

# OFFICE OF THE CORRECTIONS OMBUDS

## Monthly Outcome Report: May 2021

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

Starting September 1, 2020, all cases open at the time and all cases opened since by OCO are considered "investigations" for the purposes of the statute. The following pages serve as the "public decision" required by RCW 43.06C.040(2)(k). Although an individual case report with recommendations for systemic reform is not being produced for the cases herein, the cases will still inform and may be included in a future systemic issue report.

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

Note: The following case summaries also include OCO's closed case reviews, in which a complainant whose case was closed requests a review by the supervisor. These are marked in the summaries as such. OCO is still evaluating how to best portray these cases.

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

Case Status	Explanation
<b>Assistance Provided</b>	OCO, through outreach to DOC staff, was able to achieve full or partial resolution of the person's complaint.
<b>DOC Resolved</b>	Case resolved by action of DOC staff prior to OCO action.
<b>Lack Jurisdiction</b>	Complaint does not meet OCO's jurisdictional requirements (not about an incarcerated individual, not about a DOC action, or person did not reasonably pursue grievance/appellate procedure)
<b>No Violation of Policy</b>	After reviewing all relevant documents and DOC policy, OCO staff determine that DOC policy was not violated.
<b>Unable to Substantiate</b>	Insufficient evidence exists to support the complainant's allegation.
<b>Information Provided</b>	OCO provides self-advocacy information.
<b>Substantiated</b>	OCO substantiates the concern/allegation and it is neither resolved by DOC nor can OCO assist with impacting change.
<b>Decline/Other</b>	Some other reason exists for the closure of the case, generally release.

# Monthly Outcome Report

## May 2021

	Complaint/Concern	Outcome Summary	Case Closure Reason
<b>Not specified</b>			
1.	Complainant stated DOC made a false allegation that he was in violation of the terms of his Community Custody by allowing his Electronic Home Monitoring unit to fail. Complainant states it was a GPS malfunction and not his failure to charge the unit that caused him to be returned to DOC custody on a violation.	This individual is on community custody and his complaint is regarding his GPS device.	Lack Jurisdiction
<b>Airway Heights Corrections Center</b>			
2.	Complainant reported not receiving medical attention after staff used pepper spray and OC vapor on everyone in segregation. From all the coughing and choking he had a burst blood vessel in his eye which then resulted in migraines. His vision continues to be blurry all the time. Headaches when wearing glasses. Loss of appetite. DOC issued Tylenol. He received a brief eye exam, wasn't full exam. Eyes were closed the whole time because he was sensitive to light. Broken blood vessels in eyes, running into white parts of eyes. Took about two weeks to go away. Provider said she had to consult and get back to him. Now months later, still hasn't been seen. Feels like he can't breathe, sleeping more than usual, feels pressure behind eyes. Patient requested follow up appointment. Also concerned that he has been in administrative segregation for more than three months. Policy states that the limit is 30 days. Feels this is cruel and unusual punishment.	Contacted health services. Visual acuity screening, follow up regarding myopia, and consult are all now scheduled. Caller shared via phone that his ad seg issue was resolved and that he was transferred.	Assistance Provided
3.	Complainant reports his 5th and 14th amendment rights to due process as well as his 1st amendment right to a peaceful assembly were violated. The hearing officer disregarded and failed to assess the evidence to prove his	Complainant released two weeks after filing complaint.	Declined, Other

	innocence and render a decision in a fair and impartial manner. Impartial meaning even-handed or objective, favoring neither side.		
4.	Person states that DOC says that he will have to take public transportation to the Spokane transit station. He currently walks with a cane and does not think he will be able to carry all of his property on public transportation. He does not have funds to get a taxi.	Reached out to staff at AHCC and confirmed he was seen by health services staff who determined that he will need assistance with transport to the Spokane Greyhound station. DOC will transport him there from AHCC.	Assistance Provided
5.	Complainant says that DOC confiscated his books in violation of policy and provided no property disposition. He requests compensation or that the books be reordered.	Books do not receive a property disposition because they are not listed on a person's property list. The books were severely damaged with pages distorted to the extent that they were considered altered. Books were confiscated in compliance with DOC 440.000.	No Violation of Policy
6.	Complainant says that they are not being allowed to use the law library. Says that they have court deadlines to meet, and that they need to access law library to prepare for them.	Explained how DOC permits access to the law library and how to request priority access to the law library. Confirmed that the resolution program has also relayed this information.	Information Provided
7.	Found guilty of a 505 when he did not hit the other person. Infraction states that he did not throw a punch. the other person involved in the fight wasn't infractioned.	Lifted up the concern to both AHCC administration and DOC Disciplinary Program Manager. Based on their review, the complainant was approaching the other person in an aggressive manner, intending to fight. The other person reacted in self-defense and therefore would not have received an infraction. DOC provided a training document to justify decision and were unwilling to change it.	No Violation of Policy
8.	Complainant is missing property. Went to hospital and was assigned to different cell upon return. While he was in the hospital his cell was assigned to someone else and that person packed up his property, not a staff member. Now his food is missing. Claims CUS is at fault for leaving the new cellie to pack up his property.	DOC was not able to locate food that went missing, this is a good example of the issues with the current property pack out process when folks are taken out for medical or behavioral reasons. Provided information for self-advocacy and how to access the tort claim process.	Information Provided
9.	Complainant states that incarcerated people in C unit are having trouble accessing legal documents. DOC staff confiscated the binder that contains the form index numbers they need to kiosk the law library for the legal forms so they are unable to specify which forms they are	Reached out to DOC staff who relayed to me that the binders are available and managed by the tier reps of each unit. I explained to complainant how to access the binders.	Assistance Provided

	asking for. Additionally, staff was directed to discontinue making copies of legal documents to be sent out (i.e., one copy to prosecutor, one copy to defense counsel), and staff cannot assist with finding information like the address to the court or a phone number.		
10.	Reports that AHCC handled the Covid-19 outbreak very badly. Also, states that folks housed in the gym did not have access to the grievance program at that time.	Explained our investigations and recommendations for addressing concerns from the incarcerated population that were published in our two OCO monitoring reports on AHCC. Also explained where this person can access those reports and review our actions.	Information Provided
11.	Complainant says that he sent a kite in regarding his judgment and sentencing records request and received the response that he needed to fill out a form. He did so and then was charged for the public records request. He received his records two months later and filed a grievance. Says he should not have had to pay for this and he was lied to about his requests.	DOC is following policy 280.510 and RCW 42.56. All public records requests are processed at DOC headquarters, but there are times when the tasks will be delegated from HQ to facility staff to complete.	No Violation of Policy
12.	Complainant was found guilty of a serious infraction (603) Unauthorized Drug/Paraphernalia. He appealed the guilty finding and when the appeal was upheld, he filed an Appeal of Department Violation Process alleging timeline violations. Specifically alleged that the infraction witness (Internal Investigator) should not have been permitted to review the infraction; and that the Associate Superintendent did not respond to all aspects of appeal in her decision. Also reported to OCO that the investigation was not correct as he was not involved in the activity and that his public records requests are delayed because the alleged evidence does not exist.	Held confidential in-person conversation with complainant; discussed investigation and infraction with facility Investigator; reviewed all hearing documents and all evidence, including confidential informant documents, recorded phone calls, and all JPAY messages connected to infraction; reviewed DOC Policy 460.400 Disciplinary Process for Prisons and WAC 137-28-220 and WAC 137-27-400. The standard of evidence for a guilty finding is "some evidence" and after a thorough review of the infraction documents, appeal documents, and confidential audio records, AO agrees that DOC staff met the threshold of "some evidence." Further, AO found no policy violation in the investigation work, hearings decision, or appeal.	No Violation of Policy
13.	Complainant says work history submitted to the court contained a false and misleading statement. The same person who sent this statement to the court is also stalking him without authority starting in January in an attempt to overthrow and undermine another case.	Closed Case Review: There is still not enough evidence to substantiate. Allegations of stalking and misconduct are unsubstantiated. It was not clear what document was fraudulent. Requested more information about the document.	Investigation Unsubstantiated or Unfounded

14.	Complainant says that the SOTAP program and ISRB have abused their authority and committed crimes against him. He says that slander, deprivation of character, fraud, perjury, criminal intent, and filing false statements to the government have occurred.	OCO reviewed all pertinent documents and was unable to find evidence of false information or misconduct. Provided information about filing a PRP to appeal the ISRB decision.	Information Provided
15.	Was not tested for drugs after request due to infraction. Was infractioned (752) with no proof, witnesses, or drug test as requested.	The complainant admitted to the officer that he was "really drunk right now." No additional evidence is needed beyond the self-admission.	No Violation of Policy
16.	Complainant is concerned with ISRB's decision and that there is no appeal process within DOC.	Reviewed the relevant RCW and was not able to find evidence to support that the ISRB was in violation of such RCW. Provided this person with information about appealing the decision with a personal restraint petition (PRP).	Information Provided
17.	Complainant states that they had to pick up Covid trash without proper PPE or training and he did not feel safe. He has asthma and needs an inhaler. He was told he could quit and not be infractioned so he did, but then was infractioned with a 557.	OCO is releasing a public report concerning 557 infractions issued during unsafe working conditions during COVID. DOC has not overturned this individual's infraction, but OCO referenced his concern in the report.	Assistance Provided
18.	Complainant reports that he has to wear a mask at all times even though DOC staff frequently work without their masks.	This is an ongoing issue that the beginning of the Covid-19 pandemic. Explained that OCO may be better able to address the concern if complainant provides names of specific staff members doing this.	Information Provided
19.	Complainant says that during the pandemic his unit was not under quarantine status and had to attend meetings that put his health at risk. Says that people who tested negative were with people who tested positive and everyone had open movement.	Provided information to complainant. OCO will continue to monitor DOC's response to COVID, however, DOC is not violating policy therefore our office is unable to impact change but can make additional recommendations to avoid a future negative impact on incarcerated individuals.	No Violation of Policy
20.	Complainant says is filed an appeal to the infraction (709) he received in last September. It took 86 business days for DOC to hold the original hearing and his appeal is also being delayed. Per policy, DOC has 10 business days to act on an appeal, but he has not received any notifications of extensions/continuances. He has brought this to the attention of the Superintendent recently.	Based on review of infraction packet and hearing audio, the hearing was continued due to the complainant's request for review of video evidence. The continuance was documented. No DOC policies appear to have been violated.	No Violation of Policy

21.	Complainant was infraacted and sent to the hole but was found not guilty. He is still in the SMU and is past his release date. They are going to transfer him to another facility until he has a release address approved but he is asking to be moved to mainline to access proper mental health care for grieving multiple deaths in his family.	The complainant is being held in IMU pending transfer to another facility. One infraction was dismissed but the other was not. Confirmed that this person does have access to mental health services.	No Violation of Policy
22.	Complainant was in CI position food factory and he was let go from his job when a staff member complained that things were being stolen. It was later determined who had been stealing. Complainant then asked for his job back but supervisor said no. She stated that she could not be blamed for thinking that he was at fault because of his face tattoos.	Was not able to find evidence to support that there was an investigation. Appears that this person gave notice and was not reprimanded for leaving the position.	Unable to Substantiate
23.	Complainant has been on lockdown for a few weeks due to being housed in K Unit. Cannot access law library and has a pending case in court of appeals and needs access.	Reviewed via appeal process: Person has been notified how to access law library. This is also currently no longer pertinent as K Unit is no longer under quarantine.	Information Provided
24.	Complainant was found guilty of aggravated assault (502). He states though that the person fell in the shower and it did not have anything to do with him. The investigation relied only on CI information. Complainant states he was nowhere in the vicinity.	DOC is relying on confidential information, which does qualify as "some evidence" to meet the low evidentiary bar. Complainant does not have conflicting evidence such as witnesses to otherwise account for his whereabouts or to confirm that he didn't assault the other person.	No Violation of Policy
25.	This person has a proposal for LGBTQ+ housing unit. Author requests that OCO read, review, and use the proposal in OCO systemic work on LGBTQ+ issues in the prisons.	Thanked this person for sharing their proposal and recommendation and provided updates on the systemic work surrounding LGBTQ+ issues in DOC.	Information Provided
26.	Complainant says that he received infractions (509, 663, 709) but did not receive a hearing or continuance notice. Reports that he wrote an appeal to the disciplinary program manager and the response was that AHCC would not be holding hearings due to Covid-19. Complainant says that it has been more than 103 days since he received the infractions and he has not received a hearing or a continuance notice.	Complainant was indeed served an infraction from late December and it was just heard in early May at AHCC. The infraacted behavior was very low level and yet he spent five months in solitary confinement. He reported that he already wrote to the DOC Disciplinary Manager who reportedly informed him that failure to adhere to timeframes is not cause for overturning or dismissing the case (WAC 137-28-400), which is correct. OCO cannot change the segregation placement or overturn the infraction. We are in the process of publishing a report about extended stays in segregation, particularly for	Substantiated

behavior that does not warrant. Provided draft report and relayed hope that we can get this issue fixed for the future.

**Clallam Bay Corrections Center**

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| 27. | Complainant says that he was sanctioned for a 502 infraction which came with a two-year tag and loss of 240 days of good time. Says that his weight card privileges should not be based upon this; says that this is cruel and unusual punishment.  | DOC staff have been notified of the error and corrected it. The sanction has been cleared from complainant's electronic file and he should be able to apply for weight deck privileges. He and recreation staff have been notified that the weightlifting reinstatement was approved. | DOC Resolved         |
| 28. | Patient filed two medical emergencies for his medication for severe asthma and then high blood pressure medication. DOC dismissed his grievances as non-medical emergencies, but he needs these medications. He was able to get the asthma one but not the high blood pressure medication. Requested access to both medications and for this to not happen again.   | Substantiated delay in medication access. Confirmed medications have now been provided. FMD agreed to review file and follow up with health services team on best practices and timely medication. Patient hasn't been seen by provider in a year; FMD submitted appointment request. | Assistance Provided  |
| 29. | Complainant says that they were transferred out of CBCC and received all their property except for a box containing two black sleeve headdresses, altar cloth, and set of tarot cards. Complainant kited; DOC replied that DOC would get them the items when the facility received them. Complainant reports that they need these items because they are part of their religion and culture. Reports that chaplain is not providing assistance. | Provided complainant self-advocacy options in response to lost property during transport to another facility.   | Information Provided |

**Coyote Ridge Corrections Center**

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| 30. | Patient has ongoing stomach issues, including ulcers that bleed. Has had them for 20 months. Cannot go to the bathroom on his own. Got colonoscopy outside prison. Says he needs surgery. All DOC is giving him is pills to flush him out. Doctor said they would see him in a week over three weeks ago. Has already grieved. Reports that atypical cancer cells found inside ulcer; afraid of having cancer, they said he needs surgery. | Patient wants surgery, but surgeon recommends management of constipation first in order to prevent ulcer recurrence. DOC has tried all of the surgeon's and GI specialist's recommendations; last one is for biofeedback, which they are attempting to schedule. Appeal: Has received three biofeedback sessions. Scheduled to return to surgeon next month. Although patient is frustrated that this entire process has taken three years, we cannot unfortunately change what has happened. Currently DOC is following the recommendations of his surgeon; therefore, there is no | No Violation of Policy |
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		violation of policy. Provided him with other options should he continue to disagree with the treatment being provided.	
31.	Complainant's loved one has Type 1 diabetes. Concerned that it is not being managed by DOC and this is resulting in extremely high blood sugar levels. OCO reopened this case because access to insulin did not improve with transfer to CRCC (parent facility).	After OCO outreach, DOC HQ had this person evaluated by assigned provider and a new insulin regimen was developed; nursing staff advised to follow the new regimen.	DOC Resolved
32.	Family member concerned about retaliatory actions towards a loved one based on interventions on their behalf.	Insufficient evidence exists to adequately support a nexus between protected actions and intentional adverse actions using the three-pronged approach to establishing retaliation. (1) a protected action (submitting a grievance, making a complaint, filing a lawsuit, etc.), (2) intentional adverse action resulting from that protected action (such as a disciplinary infraction, housing/program changes, etc.), and (3) a direct relationship between the two.	Unable to Substantiate
33.	Complainant states that mailroom has a history of discarding outgoing mail to the Ombuds office and refuses to log it as legal mail.	Relayed steps to file a grievance about the legal mail being opened. Recommended he follow up with OCO after filing and receiving a level 2 response. Also explained that OCO mail is considered confidential, like legal mail, but not logged in the legal mail log per OCO/DOC agreement. This is to provide another layer of confidentiality.	Information Provided
34.	Complainant reports that they have gender dysphoria and wanted to take a pause on their transition due to familial concerns. Says that they kited the PA who they have been working with about this; now the PA said they are stopping the HRT. Complainant reports more mental and emotional distress from being off the HRT but the PA is not allowing them to get back on it.	Explained that OCO needs to have a completed grievance to investigate per our RCW and internal policies.	Information Provided
35.	Complainant reports that DOC did not correctly investigate his PREA allegation and his grievance of staff misconduct. Complaint is that while working in the food factory a specific CO would do pat searches prior to mandatory strip searches. After telling the CO that complainant felt uncomfortable with the actions during the pat search, the	Investigation included reviewing DOC Policies: 490.800 PREA Prevention & Reporting; 490.820 PREA Risk Assessments & Assignments; 490.850 PREA Response; and 490.860 PREA Investigation and updated Resolution Program Manual. Original grievance does not meet the PREA threshold; however, the description of event on	Information Provided

	CO told the him that he could work somewhere else. Complainant reports that he filed a staff misconduct against the CO and was forced to quit his job at the food factory.	Ombuds Request Form does meet threshold. HQ PREA staff confirmed that had the wording in original grievance matched Ombuds Request Form, action would have met the PREA threshold. As there was no violation of DOC policy, AO provided information of how complainant can request additional DOC review of original complaint.	
36.	Complainant says that the mailroom is rejecting his mail and emails without a reason. Says that he needs his mail to be sent out and received in a timely manner for his court proceedings. Wants information on how to file a tort claim.	Provided information on how to file a tort claim. Also reached out to DOC and determined they substantiated one of the pieces of mail as being from the courts. However, they were unable to substantiate the other piece of mail as being legal mail as it was not marked as legal mail, confidential, attorney/client or similar as DOC policy requires. Additionally, DOC has no way to determine the length of time from arrival to delivery as the postmark is only an indicator of the date and location USPS took custody of the piece of mail, not the date on which possession was taken.	Information Provided
37.	Complainant says that when he was placed in quarantine, a CO took all his clothes and personal shoes. He told the CO that he wanted them back and the CO told him that he would get it back when he got out of quarantine. He never did get them back and was told that his shoes were "lost." Complainant says that the CO did not place his shoes in a bag with his DOC number.	Substantiated that DOC did lose his shoes and they were never located. DES did an investigation but determined that the incident was one that did not qualify for compensation.	Substantiated
38.	This person reports that they are not getting access to fulfill Muslim religious services. They have not been allowed to pray together during Ramadan, now they are not able to show their faces (needed to fulfill religious rules) or be arm to arm, just to name a few of the concerns regarding their lack of access.	Elevated the concern to OCO AO. AO has heard same concern from others at CRCC. OCO may make recommendations to DOC regarding options for allowing services to resume safely.	Information Provided
39.	Reports of inhumane treatment during the CRCC outbreak in 2020.	Explained our investigations and recommendations to DOC were published in two monitoring reports published in 2020. Explained how/where this person can access the reports.	Information Provided
40.	Patient says that he has bulging disks in his back and medical does not provide him with pain relievers. He says	Confirmed patient received treatment for injury as well as follow up with neurosurgeon. Surgery was not	DOC Resolved

	that he has trouble sleeping at night and he is very uncomfortable. Says that he requested pain management and a medical mattress while he is awaiting surgery, but his kites are being ignored and he has not been scheduled. He was seen by a neurologist in January 2021 but neurologist did not have his files so could not help. Requested pain management, mattress for medical reasons, or the option to purchase a mattress to help with the pain.	recommended. A pain management consult was presented to the Care Review Committee (CRC) and approved. Consult pending scheduling (delayed due to off-site scheduler out of office). No policy violation regarding the mattress; could not impact change. Uplifted to HQ for additional review.	
41.	Complainant says that he asked to be seen for his mental health on several occasions. Says that he was told by medical that it would be at least two weeks before he could be seen by anyone and he needed to reschedule. He says that the second time this happened he was told it would be another three weeks until he could be seen. Complainant says that he has night terrors and does not know what to do.	Issue was resolved within the resolution program; he was placed on call-out to see mental health.	DOC Resolved
<b>Larch Corrections Center</b>			
42.	Complainant says that he his appeal was denied for the 607 infraction. He was previously given flow max medication for difficulty urinating. He says that DOC lost track of his HSR and his appeal was denied.	Complainant has since been released. However, he must have a current HSR to allow additional time. The HSR, if it existed, reportedly expired two years ago and therefore likely would not have impacted DOC staff decision as it was not current.	No Violation of Policy
<b>Mission Creek Corrections Center for Women</b>			
43.	Complainant was in a fight with another incarcerated person. After the fight they were separated: complainant was moved to Bear Unit and the other person remained in Gold Unit. Later though, due to Covid-19 quarantining, the other woman was also moved to Bear Unit.	Confirmed that the person who assaulted complainant was moved to back to Gold Unit when quarantine ended. Complainant recommended systemic changes in handling safety of incarcerated people who are assaulted. Provided Ombuds Review Request form and advised we may consider recommendations for systemic reviews.	DOC Resolved
<b>Monroe Correctional Complex</b>			
44.	Complainant is very concerned about the treatment her loved one received during isolation during COVID. Complainant reports that he was placed in a gym with over a hundred other incarcerated people who all had	Could not substantiate claim; records indicate approval of procedure and treatment. Provided info to patient in case he has additional details or current medical issues, including how to follow up with OCO.	Information Provided

	<p>access to only one bathroom. Complainant reported: “He suffers from bladder issues which caused undue stress on it during this situation. My biggest concern is medical inserting a catheter that was not ordered by his doctor. From what I heard they misread paperwork and went from there. He is bleeding since this catheter was inserted and now he is deathly afraid of medical messing up and causing more issues.” Requested DOC follow better procedures and practices.</p>		
45.	<p>Complainant reported: “My father was diagnosed with stage 4 prostate cancer and is being medically neglected. He was supposed to see his urologist within 7 to 10 days after his diagnosis to be put on medication. His provider is on vacation so he can’t even talk to her. He has put in multiple medical requests which are not being met in a timely fashion. He had an appointment today to see a provider which was a good thing. They took him there to have a catheter removed. He has not had a catheter in since March 2021. This is the second incident that I am aware of that the medical at DOC isnt reading the proper paperwork. The first incident was when they read the wrong paperwork and put in a catheter that was not ordered.” Requested better staffing and procedures, better oversight and throughout reviews of medical documentation.</p>	<p>Urology referred to oncology and appointment is scheduled. Records indicate scans were completed and medications recommended by urology have been filled. Could not substantiate claim about misapplied catheter. Provided more info to patient for follow up if needed.</p>	Information Provided
46.	<p>TV was damaged in transit during complainant’s prior transfer. DOC admitted that after investigation but said they are not liable for damages. Filed a tort claim and nothing has come of it.</p>	<p>Closed Case Review: OCO provided complainant with information on how to contact FedEx which came to us via DES. The person in the appeal responded that no reply has come to him from the third party and would like reimbursement from DOC or FedEx, but we cannot provide that outcome. DES did not substantiate it was DOC’s fault.</p>	Unable to Substantiate
47.	<p>Mortality review. Incarcerated person had throat cancer. He had alleged that health services was denying medical help based on his religion. Reported that he would have to give up religious practices, including forgoing outside contacts, religious visits, and having books on Judaism.</p>	<p>Patient passed away due to Stage 4 tonsillar squamous cell carcinoma with cervical lymph node spread. Mortality review performed by DOC found that patient refused treatment on multiple occasions during the cancer’s early stages, when disease was potentially curable.</p>	Unable to Substantiate

	Said he would have to be transported to outside hospital daily for chemo and leave behind his property. Inquired about compassionate release.		
48.	Complainant says he is being targeted by the chief investigator. The chief investigator has been contacting women on his visiting list and telling them that complainant has other women on his list. He states this is because he would not become an informant. Complainant is worried he will be retaliated against and not transfer to camp.	After speaking with DOC staff his transfer has been approved and he will be moving to camp. He has no new infractions.	Assistance Provided
49.	Complainant was infringed the day after a group demonstration in WSRU. Was denied the ability to review evidence against him due to the confidential nature of the sources.	Reviewed concern. It would appear there is sufficient evidence to substantiate the 652 as illustrated in WAC 137-25-030 Serious Violations in Prison and Work Release. It's also important to note under this WAC that even "Attempting or conspiring to commit one of the violations or aiding and abetting another to commit one of the violations, shall be considered the same as committing the violation." Also, access to statements given by confidential informants is not permitted for their personal safety. Even a redacted statement could lead to the discovery of the reporter's identity.	No Violation of Policy
50.	Complainant says that he completed the first half and second half of his DOSA. Says this his time calculation is inaccurate.	Provided complainant with self-advocacy options for time calculation reviews.	Lack Jurisdiction
51.	Complainant appealed original investigation findings that there was no violation of policy in his max custody classification. Says that according to policy and his score, he should receive less restrictive housing and instead be classified as close custody.	We made outreach again to DOC following complainant's challenge to our original finding. Confirmed that he did have two infractions overturned. However, he incurred additional infractions in the time leading up to his subsequent assignment to max custody. Also learned that he is on track to go to close custody under treatment team recommendations.	No Violation of Policy
52.	Complainant is not satisfied with DOC grievance investigation nor with OCO's investigation. Reports that the investigator called him a liar even though he told the truth.	Provided complainant with OCO Closed Case Review form.	Information Provided

53.	Complainant says that DOC failed to keep him safe from Covid-19. He says that DOC did not follow proper protocols. He says that he got Covid from being placed in the gym.	Closed Case Review: no further impact can be made. At this time, OCO is not opening preliminary investigations into individual cases in relation to Covid-19. OCO is actively monitoring DOC's response to coronavirus, including preventative actions. We appreciate the information and we will anonymously uplift this to the Superintendent, as well as include it for consideration in our public reporting.	Information Provided
54.	Complainant states he's being denied access to the law library and he's being denied the opportunity to formally grieve his issues because the coordinator keeps rejecting his claims.	Grievance decision upheld by headquarters; finding in state favor that law library access is limited not but not completely denied upheld.	No Violation of Policy
55.	Complainant is one of the individuals who allegedly participated in disturbance and was moved into IMU. Claims he did not participate to the extent portrayed by facility staff. Wrote acknowledging that "things got out of hand" but did not admit to committing specific actions.	Case closed over the phone. Explained that after making outreach to a member of the executive team at MCC, the infraction remains upheld. The standard of evidence for guilt in prison infractions is very low. The elements of the 650-infraction ("rioting") appear to be met, as illustrated in WAC 137-25-030 Serious Violations in Prison and Work Release. Also, under this WAC: "Attempting or conspiring to commit one of the following violations, or aiding and abetting another to commit one of the violations, shall be considered the same as committing the violation."	No Violation of Policy
56.	Complainant says that he is being prevented from grieving. Says that the superintendent is failing to provide him with safe living conditions with respect to the showers. Says that he got Covid from being in the showers with people who are not 6 feet apart and without masks.	Provided information to complainant. DOC is following polices 410.030, 410.430, 410.050, 670.000 and RCW 43.06.220. OCO is not reviewing individual Covid-related complaints at this time but OCO is actively monitoring DOC's coronavirus response, including preventative actions.	No Violation of Policy
57.	Complainant is Muslim and is observing Ramadan. He and other practicing Muslims were given sandwich meat in heat-sealed bags in their Ramadan pack last night for breakfast the next day. They believe the meat included a pork product.	Followed up with CI that provided the nutritional information; confirmed that the item does not have pork in it.	Information Provided
58.	Complainant says that he has been on an unofficial "ad-seg" status and has been denied all of his personal	Complainant is no longer on ad-seg and has all his property back. Reviewed available information and was unable to substantiate allegation of retaliation.	Unable to Substantiate

	property, including all writing supplies. Believes this is retaliation for contacting state representative and OCO.		
59.	Complainant is concerned about staff conduct (disagreeing that his medical emergency was actually emergent) and pattern of not filling prescriptions or providing necessary health status reports (HSRs). He has paperwork for pain medication, but DOC doctor is not taking the paperwork and complainant is not receiving the medications. He has been trying to get the paperwork to medical. Wants treatment plan, medications, DOC to uphold HSRs, additional testing for concussion symptoms and to make sure DOC has scheduled appointment with cardiology and neurology specialists.	Confirmed cardiology appointment for stress testing and a follow up appointment regarding migraines. Additional information provided regarding pill line incident and neurology follow up if needed.	Information Provided
60.	Complainant had a previous case with our office regarding ongoing back pain that has not been treated. It has been about 2 months since DOC medical said they would see him and they have not yet. CRC case.	Confirmed that patient was seen by medical and that a request for additional treatment was forwarded to the Care Review Committee, which did not approve the request. Alerted DOC health services leadership. Provided information regarding additional self-advocacy options.	Information Provided
61.	MCC in hole due to WSR disturbance. Went to hearing and was found guilty of 651 and 506 – threatening and inciting a riot because I/I said people need to use the bathroom and brush their teeth because they were turning the water off. Got 30 days taken from him.	OCO contacted the staff witness relayed by I/I, but staff witness did not provide information that substantiated I/I's allegation. DOC appears to have met low bar of "some evidence" due to infracting officer's statement and no evidence to the contrary.	No Violation of Policy
62.	Several books were purchased for this individual that he did not receive. He also didn't receive his Oxford dictionary – DOC said it was used, although the receipt clearly states new.	OCO staff resolved this concern onsite. He was given the books that the mailroom had.	Assistance Provided
63.	Complainant says that he has not received any pain medication since five days after his surgery. He says that the surgery he had was not a success and he now has even worse pain. Says that DOC has not done anything to help him and he has to walk hunched over with a cane.	As a result of OCO outreach, complainant was seen by medical staff and started on a new medication, with plan to titrate dosage upward to achieve pain relief. Also recommended that he kite provider for appointment with outside specialist for re-evaluation, as recommended by pain management consultant.	DOC Resolved
64.	Complainant is having back problems ever since he fell in 2019. Saw a specialist who said that he needs to see a surgeon but he has never been seen. In the past three	CRC approved patient for Gabapentin and appointment with physiatrist. Confirmed patient saw surgeon in 2019	DOC Resolved

	months he's been sending kites to his provider about his symptoms including numb legs and back. He has fallen again multiple times and has not been getting access to care. Requested adequate medical care.	and surgery was not indicated. Records show additional monitoring and testing provided.	
65.	One of the individuals who allegedly participated in Monroe disturbance is now in IMU. Says that he was found guilty of an infraction for throwing a piece of paper that was to be lit on fire. Says that this is false and he did not do it. Says that there is a video recording to prove that he did not do it.	After outreach to a member of the executive team at MCC the infraction remains upheld. The standard of evidence for guilt in prison infractions is very low. The elements of the 650-infraction ("rioting") appear to be met, as illustrated in WAC 137-25-030 Serious Violations in Prison and Work Release. Also, under this WAC: "Attempting or conspiring to commit one of the following violations, or aiding and abetting another to commit one of the violations, shall be considered the same as committing the violation."	No Violation of Policy
66.	Complainant has concerns regarding being housed in a two-man cell and is seeking options for alternative housing including being moved to Washington Corrections Center for Women (WCCW).	DOC is amenable to finding a suitable cellmate but so far all efforts have been refused by the complainant. All potential cellmates are reviewed to ensure safe placement, reducing the potential for victimization or predation. There is currently no pathway to WCCW due to treatment requirements, but complainant will have an opportunity to appeal these determinations at their next review.	No Violation of Policy
67.	Complainant is an alleged participant in the Monroe disturbance. DOC claims he was involved and he is now in IMU. Complainant disputes his involvement.	Reviewed concern. Appears there is sufficient evidence to substantiate the 650 ("rioting") as illustrated in WAC 137-25-030 Serious Violations in Prison and Work Release. It's also important to note under this WAC that even "attempting or conspiring to commit one of the violations or aiding and abetting another to commit one of the violations, shall be considered the same as committing the violation." Also, per WAC 137-28-400, if an incarcerated person is disputing timeframes, failure to adhere to timeframes does not result in a reversal of the infraction. And access to statements given by confidential informants is not permitted for their personal safety. Even a redacted statement could lead to the discovery of the reporter's identity.	No Violation of Policy

68.	CLOSED CASE REVIEW. Complainant had a 710 violation for tattoo equipment. He says it belonged to his cellie and the cellie also wrote a statement stating that it was his. However, both were found guilty.	OCO uplifted the case to the DOC Disciplinary Program Manager. DOC appears to be following WAC 137-25-030, which states that any contraband within a cell can be attributed to all persons in that cell.	No Violation of Policy
69.	Patient says that he paid \$50 to start the process for receiving outside dental treatment to replace a cap that is infected. He was then told that it would take three months to get dental treatment using his own funds. He says that staff retaliated against him for filing a grievance. Requested staff reprimand and for his dental procedure to be approved.	Confirmed DOC met with patient about dental procedure and provided appropriate paperwork. DOC has not received the completed form to date. Once patient turns in the form, the process can move forward. Not enough information provided regarding retaliation; provided info on following up with OCO about that concern if he has more details and wants to open a staff conduct concern. This case covers the medical portion of complaint only.	No Violation of Policy
70.	Complainant says that he was found guilty of engaging or inciting an organized hunger strike with no evidence. He says that his hearing was based on confidential information and staff reports. However, there was no evidence to support this infraction. Says that as a result of the incident he has been placed in solitary confinement and his due process rights are being violated.	We will be releasing a public report on ad-seg at Monroe. Per DOC 320.200, individuals will be housed in segregation for a maximum of 30 days regardless of the placement designation. He will continue with his re-entry plan.	Assistance Provided
71.	Person is being denied the opportunity for GRE placement at his wife's house because of a DV indicator on his file.	This case resulted in an individual published report to address improvements in the GRE policy. See separate published report for full findings, recommendations, and DOC response.	Substantiated
72.	Complainant states that DOC has been administering a pill or device to him causing him injury. He fears for his life after these assaults. This has been going on at three different prisons now.	Contacted mental health staff to ensure that complainant is safe and has access to treatment if necessary. Suggested that complainant discuss his concerns with mental health and health services staff. Informed complainant that we need a release of information if he would like us to investigate further. Sent ROI.	No Violation of Policy
<b>Olympic Corrections Center</b>			
73.	He has been infractioned for failure to program. He failed to go to work because staff members are not wearing masks.	OCO released a public report regarding 557 infractions issued when an incarcerated individual declines to work due to unsafe Covid conditions. DOC has not overturned this infraction; however, we have highlighted this concern in a public report.	Assistance Provided

**Progress House - Pierce County**

74.	Complainant was infracted with two major infractions (originally 709 and 752). HQ stated that the audio was unintelligible and stated that his hearing be remanded. He was served with a 603 and the 709 was dropped. His infraction increased and complainant doesn't feel this is right.	DOC dismissed the infraction.	DOC Resolved
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**Stafford Creek Corrections Center**

75.	Complainant filed a grievance and received nothing in return. He asked over a week ago for a PLRA that he submitted a request through the kiosk. He then filed a grievance about this because he has not received anything. Asked that we contact facility to ask for a copy of his PLRA because he needs it for a court case and the clock is ticking to get it submitted in time.	We reached out to the facility and he was provided his documents with a response.	Assistance Provided
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76.	Investigator is targeting complainant's family for discrimination due to nature of loved one's charges. DOC is inappropriately applying DOC 450.050, as well as restricting complainant's phone number from anyone inside the facility.	Incarcerated loved one wanted this case to be closed. Just wanted us to be notified and have a case for systemic review for this staff and treatment of persons with this type of offense. He is handling this legally.	Declined, Other
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77.	Complainant had a problem with the mailroom. He had pictures of his father and son and has a website that he asked his Aunt to post them on for him. The mail was rejected and now they are going to destroy the pictures. DOC is saying it is a violation of policy and correspondence from a third party. He said this is not a violation.	After reaching out to DOC, we determined the rejected mail is being held in the SCCC mailroom, pending destruction. This action is in accordance with RCW 72.02.260 after it was determined that the photos in question were being sent by the complainant to another individual to be uploaded to a blog in his name intended for others to view. Therefore, SCCC determined this was third-party communication. Outgoing rejected mail is automatically reviewed by the Facility Superintendent Designee and, if the rejection is upheld, is further reviewed by the DOC Secretary Designee rendering any appeal unnecessary. Also, per the same RCW, any rejected outgoing mail (upheld by DOC headquarters) must be held for a period of two years after which it is destroyed and therefore cannot be returned to the sender.	No Violation of Policy
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78.	Complainant's newspapers, magazines, and other mail is not being delivered to him, or is being tampered with. He tried to write the postmaster general about it and sent it as a certified letter so he could track it. The letter says that it is "in transit" even though he sent it six months ago. He wants the mail room at SCCC to be investigated and wants the \$11.42 that he has spent certifying his mail refunded.	Reviewed via appeal process. Informed him that he must file a tort claim if he is seeking a refund. Does not appear that complainant grieved past level 1. Insufficient evidence to establish that mailroom is at fault.	Unable to Substantiate
79.	Complainant says that he was supposed to be transferred out of the facility but they left him there without any reason with a STG member in his cell. Says that he is not a gang member; says he received an infraction and is the IMU now. Has appealed infraction (655). Complainant also shared concerns about store he never received.	Notified DOC of safety concerns and complainant's hopes related to facility placement. We cannot facilitate transfers or impact placement. Could not find an appeal on file for the infraction. The complaint regarding store appears to have been informally resolved between the complainant and DOC. Provided information regarding filing tort claim if this is not the case. At this time closing out concerns as OCO cannot impact further change and some of the concerns are outside our jurisdiction. Told complainant to reach back out if he feels safety concerns have not been addressed.	Lack Jurisdiction
80.	Complainant is having problems with the law librarian not assisting him with DVD/computer problems. Complainant believes that the grievance coordinator is purposefully taking as much time as possible to address this issue because he knows that complainant has memory problems so he hopes that he might forget it. It's also a time sensitive issue because complainant needs to use the DVD for court proceedings that are coming up soon.	Person has moved to a new facility.	Information Provided
81.	Complainant infringed for a 752 (positive drug/alcohol test). Staff saw him stumble and slur words and stated that he was intoxicated. He asked for a UA and was denied it. Complainant states he's on multiple medications that make him groggy in the morning.	OCO reviewed the medications and while they can cause a person grogginess/dizziness, not to the level that they would be stumbling and unable to answer questions. Regarding the failure to perform the UA, staff reportedly had to transport the person out on a medical emergency due to the level of intoxication and that is why they could not perform the UA. Uplifted the case to the DOC Disciplinary Program Manager who reviewed it and concurred with the guilty finding.	No Violation of Policy

82.	Complainant was infractioned with a 707 in April 2020. During his FMRT he was told that he cannot promote because of the infraction and he can't promote until he remains infraction free. He then was terminated from his barber position (months later) due to the 707. DOC infractioned him for the job termination, which deems him ineligible for promotion again. He states that the termination infraction (WAC 810) is unjust and doesn't understand why he was fired/infractioned months after the 707.	Reviewing the infraction history indicates that he earlier received a 655 infraction and was warned that if he received another infraction, he would be terminated. He then received another infraction two months later, which did result in the termination of his job. Recommended additional self-advocacy via a vis writing to DOC Disciplinary Program Manager.	No Violation of Policy
83.	Complainant's son is being unfairly held in solitary. He was in a fight with another incarcerated person. Both people went to solitary in January. The other person returned to general population within two weeks. Commissary not allowed in IMU. Feels they are targeting him because he will speak up. Tested positive for Covid-19. Was told this is because the investigation is ongoing but does not understand how the other person could have been moved if that is true. DOC placed her son in a room with someone he had a history with because they both had Covid, they got in a fight, and now her son is in segregation.	Complainant's son was met by OCO at the facility. His issue was resolved by DOC. He remains at SCCC and is out of IMU.	DOC Resolved
84.	Complainant says that they are being returned to segregation pending the results of an infraction hearing that has been delayed for over a month. Says that because they are in segregation their hearing should have taken place within three business days of the infraction.	Do not see an appeal for the infraction and therefore our office does not have jurisdiction. Regardless, while we agree that being in segregation for three months is an extended timeframe, WAC 137-28-400 allows DOC to still uphold the infraction even though they did not keep to their policy timeframes.	Lack Jurisdiction
85.	Complainant says that black incarcerated people do not have to follow the rules like others do. Says that they are supposed to separate to stop the spread of Covid, but the black incarcerated people are allowed to gather in groups. Complainant says that this population does not get in trouble for certain things and he does not feel as if this is fair.	Declined to investigate until complainant appeals grievance up to at least a level two per RCW 43.06C.	Lack Jurisdiction
86.	Complainant reports serious concerns with treatment of incarcerated individuals during Covid-19 outbreak. Specific concerns: people are on lockdown and are only being let out of their cells for 25 minutes a day every other day;	This case is COVID-19 related. I reached out to the family member via phone and email to inform them of the bi-weekly LFC calls. Elevated the concern to the correct Ombuds over the facility.	Information Provided

	forcing people to wait up to 45 minutes knocking to get out to use the bathroom; forcing them to slip a piece of paper in the crack of the door to indicate they needed to use the bathroom; if someone tests positive, or if they were celled up with someone who tested positive, DOC moved them to a cot in the gym for 10 days then put them in general population without retesting them; food is on cardboard which is inhumane and toxic. Complainant says SCCC is “violating every human right these men have left and they barely have any.”		
87.	Complainant is being harassed and discriminated by staff telling him who he can and cannot hang out with and treating him to be kicked out of the Skill Builders program.	Informed complainant that his letter was uplifted to Assistant Ombuds for SCCC for review.	Information Provided
88.	Complainant says that he was trying to use the phone but officers told him to go back to his cell so he did. He saw the officers open the dayroom so he went back to try and use the phone, but the officer yelled at him to get back to his cell. He was infracted. Says that he started having flashbacks of his father who would physically abuse him as a child and caused him to have mental health issues.	Person has not filed appeal to the infraction. Encouraged to file an appeal and/or write to DOC Disciplinary Program Manager and then contact us again.	Lack Jurisdiction
89.	Complainant says that he received a level 2 response but part B was blank. He says that he told them that it was missing info and DOC told him that he submitted the wrong thing. He says that he grieved them for not responding but DOC ruled it not grievable.	This case was resolved onsite with staff. Part B was blank because DOC was not done filling it out – that is the portion where staff officially type up the complaint and give a copy to the complainant.	No Violation of Policy
90.	Complainant says that he filed a grievance and DOC did not response and granted itself an extension. Says that the grievance coordinator told him to file a level 2 appeal, so he did. He says that his grievance was ignored for almost a year and he still has not received a response to his appeal. Says that he attempted to file a level 3 appeal but it was denied.	DOC has moved the appeal to a level 3 due to timeframes not being met during level 2 investigation.	DOC Resolved
91.	Complainant says that he was sent to the IMU for involvement in introducing or transferring drug paraphernalia into the facility. He says that he had nothing to do with drugs and has never been written up before.	DOC has a very low bar for evidence and after reviewing the disciplinary packet, it appears to have met the “some” evidence standard through the phone call evidence and	No Violation of Policy

		use of CI. Recommended additional self-advocacy via writing to the DOC Disciplinary Program Manager.	
92.	Person has asthma and he is concerned about living in G unit A pod because the unit below him is where Covid-positive people are housed. Has made multiple attempts to be moved, to no avail.	OCO cannot impact facility placements, but we did raise his concern to staff.	No Violation of Policy
93.	Complainant says that he purchased headphones that came with a lifetime warranty but when he tried to use the warranty for repair the institution would no longer accept the return of the headphones. Says that he doesn't believe the institution should be allowed to not allow a warranty and then force him to purchase new, more expensive headphones.	The repair of his item is between complainant and the manufacturer, not DOC. DOC would either allow this to happen or he could file a tort claim. Sent him information on options and next steps for resolve.	Information Provided
94.	Complainant says that he never had to register as a sex offender, so he thought it would be okay to attend his annual Native American pow-wow. His counselor then went through his file and found his juvenile conviction so he and his family were not allowed to attend.	We could substantiate his concern. We reached out to HQ and they were able to review his records and found that the denial was mistaken. He is able to participate in cultural events and doesn't have a charge that would warrant that denial.	Substantiated
95.	Infracted for possession of a weapon after a DOC staff search found a weapon under his mattress. States that the weapon was planted.	No evidence was presented to substantiate the allegation that the weapon was planted. Recommended that the person contact OCO on the hotline if there is more information that we are missing to the case.	Unable to Substantiate
96.	Complainant says that someone else sent out mail that was opened by mail staff. The staff thought it was complainant who sent it out and gave him a rejection notice. Says that he filed a complaint form which was ignored.	This case was resolved onsite. Complainant was concerned that DOC thought he was sending something out that he wasn't. They are aware it was not him.	Assistance Provided
97.	Complainant says that he was placed in segregation for a WAC 509 violation. He was meeting with a counselor because he felt unsafe about his living situation and wanted to refuse his bed assignment. Says that he was compliant throughout the whole process and is confused as to why he was written up for not following a directive.	Reviewed DOC records and do not see this infraction; believe it has been overturned.	DOC Resolved
98.	Complainant says that the unit counselor neglects his duties and neglects to assist in reentry services. He says that his ERD is approaching but he is not receiving help.	Advised complainant to contact our office after using the grievance process to attempt to resolve the concern at	Lack Jurisdiction

	Says that the counselor is not making his release easier and is prolonging his release by putting off communications with him.	the lowest level. Provided him with Ombuds Review Request Form that he can use if necessary.	
99.	Complainant says that he is facing mental anguish, stress, and depression. He says that he was taken to segregation for witnessing an officer attack on a black incarcerated person. Says that DOC is trying to silence him. He says this is staff retaliation and that he has been subjected to constant harassment.	We requested all records of all people held in IMU following this incident. This hold in IMU was long but within policy. Asked DOC to expedite releases of these individuals. This person was moved out of IMU. OCO is still reviewing equity issues and we have asked for feedback from this individual.	Assistance Provided
100	Complainant says that his eyeglasses broke in 2019 and he was told by other individuals that DOC did not provide them with new ones until 2 or 3 years later. He met with optometrist already but has not received his glasses. He filed a grievance and it has been over 18 months and the issue still is not resolved. Requested to receive a new pair of prescription eyeglasses.	Glasses were ordered last November but they were discontinued. This impacted a group of patients who had to be rescheduled to choose new glasses. DOC stated the reordered glasses should arrive in 4-6 weeks.	Information Provided
101	Patient says that he has ongoing pain in his shoulder that he has not been getting proper medical attention for. He filed multiple grievances and kites but DOC say that he has a chronic condition, so the grievance is closed. Medical isn't making chronic care appointments due to Covid-19 outbreak status.	Substantiated chronic care appointment delays due to Covid-19 outbreak status. Confirmed patient is scheduled for radiographic imaging and a follow up with provider.	DOC Resolved
<b>Washington Corrections Center</b>			
102	Complaint from family member. Incarcerated relative has been at Shelton for months and has not been classified. Complainant reports that the counselor still has not even turned in his paperwork to get him classified.	Confirmed that complainant's relative was classified in March 2021.	No Violation of Policy
103	Complainant began experiencing what he referred to as a meltdown or mental breakdown. Complainant was sent to WCC IMU. In IMU he was found engaging in self-harm. After this, corrections officers claimed that he was being highly violent, saying he was trying to kick and grab someone. This was stated on the report that was used at his later disciplinary hearing. Report does not mention that he was trying to hurt himself. Feels he was treated unfairly.	Received and reviewed use of force packet and video. The video that was recorded by DOC was not a recording of the use of force incident but only of the transport from one part of the facility to another. The lack of proper video documentation is a recurring theme within DOC and is being addressed in an upcoming systemic report and meetings with DOC HQ. Without video documentation of the incident to compare to the use of force report, it is not possible to prove or disprove what is in the written	Unable to Substantiate

		reports as well as the allegations of the complainant. The use of force report does reflect that the complainant was attempting self-harm.	
104	Patient says that he requested his colostomy supplies but was told that medical forgot to order them. He says that they did not give him his supplies and improvised a urine bag without a vent and it makes other incarcerated people mad due to the smell. Patient says that he sent multiple kites and has gotten no response. Requested supplies.	Confirmed patient received supplies.	DOC Resolved
105	Complainant released from IMU to main. He is a drop-out gang member but staff put him in a unit with an active rival gang. Complainant immediately told staff it was a problem. Staff told him to either face infraction or be placed in unaffiliated housing unit. He refused housing multiple times and had pretend he was suicidal to get action. After the medical assessment found that he wasn't suicidal, staff tried to bring him back to the unit and he was kneed in the face by staff. He asked for it all to be documented and he was told no, it was his fault for refusing housing.	Use of force packet is in order and appropriate. Video evidence does not support the allegations and we are unable to substantiate what the claimant states he was told.	Unable to Substantiate
106	Complainant says that he took DOSA in 2017 and was revoked two times in 2018. Says that this caused his release date to go from under a year to an additional four years. Says that his DOSA got reinstated in 2018 but has been revoked again. He says that his is an illegal revocation and his due process rights have been violated.	DOSA revoke hearing was conducted when complainant was in Kitsap County Jail therefore OCO lacks jurisdiction to review case.	Lack Jurisdiction
107	Patient says that he had several issues with medical and mental health staff. Reports that he has HIV and submitted several kites for sick call. He says that since he was transferred, medical has refused to see him and has taken away his allergy medicine. Requested to receive medical treatment and for DOC to follow policies. Also requested refund on medical copays from December.	Individual was released from DOC; OCO no longer has jurisdiction. Uplifted copay concerns and provided information for filing a tort claim for refunds.	Lack Jurisdiction
108	Complainant says he is being targeted by staff. The same staff member that gave him an infraction also recommended IMU placement and this doesn't seem fair.	Upon review of DOC policies our understanding is that DOC is following policy 300.380.III.C.5, which states, "Other program area supervisors who have direct	No Violation of Policy

	Now he was in IMU pending the hearing and being demoted which seems like a double sanction.	supervision of the offender's activities and knowledge of the offender's behavior" are one of the approved included members of the FRMT.	
109	Patient says that he is being denied dental treatment and needs to remove one of his teeth. He has filed grievances, kites, and emergency grievances but has not gotten a response.	Confirmed patient has been scheduled with dental since transferring to a new facility.	DOC Resolved
110	Complainant says that staff are lying and acting in an unprofessional manner. He said that he was found guilty of threatening staff and got placed in the IMU. He denies making threats toward any staff and says there is no evidence to support the infraction that he received.	OCO investigated the infraction and supporting documents and was able to document a lack of evidence. DOC overturned the infraction.	Assistance Provided
111	Patient is in pain. Has been requesting to go to dental with no avail. Wisdom tooth on the right side is where his pain is occurring. Has some swelling that occurs also in his neck at times. Requested to be seen by dental and have tooth removed.	Confirmed that procedure occurred.	DOC Resolved
112	Complainant says that he was written up for flooding the cells, but he says he was not part of it. Says that there is no evidence, photos, or video supporting the infraction that he was written up for.	Complainant was residing in one of the cells that was flooded. He states that there were three people in the cell with him, but he reportedly was given the opportunity to request witnesses and he declined. No other evidence exists to support his statement that he was not involved. He was not served within the stated 72 hours; however, DOC is not required to adhere to timeframes established in policy per WAC 137-28-400.	No Violation of Policy
113	Complainant says that he appealed his DOSA that got revoked. He was told that he would receive a response by a certain date but he did not. Says that his due process rights were violated by not having a lawyer present with him during his DOSA hearing.	Provided complainant with self-advocacy options for DOSA revocation concern.	Lack Jurisdiction
<b>Washington Corrections Center for Women</b>			
114	Complainant is in the Therapeutic Community Program and the program is allowing another incarcerated person to dictate their advancement in the program. People in the program are scared to come forward due to retaliation	We did reach to TC staff at Headquarters to relay concern. DOC Headquarters staff then held a meeting to go over phase up process and this concern. For more individualized information we would need a release of	Information Provided

	by the Therapeutic Community Manager. Complainant has been told she will never phase up.	information from the complainant. We gave her that information.	
115	Complainant says that they have attempted to grieve the name change policy since it is in conflict with the TGNCI policy but was told it cannot be grieved. Says that they should be allowed to grieve this policy. Reports that their name ID has to have their dead name and legal name with an AKA, which outs them as a transgender woman to everyone who sees the ID.	DOC is currently reviewing the identity badge policy 400.280 in conjunction with the new Trans policy 490.700. Once the review is done we will have more information. Currently DOC is not in violation of the policies.	No Violation of Policy
116	Complainant says that she is being forced to do things that she is uncomfortable with. She says that the TC program is mental and emotional abuse, degrading, and disrespectful. Also says that the program does not line up with her religious beliefs.	Per DOC policy 580.000 Substance Use Disorder Treatment Services: "Individuals who refuse admission, do not complete the treatment program due to their refusal, or are out of compliance with program requirements may be subject to disciplinary action." DOC was within policy to issue a 557 infraction. We have lifted up her concerns of mistreatment in the WCCW TC Program.	No Violation of Policy
117	Complainant says that she was placed in the TC program and it was not a requirement for her but she worked the program to the best of her abilities. Says that she was later kicked out based on a behavioral contract after getting into a verbal altercation. She says that she lost 20 days of good time that cannot be earned back and lost work release or the chance to get her GRE.	DOC is following policy 580.000 Substance Use Disorder Treatment Services: which states "Individuals who refuse admission, do not complete the treatment program due to their refusal, or are out of compliance with program requirements may be subject to disciplinary action." DOC was within policy to issue an 810 infraction for failure to maintain program.	No Violation of Policy
118	Caller reports that she was taken from the hill to receiving after being told that staff reported that they knew her so she would have to be moved. She was moved over with none of her property and states that she doesn't know anyone that works at WCCW. She is at WCCW on an education hold and wants to continue her schooling.	DOC has not violated policy by transferring her to another facility. Her classification has stayed the same and education is still being provided. DOC staff at WCCW has indicated they have mutual relationships in common with her, which creates a conflict of interest.	No Violation of Policy
119	Complainant says that she was found guilty of a 725 and was unaware that she is not allowed to message another incarcerated individual. She says that the mail staff should give them warnings. DOC also took away her tablet and JPAY but she is confused why her tablet is being taken.	DOC reduced the JPAY restriction to 90 days. Sanction appears to be in line with policy.	No Violation of Policy

120	Complainant says that she is having several ADA related issues that are unresolved with the ADA coordinator. She says that she is deaf and blind, so she has specific needs. Some of the issues she is having related to adaptive equipment and a lack of a medical assistant.	She filed a grievance and was seen by medical. She filed a grievance about access to the TTY phone and it was brought to the unit. Both of her issues were resolved.	DOC Resolved
121	Complainant states that a staff member has been retaliating against them for the past year, ever since complainant filed a grievance against the staff person which resulted in the staff person being investigated by DOC.	OCO has reached out to the superintendent regarding this concern and was told WCCW is monitoring the situation. Staff discipline is not within OCO's control. The complainant has not had any infractions or negative BOE's from this specific staff member since she grieved and reported the incident.	Information Provided
<b>Washington State Penitentiary</b>			
122	Complainant's brother was retaliated against because he tried to write a grievance against one of the correctional officers.	Complainant's brother was released from segregation after a week; the original infraction was reduced to a lower level infraction and he did not appeal it. No grievance recorded regarding the situation or the officer. Informed the complainant that if their brother is concerned about retaliation, he should contact OCO on our hotline and we can reopen the case.	Unable to Substantiate
123	Complainant was infraacted after he was given a box of sugar that turned out to be drugs. He and another person told an officer about it. The Unit Review Committee recommended that his job be terminated. Sergeant rejected that recommendation and instead sanctioned him to cell confinement for five days and reduced it to a minor since he believed complainant thought it was sugar. Sergeant also gave him another minor infraction for passing commissary. The review committee felt his sanction was not severe enough. Later informed by his counselor that he would have to wait six months before he could re-apply for his kitchen job. Says he is being punished twice for same offense.	Reviewed via appeal process: We cannot impact change here to get him his job back.	Information Provided
124	Complainant requesting assistance on understanding OCO decision on his case.	Sent him an OCO Closed Case Review form.	Information Provided

125	Complainant needs assistance in requesting DNA to prove that he is from a particular tribe in order to transfer to Minnesota.	Explained that per our RCW we need to have proof of an attempt to resolve this with DOC. OCO has asked that people seeking assistance from this office have a level 2 grievance for all concerns that are not medically related. Recommended that he file a grievance and follow up with us if the concern is not resolved within the resolution program.	Information Provided
126	Complainant says that he was found guilty of a WAC violation and wanted to appeal his infraction but the hearing officer told him he was not allowed to. Says that the infraction is regarding him being transferred to a facility where he has PREA enemies and would have been sexually assaulted. Says that his infraction should be thrown out.	The 506 infraction was dismissed; complainant only found guilty of the 663. He requested to go to work release but he was not eligible. Witness overheard conversation with counselor and counselor made no inappropriate comments; however, the complainant did allegedly use threats to intimidate the counselor with a PREA report.	No Violation of Policy
127	Complainant states that "Attorney Red Book" and "WA State Agencies" were materials thrown out by the WSP Law Library and have not been replaced. DOC stated that they were "out of date" but has not replaced them. Wants incarcerated population to be able to have input before DOC decides to throw away resources. Also wants copies of some federal laws and slip opinions – law library doesn't have these, and the law librarians will not help him obtain them.	Reviewed practices that other states engage in to provide access to attorney contact information. Reached out to the local publishing company that originally published the Attorney Redbook asking if they knew of any places to get this kind of publication. Did not find solutions: Other states do not have such access and the publishing company did not know of another entity that publishes that kind of resource. OCO will consider this concern for future systemic work.	Information Provided
128	States that DOC staff at WSP are using the WAC 714 infraction incorrectly and are not willing to provide folks with a 30 day notice of the changes to the WAC 714.	Re-reviewed: no further action can be taken. Appears that Union Supply is using old language from the WAC 714. WAC 714 has not been changed. Provided current definition of that WAC and related information.	Information Provided
129	Complainant says that he was transferred from WSP to MCC and a large amount of his property did not transfer over with him. Says that the packing receipt shows that WSP did not pack his missing property. Complainant believes that his property was stolen at WSP. DOC told him that there is nothing they can do because of Covid.	Reviewed DOC's attempts to find this person's property and found evidence that staff had performed search. Items were not found, tort claim recommended. Explained how to engage in that process.	Information Provided
130	Family member contacted OCO because she was concerned about her husband's well-being and his overall mental health. In January he was taken to medical and	AO performed two cell-front wellness checks with complainant's husband and provided him with self-advocacy information and appropriate DOC forms and	No Violation of Policy

	many people reached out to her because they were also concerned about him and his behavior. Family members report that they are not able to speak with him on the phone and they are worried about his safety.	appeal documents. Per DOC 300.380 and 310.150, MAX Custody Placements are appealed directly to Assistant Secretary for Prisons/designee. As of case closure date, HQ reports no appeal on file for this person. After wellness checks, elevated concerns to appropriate staff at HQ and elevated discriminatory concerns about the IMU requirement to remove braids as part of strip search before exiting pod to OCO's Race Equity Specialist for additional review and possible inclusion in report. AO reviewed use of force packets for incidents at CRCC and WSP and did not find serious violations of policy that warrant additional investigation.	
131	Complainant has had long-term ongoing lung issues and has not been getting care. He has been grieving and DOC will not schedule him to see the specialist he needs to see. Symptoms: chest pains, pins and needles in arms. Risk concerns related to stroke and heart attack.	FMD does not believe that referral to liver specialist is indicated. Complainant was referred to gastroenterologist who performed EGD and found Stage II varices. No indication for referral to lung specialist. Clinical opinions do not demonstrate any departure from accepted care standards at this time.	No Violation of Policy
132	Complainant sat in hole for six months, transferred, then went to mainline and signed up to receive mental health and talk about some of the issues that he's having. He wasn't eating, had paranoia, constantly afraid, had a lot of anxiety. They weren't trying to give him any help with the single cell. He's been in the hole over half his time in prison – only time he feels safe. Wants a single cell.	Provided the recent OCO report on Single Cell Restrictions and the streamlining of the policy. Unfortunately, even under the new policy language, mental health staff would have to make the determination that he requires a single cell; my understanding from the case notes is that staff are not supporting his request for a single cell. I sent him the waiver form for him to fill out and return that would allow us access to his mental health records if he would like us to pursue this further; if he responds with the form and more information, we can reopen the case.	Information Provided
133	Complainant says that he received several major infractions at WSP but did not have a hearing to contest them.	Reviewed DOC records regarding infraction history; only one infraction appears for the period in question. A date and time of the hearing is listed for that infraction. Closing the case but offering that the person should let us know if our information is incorrect.	Unable to Substantiate
134	Closed case review. Complainant has received many infractions which he believes are either wrongful infractions and/or that his due process rights were	CLOSED CASE REVIEW: The complainant reports that we focused on the wrong issue. My review of notes from the hotline calls with him is that his concern that he relayed was about the infractions and that's what we addressed. I	No Violation of Policy

	violated.	am sending him the DOC policy relevant to his concern and also a new OCO request form for him to clearly tell us what the concern is.	
135	Complainant states that his brother is an officer at WCC and is using OMNI to inform family about his status. This is causing problems with those family members.	DOC addressed the issue with staff. The policy surrounding confidentiality was discussed.	DOC Resolved
136	Complainant says that WSP medical failed to successfully treat his colon issues. Reports that he has rectal prolapse that can come back if it is not addressed. States that he had surgery but that it went wrong. Says that, as a result, he has hemorrhoids, constipation, and difficulty defecating.	Unable to open preliminary investigation until complainant's grievance reaches level one. Sent letter to inform him to appeal grievance; including mail and hotline options for contacting OCO once he receives the response.	Lack Jurisdiction
137	Complainant says that he is having issues with the mailroom. He says that he filed kites and grievances to resolve it but is being stonewalled. Says that his mail is being rejected but he is not being provided with a reason why. He was told he violated something on a statewide rejection list, but he does not know what that is.	Reviewed the mail rejection and appeal and found that the publication this person was receiving is not a publication that DOC allows due to sexually explicit material that is sometimes published. Explained what the statewide rejection list is and how he can get a copy. It is not something that is available to incarcerated folks at the facilities.	No Violation of Policy
138	Complainant stated that he reported a PREA allegation some time ago, but no DOC staff has spoken to him about the allegation. Instead, he was infraacted for fighting and is sitting in IMU and losing good time. According to complainant, he is the victim and the alleged perpetrator is out on mainline.	Reviewed DOC Policies: 490.800 PREA Prevention & Reporting; 490.820 PREA Risk Assessments & Assignments; 490.850 PREA Response; and 490.860 PREA Investigation. AO met with complainant in person and elevated his complaints to HQ and local staff. Reviewed completed DOC PREA packets and infraction hearings; no violation of PREA and disciplinary policies. Complainant released from prison before OCO completed investigation.	No Violation of Policy
139	Complainant reports that a new HSR placed him on in cell programing from 8am to 4:30pm and dropped him from being eligible for class B programing to now only qualifying for class A.	Medical staff made changes to the HSR in hopes that he would have better employment programming options. However, because the HSR still says that he may only work light duty, he is still not eligible for a class B job. This person is still on a list to be employed with a class A position and will be employed when there is a position open that fits the requirements of the HSR. There is no policy outlining what should take place in this type of situation.	No Violation of Policy

140	Complainant says that he has been sent to administrative segregation for pre-hearing confinement but is still in segregation past the maximum 30 days. Says that he appealed this issue and the superintendent made the decision to keep him in segregation. Says that he is being kept in the IMU for no reason.	Was held in IMU pending an investigation from another facility. DOC chose to hold him until the investigation was complete for safety reasons.	No Violation of Policy
141	Complainant says that he was supposed to have a visit with his daughter who lives out of state, but it was cancelled due to it conflicting with his work schedule. Complainant says that he is being punished for doing what he is supposed to do and staying out of trouble. Says that it is seeming like the only way to have a relationship with his child is to quit his job, which does not support his rehabilitation.	DOC is currently following policy 450.300 attachment 1 titled Video visiting which states that work/programming will not interfere with video visits.	No Violation of Policy
142	Caller states that in 2019 his TV was lost in transit. DOC recently found the TV, after he has already bought another. He is now being told that he'll have to dispose of one of them. He filed a tort claim and was offered \$0.05.	TV was sent for donation; DOC does not allow incarcerated people to decide where items are donated to. Explained that OCO cannot provide or impact reimbursement.	Information Provided
143	Complainant says that the second stimulus check is not subject to be taxed per IRS' current posting. Says that he has a document from the IRS saying that the second check will not be taxed including the PLRA deduction.	Agreed that the second stimulus check is not subject to deductions. Explained that if this person has a concern, that they will have to grieve or appeal the issue prior to OCO involvement.	Information Provided
144	Complainant says that he believes DOC is intentionally holding him past his ERD and is using erroneous policies to do so. He says that in the past he was held past his ERD and does not want this to happen again. Says that DOC does not have a policy that aligns with the directives and provisions of RCW 9.94a.729.	Per RCW 9.94A.729(5)(c) DOC does have the authority to hold people past their ERD if they do not have an approved release plan.	No Violation of Policy
145	Complainant reports that he had a mental health emergency and a use of force was used on him to stop him from continuing to self-harm. During the use of force, he says that he was choked by staff while on the ground and that staff placed him into cuffs and leg shackles and transported him to the restraint chair. Says that while being placed in the restraint chair, officers beat him. Says that he received an infraction for staff assault and was	AO reviewed the following internal DOC records: use of force, including handheld video recordings; grievance, including facility investigation; and disciplinary records, including appeal decision. Video shows one officer landing 19 close fist blows and three leg thrusts to complainant's right outer thigh while he was being placed into the emergency restraint chair. DOC staff appropriately referred this officer to a Just Cause Review.	Substantiated

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denied medical treatment. He grieved staff misconduct and says that the facility did not adequately discipline the staff.

AO directly communicated with superintendent about this internal review, which appeared thorough. Appears that the end result was an appropriate corrective action per policy. This case will also be included in future OCO systemic reviews of DOC policies 410.200 Use of Force (restricted); 420.250 Use of Restraints (restricted); and 420.255 Emergency Restraint Chair and Multiple Restraint Bed (restricted).