electronic file and verified the denial of GRE was due to having to take SOTAP. Per DOC policy 390.590 a person must complete needed programming for sex offenses regardless of whether due to current offense or old.	No Violation of Policy
99.	Person reports they were infracted several months ago and then another individual was infracted for a similar but not the same violation and the sanctions differed. Person feels the sanctions should have been the same.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed person's file and DOC policy 460.050. The OCO could not find a violation in sanction given the infraction. Varying factors can determine what each individual gets sanctioned.	No Violation of Policy
100.	The incarcerated individual reports that they filed a PREA concern in July and should have seen mental health within 24 hours, but he still has not seen anyone as of today. They feel that the DOC is not taking their PREA concern seriously, and they have not updated him on anything with his concern. He called the victims advocate, and no one has been answering.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed the file and found that a PREA investigation was completed, and it was unfounded. The OCO confirmed the person has been seen by mental health since reporting the concern to the OCO.	No Violation of Policy
101.	External person reports DOC is refusing to provide the incarcerated patient with prescribed medications. Both are significant to his health and safety. The person said the patient is always at medicine line and never refuses his medications. There is a note in his chart to "take from stock" and provide to him. There is a nurse refusing to provide from stock. The person requested the OCO set up a phone call with the individual.	The incarcerated individual did not respond to the OCO's request to provide additional information within 30 days. The OCO encouraged the patient to contact this office if they would like to request assistance. The OCO provided a complaint form and more information via closing letter after attempting a 1:1 call.	Person Declined OCO Involvement
102.	A family member reports patient has not received his mental health medications in three days.	The incarcerated individual did not respond to the OCO's request to provide additional information within 30 days. The OCO encouraged this person to contact this office if they would like to request assistance.	Person Declined OCO Involvement
103.	her husband's facility. The counselor gave all	The OCO was able to substantiate this concern but was not able to achieve a resolution. The OCO has determined that the superintendent of this facility is using split racking which has been approved by Headquarters due to fighting in the unit.	Substantiated Without Resolution

reports that split racking is only supposed to be used for social distancing in relation to COVID, and is not supposed to be used as punishment.

#### **GRE/CPA**

104. The incarcerated individual was infracted for The incarcerated person has not pursued a positive urinalysis (UA) and subsequently terminated from the Child Parenting Alternative program. The person reports they did not use, and the lab report showed a negative result for the drug that showed positive in the UA test. The person also reports concerns about the label of the UA test kit and an email from the lab.

internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative Remedies Not **Pursued** 

105. Person expressed concerns about being wrongfully terminated from GRE as a result of an open court case as well as an infraction concern.

The OCO reviewed the GRE termination and find that it is due to the issuance of several infractions, not due to an open case. While there is no information to substantiate the concern that the termination was due to a court case, the OCO reviewed the infraction materials and find no violation of policy as the issuance of the infractions resulting in the termination of GRE is within DOC policy.

Insufficient Evidence to Substantiate

106. Person is on GRF and has been at mother's residence since March and has a full-time job. The victim in her case did not want her released on GRE. She just found out that she is being returned to WCCW and that her GRE will not be extended.

The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Per DOC policy 300.500 if a person has been released on GRE ahead of their total partial confinement time, then a person will be returned to a state prison for the remainder of their time.

No Violation of **Policy** 

107. The individual is on GRE and has appointments and needs to get to work but is not allowed to drive per DOC 380.540 due to an old driving charge.

The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed current GRE driving policy 380.540. The driving policy currently does not allow for discretion or consideration for old or current driving offenses. At this time, it is not a violation the way the current policy is written. The OCO will keep this on a policy list for review at a later time.

No Violation of Policy

Person is on GRE and has medical issues and 108. appointments he needs to frequently visit but is not allowed to drive per DOC 380.540 due to an old driving charge.

The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed current GRE driving policy 380.540. The driving policy currently does not allow for discretion or consideration for old or current driving offenses. At this time, it is not a violation the way the current policy is written.

No Violation of **Policy** 

109. Person lives greater than 14 miles from any job, rideshare is not an option due to rural area. DOC denied the ability to drive himself to work despite having a license and using heavy equipment at his job. DOC staff told him to call us because there was nothing he could do to help. Currently his dad has to drive him back and forth and it is causing hardship. If he loses his job due to not being able to get there he will go back to prison, if he drives to work, he will go to prison.

The OCO was able to substantiate this concern but was not able to achieve a resolution. Current driving policy while on GRE does not allow for this decision to be approved by designate; it must be approved by the Secretary. The policy does not allow for discretionary review. DOC reports that this issue will be considered when the policy is under review.

Substantiated Without Resolution

110. Per RCW 72.09.770, the OCO formally requests that the incarcerated individual's death be referred for an unexpected fatality review.

This case was reviewed by the unexpected fatality review team. RCW 72.09.770 directs DOC to conduct an unexpected fatality review in any case in which the death of an incarcerated individual is unexpected, or any case identified by the OCO for review. UFR- 22-027 is publicly available on the DOC website.

Unexpected **Fatality Review** 

	Larch Corrections Center		
111.	Individual is part of a group of incarcerated individuals evacuated from Larch Corrections Center. He requires medication and, since arrival at his new facility, has been requesting this medication from medical. Patient also reports he has an injury that limits his mobility and needs relief from pain.	The OCO provided assistance by contacting Health Services management and inquiring about his medications. When it was discovered he had no active medication orders, this office requested he be scheduled for sick call to follow up on his injuries. The Health Services Manager sent confirmation of the scheduled appointment to this office.	Assistance Provided
112.	Person states that they are being asked to do extra substance abuse treatment. Person says they have already completed all the TC phases. This is impacting their GRE.	DOC staff resolved this concern prior to the OCO taking action on this complaint. This individual has now gone out on GRE.	DOC Resolved
113.	Incarcerated person is getting close to being eligible for the Graduated Reentry Program and would like to be able to drive to increase his chance for success. Person says driving is also vital in areas that public transportation is not available.	The OCO provided information regarding DOC policy 380.540. The OCO suggests asking the person's counselor for driving policy and form.	Information Provided
114.	The incarcerated individual reports concerns regarding his marriage license being issued from the county his facility is located in, but having to relocate to a facility in another county due to the treated posed by the forest fire. The individual is concerned that his marriage license will not be valid in another county and not being able to have the wedding as scheduled.	The OCO provided information regarding marriage licenses being valid no matter which Washington county it was issued in, so long as the ceremony takes place in Washington State.	Information Provided
115.	Incarcerated individual expressed concerns about receiving an infraction for a tobacco cell tag when they were walking by the cell that had the tobacco in it.	The OCO reviewed the infraction and appeal packet and hearing audio for the infraction. The evidence standard for DOC is very low and just having knowledge accompanied with being in a cell where contraband is found is enough to substantiate an infraction, because the individual admitted to having knowledge of the tobacco, the infraction is substantiated.	No Violation of Policy
116.	Loved one expressed concerns about incarcerated individual being housed in segregation awaiting a pending infraction.	The OCO mailed the individual a confidentiality waiver and an Ombuds request form to ensure this is a concern that they wanted this office to investigate. However, after the allotted threeweek period, they did not contact the OCO in any way to inform this office that they wanted this to be investigated. They were informed that if this case has been closed in error and they would like this to be investigated, to please contact this office via the hotline or send in a letter.	Declined OCO
	Mission Creek Corrections Center for V	/omen	
117.	A loved one reports there is no heat in the rooms, and incarcerated individuals are not given extra blankets.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
118.	Incarcerated individual expressed concerns about there not being heating in their unit and they are not being given extra blankets.	The OCO went to the facility and verified there were heating issues, however, space heaters were being placed in the units and DOC was giving extra blankets.	Information Provided
119.	The incarcerated individual reports that for the past 10 days they have had no heat in their rooms and are very cold and the DOC will not give them any extra blankets.	The OCO went to the facility and verified there were heating issues, however, space heaters were being placed in the units and DOC was giving extra blankets.	Information Provided
120.	Incarcerated person would like to have her eligibility for work release, or the Graduated Reentry Program reinstated. Person states it	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Per DOC policy 300.500 a person must	No Violation of Policy

has been over a year and a half since she left complete all programming. This person failed the Therapeutic Community program and has had good behavior since. Person says she and therefore does not meet the eligibility for is willing to participate in programs similar to GRE. Therapeutic Community while at work release or on the Graduated Reentry Program.

to complete substance abuse treatment (TC)

#### **Monroe Correctional Complex**

A loved one of the incarcerated individual 121. reports that the individual sent mail that mentioned his tattoos, and the individual was told he would receive an infraction for undocumented tattoos. The loved one reports that the individual got the tattoos six years ago and already received an infraction for them and has no new tattoos since then.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative **Remedies Not Pursued** 

122. The incarcerated individual relayed concerns about staff members' behavior toward incarcerated individuals. The person reports that staff is negative, disrespectful, and abusing their authority over individuals. This person is afraid he will eventually be targeted by these staff members and does not want to live in fear, exacerbating his PTSD.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative Remedies Not Pursued

123. The incarcerated individual reports that he has been dealing with sciatica pain and he tried to go to his appointment on movement and an officer denied him access. The individual says that he tried to go to the appointment again and then the officer said he is now too late. The officer then wrote an or appellate process. infraction for not showing up to the appointment.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative,

Administrative **Remedies Not** Pursued

124. Person relayed concerns regarding medical kites not being responded to and concerns about a particular staff member.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative Remedies Not Pursued

125. Person states they believe they are losing weight. They were previously ordered nutritional supplements at a different facility. He was told by medical staff to not worry about it.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative **Remedies Not** Pursued

126. Person reports the CUS is not taking responsibility of his staff, he just blames the conduct on the incarcerated people. This is the same officer that he's having problems with regarding another infraction.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative Remedies Not Pursued

127. Incarcerated individual expressed concerns about being at a facility for several months without having been screened for a job.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative **Remedies Not Pursued** 

128. The incarcerated individual reports that he is now in the violator unit and is dealing with discrimination from staff who are mostly white. He reports that during Yom Kippur, which he observes, an officer put a

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the

Administrative Remedies Not Pursued

commissary slip in his door, and the DOC internal grievance process, administrative, individual told the officer he could not sign it or appellate process. due to observing the holiday. The officer told him to shut up and yelled at him. He also reports that the booth officer told him that due to his condition of being Jewish, he needed to come out of his cell. 129. The incarcerated individual reports that he is The OCO provided assistance. This office met Assistance a tier representative and the JPay kiosk on with leadership at the facility who reported Provided their unit has been broken for weeks. The that they knew about the problem but would individual says there has been a work order contact JPay again and ask that the issue be put in but JPay has not come to repair the made a priority. Soon after, JPay repaired the kiosk. The individual reports that most of the kiosk and individuals are now able to use their people on the unit are not able to use their JPay players. JPay players. 130. Incarcerated person lost hair due to a The OCO provided assistance by requesting the Assistance medical condition and was denied a patient's provider submit a Non-Formulary Provided prescription for a hair-regrowth product, it Review for the medication. Currently the was considered not medically necessary. medication is not approved by DOC Pharmacy and the provider cannot order it without approval from the Non-Formulary Review. The OCO verified the patient was scheduled to see the provider who agreed to discuss the medication with the patient. 131. The incarcerated individual reports that he The OCO provided assistance. The OCO Assistance has been trying to see mental health. He contacted mental health services at the facility Provided kited them and wrote an emergency and made sure the person had been seen by grievance. He is starting to hear voices and is mental health and that DOC had responded to seeing things. Mental health said that they his kites. would come see him this week and then never showed up. 132. The OCO provided assistance. This office spoke Assistance The incarcerated individual reports that with the individual's Correctional Unit Provided because he is serving a Life Without Parole Supervisor (CUS) and counselor about his sentence, he is not able to participate in interest in participating in classes and classes at the facility and has to order programs. The individual's counselor then materials to teach himself. spoke with the individual and put in referrals for additional classes, programs, and informed him how to contact other programs which require additional screening. 133. The OCO contacted the facility regarding this Individual reports he was taken to ad seg Assistance after he had an argument with staff. He is concern. After OCO contact, DOC staff did Provided waiting for his infractions and is worried that meet with the incarcerated individual and he he will be transferred out of TRU even was released from ad seg. He will not be though he still has medium points. transferred, and he was found not guilty of the infractions. 134. The patient reports he has hasn't been told The OCO provided assistance. The OCO held Assistance information about his surgery that needs to several discussions with DOC Health Services Provided be done out of state, as there is no surgeon leadership about this person's case to move in Washington. He wants to know if his the treatment plan forward. The patient has surgery is going to happen and when. received the surgical consult requested. His case will be tracked by the OCO to monitor for completion of the surgery. 135. The OCO contacted DOC regarding the Person reports they received an infraction Assistance for threatening staff, and they filed an infraction appeal and DOC acknowledged that Provided appeal. It has been since February and now the appeal had been lost and they would allow DOC is not acknowledging they ever turned the individual to submit a new appeal. in the appeal. 136. The incarcerated individual reports concerns The OCO provided assistance. This office spoke Assistance about an upcoming commissary delivery with DOC staff and the religious coordinator at Provided which will occur during a religious holiday the facility, who insured that the individual's that the individual observes. According to commissary would be stored and given to him religious rules, individuals are not able to after the holiday. The individual confirmed that carry or sign for packages while observing he did receive his items the following day. the holiday. The individual says he would be able to pick up the items the day after they are delivered.

137.	Person was injured playing sports. The ER doctor said he needed to follow-up with ortho to get an MRI. He was seen by medical for other reasons and has not yet received follow up for his shoulder.	The OCO provided assistance by contacting Health Services management and requesting they review the patients consult for scheduling completion. The consult was scheduled as a result of the outreach. The OCO continued to monitor the appointment for completion and treatment follow up to be scheduled.	Assistance Provided
138.	The incarcerated individual reports that the JPay kiosk in his unit is broken and he and others are not able to use their JPay players. The individual is concerned about being able to have enough video visits before his upcoming Extended Family Visits (EFVs).	The OCO provided assistance. This office met with leadership at the facility who reported that they knew about the problem but would contact JPay again and ask that the issue be made a priority. Soon after, JPay repaired the kiosk and individuals are now able to use their JPay players. The OCO also confirmed that the individual's EFVs were not impacted by missing any video visits.	Assistance Provided
139.	External person reports their loved one experienced a pulmonary embolism in 2021 and was recently taken to the hospital because of a leg concern. The doctor ordered an ultrasound to the prison that he never got to and now the prison medical took him off blood thinners. The outside medical provider felt he may have a blood clot in the leg; that is the point of the ultrasound. He has been coughing up blood, he is in dire need of serious medical attention, and he keeps being brushed off.	·	DOC Resolved
140.	Patient had joint replacement surgery this year. He has not had physical therapy and is still in pain. The patient reports receiving medication for back issues but nothing for pain associated with knee replacement. He states he is still in wheelchair and walking hurts hip and knee. The patient also reports a rash has developed around the surgical wound.	DOC staff resolved this concern prior to OCO involvement. The OCO contacted Health Services management who informed This office that the patient had been treated for the wound issue and was referred to physical therapy. The OCO monitored this case to confirm the patient was scheduled for physical therapy appointments.	DOC Resolved
141.	Person was prescribed medication for pain management. The prescriptions have expired, and the medical provider informed him they would need to seek approval through the CRC. Person has not heard back since.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO verified the patient's case was presented and approved by the Care Review Committee, the patients' medications were updated. This office shared the results of the review with the patient.	DOC Resolved
142.	Patient reports he injured his hand during recreation on a Sunday. The patient called a medical emergency and was seen by clinic staff, he was told he'd be seen Monday morning. He wasn't seen on Monday or Tuesday, so he put himself on sick call to be seen on Wednesday and was given an x-ray on Thursday. This was a week ago and he hasn't heard anything yet.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The patient was treated by nursing staff per on-call provider orders on the day of injury. The results of the x-ray did not require a change in treatment plan. The OCO contacted Health Services management and were informed the patient had an outside appointment scheduled already. This case was added to the appointment tracker and monitored for completion.	DOC Resolved
143.	This person reports that DOC lost his medication when he was being transferred. They were told in April that they would be called down to see a provider and that has never happened. The patient also shared concerns with needing diagnostic imaging for concerning areas of skin.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO contacted Health Services management and were informed there was no documentation of missing medications from the time around this patient's transfer. The patient did not have an active medication order for the requested medications at the time of transfer. This office substantiated patient had been scheduled for multiple appointments regarding medication management that were either missed by the patient or cancelled. At the time of this office's outreach the patient had been seen by their	DOC Resolved

		provider, their medications had been ordered. This office confirmed the patient has received the diagnostics requested with no further treatment recommended.	
144.	Patient has multiple chronic conditions and has not received follow-up or medication review in some time. He is out of medication, and it is causing a lot of anxiety.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO contacted Health Services management who verified the patient's active medication orders. DOC also verified the patient has been seen frequently by medical staff. The OCO encouraged the patient to kite medical for a medication review if there were any medications not included in the renewal.	DOC Resolved
145.	The incarcerated individual reports that they received an infraction and is concerned that DOC did not follow policy by leaving the cell search report in his cell. This person also reports that they filed a grievance about this concern, and DOC staff admitted he did not follow policy by not leaving the report in the cell after the search was completed. The DOC's response to the grievance was to retrain staff. This person thinks the cell search policy violation should be grounds for overturning the infractions.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO reviewed the information regarding this concern and determined that this person was correct by saying the DOC did not follow policy by leaving a copy of the cell search report in the cell. However, this was a non-jurisdictional error and is not grounds for dismissal of their infractions. The DOC stated they will retrain the staff, which is an appropriate solution for the policy violation.	DOC Resolved
146.	Patient reports kidney failure for years and a provider just notified him that his kidney function is at 15% and had to call to see if he needs dialysis. The person is requesting an appointment with a specialist.	The OCO contacted the Facility Medical Director and requested they review the patient's diagnosis and treatment planning. The person was scheduled with a nephrology specialist and the OCO confirmed this appointment occurred and the patient's treatment plan was updated.	DOC Resolved
147.	Incarcerated person says they are not receiving his medication when requested and as prescribed. Person says this issue has been ongoing for approximately a year despite filing many kites and grievances about these issues. Person also says the amount prescribed and the amount on the prescription label do not match. The patient requests that medication administration be performed by an entity outside of the DOC.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO contacted Health Services management and verified that the patient's medication order had been corrected and was available for pick up. The OCO is not able to require the DOC to contract with outside contractors for medical services offered by DOC.	DOC Resolved
148.	The incarcerated individual reports concerns that his classification override will be closed out after receiving an infraction. The individual is concerned that he will have to transfer to his previous facility.	The OCO provided information regarding the status of the individual's Custody Facility Plan (CFP) which is pending review with DOC classification. This office also provided information regarding DOC 300.380 and how the individual may appeal his CFP if he does not agree with it.	Information Provided
149.	The incarcerated individual reports that it is very cold in the facility because DOC has not turned on the heat.	The OCO provided information regarding heat at the facility. This office spoke with leadership at the facility who confirmed that the heat has been turned on, but it is not working in some of the units. DOC staff are offering additional blankets to individuals in the affected units while the heat is being repaired.	Information Provided
150.	The incarcerated individual reports that the OCO should investigate the deaths that have happened at MCC.	The OCO does investigate all unexpected deaths. Per RCW 43.06C.080 Unexpected fatality review team—Duties. (1) The ombuds or the ombuds' designee shall serve as a member of the unexpected fatality review team convened under chapter 72.09 RCW. (2) The department shall: (a) Permit the ombuds or the ombuds' designee physical access to state institutions serving incarcerated individuals and statelicensed facilities or residences for the	Information Provided

chapter; and (b) Upon the ombuds' request, grant the ombuds or the ombuds' designee the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department that the ombuds considers necessary in an investigation. (3) The office shall issue an annual report to the legislature on the status of the implementation of unexpected fatality review recommendations. The OCO provided information to the patient 151. External person reports that DOC is still Information Provided quarantining units after saying they would regarding the outbreak status of the unit and be updating the COVID protocols to reduce the recent updates made to DOC's COVID protocols. The DOC is following clinical the quarantine requirements. They believe the decision to quarantine the living unit was protocols based on recommendations from the made at the local level and not by CDC and WA department of Health for headquarters. congregate living situations to determine quarantine and isolation procedures. The incarcerated individual is in an education The OCO provided information regarding how 152. Information program at the facility and reports that due the individual may obtain an assessment from Provided to learning disabilities, he needs additional medical or mental health to document his help in some subjects. The individual reports learning disabilities and recommended that there is not a Teaching Assistant in the accommodations. This office met with DOC class and that he cannot always get help education staff and discussed that currently, Teaching Assistants are not available due to from his instructor. COVID-19 social distancing restrictions, but will be hired when the restrictions are lifted. The facility is also in the process of hiring mental health professionals to assess and work with individuals with learning and intellectual disabilities. The OCO provided information detailing the 153. Incarcerated individual reports they filed a Information resolution request about a DOC staff, then process DOC uses to determine if resolution Provided requests filed should be reviewed by the DOC the concern was sent to the Prison Rape Elimination Act (PREA) unit for review. The PREA department. The OCO shared with the individual says they never requested the incarcerated individual that when a resolution concern be reviewed by the PREA unit and request is flagged as possibly PREA related, the the complaint was not PREA related. resolution specialist elevates the concern to Individual says the resolution specialist who the PREA triage department. At the PREA processed the complaint is retaliating for a triage level, the concern is reviewed, and it is PREA related concern that the individual had determined to be investigated through the previously filed on the resolution specialist. DOC PREA investigations or as a resolution request. In this case, the PREA triage unit determined that this individuals concern did meet the criteria to be investigated through the PREA department. The OCO could not substantiate that this decision was made in retaliation, because the resolution specialist does not determine if a resolution request is a PREA investigation. 154. Patient reports that he was approved for The OCO provided information regarding his Information Provided treatment following an extended stay in the appointment schedule and how future hospital. He wants to ensure his appointments will be scheduled. The OCO and DOC staff are not permitted to share future appointments are scheduled. appointment dates with patients. The OCO contacted Health Services management and confirmed the appointments were to be scheduled one at a time. This case was added to the appointment tracker and monitored for the completion of the appointment and confirmed scheduling for an additional appointment. 155. External person reports that DOC is not The OCO was unable to substantiate the Insufficient providing care for their loved one. They state concern due to insufficient evidence. The OCO Evidence to the DOC is being purposely neglectful in the contacted Health Services management and Substantiate verified the patient's oncology follow up is

purposes of carrying out its duties under this

	patient's care. The patient has grieved several times.	scheduled and medications are current, with no recent missed doses. The resolution requests have previously been investigated by this office and the outcomes sent to the patient by mail.	
156.	The incarcerated individual reports concerns about his Custody Facility Plan (CFP) being changed. The individual reports that DOC is transferring people to other facilities and is concerned there won't be time for him to appeal.	The OCO was unable to substantiate the concern due to insufficient evidence. This office reviewed the individual's CFP and a transfer was not recommended. The individual will remain at his current facility per his updated CFP.	Insufficient Evidence to Substantiate
157.	Anonymous person reported black members of the population are being heavily targeted for discipline. Person states MSU staff are writing major infractions for masks falling under nose and people are getting yarded in for minor things.	Upon receipt of this concern, the OCO traveled to the facility to talk to the population. The incarcerated population did express frustrations over the masking protocols; however the population did not express concerns about staff targeting based on race. The OCO could not substantiate that the DOC staff was racially targeting.	Insufficient Evidence to Substantiate
158.	Patient states he suffered a fall as the result of receiving a medication he had refused. He states he fell out of bed due to the effects of the medication. He requests to see an outside provider for evaluation after this injury.	The OCO was unable to substantiate the concern due to insufficient evidence. There is no documentation indicating the patient refused the medication in question. To document the refusal of medication order, rather than declining single doses of a medication, patients should request a refusal form from clinic staff. The OCO reviewed the incident report and follow up evaluation plans. The patient is scheduled to see an outside specialist for follow up related to this injury.	Insufficient Evidence to Substantiate
159.	Incarcerated individual reports he filed a Prison Rape Elimination Act (PREA) report regarding a Correctional Officer doing inappropriate things while on the tier. The individual was told that the PREA investigation was substantiated but later that finding was rescinded and was deemed unsubstantiated. The individual requests that the OCO review the investigation.	The OCO reviewed all pertinent evidence available including video and found there is insufficient evidence to substantiate the behavior of the Corrections Officer. DOC staff that re-reviewed the PREA investigation rescinded the substantiated finding after the evidence reviewed proved insufficient to substantiate what occurred. Video of all angles of the tier was not available for review, and the evidence available is not enough to substantiate the allegations.	Insufficient Evidence to Substantiate
160.	The incarcerated individual reports concerns about the mailroom over censoring incoming mail. The individual reports that the staff member who rejects mail is also the person who authorizes appeals. The individual feels that a different staff member should review appeals. The individual also reports concerns about books being denied and then disappearing before the individual can have the books sent out.	The OCO was unable to substantiate the concern due to insufficient evidence. Evidence was unavailable for this office to review and the OCO requested that the individual contact us with more information pertaining to mail rejections and appeals.	Insufficient Evidence to Substantiate
161.	Family member expressed three concerns about their loved one: (1) not being able to appeal an infraction, (2) there not being a reasonable expectation of safety that their loved one will not be around contraband in a secured prison facility, and (3) being transferred facilities because of the infraction.	The OCO reviewed the infraction and appeal packet as well as the hearing audio and find there is evidence to substantiate the infraction, the individual was able to successfully appeal, and the transfer was within policy. The OCO advised the individual that they are provided a handbook at the beginning of their incarceration that details the DOC rules, and it is their individual responsibility not to interact with contraband.	No Violation of Policy
162.	The incarcerated individual reports that he had a religious medallion made, and when he tried to send photos of him wearing the medallion, the mailroom would not let him send the photos. The individual's appeal of the mail rejection was denied.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Per DOC 560.200 Attachment 1, religious medallions must be worn under clothes only except in cell or during religious services.	No Violation of Policy

163.	Patient states that he is not getting necessary medical testing. Says he has contacted OCO previously for lymph node concerns, but he is still not getting the proper treatment.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO contacted Health Services management and were informed that the results of the most recent imaging did not result in any further treatment or diagnostic recommendations.	No Violation of Policy
164.	The incarcerated individual reports that he has been accused of abusing the Resolution Program by submitting too many complaints. The individual reports that the DOC is picking which concerns to work on while rejecting more important or serious concerns.		No Violation of Policy
165.	Incarcerated individual expressed concerns about being placed in segregation for possibly bringing in contraband while on a visit. Person says there is no evidence to support this and continues to be harassed by staff and feels DOC planted the contraband.	The OCO reviewed the infraction and appeal packet and find there is evidence to substantiate each of the infractions.	No Violation of Policy
166.	Person was assaulted and suffered broken bones. He was taken to an outside medical facility, but they did not help him. This is the third time he's been assaulted.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The patient was not able to receive surgery due to a clinical decision that surgery that day would present too high of a risk. When the surgery was rescheduled, the patient declined to go to the appointment. Surgery is no longer an option due to the advanced healing stage. The patient has an active pain management plan that has been reviewed by multiple medical providers and determined to be within protocol.	No Violation of Policy
167.	The incarcerated individual reports that he is about to release and was denied a housing voucher. He is concerned that he will be released homeless in Washington as he does not qualify for clean and sober housing; all of his family support is in Florida.	substantiate there was a violation of policy by DOC. Policy 350.200 IV A (2) Case managers will meet individuals to initiate release	No Violation of Policy
168.	Individual reports appealing transfer to AHCC and not receiving a DOC response to the appeal. He was then transferred to AHCC and said he needs to go back to the BAR units at WSP. He is currently in a four-person cell and very concerned about being placed in mainline.	The OCO provided information regarding AHCC's current process for cell assignments	No Violation of Policy
169.	The incarcerated individual reports that he has been waiting two months for his Custody Facility Plan (CFP) to be finalized and is currently in the Intensive Management Unit (IMU.)	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The individual's Custody Facility Plan (CFP) was completed in accordance to DOC 300.380, Classification and Custody Facility Plan Review. The individual's CFP was in the process of being reviewed by HQ and has since been completed and he is assigned to medium custody.	No Violation of Policy

170. The incarcerated individual received a level The OCO was unable to identify evidence to No Violation of three response to his grievance regarding a substantiate there was a violation of policy by **Policy** medical mattress. The response says that the DOC. The OCO contacted Health Services individual should utilize the CRC appeal management and confirmed the Care Review process, which the individual says he already Committee decision to deny the medical has done previously. mattress. The OCO provided information to the patient about CRC decisions. It was noted that there is no mention of medical mattresses in the Offender Health Plan. 171. Patient reports he was injured and had seen The OCO was unable to identify evidence to No Violation of medical once but had not received follow up. substantiate there was a violation of policy by **Policy** The patient has kited medical twice because DOC. The OCO contacted Health Services he is still in pain, with no follow up occurring. management and were informed that the patient was given treatment the day the injury was reported, and the provider ordered follow up in one month. The follow-up appointment happened within recommended time frame. 172. The Incarcerated individual did not respond to External individual reports concern with a Person **Declined OCO** DOC staff member in the unit their the OCO's request to provide additional incarcerated loved one lives in. The external information within 30 days. The OCO Involvement person reports DOC staff searched the encouraged this person to contact this office if individual's cell for objects that could be they would like to request assistance. used for self-harm and took him to the Close Observation Area (COA). The external person reports that they received information about the incident from another incarcerated person in the unit. The external person reports that they have been advocating for this individual frequently and believe that this was retaliation. 173. External Person reports that their loved one The incarcerated individual advised the OCO Person **Declined OCO** has been experiencing swollen lymph nodes they did not want the OCO to investigate the and believes they are not receiving the complaint. Involvement evaluations they need. 174. Person states he has experienced a delay in This person was released prior to the OCO Person Left receiving medical treatment. He reports he taking action on the complaint. **DOC Custody** has grieved it many times but no success in Prior to OCO receiving medical treatment. He has had Action several providers due to staff turnover. He is being released soon and believes DOC doesn't want to give him medical help

#### **Olympic Corrections Center**

because he's so close to release.

Individual expressed concerns about staff

infraction paperwork was given to another

misconduct that resulted when their

175.

individual.

The incarcerated individual reports he previously had a reaction to the COVID call with the patient and completed intake vaccine causing seizures and filed five medical emergencies in an hour. He was previously transferred to MCC and was going to UW medical for arthritis. He was later in work release but now is at CRCC. He said that he needs to go to UW for medical treatments but feels it is not possible at CRCC. He has tried to send kites to medical about his conditions but has not been seen by anyone.

The OCO scheduled a free, confidential phocal with the patient and completed intake office then contacted health services and requested DOC review the patient's care a address the concerns. DOC agreed to follow with UW regarding a dermatology specialist about a Care Review Committee (CRC) approved consult. DOC looked into telehear options for this patient to access care at CI approved. The OCO also shared self-advocacy information for filing a tort claim regarding the shift

The OCO scheduled a free, confidential phone call with the patient and completed intake. The Provided office then contacted health services and requested DOC review the patient's care and address the concerns. DOC agreed to follow up with UW regarding a dermatology specialist about a Care Review Committee (CRC) approved consult. DOC looked into telehealth options for this patient to access care at CRCC. The OCO also shared self-advocacy information for filing a tort claim regarding the shift commander's response to the medical emergencies as the individual's requested resolution involved financial compensation. The OCO added this case to the office's appointment tracker and later found the patient refused the appointment. The OCO

The OCO reviewed the level two grievance that Substantiated

paperwork was served to the wrong individual Resolution

Without

states the concern was substantiated as the

but as soon as this error was noted, it was rectified. The error did not impact the

for the dismissal of the infraction.

infraction process and this error is not grounds

		also followed up with health services to ask about the patient's continuity of care options considering his upcoming release date.	
177.	The incarcerated individual reports that he has had to go into protective custody (PC) several times and is now at camp. The individual reports that he had a PC hearing but was kicked out because of his behavior. When he received the paperwork, he was informed he would be moving to medium custody.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO reviewed this person's custody facility plan and determined that this person did not receive a custody demotion. The DOC resolved this concern by transferring this person to a different camp.	DOC Resolved
	Other - Out of State		
178.	Person is contacting the OCO on behalf of her grandson who is incarcerated in another state. Person is concerned about the harm, prison systems enact on individuals.	The OCO lacks jurisdiction to investigate this complaint because the complaint does not involve a person committed to the physical custody of the Washington State DOC.	Lacked Jurisdiction
	OTHER- Jail		
179.	Incarcerated individual reports they were terminated from GRE and they feel this is retaliation. They expressed a secondary concern about an infraction.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
180.	Person has been released from prison and is now on community custody. He is asking for information about who to contact about UA testing supply issues. Plant matter is falling into UA cups prior to testing and are not sterile.	The OCO lacks jurisdiction to investigate this complaint because the complaint does not involve a person committed to the physical custody of the DOC.	Lacked Jurisdiction
181.	A loved one reported that Snohomish County jail is mistreating their son by keeping him in medical isolation and not giving him the money, they send to him or his mail.	The OCO lacks jurisdiction to investigate this complaint because the complaint relates to an action taken by an agency other than the Washington State Department of Corrections.	Lacked Jurisdiction
182.	A loved one reports that her brother is in county jail and does not receive the money she sends to him, has limited access to phone calls, and does not have shower shoes or a mattress.	The OCO lacks jurisdiction to investigate this complaint because the complaint relates to an action taken by an agency other than the Washington State Department of Corrections.	Lacked Jurisdiction
183.	Family member called to ask when the incarcerated person will possibly be released from prison. Family member talked with his counselor. The incarcerated person is looking for information about his release date.	The OCO lacks jurisdiction to investigate this complaint because the complaint does not involve a person committed to the physical custody of the DOC.	Lacked Jurisdiction
184.	The individual wants to submit a complaint about their Community Corrections officer.  The person was given a violation and feels that the officer did not communicate effectively and approached the situation in an unprofessional and upsetting manner.	The OCO lacks jurisdiction to investigate this complaint because the complaint does not involve a person committed to the physical custody of the DOC.	Lacked Jurisdiction
185.	The incarcerated individual is lodging a complaint against their Community Custody Officer. The person was ordered to take a lie detector test, put on electric home monitoring, and then received a community custody violation. The person reports they attempted to complain to headquarters but could not reach anyone.	The OCO lacks jurisdiction to investigate this complaint because the complaint does not involve a person committed to the physical custody of the DOC.	Lacked Jurisdiction
186.	A loved one of an incarcerated individual in jail reports concerns regarding their loved ones safety, issues with contaminated water, and not being able to schedule a video call with their loved one.	The OCO lacks jurisdiction to investigate this complaint because the complaint relates to an action taken by an agency other than the Washington State Department of Corrections.	Lacked Jurisdiction
187.	A loved one reports that their husband was in county jail and going to court for felony charges. Before he went to trial, he was	The OCO lacks jurisdiction to investigate this complaint because the complaint relates to an	Lacked Jurisdiction

	transported to prison and housed in the Intensive Management Unit. The loved one wants to know how the justice system can do that when their husband has not been convicted of a crime.	action taken by an agency other than the Washington State Department of Corrections.	
188.	Person states their defense counsel was ineffective and as a result they received a longer sentence than the originally agreed upon plea deal.	Per RCW 43.06C the OCO lacks jurisdiction to investigate the concern as the complaint relates to an issue that is not under OCO jurisdiction, such as the person's underlying criminal conviction.	Lacked Jurisdiction
189.	Person is requesting assistance to report civil rights violations at the county jail he is currently housed at.	The OCO lacks jurisdiction to investigate this complaint because the complaint relates to an action taken by an agency other than the Washington State Department of Corrections.	Lacked Jurisdiction
	Peninsula - Kitsap County		
190.	Person reported while at a reentry center the requested to be able to park at the facility. The were denied by DOC staff claiming there is lin parking available due to construction projects facility.	ney concern but was not able to achieve a nited resolution. The OCO contacted DOC	Substantiated Without Resolution
	Stafford Creek Corrections Center		
191.	The incarcerated individual reports that he needs new showers shoes because his are broken, which causes him to slip out of the shoes. The individual reports that the clothing department has not responded to him about getting new shower shoes.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
192.	Incarcerated individual expressed concerns about their resolution request not being responded to in a timely manner. The resolution request was regarding DOC staff and as a result, they feel that DOC does not follow their own policies regarding a time frame.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
193.	The incarcerated individual reports concerns about retaliation and false accusations from DOC staff after he started a job at the facility.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
194.	Individual expressed concerns about putting in two grievances regarding staff but they were intercepted when they should have gone to the grievance coordinator.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
195.	Person was infracted for not being able to produce a urine sample during the allotted time frame of one hour. Person states during that time they were experiencing PTSD and a panic attack caused by previous trauma and staff not maintaining a six-foot social distance or wearing PPE.		Administrative Remedies Not Pursued
196.	The incarcerated individual reports that funds were deducted from his account that he did not authorize. This person tried to	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a	Administrative Remedies Not Pursued

	redress the issue through the Resolution Program but believes the application of the program is being misused to not address the issue.	complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	
197.	Individual expressed concerns about staff conduct regarding one staff member yelling at another.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
198.	Person has been wearing custom shoes for many years due to a permanent condition. He has received custom shoes through DOC several times without issue and has had his current pair for over three years. He kited medical in May to let them know that his shoes needed to be replaced and did not receive an answer. He filed a resolution request and it was informally resolved with the promise of a consult being submitted.	The OCO provided assistance. The OCO contacted Health Services management to verify the appointment had been approved. Management requested follow up by scheduling staff. Scheduling for this clinic is often delayed on the side of the clinic due to the specialty nature and demand for services.	Assistance Provided
199.	Individual reports on-going concerns with scheduling medical appointments and discussing health and care plan and says COVID has exacerbated the delayed scheduling issue. Individual also mentioned he was brought in for a dental cleaning, but the appointment was canceled and never rescheduled. DOC told him he was on a wait list, but it has been nearly a year. Patient also requested an MRI on his neck and did not receive an appointment or follow up for that.	The OCO provided assistance by contacting Health Services management to request they place him on the list for dental evaluation. The OCO verified the patient had seen medical and was afforded an opportunity to talk to his provider about the imaging request.	Assistance Provided
200.	Patient reports he was injured two months ago. The patient disagrees with the diagnosis given by the provider and wants to get an MRI.	The OCO provided assistance. The OCO discussed this patient's care with Heath Services management who agreed to request the patient be seen at the next available appointment due to multiple cancelled appointments. Per the orthopedic consultant, currently an MRI is not clinically indicated, the treatment plan will be developed with the patient.	Assistance Provided
201.	Incarcerated individual states they need compression shoes, and their provider recommended a specific type which will fit their foot properly. Person says an example is a shoe Nike designed which accommodates the needs of Native Americans. Person says the compression shoes currently supplied by DOC do not fit properly and the DOC denied their request to purchase an alternate style.	The OCO provided assistance by contacted Health Services management and negotiating a resolution that would meet the needs of the patient since the requested resolution was outside of DOC policy. The shoes requested by the incarcerated person were not allowed by policy due to the color and cost of the shoes. The patient has been scheduled to be fitted for custom medical shoes that will fit into DOC guidelines for allowed property.	Assistance Provided
202.	Person says that since the outbreak of COVID-19 in the prison, the facility has reduced the size and access to the law library thus violating prisoner's constitutional right to access the courts.	The OCO has had multiple conversations with DOC Headquarters regarding the law library access concerns at this facility. Currently, the law librarian is shared among two major institutions. At this time, the DOC has agreed to hire a full-time law librarian for this location to provide more access.	Assistance Provided
203.	Person is unable to access necessary medical shoes.	The OCO has had multiple conversations with SCCC staff to help reach a resolution and met with the incarcerated individual at the facility. After OCO involvement, DOC staff sent the individual a kite asking questions regarding his shoe sizing. Once the DOC has all the information, they can order the correct shoes.	Assistance Provided

204.	External person reports their loved one was not allowed to receive the flu shot with the other high-risk patients. They have multiple health issues and should be considered high risk for receiving immunizations.	The OCO provided assistance. The OCO contacted Health Services management and requested the patient be considered for priority access to flu shot. The patient received the flu shot the next day.	Assistance Provided
205.	Individual reported he does not want to transfer to a new facility.	The OCO was able to speak with the incarcerated individual via TEAMS video call to talk about his reasons for not wanting to transfer. The Incarcerated individual agreed to transfer during the call. The following week staff had concerns he may not leave when the chain bus came. The SCCC staff then set up a special transport and he was transferred without incident.	Assistance Provided
206.	Incarcerated individual is requesting a specific kiosk message between him and a DOC staff member. The individual requested the documentation from the DOC public records unit, and they responded to him saying there were no documents responsive to the request. The individual reports that he can see the kiosk message and still requires the document.	The OCO provided assistance. The OCO spoke with the DOC public records unit and explained the individuals request and the response he received. The DOC agreed to review the public records request and ensure that they provide him with documents responsive to the original request.	Assistance Provided
207.	The incarcerated individual reports that the facility is opening their legal mail without them being present and then denying the mail. This is against policy because legal mail should not be opened until the staff is in front of the incarcerated individual with actual legal mail.	The OCO has declined to investigate this concern. Per WAC 138-10-040, the OCO may decline to investigate any complaint or may close any investigation of any complaint for any of the following reasons including that the DOC took an action to resolve any alleged violations. The resolution request regarding this concern was deemed unfounded as DOC could not find any evidence of misconduct and stated the mail was not marked as legal.	Declined
208.	External person reports that their loved one experiences a chronic joint issue and faced delays in getting custom shoes ordered when he arrived at this new facility. When he requested follow up after imaging was done, he was instructed to kite medical records. He was not given a diagnosis following the injury. They also brought a concern about the patient being out of a medication for three weeks.	•	
209.	Incarcerated individual states DOC is not giving him proper medical attention regarding his pain. He has gone through four providers. He states that DOC is not listening to him and is taking forever to give him an appointment. The wait is also very long to get the proper insoles and he has since reinjured himself. He has grieved but the response is informally resolved, this has been a problem for several years.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO contacted Health Services management and were informed the patient has had several providers due to staff turnover and is already scheduled to go out to a specialist for this issue. This office tracked and verified the appointment occurred.	DOC Resolved
210.	Patient reports the medical provider has not renewed his long-term care HSRs and they are set to expire next month. The medical provider has not responded to his kites and staff are refusing to put him on the medical call out. The patient followed up to notify the OCO that the HSRs were entered but not correctly.	The OCO reviewed the patient's HSRs and found that they had been updated prior to the expiration date. This office confirmed the HSR language was updated to match the previous accommodation orders.	DOC Resolved
211.	Incarcerated individual reports he fell unconscious at work after sharing with DOC staff that it was due to medication he was	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO verified that DOC staff moved the individual to	DOC Resolved

staff that it was due to medication he was

verified that DOC staff moved the individual to

prescribed, he could not work the night shift a shift that is during the day and will not at his job. DOC staff did not move him to another shift and because of that he became unconscious during his work shift.

interfere with his current medications prior to the OCO reaching out to DOC staff about the

212. Patient has catheters per Health Status Report (HSR) and at pill line he was given catheters but no lubricant. He declared a medical emergency and was told that the HSR said for him to use water. The patient said he was able to access the lubricant but is concerned this will happen again.

The OCO confirmed the patient has an HSR for DOC Resolved catheter and supplies. This office then contacted health services about lubricant access and confirmed the lubricant is considered part of the "supplies" listed on the HSR. Some catheters come with lubricant activated by water. His catheters were checked and found to be non-self-lubricating and DOC then provided the patient with lubricant.

213. External complainant reports ongoing issues with insulin access and meal delivery.

DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO has engaged in several conversations with DOC Health Services Management regarding insulin administration and mealtimes. The DOC has made snacks available at insulin line for instances where meals may be delayed. The grab-and-go mainline process has been restructured and Custody staff have been made aware of the need for early workers to have an insulin call out available before breakfast. The OCO encouraged the patient to contact us again if they continue to have issues accessing insulin and meals.

**DOC** Resolved

214. Incarcerated individual reports that their sex offense level was changed by the Indeterminate Sentencing Review Board (ISRB). The individual reports this decision was made based on the victim's statement. The individual reports that as a result of the level change their release address will not be approved. The individual is being held past his Earned Release Date (ERD).

The OCO provided the individual with detailed information about sex offense levels and how they can relate to an individual's ERD. The OCO shared that sex offense levels are determined by considering several factors about the individual and the nature of their convicted crime in order to determine possible risks to the general public. Washington uses the Static-99R, an evidence-based risk assessment, before releasing individuals serving time for a sex offense. The End of Sentence Review Committee (ESRC), a multidisciplinary group of experts, reviews the individual's file material, administers the assessment and recommends a notification level to local law enforcement. Upon an individual's release, the ESRC must report to the sheriff's office in their county of release to complete their initial registration. This is when the individual will be assigned a final level of 1, 2, or 3. In this situation, the individual's release sponsor decided not to allow him to release to her address, which is currently causing the person to be held past his ERD. DOC can hold people up to their maximum release date if they do not have an approved release plan.

Information Provided

215. Person reports he met with a provider at the facility who denied his 20-year diagnosis of schizophrenia and he would like to return to MCC-SOU for mental healthcare access.

The OCO contacted the DOC Director of Mental Information Health and discussed concerns about the facility psychiatrist's change in diagnosis and communication with patients. The Director of Mental Health then followed up with the facility and staff. The OCO scheduled a phone call with the patient and explained the diagnosis process, casework updates, and next steps for requesting SOU placement. The patient shared that he is currently working with a new provider that is helping to move the placement request forward and he would follow up with the OCO as needed.

Provided

216. Person reports they were able to get specialist appointment and the doctor said no surgery would be done at this time

The OCO provided information regarding the optometrist's plan of care. The OCO confirmed that the patient's condition is stable and there

Information Provided

Person believes it is carcinoma and does not time. want to lose complete vision in his eye before DOC decides to take action. 217. The incarcerated individual reports that they The OCO provided the business contact Information did not receive their second and third information per this person's request. The OCO Provided stimulus payments and believes this was also followed up with the accounting done in retaliation for speaking up against department and verified that this person's the corruption at the facility. This person deductions were accurate. also reported that the deductions taken from his wages was incorrect. 218. Incarcerated individual reports that he is not The OCO provided information regarding Information allowed to work for Correctional Industries DOC's current policy for hiring individuals to CI. Provided (CI) because he has not been at the facility, Per DOC 700.000 Work Programs in Prison, he is housed at for five years or more. The "The percentage of Life Without Parole (LWOP) individual reports this is not in DOC policy, workers assigned to CI will be limited to the and he has worked at CI in previous facilities. extent possible and not exceed the percentage The individual reports that DOC staff are not of LWOP assigned to general population at the hiring anyone at CI that is serving over 20facility." This means that DOC is only allowed to hire a certain about of individuals serving year sentences. LWOP sentences to CI employment. The OCO shared how to be placed on a waiting list for CI employment with his classification counselor. 219. The incarcerated individual reports a female The OCO provided information regarding the Information staff member has been taking/showing status of this person's PREA case, and the Provided process this office will take once the open photos of herself with another incarcerated PREA concern is closed. individual. This person reports that he spoke with DOC staff, and they have said the PREA investigators are aware of this. However, the female staff member remains in the unit and is continuing the behavior. 220. Person reports they have not yet transferred The OCO provided information regarding Information to the facility needed for their programming transfer to new facility to receive Provided needs. programming. The OCO reviewed CFP and verified the person will be transferring to appropriate facility to receive needed programming. 221. Person was transferred and he has not been The OCO reviewed the patient's appointments Information seen by the psychiatrist about his with mental health staff. The OCO provided Provided information to the patient regarding the access medications. Person has done everything to get the medications and is waiting for the to medications under the DOC Health Plan. The psychiatrist to approve them. The mental psychiatrist treats individuals who clinically health provider working with him explained qualify for medication-based intervention. that they are just awaiting the psychiatrist's Patients can kite the psychiatrist to request a final approval and he has not heard anything status update on their medication orders. If in a month. the psychiatrist does not consider medication to be the correct treatment option, the primary therapist cannot override that decision. 222. The individual reports that he got a BOE for The OCO provided information regarding the Information person BOE history. The OCO has reviewed the Provided walking slowly. This person appealed it to person's electronic file confirmed the BOE has the CPM in written form and on the kiosk. DOC upheld the BOE. This person reports been removed. that BOE's cannot be reported third person which this one was. They do not understand why or how they can give him a BOE for this issue. Recently, when the person spoke to the CPM about the BOE being upheld, the CPM told the individual that he would take 223. Family member reports their loved one was The OCO was unable to substantiate the Insufficient unable to receive morning medications due concern due to insufficient evidence. The OCO Evidence to to the unit being locked down for contacted Health Services management and Substantiate quarantine. was informed the patient missed morning medication administration. DOC staff are not

because the spot in his eye is not spreading. is no surgical treatment recommended at this

able to give morning doses of medications after the ordered timeframe. The unit went on lockdown after the morning medications were

		administered. DOC staff verified the patient was able to get his evening medications on time.	
224.	Loved one and incarcerated individual expressed concerns about retaliation as seen through infractions and behavioral observation entries.	The OCO was unable to find sufficient evidence to substantiate this concern.	Insufficient Evidence to Substantiate
225.	Patient states that he received a positive tuberculosis (TB) diagnosis in jail and DOC is refusing to give him TB treatment. He states he was told there is no record of a positive TB test, and they claim to have given him an x-ray. He states he never received an x-ray.	The OCO was unable to substantiate the concern due to insufficient evidence. The OCO contacted Health Services management about this person's care and were informed that he has not been diagnosed with TB. The patient has declined all testing and cannot be diagnosed without diagnostics being performed. The OCO confirmed that an X-ray had been done in the past.	Insufficient Evidence to Substantiate
226.	Person states EFV visits with loved ones were terminated for threat of contraband. Person does not agree with the violation.	The OCO was unable to identify evidence to substantiate there was a violation of policy 450.300. If a person is found bringing contraband on the premises than their eligibility for visits will be terminated. The OCO review determined that regular visits have also been denied per policy as a result. The individuals should appeal the regular visit denial.	No Violation of Policy
227.	Person reports they have been in segregation for an extensive amount of time and has not had a hearing.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed person's file. Person was held in segregation while pending investigation and waiting for transfer. Person has now moved to a new facility and custody points are accurate for appropriate housing.	No Violation of Policy
228.	Person reports DOC is denying them a single cell in general population as an ADA accommodation. They have received infractions for refusing placement, but reports DOC is refusing to provide an ADA accommodation that he needs for chronic conditions. The person also expressed concerns about his level and access to TV/radio.	The OCO reviewed the patient's single cell assessments and contacted the facility ADA Coordinator about single cell options at SCCC. This office then attempted to mediate resolution with the Superintendent and Headquarters. DOC approved the person for transfer to MCC in a modified close custody unit where he will be provided a single cell, more time outside of cell, and reentry planning for the remainder of his sentence. The individual will be eligible for TV and radio access once he is transferred to MCC. The OCO could not identify a violation of DOC 420.140(III) Cell/Room Assignment, DOC 350.200 Transition and Release, or DOC 320.250 Maximum Custody Placement/Transfer/Release because the person was not approved for a single cell and has a history of refusing placement. The infraction concerns were reviewed as a separate case.	No Violation of Policy
229.	Person reports he is an out-of-state transfer and often falls into a grey area when attempting to resolve several issues he is experiencing at the facility he is housed at. He believes WADOC is violating interstate statutes by charging him WA DOC deductions. He is also facing issues accessing his medical provider.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Per DOC 380.605, "FOS individuals will be charged the same supervision intake fees as Washington State individuals per ICAOS Rule 4.107". ICAOS Rule 4.107 states that a receiving state may impose a reasonable supervision fee on an offender whom the state accepts for supervision, which shall not be greater than the fee charged to the state's own offenders. A patient being in WADOC from out of state is not an exception listed in the DOC 600.025 Healthcare Copayment Program. The OCO verified the patient had been seen at sick call after contacting this office.	No Violation of Policy

230.	The incarcerated individual is requesting a Heath Status Report (HSR) for a single cell, or advance levels in the Intensive Management Unit (IMU) so that he can have a radio and television. The individual reports that he tried to get an HSR for a single cell but was denied. The individual reports that DOC staff will not let him advance levels in the IMU because he has refused a general population housing assignment.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The incarcerated individual does not qualify for a single cell and he cannot level up due to his refusal to leave the Intensive Management Unit (IMU). The individual is currently not willing to accept a general population housing assignment, so Headquarters MAX Custody Committee agreed to have the individual maintain IMU level 1 only. The OCO spoke with Restrictive Housing Administrator, and this office was told that they are willing to send the individual to any institution he would like to go to so long as he goes to general population.	No Violation of Policy
231.	The incarcerated individual reports that he was denied Extended Family Visits (EFVs) with his wife. He was told the reason is that he has a Domestic Violence (DV) charge, but he reports that the DOC has inaccurate information.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Per DOC 590.100, Extended Family Visiting, "An applicant with any documented history/indicator of domestic violence against any person of a like relationship to the individual may be excluded from participating in an EFV." The DOC defines arrests, convictions, or any other indication of domestic violence on their record as a domestic violence indicator which could exclude their participation in EFVs per policy. The DOC determined that DV concerns were cause for denial for this individual.	No Violation of Policy
232.	Person was quarantined without being tested first and was not given the opportunity to opt out of quarantine. He feels DOC should give people rapid tests before quarantining them.	The OCO was unable to substantiate a violation of policy by DOC. This person was quarantined due to close contact with a suspected positive patient. This move was made within the DOC COVID-19 guidelines. The ability to "opt out" of moving to quarantine applies to the unit outbreak status, not individual close contact mapping which is decided on a case-by-case basis. DOC is not required to test people before moving them into quarantine, testing decides whether or not a person would be isolated. DOC has changed their quarantine protocols since this concern was received.	Policy
233.	Person was taken to the IMU under investigation. Person has been in the IMU for over 35 days now.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Per Administrative segregation policy, person was held in the IMU within the timeframes while pending an investigation. Person was found guilty of multiple infractions. Person was then transferred to close custody per classification points and appropriate housing.	No Violation of Policy
234.	A video gram message that was rejected by DOC. The rejection came back as violation of hand signs, person feels as though this is rooted in racism and is not a valid rejection.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed the video and contacted DOC staff, they informed the OCO the standard for all video grams is if they have questionable hand signs then they are rejected. It was reviewed at HQ and the decision is final.	No Violation of Policy
235.	Incarcerated person submitted a resolution request reporting concerns about a DOC staff member working in their unit. The person is afraid the resolution request was destroyed because they have not received a response from DOC.	The incarcerated individual advised the OCO they did not want the OCO to investigate the complaint.	Person Declined OCO Involvement
236.	Incarcerated individual reports before they got married last year, his now wife sent in original documents to finalize the marriage	The OCO was able to substantiate this concern but was not able to achieve a resolution. The OCO verified that the DOC investigation into	Substantiated Without Resolution

	process. The individual's counselor put these documents in a drawer, then later stopped working at DOC. The individual saw DOC staff cleaning out the old counselor's files and asked about his wife's documents and staff did not address the concern then. The individual has contacted property and the mailroom, and no one has any information regarding his wife's missing original documents, including an original birth certificate.	the lost documents was completed per policy. The OCO found that multiple DOC staff searched for the documents and DOC staff allowed the incarcerated individual to search as well, however the documents have not been located. DOC has reported that the documents have been lost. The OCO provided the individual with resources for filing a tort claim to potentially be compensated for the lost documents. While this does not get the documents back, it may provide monetary compensation to help replace the documentation lost.	
237.	A loved one contacted the OCO requesting a complaint be filed regarding her son's death and the negligence that occurred. Prior to his passing, her son had potentially attempted to access medical/hospital.	This case was reviewed by the unexpected fatality review team. RCW 72.09.770 directs DOC to conduct an unexpected fatality review in any case in which the death of an incarcerated individual is unexpected, or any case identified by the OCO for review. UFR- 22-025 is publicly available on the DOC website.	Unexpected Fatality Review
238.	External person inquired about the process for conducting an unexpected fatality review.	This case was reviewed by the unexpected fatality review team. RCW 72.09.770 directs DOC to conduct an unexpected fatality review in any case in which the death of an incarcerated individual is unexpected, or any case identified by the OCO for review. UFR- 22-025 is publicly available on the DOC website.	Unexpected Fatality Review
239.	Unexpected fatality.	This case was reviewed by the unexpected fatality review team. RCW 72.09.770 directs DOC to conduct an unexpected fatality review in any case in which the death of an incarcerated individual is unexpected, or any case identified by the OCO for review. UFR- 22-026 is publicly available on the DOC website.	Unexpected Fatality Review
240.	External stakeholder contacted the OCO about a death in a DOC facility.	This case was reviewed by the unexpected fatality review team. RCW 72.09.770 directs DOC to conduct an unexpected fatality review in any case in which the death of an incarcerated individual is unexpected, or any case identified by the OCO for review. UFR- 22-029 is publicly available on the DOC website.	Unexpected Fatality Review
	Washington Corrections Center		
241.	Incarcerated individual states they are not able to use their PIN number to call their attorney.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
242.	Individual states an officer was squeezing their arm and would not stop so they filed PREA and DOC will not do anything. They state the officer is retaliating by infracting them for incident exposure and DOC is not processing this as a PREA.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
243.	Person reports that they have not been able to access the law library and limited access to phones since they arrived at their current facility. Person is working on a legal case and their ability to access the information, documents and attorneys has been hindered due to COVID quarantine and staffing issues.	The OCO has had multiple conversations with DOC HQ regarding access to the law library at this facility. The law librarian works at two main facilities which impacts the hours the law library is available. The DOC has now agreed to hire another Law Librarian to remedy this issue in the future. This individual has since moved to a new facility.	Assistance Provided
244.	Incarcerated individual reports he has tried to complete his college correspondence paperwork and has not been successful.	The OCO communicated directly with the Dean of Corrections Education, and she contacted the student via kiosk to arrange an	Assistance Provided

resolve by contacting education navigators; paperwork. however, the paperwork remains incomplete. 245. Incarcerated person reports they have The OCO provided assistance. The OCO found Assistance facility separation orders for three that the person reported the concern to the Provided individuals who assaulted him in the past. resolution program who alerted facility staff. However, they are all currently housed at the The facility staff did not make efforts to move same facility. The person had an encounter the individual. The individual was moved to with one of the individuals and soon after an another facility before DOC acted on the anonymous person delivered threatening concern. The OCO spoke with facility materials to the person. This encounter has leadership who verified that they have created made person feel threatened and scared for a process for reporting concerns to custody their life and DOC staff have refused to and ensuring safety issues are reviewed with follow policy and procedure by allowing top priority. The OCO substantiates that the them to be housed at the same facility person was not moved after a safety threat despite the separation placed on them. occurred. DOC Resolved 246. Person reports he was made to listen to DOC staff resolved this concern prior to the music coming from a TV in the IMU for 15 OCO taking action on this complaint. The OCO days. Person states they asked DOC to fix the reviewed the resolution request and verified issue, but they said they could not. the noise was coming from a broken TV. This issue has been fixed and the TV was replaced. 247. DOC staff resolved this concern prior to the Family member reports concerns about **DOC** Resolved patient in need of a procedure that has not OCO taking action on this complaint. The OCO taken place. The patient has ongoing GI contacted Health Services management and confirmed the procedure was already issues and this procedure is time sensitive. scheduled. The OCO has added this case to the appointment tracker to monitor for completion of the procedure. 248. The OCO provided information about visitation Information The incarcerated individual reports that his and the processes. Per DOC 450.300, Visits for Provided wife left DOC custody last year and was denied visitation. The individual appealed Incarcerated Individuals, Attachment 1, the denial but did not receive a response. Eligibility Requirements for Visitors, The individual reports that he and his wife "Immediate family members with proof of have a baby and their grandmother has been relationship may be considered for visit bringing his baby for visits, but she is elderly, privileges one year from the date of closure or and which makes visitation difficult with permission from their Community Corrections Officer (CCO) after successfully completing one year of supervision." This office also provided information about how the individual's child may visit him with another designated adult escort, listed on DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort. 249. The incarcerated individual reports that he The OCO provided information regarding the Information was recently resentenced, and his release status of the individual's release plan and his Provided date was recalculated. The individual reports planned release date. that it is now past his release date and his release plan should have been submitted, but he is still waiting for the facility to take action. Person was evaluated for mental health, and The OCO met with the DOC Mental Health 250. Information Director and confirmed the individual was he would like to be approved and resubmit Provided transfer order for Monroe Residential provided with an assessment for RTU, DOC Treatment Unit/ Special Offenders Unit reports there is no indication of needs that (RTU/SOU) program. He would like to work qualify for RTU placement at this time, and on mental health and behavioral needs. He people with higher needs will be prioritized. says he does not understand why he was This office provided the individual with denied for the transfer. information for current mental healthcare access and future RTU pathways if mental health needs change. 251. The OCO provided information regarding the Information The incarcerated individual is concerned that their counselor has not made an attempt to status of the individual's release plan and Provided locate housing for them in order to release housing approval and confirmed that it is being on their ERD. worked on by his counselor. The OCO also provided information regarding the individual's

appointment to complete his correspondence

Reportedly, unit staff have tried to help

Planned Release Date (PRD).

252.		The OCO provided information regarding how this person can access mental health services.	Information Provided
253.	The incarcerated individual reports a safety concern regarding other individuals in the prison. He is currently in the Intensive Management Unit, and his radio has been taken away because he covered his window. This person is having mental health issues and is worried that he will be put back into the general population and attacked.	The OCO provided information about this person's custody facility plan and how to appeal if they disagree with the outcome. This person will receive their radio back when promoted to the next level. This office also encouraged the individual to submit a kite for mental health services.	Information Provided
254.	Person is concerned about why his cohort was restarted on quarantine if another cell tested positive for COVID-19 and was isolated. Person is also wondering why the facility is still limiting movement when they are no longer on quarantine. DOC staff maintains it is because of COVID and short staffing.	The OCO provided information to the patient regarding the quarantine protocol updates made by DOC. The facility was still on outbreak status affecting the movement schedule of the individual units. DOC is facing staff shortages statewide; this is impacting every facility.	Information Provided
255.	The incarcerated individual reports that their release date is incorrect and believes they should be released this year. However, their expected release date is well into next year.	The OCO provided contact information for the records department at the DOC Headquarters. This office also encouraged this person to request a phone call with records staff to understand their sentence calculations better.	Information Provided
256.	The incarcerated individual is being held in a prison for men and wants to be held in a women's prison. This person is requesting that DOC move them to Washington Corrections Center for Women.	The OCO provided information about how to fill out a gender preference sheet and encouraged the individual to communicate this information during their custody facility plan.	Information Provided
257.	Incarcerated person was attacked by another incarcerated person and is concerned that person will be moved back into the same unit. Person fears for their safety if this happens.	The OCO provided information regarding current status of separations. The OCO reviewed person's file and found that they have a current unit separation from the other individual.	Information Provided
258.	Person states problems of discrimination with the grievance program against a Muslim group of people.	The OCO provided information regarding the original complaint. The OCO contacted DOC staff and they were informed that this complaint has been assigned for staff misconduct investigation. DOC staff informed the OCO that this concern has been since remedied.	Information Provided
259.	A loved one reports that the incarcerated individual has had issues in the past with a certain gang. Now that the individual is back in custody, the loved one is concerned that this person will be harmed. The incarcerated individual has contacted staff but has not received a response to their kites. The loved one is looking for information about how they can assist this incarcerated individual.	The OCO was unable to substantiate the concern due to insufficient evidence. The incarcerated individual has recently entered the system and has not yet had a custody facility plan. Until the person is classified, there is no way to know where they will be transferred.	Insufficient Evidence to Substantiate
260.	The incarcerated individual reports that after being housed at the county jail for a pending resentencing hearing, the incarcerated person was not transferred directly back to his regular housing facility and was missing legal paperwork when he arrived back at his regular housing location.	The OCO was unable to substantiate the concern due to insufficient evidence. This office contacted the DOC about this person's legal paperwork, and the DOC reported that all three manila envelopes of paperwork had been given to the individual and were put in their property when they transferred back to their facility. The OCO requested more information from this person, asking them to explain what was missing out of their paperwork.	Insufficient Evidence to Substantiate
261.	Individual reports they were ordered by the judge to have legal assistance to help them withdraw their guilty plea, but DOC is denying them this ability.	Per RCW 43.06C the OCO lacks jurisdiction to investigate the concern as the complaint relates to an issue that is not under OCO jurisdiction, such as the person's underlying criminal conviction.	Lacked Jurisdiction

262. The incarcerated individual reports concerns The OCO was unable to identify evidence to regarding DOC Accounting and withdrawn

substantiate there was a violation of policy by DOC. This office spoke with Incarcerated Individual's Banking and found that the individual has store debt from a previous year. Per DOC 200.000, Trust Accounts for Incarcerated Individuals, Attachment 3, Deductions, indigent commissary returns will be applied to any existing indigent debt before returning funds to the individual's trust account, regardless of whether the original sale created the indigent debt.

No Violation of **Policy** 

263. Incarcerated person reports that two of his visitors had been terminated initially without explanation. Person eventually discovered that the terminations were related to a podcast this person is involved in. Person says one of the visitors appealed the termination and it was reversed. However, a six-month video visit suspension was put in place citing "recording/and or photos" as the reason. Person disagrees, stating that only once was the recording software mentioned in the podcast.

The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The person recording the podcasts was informed of the conduct allowed. The person violated the policy and recorded safety and security concerns for the population. The recordings contained safety and security concerns. Recordings are not allowed per the visiting policy because it puts other incarcerated persons at risk. The OCO encouraged the person to ensure their visitor takes necessary steps to be approved per DOC

No Violation of Policy

264. Individual expressed concerns about being infracted based on a confidential informant's kite that they were using extended family visits (EFVs) to bring in drugs to prison.

The OCO reviewed the infraction and appeal packet and found there is evidence to substantiate the individual did attempt to introduce drugs into the facility based. DOC also treats an attempt the same as if the act had been fully completed, as a result, there is no violation for the individual to be infracted for these actions.

No Violation of **Policy** 

265. Patient reports being denied continued medical treatment after transferring facilities. When the person was transferred, they were under the impression they would be treated there, however, the Care Review Committee (CRC) denied the treatment and When he did try to appeal, he was told it was The DOC Medical Grievance Coordinator past the timeframes and it would not be accepted. Additionally, the response from the grievance he filed is confusing and person believes they are being lied to.

The OCO reviewed the related medical grievance investigation and contacted DOC health services. A cyst was removed, sent to the lab, and results were benign. Test results showed the cysts were nonmalignant and the CRC did not approve removal as it was he was not told he could appeal the decision. considered cosmetic based on biopsy results. communicated this with the patient during the investigation and tried to correct the incorrect information that the patient said was provided to him at the previous facility. There was never a treatment plan to remove all cysts, only initial removal for testing to determine if removal was medically indicated. No record of complications or pain associated with cysts. The OCO could not identify evidence to substantiate a violation of the DOC Health Plan.

No Violation of **Policy** 

266. The incarcerated individual reports an ongoing issue with his mail and says mailroom staff reject his publications because they are "urban." The person reports he had one piece rejected about six months ago and never received an appeal response after he appealed the rejection.

The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. This office contacted the DOC, who reported that this person never submitted an appeal to their mail rejection and explained the publication's being sexually explicit, which is why it is on a statewide rejection list. The OCO made a public records request and viewed the mail rejection notice. DOC policy 450.100 says that mail to or from incarcerated individuals, including publications and eMessages/attachments, may be rejected for any of the following reasons: 1. Not specifically authorized by Department policy or facility procedures. This mail rejection falls in line with the current mail policy.

No Violation of Policy

267.	Person reports they are approved to move to a new facility but there is a keep separate with someone at the facility. Person reports it is only a unit separate and they are concerned.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed person file and confirmed there is a unit keep separate. Per 300.380, DOC can place keep separates on people depending on the safety concern is how the level on separation gets assigned. The people will not live in the same unit, nor be allowed to share common spaces.	No Violation of Policy
268.	Person called to report their family was placed in IMU for an infraction for refusing to wear a mask. He believes the infractions and sanctions violates his personal beliefs and faith.	The Incarcerated individual did not respond to the OCO's request to provide additional information within 30 days. The OCO encouraged this person to contact this office if they would like to request assistance.	Person Declined OCO Involvement
269.	The incarcerated individual reports that they came back from court and had two years taken off their sentence. However, the DOC is not honoring that. His max release date should be November of this year, but DOC has it as June of next year. The DOC took 17 months off, but it should have been 24. This person also reports they have been sending messages to staff, but no one is responding.	This person was released prior to the OCO taking action on the complaint.	Person Left DOC Custody Prior to OCO Action
270.	Person has made numerous attempts to see a mental health provider to treat diagnosed mental health conditions and to be put back on previously prescribed medications that worked for him.	This person was released prior to the OCO taking action on the complaint.	Person Left DOC Custody Prior to OCO Action
271.	A loved one reports that their son is in receiving and in a small cell with two other men while his bed is next to the toilet, on the floor. This person also reported that incarcerated individuals are not getting recreation time or out of their cells very often. They mentioned that some individuals have been there for months and have not yet seen their counselor.	The OCO was able to substantiate this concern but was not able to achieve a resolution. The OCO is aware of the conditions in receiving and unfortunately, due to quarantines, cohorts, and lack of staffing, incarcerated individuals are spending more time in their cell. The OCO followed up on this person's housing location and determined that they had been moved out of receiving and transferred to a new facility.	Substantiated Without Resolution
272.	Incarcerated individual reports he is in the criminal appeals process and has been trying to access the legal library. His law library appointments keep getting canceled due to staffing issues. The lack of access to the law library has created a barrier for completing his legal work which is time sensitive.	The OCO was able to substantiate this concern but was not able to achieve a resolution. The OCO found that while the individual was housed at Washington Correction Center (WCC) he was not provided adequate access to the law library. As a result, this individual missed a deadline required by the courts he has active legal proceedings with. Once transferred to Washington State Penitentiary (WSP), he was able to gain priority access to the law library, after the deadline passed.	Substantiated Without Resolution
273.	Patient states he is being removed from the Medication Assisted Therapy (MAT) program due to his release date. He believes that since he is eligible for GRE or release to a reentry center, he should be eligible to continue the MAT program.	The OCO provided information to the patient about the Medication Assisted Therapy (MAT) program protocol. The current DOC MAT protocol states that persons at WCC with more than 6 months remaining on their sentence will be tapered off the medication. If a person is sent to a facility that offers induction to the medication it can be restarted when the patient has less than six months remaining. If a person is retained at WCC until release or sent to a facility that does not offer induction to the program, community resources will be set up by the reentry nurse so the patient may start the medication upon release.	Substantiated Without Resolution
274.	Person reported they are in quarantine and have tested negative, DOC keeps bringing in new people and the quarantine gets started over. There is no button for emergency issues. There are 120 people sleeping on the floor, three people per room. He wants	The OCO provided information to that patient. The OCO conducted visits to the facility during the quarantine. DOC staff were following the COVID protocols that were in place at the time this complaint was filed. New DOC guidelines for quarantine have since been released. The	Substantiated Without Resolution

someone from OCO to come and look at the OCO substantiated that there are many people conditions.

assigned to sleep on the floor. This office was not able to come to a resolution for this issue, however the OCO will continue to discuss this matter with the DOC.

## Washington Corrections Center for Women

The incarcerated individual would like an 275. HSR for eating their meals in their unit as they use a wheelchair.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative Remedies Not **Pursued** 

276. The incarcerated individual relayed concerns regarding having food poisoning and being treated very poorly by an officer who did not believe them and threatened to infract them.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative **Remedies Not** Pursued

277. Individual reports that they were being transported to the clinic but was forced to do a strip search rather than going through the scanner which caused them to be late for complaint until the incarcerated person has

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a their appointment which was then canceled. reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative **Remedies Not** Pursued

278. Person reports moving to a new unit and was The incarcerated person has not pursued told she cannot have her medications because of where she is now housed. She completed a mental health evaluation and was told she was put on the list but has not been seen and still does not have her medications.

internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process. The OCO provided a contact to the patient to inquire about the approval status of her medication.

Administrative **Remedies Not** Pursued

279. Incarcerated individual expressed concerns about the money that is being sent to them by their family being tampered with by DOC.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative Remedies Not **Pursued** 

280. Incarcerated person reports she is being targeted by an officer. She states the officer has incorrectly written her up for threatening staff. She was found guilty and is appealing the infractions. She requests that her infractions be overturned, and a keep separate be put on the officer who wrote them.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Administrative **Remedies Not Pursued** 

281. Person reports that she has been on a specific medication for two to three years and DOC has taken her off it. There are no alternative medications that work for her depression. She is only in for four more months and says there are other people receiving the medication.

The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.

Remedies Not **Pursued** 

Administrative

282. Person reports suffering a panic attack after several hours of being readied for a transport that had already been cancelled. Person was strip searched twice, placed in holding cell for several hours and was not allowed to use the restroom. When she was allowed to use the restroom, she was almost strip searched in a hallway with cameras before she was moved to another area to

The OCO set up a phone call with the incarcerated individual for more details. The OCO requested video evidence be preserved and met with the captain multiple times. The captain agreed to review video, investigate incident, and follow up with staff in addition to the grievance investigation. The OCO substantiated WCCW did not use the scanner and instead conducted two strip searches. The

Assistance Provided

	complete the search. Person has a history of mental health and trauma concerns, declared a medical emergency and was eventually seen by mental health staff for this incident.	OCO found evidence to substantiate a violation of DOC 420.310(D), which states "[a]ll strip searches will be documented before the search, or as soon as possible after the completion of an emergent strip search." DOC staff did not document the strip searches and the captain followed up with staff to discuss proper documentation procedures. The captain also met with staff to discuss improved communication since this situation could have been avoided if they had checked into the canceled transport when the incarcerated individual communicated the change. The OCO substantiated the individual was seen by mental health for a panic attack and returned to her unit after being in a holding cell for transport that had been canceled.	
283.	Person states they were moved from MSU to segregation pending an investigation. Now they have been moved to receiving and are being told they will remain there for a longer period under behavior for serious infractions is under control. Person sates they are being segregated from the rest of the population in receiving.	mediated and sought resolution for this person. They have since been moved to the close custody unit and placed under correct classification housing.	Assistance Provided
284.	Person reports they are not being allowed to volunteer in gardening program despite having certificate for horticulture.	The OCO provided assistance. The OCO contacted DOC staff and learned that the individual had discontinued her volunteer position in the gardening program. Then DOC agreed to place this person in a new position and will review person's participation in the gardening program at a later time.	Assistance Provided
285.	Person states they are having a hard time in the unit with staff. Person said they have called several mental health emergencies because your PTSD has been triggered.	The OCO provided assistance. The OCO contacted DOC staff and they asked for the person to be put on a regular basis to access mental health care when needed.	Assistance Provided
286.	Person reported that her cellmate had repeatedly threatened to stab her because she reminds the cellmate of the cellmate's crime victim. These threats have been almost daily, and the cellmate has told other people on the tier of the want to harm this person so she can go back to CCU.	The OCO provided assistance. The OCO contacted DOC to verify the threat had been taken seriously and assisted in a move for the individual to an area where she would be safe.	Assistance Provided
287.	The incarcerated individual was moved to a new unit and contacted the correctional unit supervisor about their housing placement because of issues and possible complaints made against her. She was taken to Administrative Segregation "pending an investigation." This person reports they wanted to remain in their previous unit and reports she knew that this would happen once transferred to another unit.	The OCO provided assistance by reaching out to the facility leadership regarding this administrative segregation placement. Shortly after the meeting between OCO and the DOC, this person was moved back into the general population.	Assistance Provided
288.	Person says that she has completed all the Therapeutic Community phases an is not being allowed to move out of the Therapeutic Community. She would like to be moved to general population.	The OCO contacted DOC Headquarters to ask for a review of her housing assignment. After review, she was moved to general population.	Assistance Provided
289.	The patient has a reoccurring infection that has been treated but keeps coming back. There was a treatment provided that worked but was only ordered for a short duration. The patient has kited to get the medication back but has not received follow up in some time. The person also brought concerns regarding the treatment for an injury experienced after a fall and had been denied as not life threatening.	The OCO provided assistance by requesting the patient be seen by the Patient Care Manager. The patient's diagnosis and treatment plan have been updated. The OCO confirmed the patient had submitted an emergency resolution request for injury related to the fall, which was processed as a regular health services resolution request as the injury was not acute when reported and was deemed non-life threatening by medical staff. The	Assistance Provided

		patient was seen at sick call and has an active treatment plan for this injury.	
290.	Incarcerated individual reports that another person was pepper sprayed and is in the COA. The incarcerated person asked that the OCO check in with the person to see if she would like help from this office.	The OCO reviewed the Use of Force incident, mental health records and spoke with the incarcerated individual. After the OCO review, this office met with the WCCW Leadership to discuss concerns. While DOC Use of Force policy authorizes the use of OC spray during a self-harm event, there were still processes of the protocol that were not followed. The WCCW Leadership stated they would enforce more training for staff. In addition, the OCO did have concerns regarding the individual's placement in general population instead of the Residential Treatment Unit. The OCO spoke with mental health regarding these concerns and verified this individual is now working with mental health daily and mental health has created a Behavior Plan for her with staff in her current unit.	Assistance Provided
291.	The incarcerated individual reports that she was issued a Heath Status Report (HSR) to wear boxers due to a medical condition, but DOC staff has not issued the boxers.	The OCO provided assistance. This office confirmed that the individual has a Heath Status Report (HSR) to wear boxers. The OCO spoke with property staff at the facility and asked that the individual be given boxers per the HSR. DOC staff later confirmed that they were provided to the individual.	Assistance Provided
292.	The incarcerated individual reports that since the facility has switched to a new phone system, she has not been able to call her attorney.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO spoke with DOC staff at the facility who confirmed that individual is no longer having issues using the phones to call her attorney.	DOC Resolved
293.	The incarcerated individual reports a DOC nurse conducted a TB skin test incorrectly. Patient reports the nurse put the needle down on the counter and put the needle in the bottle with the solution three times. He went to do the shot again and said something went wrong and asked her to leave the room. She reports she is concerned about contamination from reuse of the same needle. She reports that there is bruising in the area where the needles went and said she's never had bruising from a TB skin test before.	The OCO contacted the Health Service Administrators (HSAs) and facility health services team about the incident. The OCO substantiated the incident via DOC grievance investigation and conversations with the Health Service Administrators. This office confirmed that the nurse no longer works with DOC and infection prevention procedures were communicated to staff by health services leadership as training follow up on the incident.	DOC Resolved
294.	Person reports two concerns: 1. There is no women's work release in King County, forcing women to relocate to another county is unfair. Person recommends opening the reentry center or allow women who are GRE work release eligible to use ankle monitor. 2. Person was eligible for GRE in February of 2022. Person has received no information from headquarters. She has worked with her counselor, and they are waiting on headquarters, but things have not moved forward.	The OCO provided information regarding GRE finalization has been approved by DOC. At this time the reentry center will not be opened again until a new contract is renewed.	Information Provided
295.	Incarcerated individual states their mental health provider is leaving because DOC is treating the staff member so poorly. The facility will now only have one mental health provider which will negatively impact the individuals who require these services. The individual also states there is no mental health treatment on the weekends and this treatment should be available daily.	The OCO reactivated this case since it related to mental healthcare. The OCO contacted the patient directly and the patient reports no current mental health concerns. This office shared self-advocacy information for future mental health concerns.	Information Provided
296.	Incarcerated individual reports having migraines due to the heat and not being	The OCO reactivated this case without administrative remedies due to medication	Information Provided

given an anti-nausea pill as their prescribed access concern. The OCO then set up a phone medication was not available. call with the individual, documented incident details, and discussed self-advocacy for future medical concerns. The patient reported no current medical concern or request for OCO assistance. 297. External person called the hotline to request The OCO provided self-advocacy information Information information about the OCO and next steps Provided regarding the online complaint form, OCO for their loved one who is incarcerated. RCW, next steps, and resources for their loved one. She said she would follow up with the OCO if DOC does not address the concern. 298. Incarcerated individual housed in the close The OCO provided information regarding the Information custody unit (CCU) at Washington Provided CCU's ability to access educational Corrections Center for Women (WCCW) programming. The OCO spoke with DOC staff reports that for the past several months who explained that in August 2022 the CCU individuals in CCU have not had access to the was on COVID-19 quarantine, therefore did not education building or any educational go to educational programming. The OCO programming. The individual reports that verified that after the CCU was cleared from she is a Teacher's Assistant (TA) in the this quarantine and individuals have been able to access educational programming. We education building and cannot go to work. The individual also reports not being able confirmed that this individual has been going to work and actively programming. We verified access a space to take a proctored exam for an education program she is taking. The that other individuals in CCU have also been individual reports that many people in CCU engaged in educational programming. The DOC are affected by this and want to access staff agreed to monitor the CCU's access to educational programming. The individual educational programming. reports that DOC staff said that there are no educational time slots available to people living in CCU and they will have to classify medium custody to access educational programming. 299. The OCO contacted health services and Patient reports waiting four months for Information treatment of a large, growing rash. At first, confirmed active treatment planning and Provided she received steroids but the steroid caused monitoring. The patient's case was submitted kidney swelling. She only has one kidney and through RubiconMD for consideration of a due to the complications with the dermatology consult. The patient's treatment medications, steroids were stopped. She was plan was updated and a request for told months ago she would be taken to a dermatologist consult was entered, pending dermatologist but that has not occurred. She the treatment results of latest received testing, a biopsy, but did not get the recommendations. The OCO provided the results. When DOC medical met with her patient with information regarding treatment about the test results, they told her they plan, follow up, and next steps. could not read the results. 300. Person would like to have a county origin The OCO provided information regarding her Information county of release change. The OCO spoke with Provided change because she is releasing soon. Counselor is not helping and is not providing DOC staff, the counselor informed the OCO that they are willing to submit county of assistance. change form, but the person has to be willing to give the names of the people she has for support in the new county. Individual reports the head of the kitchen is 301. The OCO reviewed related grievances and Information going to infract her for failure to program. contacted health services about the patient's Provided The individual does not want to get HSR access. This office confirmed the patient infracted, and she said medical is not helping was issued multiple HSRs for work restrictions with the medical issue causing her to not be including no bending below the waist, no lifting able to complete work duties. over 15 pounds, and no sitting more than 10 minutes every hour as well as must sit for pain relief a few minutes every hour. Health services does not issue HSRs that prohibit specific jobs. The OCO encouraged the individual to work with the Programming Department and her counselor since health services has completed the HSRs. This office substantiated recent infractions related to work absence and provided self-advocacy information for appealing and following up with the OCO once she receives a final decision

from DOC.

302.	Patient reports she has tried to file staff conduct grievances but has not received responses to the resolution requests. She states she is not receiving Log Ids for the grievances. She also states she has been attempting to grieve medical about a medication she needs to be reordered.	The OCO contacted Health Services and reviewed the resolution requests submitted by the patient. The OCO provided information to the patient regarding the process for staff conduct resolution requests. These are administratively withdrawn and investigated in a different process than the resolution requests. The OCO encouraged the patient to appeal the resolution requests that were informally resolved if they are still facing the same issue. The OCO also gave the patient information on the limitations on the medication they are requesting.	Information Provided
303.	Person states she has an injury that is not eligible for surgical repair. When she found out she was not eligible for surgery, she requested a specific medication. Instead of offering the medication, the patient was told to change her activity and diet. The doctor did not renew the health status reports (HSRs) for the brace and ice the patient had been using for pain.	The OCO provided information to the patient. The OCO contacted Health Services management who informed this office that health status reports (HSRs) for ice are only ordered for acute injury. The Health Services manager verified with the Correctional Unit Supervisor that the patient would be able to use ice for pain without an HSR. The patient has an active treatment plan including a brace and activity modification. The patient's injury was reviewed for the medication requested and the provider deemed it not medically indicated at this time.	Information Provided
304.	Patient states that she has not received her annual exam from medical. She states she has a lump in her breast but cannot get medical to assess it.	The OCO was unable to substantiate the concern due to insufficient evidence. The OCO reviewed the records from the patient's exam, there was no evidence that a breast exam was not performed. There was no clinical indication that more diagnostic testing would be needed based on the documented exam.	Insufficient Evidence to Substantiate
305.	Person states they have been in segregation for a pending investigation and receiving little communication from DOC.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed person's file and they have been placed in general population and investigation is completed. Person has the correct classification housing at this time.	No Violation of Policy
306.	Person states she was minimum custody. DOC tried to move her, so they double demoted her and put her in maximum custody.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Per Policy 300.380 a person's custody facility points are how a person is housed in the correct classification housing. The person's points after receiving several infractions currently allow them to be housed in maximum custody.	No Violation of Policy
307.	Family member reports their loved one was taken to segregation for false allegations after attempting to address staff misconduct and harassment.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed the person's file. The person is being held in administrative segregation while a pending investigation, this is within DOC administrative segregation policy.	No Violation of Policy
308.	Person states they do not feel they should be in medium custody. Person received an infraction, and reports that the hearings officer stated that it would not result in a demotion. However, person was then moved to medium. Person states they feel as though DOC staff is targeting them.	substantiate there was a violation of policy by DOC. The OCO reviewed and contacted DOC staff and found that the person was found	No Violation of Policy
309.	The incarcerated individual reports that DOC is taking more than \$10 a month for child support, which is the maximum amount the prison can take. They also reported that the amount they are being held responsible for is	substantiate there was a violation of policy by DOC. RCW 72.09.111 says that DOC can take up to 15% of an individual's funds for child	No Violation of Policy

	incorrect, and no one will help them get this fixed.		
310.	This case was opened per OCO Director request. Person reports she has kited multiple times and her medications are delayed.	The OCO scheduled a phone call with the individual to get more information about the medications and concerns. The incarcerated individual did not respond to the OCO's request to provide additional information within 30 days. The OCO encouraged this person to contact this office if they would like to request assistance. This Office could not identify a related DOC resolution request for this concern.	Person Declined OCO Involvement
311.	The individual was delayed for graduated reentry (GRE) track two and was told for months that she would have a classification counselor help facilitate this. The process was delayed due to COVID and receiving an infraction that required headquarters to approve her GRE application. This person reports that staff made the process more difficult by not staying in communication about the progress of her GRE plan and retaliated against her by issuing more infractions and a negative behavior observation entry.	This person was released prior to the OCO taking action on the complaint. The OCO has determined that this person was released on GRE, which is why they are no longer in DOC custody.	Person Left DOC Custody Prior to OCO Action
	<b>Washington State Penitentiary</b>		
312.	The incarcerated individual reports that the facility is not calling for weights or yard and is not told why, but still must pay the recreation fee.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
313.	Incarcerated individual reports there was an incident in the yard that led to placement in IMU and an infraction.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
314.	The incarcerated individual reports they have been retaliated against by DOC staff for whistleblowing staff corruption, and for reporting sexual assaults.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
315.	The incarcerated individual reports concerns with other individuals being allowed to purchase keyboards with functional speakers. The individual reports that DOC staff are refusing to enforce noise rules and people are playing music very loudly and it has become disruptive.	The incarcerated person has not pursued internal resolution of this concern. Per RCW 43.06C(2)(b), the OCO cannot investigate a complaint until the incarcerated person has reasonably attempted to resolve it through the DOC internal grievance process, administrative, or appellate process.	Administrative Remedies Not Pursued
316.	The incarcerated individual reports that a photo sent via JPay was rejected. The individual submitted a resolution request and was told that it was being investigated by the mailroom, but later found out the message was never forwarded to the mailroom in order to appeal the mail rejection.	The OCO provided assistance. This office spoke with mailroom staff at the facility and discussed what the individual was told in his Resolution Request response. Mailroom staff agreed to release the JPay photo that was previously rejected.	Assistance Provided
317.	The incarcerated individual reports that he is hearing impaired and needs to have closed captions turned on for the TVs in the unit.	The OCO provided assistance. This office contacted the Correctional Unit Supervisor (CUS) in the individual's unit and asked that	Assistance Provided

	The individual reports that the issue was resolved for a short period of time but were then turned off again.	closed captions remain turned on for the TVs in the unit. The CUS confirmed that they will set an expectation with unit staff and other incarcerated individuals that closed captions must remain turned on.	
318.	Person reports DOC staff misconduct. The officer yells inappropriate comments to the incarcerated people in the unit. This is affecting the people's recovery.	The OCO provided assistance. The OCO contacted the Superintendent of the facility to alert them of the situation and ask that they review the situation, which they agreed to do.	Assistance Provided
319.	The incarcerated individual reports that he submitted a Resolution Request and did not initially receive a response. The individual reports that when he contacted the Resolution Department for an update, the staff member told him the Log ID number belonged to a Resolution Request from another individual.	The OCO provided assistance. This office contacted the Resolution Department at the individual's facility who then reviewed the individual's Resolution Requests. DOC staff found that there was an error and changed the Log ID number on the individual's resolution request and provided him with a response.	Assistance Provided
320.	The incarcerated individual reports that he ordered a new pair of reading glasses but is concerned with the time it takes to receive the new glasses after they are ordered.	The OCO provided assistance. This office contacted property staff at the facility who confirmed that the individual's reading glasses were received and being processed. The OCO confirmed that the glasses were delivered to the individual's unit shortly after communicating with DOC property staff.	Assistance Provided
321.	The incarcerated individual was given infractions for rioting, fighting, and participating in a security threat group during an incident that happened almost a decade ago. He is contacting the OCO now because he is about to get resentenced, and these infractions will be a detriment to his resentencing hearing.	The OCO will decline to investigate this concern per WAC 138-10-040. The ombuds may decline to investigate any complaint or may close any investigation of any complaint for any of the following reasons: The alleged violation is a past rather than an ongoing issue.	Declined
322.	The incarcerated individual reports that he is having issues with the clothing room and cannot access shoes, t-shirts, or pants in the correct size.	The OCO contacted WSP property and clothing about this concern. The person received six new t-shirts, suspenders, and shoes prior to OCO taking action on this concern. Individual is currently in IMU and will also be issued another clothing bag when he moves to a unit.	DOC Resolved
323.	Incarcerated individual is currently housed at the Washington State Penitentiary Intensive Management Unit (WSP IMU) pending a court hearing. The individual reports he is not able to access both showers and yard which they are entitled to per the conditions of confinement. DOC staff are asking people to choose either yard or showers which is violating their conditions of confinement.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO verified that DOC IMU staff did request individuals choose between a shower and yard intermittently due to staff shortages. DOC addressed the issue and made it their priority to ensure that individuals in the IMU have access to showers and yard, without having to choose prior to OCO making them aware of the concern.	DOC Resolved
324.	Person reports that his appeal for his infraction was never received, however he did submit it.	The OCO verified that an appeal was received by the DOC for his last infraction and the appeal was heard. after the complaint was filed with the OCO.	DOC Resolved
325.	Incarcerated individual reports in the units used for protective custody and residential treatment at Washington State Penitentiary (WSP BAR units) the individuals do not have access to higher educational programming. The individual reports that many people housed in the BAR units would like to participate in college classes but cannot because they cannot enter the general population education building.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO found that in response to a resolution request the individual filed about this concern, DOC education staff are willing to look at options to provide some higher education classes to individuals housed in the BAR units. The DOC education staff member agreed to take inventory of interested individuals in the BAR units and is willing to look at implementing classes next year if enough people are interested.	DOC Resolved

326.	Person reports being locked in the hospital and feels stressed and alone. He said hardly anyone comes by. He said he feels neglected and like he is being punished for being sick and not taking the medications DOC is telling him to take. He said he went to court today and his warrant charges were dismissed. He would like to move back his unit which is close to the medical building.	The OCO contacted health services and confirmed the individual was moved back to his unit prior to OCO outreach.	DOC Resolved
327.	Incarcerated individual reports in the units used for protective custody and residential treatment at Washington State Penitentiary (WSP BAR units) the individuals do not have access to higher educational programming. The individual reports he tried to find policy about higher education so that he could file a resolution request on this issue but was unable to find relevant policy.	DOC staff resolved this concern prior to the OCO taking action on this complaint. The OCO found that DOC education staff are willing to look at options to provide some higher education classes to individuals housed in the BAR units. The DOC education staff member agreed to take inventory of interested individuals in the BAR units and is willing to look at implementing classes next year if enough people are interested.	DOC Resolved
328.	A loved one reports that their father has been trying to move to a different facility. Staff at their current facility say that it is an appropriate long-term minimum facility. However, it is run like a close custody unit, and the individual has no minimum privileges.	The OCO provided information regarding this person's custody facility plan and what steps they need to take if they would like to transfer to a different facility.	Information Provided
329.	External person reports this individual has had pain and difficulty moving for months. They state the patient has not received adequate pain treatment.	The OCO provided self-advocacy information to the patient. The OCO reviewed resolution records and verified the patient had been seen multiple times for this issue and has a pain treatment plan.	Information Provided
330.	Incarcerated person is originally from the west side of the state and would like to get transferred to a facility on the west side to be closer to family. Person would also like to participate in the Strength in Families program which is not offered at their current facility.	The OCO provided information regarding custody facility plan. Person can request a transfer to a new facility per DOC 300.380, it can be dependent on approval per housing availability or any concerns. If a person does not agree, they can appeal.	Information Provided
331.	Incarcerated individual called the hotline to report an active court case related to the Attorney General. He has completed the paperwork and is awaiting a court date. He is now filing a lawsuit. He would like copies of his OCO case in order to show as part of tort claim.	This request was then sent through the OCO official public records process.	Information Provided
332.	The incarcerated individual reports the facility is not giving them inpatient mental health treatment like they were ordered to do in this person's recent judgement and sentence. This person submitted a classification appeal and has not heard anything back. They filed a grievance and are not receiving any help.	The OCO provided information regarding mental health programming. The OCO reviewed the person's file and verified that many mental health programs have been requested by DOC.	Information Provided
333.	The incarcerated individual is requesting assistance to be assigned to a single person cell for mental health reasons. The individual reports that they had a Health Status Report (HSR) previously for a single person cell but it has since expired.	The OCO provided information regarding the process of how the individual might obtain and HSR for a single cell for mental health reasons. The OCO confirmed with DOC Mental Health staff that the individual will need to discuss this request with his current therapist who will then decide if they recommend an HSR for a single cell.	Information Provided
334.	External person reports an incarcerated individual had an excessive use of force performed on them. The external person reports that DOC also did not provide him with adequate medical care after the force was used. The medical care complaint was	The OCO provided information about the results of the investigation to the incarcerated individual. The OCO found that the use of force was conducted per policy. However, we found errors within the administrative reporting process and documentation. The OCO reported the issues to facility leadership and engaged in	Information Provided

	reviewed in a separate case.	conversation about improving processes to ensure that uses of force are documented per DOC Use of Force policy.	
335.	Person reports he is having multiple conflicts with a DOC staff member whom he believes does not like him and writes him up for arbitrary things. Person further reports that his counselor is not working on his release plan.	The OCO reviewed his current custody plan and noted that a specific reentry center has been identified for him. The staff did not have any negative reviews for him. This office could not find any current infractions or negative BOES that indicated he was being written up for arbitrary things. The OCO could not find any evidence to substantiate this concern.	Insufficient Evidence to Substantiate
336.	Person reports all their gratuity from their in- unit job is being confiscated to collect on past legal mail postage debt, leaving him without funds to purchase hygiene items.	The OCO contacted the facility and was able to verify this individual does have money in their account and it is not being confiscated.	Insufficient Evidence to Substantiate
337.	Person reports the DOC contract attorney is required to provide him with legal assistance, however, person says the law firm failed to respond to his correspondence and telephone calls. Person states this is in direct violation of policy.	The OCO could not find evidence to substantiate that the attorney has not responded to the incarcerated individual. The OCO verified with the Department of Corrections that he has had contact with the attorney and has since filed a tort claim regarding this concern.	Insufficient Evidence to Substantiate
338.	Person says the parole boards/ ISRB has accepted gifts, ranging from jewelry and drugs to money, from legal service providers that are contracted with DOC to find him releasable.	The OCO reviewed the information listed in this concern and could not find evidence to substantiate that the ISRB is receiving gifts from legal service providers to find him releasable.	Insufficient Evidence to Substantiate
339.	Incarcerated individual reports DOC staff brought his legal documents to the Washington State Penitentiary Intensive Management Unit (WSP IMU) and treated the documents with disrespect. The individual reports the staff member was rummaging through the documents. The individual requested he be able to review all his legal documents in a private room and the request was ignored. The individual reports that confidential documents were missing, lotion bottles were opened in the box and when he last saw this box, his items were neatly boxed. The individual requests the OCO hold video of the unit to review the actions of the DOC staff member.	The OCO was unable to substantiate the concern due to insufficient evidence. The OCO found that it is not routine DOC practice to bring all an individual's legal documentation to the Intensive Management Unit (IMU) to review which document(s) they need to support their active legal endeavors. The DOC brought the individuals legal documentation to the IMU so the individual could review his legal documentation and obtain any documents he needed. The OCO was unable to substantiate that the DOC staff mistreated the individual or his property based on the evidence reviewed including video evidence.	Insufficient Evidence to Substantiate
340.	The incarcerated person appealed a Behavior Log Observation three times since received in April of 2021. The person states it is inaccurate due to it saying he made threats and was demanding towards medical staff.	The OCO was unable to substantiate the concern due to insufficient evidence. The OCO met with Superintendent and reviewed BOEs associated with this incident. The OCO was unable to impact change due to not being able to confirm all of the BOEs on file.	Insufficient Evidence to Substantiate
341.	Incarcerated individual expressed concerns about placing a complaint with Governor Inslee as the attorney lied about their convictions. As a result, they feel they should not be in prison.	The OCO lacks jurisdiction to investigate the concern as the complaint relates to an issue that is not under OCO jurisdiction, such as the person's underlying criminal conviction.	Lacked Jurisdiction
342.	Person states they suffer from several mental health diagnosis and they are trying to relocate to a treatment setting as opposed to a punishment or retribution setting. Person says they were sent to prison as punishment, not for punishment.	Per RCW 43.06C.040- The ombuds may not investigate any complaints relating to an inmate's underlying criminal conviction. The OCO does not have the jurisdiction or authority to move this individual to a treatment setting. The Judgment and Sentence dictates where the individual will go to serve their sentence.	Lacked Jurisdiction
343.	Incarcerated person is grieving that language in a DOC policy does not reflect language in the related RCW. Person's grievance was denied as having an appeal process; person is grieving the policy however, not classification. The polices in question regard	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO review determined that DOC has established a rule in WAC 137-30-030, which supports the policy that incarcerated people serving a life sentence are not eligible	No Violation of Policy

	people sentenced to Life Without Parole to be eligible for earned release time.	for earned release time sections (2)(a)(b)(i). Resolution requests that are outside DOC jurisdiction such as state and federal law will not be accepted per resolution program manual.	
344.	Loved one expressed concerns about an incarcerated individual receiving four different infractions based on kites that were sent. The loved one does not believe kites are enough evidence to infract and would like the concern investigated further.	The OCO reviewed the infraction and appeal packet, confidential information and hearing audio and find there is evidence to substantiate the infractions.	No Violation of Policy
345.	Person reports he was placed in administrative segregation even after the committee had reviewed his housing placement.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed person's file. The person had recommended placing but the custody facility plan was still under review and not finalized. Once the CFP was finalized person was moved from administrative segregation.	No Violation of Policy
346.	The incarcerated individual is being held in the intensive management unit (IMU) for non-disciplinary reasons awaiting transfer to another facility. The person feels like he is being punished, given the protocols for his level of custody.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Policy 320.200 II. An individual may be assigned to Ad Seg when the individual: C. Is pending transfer or in transit to a more secure facility. This person was being held in the IMU while they waited to transfer to their new facility. The OCO has determined that they have completed their transfer and are no longer in segregation.	No Violation of Policy
347.	The incarcerated individual reports that DOC staff is stealing his property. The person also reports that he was transferred out of the facility that can best address his medical issues, and his medication was not sent with him to the new facility. He was then transferred to another facility for medical reasons. Person further reports missing other property.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. The OCO reviewed resolution requests and verified that the person's medical resolutions were substantiated but his medical needs have since been addressed by DOC. The OCO reviewed the property resolutions and found that the items that were taken were not on person's matrix. The OCO provided information about filing a tort claim.	No Violation of Policy
348.	The incarcerated individual reports that his fiancée was terminated from visiting (in person and video) last year because the DOC says their interactions were inappropriate. He reports that his visits should not have been terminated because they were arguing on a video visit, not in person, and there was no violation of the visitation policy.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Policy 450.300, Visits for Incarcerated Individuals, says that if there is a clear and present or imminent danger to the health or safety of anyone and there is reasonable suspicion to believe that criminal conduct will result if entrance is allowed, visits will not be authorized. The DOC terminated visitation because they found that the communication from this individual to his fiancé was abusive. The OCO could not determine any violation of policy.	No Violation of Policy
349.	The incarcerated individual recently earned medium custody points, but staff recommended an override to close custody because of an infraction he got this summer. The infraction he got did not keep him from getting medium points, but DOC is refusing to promote his custody level due to the infraction for assault on another individual.	The OCO was unable to identify evidence to substantiate there was a violation of policy by DOC. Policy 300.380 VII D 1 (a), Overrides may be requested when documented behavior, medical, dental, mental health, program needs, or detainers indicate it is appropriate to: Promote/demote custody. This person is currently in Close Custody on an override due to assaultive behavior and the DOC is within policy to make that determination.	No Violation of Policy
350.	Patient states that following a medical issue they were not allowed to use the restroom or take a shower due to DOC's policy. Patient says this was a dehumanizing experience and further states they did not sign any sort of	The OCO contacted health services and DOC reports the individual was taken to the hospital and refused care. This office confirmed there is a refusal form on file. DOC 420.315 states, "[f]or safety and security purposes, and to	No Violation of Policy

	medical information release either when they were sent to the local hospital for treatment. Patient reports internal bleeding has not been addressed.	avoid trips to the restroom, the use of a bedpan/urinal for the individual is preferable whenever possible." The individual is max custody. The Health Record Procedure allows DOC to share medical records with hospitals for continuity of care and according to RCW 70.02.050, "authorization by patients is not required" to share those records.	
351.	·	The incarcerated individual advised the OCO they did not want the OCO to investigate the complaint.	Person Declined OCO Involvement
352.	External person reports their incarcerated loved one has experienced difficulty maintaining focus in conversations and would like the individual to be sent to a specialist to find out the reason.	The incarcerated individual advised the OCO they did not want the OCO to investigate the complaint.	Person Declined OCO Involvement
353.	External reporter states they were told their loved one would be going to an outside specialist, and this has not occurred yet.	The incarcerated individual advised the OCO they did not want the OCO to investigate the complaint.	Person Declined OCO Involvement
354.	The incarcerated individual reports that property staff is abusing their discretionary power outside of policy to deny incarcerated individuals access to personal property. The person reports that staff does this by taking a descriptive word out of context and applying personal opinions as the criteria for determining what should be considered contraband.	The incarcerated individual advised the OCO they did not want the OCO to investigate the complaint.	Person Declined OCO Involvement
355.	The incarcerated individual says that medical is not helping them anymore. They have been experiencing concerning gastrointestinal symptoms. They were supposed to set up an appointment with Infection Prevention, but that is no longer in process.	The Incarcerated individual did not respond to the OCO's request to provide additional information within 30 days. The OCO encouraged this person to contact this office if they would like to request assistance. The OCO contacted Health Services management and confirmed the patient had been evaluated and for the reported symptoms. The OCO also provided information to the patient about how to contact the office if they are having difficulty connecting by phone.	Declined OCO Involvement
356.	Incarcerated individual reports that he was sent to the Intensive Management Unit (IMU) after he was assaulted by another incarcerated individual. The individual reports DOC initially infracted him for fighting but has dismissed the infraction. The individual reports that his classification counselor told him that he is being screened for another unit that will be safer for him, but he hasn't heard anything and feels like DOC has forgotten about him.	This person was released prior to the OCO taking action on the complaint. The OCO reviewed the individual's recent DOC classification plans and found he was moved to the safer unit before being released from DOC custody.	Person Left DOC Custody Prior to OCO Action
357.	External individual reports incarcerated individuals in a specific unit of Washington State Penitentiary (WSP) are experiencing issues with the cable. The external individual reports that their incarcerated loved one pays for cable every month and is not getting the full service he is paying for. The external individual requests that the cable be fixed because access to TV is important to all individuals incarcerated and they should be able to access what they pay for.	The OCO was able to substantiate this concern but was not able to achieve a resolution. The OCO spoke with DOC staff who explained that there has been a long-standing issue with the cable connectivity, making the cable unusable intermittently. DOC staff report that the cable is shut off for short periods of time and some of the channels are working most of the time. DOC is unwilling to provide the incarcerated individuals with refunds of their cable TV payments because some of the service is working.	Substantiated Without Resolution
358.	Incarcerated individual was taken to the Intensive Management Unit (IMU) to serve a 10-day IMU sanction. While serving this sanction, DOC staff packed all of his property	The OCO was able to substantiate this concern but was not able to achieve a resolution. The OCO found that DOC did provide the individual with a property disposition for the disposal of	Substantiated Without Resolution

including his commissary items, which DOC staff packed separately. While serving the 10-day sanction, the IMU unit went on COVID-19 quarantine and the individual could not move back to his cell after the 10-day sanction ended. In the time that he was waiting for the unit to be taken off quarantine, he received a property disposition form asking he choose a method to dispose of his commissary items, because per WSP Operational Memorandum 440.000, "Consumables will not be held in long term storage."

his food property after being held in the IMU after his sanction ended. After the OCO received multiple concerns related to this OM, the OCO spoke to WSP administration who agreed to review these types of concerns on a case-by-case basis and provide individuals with unopened, unexpired food items. Individuals housed in the IMU due to their custody level or because of behavior, will not be reviewed and their food property will be disposed of. This issue has increased since COVID-19 protocols have made transfer times longer and IMU stays longer due to unit quarantines. The OCO finds that because the individual was housed in the WSP IMU serving a disciplinary sanction DOC was not willing to allow him to have his food items. They were disposed of as a result.

359. The incarcerated individual reports that the food is terrible in the Intensive Management Unit (IMU). The individual reports that they only get beans, rice, and goulash. The individual says that the meat patty has all the nutrients cooked out of it.

The OCO was able to substantiate the incarcerated individual's concern that food options are limited presently but was not able to achieve a resolution. Supply chains and the workforce have been affected due to Covid-19. The facility will return to the regular menu as supply chains allow and there should be changes seen in the near future. The OCO was not able to substantiate the nutritional value of foods served in the IMU.

Substantiated Without Resolution

360. Incarcerated individual reports he has filed numerous resolution requests that he has not received responses to. The individual believes that the requests are being ignored or thrown away. The individual also reports that he tried to file a resolution request about a DOC policy but was told by DOC headquarters that the request was not accepted per the resolution manual. The individual reports that the DOC resolution program manual says that DOC policies are accepted.

The OCO was able to substantiate this concern but was not able to achieve a resolution. The OCO was not able to substantiate that resolution requests filed by the individual are being ignored or thrown away. However, The OCO was able to substantiate that the headquarters resolution department did not accept the concern related to DOC policy. DOC staff agreed that the resolution request should have been sent back for a rewrite to obtain more information about what the concern was. DOC staff explained that when incarcerated individuals do not add specific policy numbers it can be difficult to interpret the concern. The OCO shared this information with the individual to assist him in accessing the resolution program. DOC staff did not reconsider the resolution request that was not accepted.

Substantiated Without Resolution

361. Person says that they witnessed a person deceased on the shower floor and staff did not act to see if there was a pulse or try to save the deceased person's life. Person says staff acted inappropriately without respect for the deceased person by laughing and joking while deceased person was on the floor, naked and uncovered, for five hours.

This case was reviewed by the unexpected fatality review team. RCW 72.09.770 directs DOC to conduct an unexpected fatality review in any case in which the death of an incarcerated individual is unexpected, or any case identified by the OCO for review. UFR- 22-010 is publicly available on the DOC website. In addition. the OCO contacted the incarcerated individual who filed this concern. This individual wished to remain anonymous and specifically requested no closing letter be sent.

Unexpected Fatality Review

## **Abbreviations & Glossary**

ADA: Americans with Disabilities Act

**AHCC:** Airway Heights Corrections Center

**ASR:** Accommodation Status Report

**BOE:** Behavioral Observation Entry

**CBCC:** Clallam Bay Corrections Center

**CCCC:** Cedar Creek Corrections Center

**CI:** Correctional Industries

<u>Closed Case Review:</u> 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.

**CO:** Correctional Officer

CRC: Care Review Committee

**CRCC:** Coyote Ridge Corrections Center

**CUS:** Correctional Unit Supervisor

**DES:** Department of Enterprise Services

**DOSA:** Drug Offender Sentencing

Alternative

**EFV:** Extended Family Visit

**ERD:** Earned Release Date

**GRE:** Graduated Reentry

**HCSC:** Headquarters Community Screening

Committee

**HSR:** Health Status Report

**IIU or I&I:** DOC's Intelligence and Investigations Unit ("Intelligence &

Investigations")

**J&S:** Judgment and Sentence

MCC: Monroe Correctional Complex

**MCCCW:** Mission Creek Corrections Center

for Women

**OCC:** Olympic Corrections Center

**<u>Pruno:</u>** Alcoholic drink typically made by fermenting fruit and other ingredients.

PULHES-DXTR codes: Washington DOC assigns health services codes to every individual incarcerated in its system. These codes, known as PULHES or PULHES-DXTR codes, are meant to note the presence and severity of various health-related factors, such as medication delivery requirements, mobility limitations, developmental disability, and use of mental health services.

**SCCC:** Stafford Creek Corrections Center

**SOTAP:** Sex Offender Treatment and

Assessment Program

**SVP:** Sexually Violent Predator

**TC:** Therapeutic Community

**WaONE:** Washington ONE ("Offender

Needs Evaluation")

**WCC:** Washington Corrections Center

**WCCW:** Washington Corrections Center for

Women

**WSP:** Washington State Penitentiary