

OFFICE OF THE CORRECTIONS OMBUDS

Monthly Outcome Report: September 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.

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

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

Note: The following case summaries also include OCO's closed case reviews, in which a complainant whose case was closed requests a review by the supervisor. 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
Assistance Provided	OCO, through outreach to DOC staff, was able to achieve full or partial resolution of the person's complaint.
DOC Resolved	Case resolved by action of DOC staff prior to OCO action.
Lack Jurisdiction	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/apellate procedure)
No Violation of Policy	After reviewing all relevant documents and DOC policy, OCO staff determine that DOC policy was not violated.
Unable to Substantiate	Insufficient evidence exists to support the complainant's allegation.
Information Provided	OCO provides self-advocacy information.
Substantiated	OCO substantiates the concern/allegation and it is neither resolved by DOC nor can OCO assist with impacting change.
Decline/Other	Some other reason exists for the closure of the case, generally release.

Monthly Outcome Report

Institution of Incident	Complaint/Concern	Outcome Summary	Case Closure Reason
Airway Heights Corrections Center			
1.	My loved one received a major infraction for refusing a cell assignment due to him being concerned about his safety.	DOC facility administrators and Mental Health leadership reviewed the individual's hearing. While sanctions had been completed and could not be reversed, DOC agreed that the individual should be represented by a staff advisor in any future disciplinary processes, and is working to get his file updated with an Accommodation Status Report to ensure that happens. OCO's Mental Health Access and Services Systemic Report addressed the need for better staff training for situations involving mental health needs, and the need for better incorporation of mental health needs into the disciplinary process. DOC responded positively to both recommendations.	Assistance Provided
2.	Person reports that they went back to the cancer doctor about 3 months ago and was prescribed medication but AHCC medical denied it. Person wrote a grievance regarding this issue and have not received any response after three weeks. Person tried also writing via Kiosk with same result, no response.	Due to staff shortages throughout the facility, resolution responses were heavily delayed, especially medical resolution requests. Because of this concern and others, we were able to identify concerns within their process. DOC resolutions are now making changes to this process based on the concerns we've identified with them and we hope that this improves the resolution program at AHCC and statewide.	Assistance Provided
3.	I was on the phone with my fiance when he was called to his counselor's office while we were speaking. Approximately 15 minutes later my fiance called me back informing me that his counselor was yelling at him for an email that I, personally, had sent to doc regarding the GRE program. My fiance has had multiple issues with this counselor in regards to unfair treatment and today's	Reviewed I/I's grievance history and do not see a grievance filed on this. Responded to the complainant and emphasized importance of documenting staff conduct concerns through the grievance program.	Lack Jurisdiction

	incident is just one of several that he has encountered with her.		
4.	Patient says that he has requested several times to have triple hernia repair but was denied by medical. He says that he has stage 4 cirrhosis and his life expectancy may shorten due to anesthesia, however, says hernia repair is necessary to improve his quality of life. Hernias are impacting his ADLs. Requested to see a liver specialist, surgeon, and anesthesiologist for consult outside of DOC & create treatment plan.	No grievance on file.	Lack Jurisdiction
5.	This person was informed by DOC that their ERD would be changed because of a miscalculation of jail time credits. They think that this is not correct and they should be credited for the jail time. They report that DOC is interpreting the new ruling incorrectly.	This person's sentence was changed as a result of the Lewis Decision. This case determined that credits weren't being correctly applied per RCW 9.94A.505(6). What this means is that people must be given credit for time served while awaiting trial when a bail is available. In this case, because this person was convicted on one cause while being held in jail on another pending charge, they were not eligible for bail. DOC's interpretation of the law is that because they were not eligible for bail, they do not receive the jail time credit for the time served awaiting the newer conviction. DOC has sought legal advice to ensure that they are interpreting the decision correctly. This new decision has affected many people's time calculation.	No Violation of Policy
6.	Person reports that infraction is incomplete based upon that fact that it allegedly went against due process, as a Lt. isn't allowed to physically sign off on an infraction before it is written by the infracting staff. Also, infraction report wrote the person's name wrong, among other inconsistencies in the infraction narrative.	OCO reviewed all available documentation related to the hearing. While the date was written incorrectly, DOC sees this as a harmless error that is not sufficient to overturn the infraction. DOC cited video evidence that met their standard of evidence to uphold the infraction.	No Violation of Policy
7.	Reporter states that he is retired and 65 years old but, DOC is still forcing him to do GED programming. He states that this is	DOC is following RCW 72.09.460 which states that DOC needs to prioritize education by ensuring folks leave with a high school equivalency.	No Violation of Policy

	completely not helpful to him as he is elderly.		
8.	Person reports that DOC is not allowing visits with his fiancé. States that the no contact order has been lifted and DOC has no grounds to reject her from visiting him.	Confirmed that the desired visitor is a victim of the I/I's offense. Policy 450.300 (Section III) states that victims of incarcerated individuals' current or past offenses are not eligible for visitation.	No Violation of Policy
9.	Complainant reports that he was hoarding fruits and veggies in his cell to eat better and stay healthy after he contracted COVID-19. DOC staff conducted a cell search, and infringed him for a WAC 655 because he was in possession of the fruits and veggies. They only put the fruit on the search report. He states that he has no idea how to make pruno and was only hoarding the fruits and veggies for nutritional reasons. He does not feel like this infraction is justified, and the infraction can jeopardize his access to work release and successful re-entry.	OCO reviewed disciplinary information. The 655 infraction only requires that a person be in possession of "one or more ingredient(s) required to make a drug or intoxicant." I/I did possess the ingredients, regardless of his intentions with those items. DOC satisfied its low standard of evidence for this element, and so the infraction stands.	No Violation of Policy
10.	Mason county jail has not sent to DOC his jail-time credits. DOC is currently only crediting him for 61 days instead of 198 days. He filed a grievance and was told that DOC cannot change his ERD until Mason Co sends over his jailtime certification. DOC staff said they could not accept the documents that Mason Co Jail sent him, they stated that they need the information directly from the jail.	DOC used updated and correct jail time certifications to calculate this person's good time.	No Violation of Policy
11.	I/I says that his TV was damaged and he was over charged for the transfer of his TV to AHCC. I/I says that the grievance coordinator told him that the damage on his TV could have been from a fight in his cell and there is no evidence that it got damaged in transit. I/I says that this fight did not damage his TV because it was on the side against the wall. As for the over charge, the grievance	Evidence did not exist to support that staff damaged his TV or that he was overcharged for the shipping of his TV.	Unable to Substantiate

coordinator told I/I that Fedex and USPS increased their shipping costs. He kited and asked how much it would cost and got the response that it would be \$7.26 but he got charged \$11.19.

Cedar Creek Corrections Center

12.	Complainant is releasing on September 10, 2021. Lost property, namely jewelry and clothing transferring from CCCC. Grievance has a response date set for 08/20/2021. Complainant releasing soon so would like this resolved.	Unfortunately, OCO does not have the ability to locate lost property, nor can we provide reimbursement. We provided them with information on actions of recourse.	Information Provided
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Clallam Bay Corrections Center

13.	Complainant states that a syringe was found buried in his cellmate's box of sugar. He was infraacted with a class A infraction for it being in the cell although he had no idea it was there.	DOC was willing to lower to a 752.	Assistance Provided
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14.	I/I spent months in IMU at Monroe then was transferred to IMU at Clallam while awaiting a bed. His mental health is suffering from solitary confinement.	After an onsite discussion with DOC management he was moved.	Assistance Provided
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15.	New negative BOE written by officer and he was told to go to his cell. This harassment is consistently happening by the officers at the facility and CPM keeps upholding the negative BOE's. He feels as though this intentionally keeps happening to him. He believes this officer is targeting him because of miscommunication between staff of something written in his file.	BOE was changed to accurately describe the situation. Concern with staff was addressed by the facility.	Assistance Provided
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16.	I/I says he was transferred from CBCC to WCC with 2 boxes of property and at the time he had legal issues/cases in court and needed all his legal boxes of property to	We were able to prevent the destruction of property for 180 days. We sent correspondence detailing the steps to take for filing a tort claim. We can't substantiate collusion between the Postmaster General and DOC to prevent/ hinder mail or	Assistance Provided
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	address these concerns. He asked for his 5 boxes of legal contents to be transported with him, and he filed a grievance for that. The CBCC grievance coordinator sabotaged the process at level 2 of the grievance, saying he needed to rewrite the grievance. He rewrote the grievance and when he inquired about the grievance again was told they did not receive the rewrite.	increase the price. Actions Taken: Review of policy & documents, reach out to DOC personnel. Policies reviewed: legal/property 590.500, 130.410, and 440.020.	
17.	He was supposed to be transferred out of Clallam to a lower custody, and has not transferred.	Due to a COVID-19 outbreak, nobody is transferring at this time	Information Provided
18.	Person says they have asked twice now for DOC HQ Classification to remove the requirement that he has to interview for & do the SOTP program. The program isn't on his J&S and DOC has refused to remove the program requirement. Until he completes the program he will be ineligible for lower custody levels than MI3.	Since we received the concern, he was transferred from Clallam Bay to Stafford Creek at a lower custody level. He would not even be considered for the SOTAP program until approximately 24 months before ERD. He has not been assigned to SOTAP, and it is still unclear until closer to the ERD if he will be.	Information Provided
19.	Caller filed appeal for 724 infraction (possessing cell phone). 6 month review and GRE are delayed due to this issue.	I/I didn't appeal infraction, OCO doesn't have jurisdiction. Closed without further investigation.	Lack Jurisdiction
20.	APPEAL: Was sanctioned under GVRS. He did not even know the people that were fighting and was sanctioned unjustly. States that a DOC staff member just adds people to the GVRS list without even knowing if they were involved. He is abusing the GVRS program.	Case closed during in-person facility visit. As this is a systemic issue our office will be reviewing concerns regarding current Group Violence Reduction Strategy (GVRS) policy.	No Violation of Policy
21.	Has appealed grievance, that is related to an infraction. Has been elevated from Level I to Level II 3/29/21 and has been pending with extension (due 7/14/2021). No final determination has been made, at Level II. Is concerned that it is taking so long.	We reached out to DOC Headquarters regarding the delayed response. Due to that reach out, the resolution team will be overseeing to make sure he receives a response.	Substantiated

22.	<p>Complainant reports that DOC staff tampered with his mail to take out a disc that he was trying to send to the Supreme Court. He reports that the law librarian saw him place the disc in the package to be mailed, however he received a letter from the Supreme Court stating they never received the disc.</p> <p>He was also researching a legal case in his cell, he was asking to exit for search, when he went back in documents he was examining were missing and replaced with another document. No notice of contraband from the search.</p>	We could not locate evidence that County officials directed DOC to switch out legal documents. Regarding his missing items, we were able to substantiate DOC sent out those documents. There are several reasons these documents could be missing including-they were lost in the mailing system, or they were misplaced by the courts. We cannot substantiate wrong doing by DOC.	Unable to Substantiate
Coyote Ridge Corrections Center			
23.	I/I says there is a discrepancy between their understanding of their good time (159 days) and DOC's understanding of their good time (13 days); DOC reported in a letter that this is due to a case and admission to a different facility (WCC) that the I/I says never occurred.	DOC reviewed this persons sentence and adjusted it to the correct release date.	Assistance Provided
24.	<p>Caller states that he was never given a mail rejection when he was infraacted for introduction.</p> <p>Policy wasn't followed (he never received a mail rejection) so he wants the infraction dismissed.</p>	DOC agreed that the policy was not followed; subsequently issued a mail rejection notice and allowed him the opportunity to appeal. However, they were unwilling to overturn the infraction as the evidence supported the infraction and the infraction process was followed appropriately.	Assistance Provided
25.	Family member's concern is that officers and staff investigating an incident refused to view video footage of the incident. Believes DOC staff are trying to scare and threaten the I/I into giving a false statement; believes video footage would prove the I/I acted in self defense.	OCO reviewed video footage, but it was not clear enough to identify involved individuals, or show self defense on the part of the individual. Further, self defense is not a defense to the infractions that were given. DOC has met the low standard of evidence to uphold the infractions.	No Violation of Policy

26.	Unable to provide UA specimen because he had just used the bathroom, mouth swab option wasn't offered or an extra hour. He was willing but they wouldn't allow. Given major infraction. He lost his job because of this.	DOC Policy 420.380 states that individuals are only given one hour to produce a specimen for a test, and oral swab tests are not offered as an alternative if an individual does not have an HSR to explain their inability to produce a specimen. This test appears to have followed DOC procedure.	No Violation of Policy
27.	Caller was given a 752 infraction (possession/positive U/A). This was given because there was contraband (spice) found in the 4 man cell which he lived. He was not in the cell when the group of people were found and did not participate in using the contraband found.	Even though I/I wasn't in his cell at the time the contraband was found, because it was found in a common area of the cell, he was infraacted for it by a cell-tag, which is not a violation of policy.	No Violation of Policy
28.	Disputing infraction: individual received a 607 – Refuse UA Test. However, he's been on medication to help him not pee as he only has one kidney.	DOC Policy 420.380 states that individuals are only given one hour to produce a specimen for a test, and oral swab tests are not offered as an alternative if an individual does not have an HSR to explain their inability to produce a specimen. Citing a medical issue at the time of the test is not sufficient; the HSR must already be on file. This test appears to have followed DOC procedure.	No Violation of Policy
29.	Complainant relayed concerns regarding court transcripts, needed for his appeal sent by a family member, rejected for third party communication. Contends, per Policy 590.500, he should have been allowed to receive said court transcripts even though they were sent by a family member. When his family hired a lawyer, at significant personal cost, the lawyer sent the transcripts which were allowed. Complainant expressed a desire to file a Tort claim.	Closed Case Review: Original case work correctly completed by ERO; no further review. Original Case Closure: Per policy 590.500 individuals are permitted to communicate with family members, friends, and support groups in order to obtain assistance in pursuing legal matters. It does not stipulate correspondence may be sent via a third party to gain unauthorized copies. It is only to obtain assistance in pursuing legal matters. As it appears the complainant may be contemplating monetary compensation for financial costs incurred, we provided Tort claim self-advocacy options. However, this information should not be construed as legal advice.	No Violation of Policy

30.	Tensions have been extremely high at Larch Corrections Center and it seems that the officers are growing increasingly controlling. I completely understand that the pandemic must and will be addressed at Larch, but the way it has been handled has made absolutely no sense. The officers are unbelievably strict with inmates wearing masks, to the point that they insisted on inmates wearing masks even while they were OUTSIDE at yard, and there were only about five inmates outside at the time. It would be one thing if officers were held to the same standard, but of course they're not. Corrections Officers who speak openly about how they refuse to get vaccinated have been seen standing INSIDE WITHOUT masks on. This is a ridiculous discrepancy. The officers are clearly more concerned with controlling the inmates than maintaining any sort of safety within the facility.	At this time, this person has not fulfilled RCW 43.06C that states, " we cannot look into an issue unless the person has reasonably attempted to resolve it via the grievance, administrative actions, and or the appellate process." We provided this person with the steps they need to take.	Information Provided
31.	Person has been experiencing harassment from an officer in his unit. This started since Feb. and has continued for months. He is being infractioned continuously, does random cell searches more frequently than needed, says he comes into his room while sleeping and will wake up to him staring at him. (officer name in notes).	These concerns were regarding general infractions- something our office does not review. We did however give information on how to appeal infractions as none of these were. Concerning the harassments behavior, we informed them to file a grievance regarding that harassments so we could fully review his concerns.	Information Provided
32.	I was in a career opportunity program for the wastewater treatment which I earned. I have 5 days open in my schedule during the week and they forced me out of the program which is only 2 days a week. I was an essential worker and they forced me out of the program to put me in the legacy program. Which I asked specifically about	This treatment was assigned by HCSC based on their CD screening. Their J&S stated they needed to undergo evaluations and comply with the treatment recommended. At this time we can't substantiate this move is a violation of policy. DOC has stated that when person in custody reaches a particular level of achievement in the program, they may be able to return to that job training.	Unable to Substantiate

back in 2019 and they denied me. There is No reason why I could not do the treatment program when I am home (outpatient) so that I could continue my career program. It is meant for reentry for when I am released and they took it all away.

Monroe Correctional Complex

33.	Visiting has always been a pleasure, as the officer that usually runs visiting in the Minimum security unit is always extremely pleasant, accommodating, and truly treats me and my family as if we are just that, a regular family. On this date however, my experience was quite the opposite. Visiting staff was barking at me about us having our masks on, which I of course was going to put on before entering the building. He would not allow my son to bring his small toy to occupy himself even though they were of course not going to allow him to play with the community toys usually supplied at visits. I brought our own toddler sized mask for my son, which redacted refused to let him wear and forced him to wear one that was way too large and uncomfortable for him. For the remainder of the visit we were absolutely stiff as staff continued to bark and yell at us about my TWO YEAR OLD SON keeping his mask on.	I lifted this concern to the Superintendent with the name of the staff member. DOC protocols state a child is suppose to be provided a child size mask.	Assistance Provided
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34.	Person would like help preparing for release (including arranging a court-ordered mental health evaluation); reported ongoing difficulties with prescriber; has not been seen by mental health provider in over a month and would like to resume appointments.	Confirmed that complainant saw mental health provider and had resumed visits of 4-6 week intervals. Flagged problematic relationship with prescriber for DOC; they agreed to have primary therapist present at future appointments prior to release. Confirmed that DOC arranged for his court-ordered mental health evaluation. Alerted resolution program manager to problem with unreceived or unprocessed grievances. Alerted mental health/health services to complainant's desire to receive 30-day refill of medications upon discharge.	Assistance Provided
35.	I/I given an infraction for refusal of a UA, but the UA was at the direction of medical staff and I/Is should not be infractioned for refusal of medical procedures.	OCO reached out to DOC; DOC overturned the infraction.	Assistance Provided
36.	Overlapping medical concerns. Patient says medical found three lymph nodes in the area they did the recent hernia surgery. He was told he would see the doctor, same day as ultrasound and xray. He was never seen. He keeps being told via kite to be patient he is on the callout and it has been several weeks and he still hasn't seen provider. Inadequate pain management, awaiting answer from CRC but hasn't heard back yet. Additional concerns uplifted by patient via hotline including worsening symptoms, delayed DOC response to medical emergencies, and continued charges for chronic care appointments (see notes for details).	Pain management plan approved by CRC. Confirmed surgeon follow up. Confirmed eye care specialist scheduled. Pending neurology appointment. Refund issued for chronic care appointments and shared DOC contact & process info with patient for future refunds. Substantiated delayed DOC response to medical emergencies. Uplifted systemic concerns within DOC & OCO.	Assistance Provided
37.	Unclear what the persons concern is. Persons cites a lot of information OCO Review Request form.	Uplifting to ERO for their facility to possibly obtain clarifying information via phone call.	Declined, Other

38.	After a housing review was told she would be transferred due to an infraction; also does not want to go to a facility with an active mainline.	They will stay in the unit they requested.	DOC Resolved
39.	He received a 705 infraction for staff assault when he accidentally coughed on a staff member passing them in the hall due to his allergies. His appeal was accepted on March 25, but they still haven't responded, which is past the time frame DOC should respond to the appeal. He is concerned that this is pushing his release date back a month and affecting his housing.	OCO could not locate the infraction in OMNI; appears that the infraction was overturned.	DOC Resolved
40.	Person states he was given a picture that DOC had approved then a year later gave him an infraction for a 728. The picture is approved and does not understand why. Then he was also sanctioned by taking away his Jpay player.	Infraction was dismissed as assistant superintendent had a hearing to dismiss it due to lack of evidence before superintendent had hearing to uphold it.	DOC Resolved
41.	CUS told him was going back to F unit; he wrote a kite saying he was not comfortable going back to that unit due to another person writing a PREA on him.	he will not move back to E/F (medium) unit and they do not want to house him in IMU. He will move to C/D (close) until he is ready to go back to medium.	Information Provided
42.	Person is filing a complaint on behalf of a peer who person says was wrongly put in the hole (COA) for no good reason and has been there for two weeks, violating RFRA.	Concern was sent to our office by complainant uplifting the concern on behalf of another individual in their unit. Sent letter to complainant and to the other individual in an effort to obtain more information and consent from the individual of concern.	Information Provided
43.	Person reports that DOC has been deducting LFO payments from him since his incarceration began in 2010. Person states that at the time of his sentencing the presiding judge noted in his J&S that no deductions be made by DOC as it is reflected on the face of the J&S.	He is not paying legal financial obligations. He is paying the deductions of incarcerations. 5% crime victims compensation, 20% cost of incarceration and 10% savings. Per policy 200.000 and RCW 72.09.480	Information Provided

44.	<p>Person requested a single cell due to mental health issues and was informed they would be on a waitlist. Person explained their psychological disabilities to Mental Health staff who refused to advocate on their behalf. Person says their current roommate is okay but will be released within the year leaving person vulnerable to potential manipulation and/or abuse by another roommate.</p>	<p>Person initiated grievance process but grievance was sent back for a rewrite. Person has not submitted a rewrite at this time. Sent person a letter and encouraged them to continue attempting to resolve concern at the lowest levels first by rewriting the grievance and appeal response up to a level one, then contact our office again and OCO staff can look into their concern.</p>	Lack Jurisdiction
45.	<p>Person says staff member mistreats certain individuals by letting them be bullied by a certain offender.</p>	<p>Per RCW 43.06C, we cannot look into an issue unless the incarcerated person has reasonably attempted to resolve it via the grievance process, administrative actions, and/or an appellate process. Sent letter with information on next steps to resolve concern at lowest levels and once those steps are complete how to contact our office.</p>	Lack Jurisdiction
46.	<p>Closed Case Review: Individual's family member stated that OCO response did not include information about a witness that the I/I requested, but was denied during a hearing.</p> <p>I/I received infraction for altered urine specimen.</p>	<p>Closed Case Review: The witness that was denied was the infracting officer, which is considered an attempt to "cross examine" a witness. This is not permitted, according to WAC 137-28-285. DOC was within policy to deny the witness, and the written notification of denial was filled out on the hearing form.</p> <p>Elements of 778 infraction met, sample appears to have been altered, no way to test whether it was altered by spit as DOC is saying or sperm as I/I is saying.</p>	No Violation of Policy
47.	<p>I/I says that he worked as a chapel clerk and was authorized to print documents from the chapel printer for his programs. I/I says that he typed a personal goal paper for one of his programs but a LT. thought I/I was being dishonest about this. I/I then received an infraction for forgery, counterfeiting, etc. I/I says that there is no evidence to support a guilty finding and that the LT. wrote the infraction out of spite.</p>	<p>There appears to be sufficient evidence (staff statement) to support the 889. OCO requested facility administrator review of the 654, but DOC was not willing to overturn due to their interpretation of the WAC.</p>	No Violation of Policy

48.	<p>PREA -- Individual reports she was recently sexually assaulted by a CO; he grabbed her upper arm and pressed against her breast, and when she asked him to move his hand lower down her arm, he grabbed tighter. The CO left hand marks on her arm, but medical staff refused to photograph the marks when they were fresh.</p> <p>She also expressed that she has received at least 5 strip searches by men while at MCC and isn't getting the proper strip searches according to DOC trans policy 490.700. Additional PREA related details in notes.</p>	<p>The PREA concern was investigated, and the action was found to be inadvertent and not intentional, which does not meet the standard for PREA. In regards to the cross-gender strip searches, DOC is following policy 490.700, which states: "Searches will be conducted in accordance with stated preference unless circumstances do not allow for the preference to be implemented during a pat or strip search. When a pat/strip search is not conducted according to the preferences request, an incident management reporting system report will be completed." Our office was able to verify that incident reports have been filed in the appropriate manner</p>	No Violation of Policy
49.	<p>Caller states that he was infracted for a 505 (fighting) even though he did not throw a punch. He appealed the decision but, the infraction was upheld. This person feel unjustly infracted.</p>	<p>Video shows him go into his cell with multiple different individuals who are not his cellmate(s). Medical personnel also said he had wounds consistent with a fight.</p>	No Violation of Policy
50.	<p>Complainant states he does not meet screening standards for Work Release. Appealed to HQ but HQ does not want to approve his address. Wants to get a good start upon release, hasn't seen his kids for 5-years. In prison for driving offenses and no offenses against the mother of his children. Submitted a detailed Release Plan to DOC outlining multiple accomplishments achieved during incarceration and goals for release.</p>	<p>DOC is following policy 300.500, which states: "An individual is prohibited from work/training release placement and should not be considered if the individual has a current local victim safety concern." Because of a local victim safety concern, he was initially denied at the work release he was targeted for. He has now been placed on a waiting list for a different work release.</p>	No Violation of Policy
51.	<p>I/I says that someone other than I/I had drugs mailed into the facility and it had nothing to do with I/I. He says that he a confidential source said that I/I had the drugs and he was found guilty based off of that statement. I/I says that he never told anyone to send him drugs and the infraction even said that the drugs came in through someone else's name.</p>	<p>I/I says he was infracted when someone else introduced drugs into the facility. Review of the confidential information shows evidence of I/I conspiring to introduce drugs into the facility by mail.</p>	No Violation of Policy

52.	APPEAL: PREA case opened August 2020 is not being investigated in a timely manner and they have a conflict of interest with assigned lead investigator.	Made outreach to DOC staff at both the facility and headquarters level. Final response was the PREA case is now closed and is being forwarded to headquarters. DOC made the determination that I/I refused to be interviewed despite OCO's outreach arguing to the contrary. Can confirm the previous investigating officer was involved in a prior use of force. Also noted that prior to the closing of the PREA case I/I reached out to OCO to provide a condition for participating in being interviewed due to a conflict with said officer. However, we do not have the power or authority to independently make any changes to the situation, and DOC has not violated any policy in handling the case despite the delays. The facility executive team also felt that the use of force was long enough ago that the assigned investigating officer was appropriate for the task.	No Violation of Policy
53.	Person says that his Jpay email is being restricted, however DOC claims it is not therefore discriminating against him and refusing to allow him to appeal and/or contest the restriction. When person received a check from a foreign embassy, IIU at SCCC has his Jpay account restricted and withheld the money order. After confirming it was not fraudulent SCCC deposited the money order 40+ days later. Since then his Jpay take longer than other people's.	This issue was investigated by DOC and there was no hold on DOC's side or Jpays. Some of the delays could be caused by the issue with Covid-19 at that time, which our office has no impact to change. Our office looked for grievances regarding retaliation and could locate none. We gave the person the next action steps, so we can fully review the concern.	Unable to Substantiate
54.	Complainant states mailroom staff stole 26-pages of incoming mail from the US Dept. of Justice without issuing a mail rejection per policy. Claims this is clear retaliation for past grievances and complaints about the mailroom.	Reviewed all grievance documents and interviewed the Mailroom Sergeant. Could not find evidence to demonstrate that staff destroyed the I/I's mail.	Unable to Substantiate
55.	Reported that his counselor called him an F*** N**** - has not yet filed a grievance but was informed that he should do so immediately and then notify us of the result.	He did file a grievance and it was sent back for rewrite. He did not complete the rewrite and he has now released from custody.	Unable to Substantiate

56.	His mom is elderly and close to death. He wanted to be close to his family either at CCCC or LCC. They intended to move him there and then he ended up at OCC.	Unfortunately our office has no jurisdiction over facility placements. After review of policy 300.380, the placement is not a violation of policy. Provided information on how to appeal placement.	Lack Jurisdiction
57.	Person says that they were not sentenced to community custody therefore they do not need a release address. Policy states that since they do not have DOC supervision they do not qualify for the housing voucher. Person believes this is an over sight in policy. Person has voluntarily completed 18 months of chemical dependency treatment but will be released with \$40 and a bus ticket. Person says they have done 5 years in DOC and will be released with nothing because their crime wasn't serious enough and this is setting them up for failure. Also, person says they were told they do not qualify for GRE, work release or the 10 day early without explanation.	We worked to mediate the concern by reaching out to DOC headquarters about the need for assistance with housing when this person released. At this time they may qualify for a post release program through DSHS called HEN, but they don't qualify under the basic requirements for housing under RCW 9.94A.729(5)(d).	No Violation of Policy

Stafford Creek Corrections Center

58.	He is currently housed in Ad-Seg and has not received medication for PTSD for over a week.	We reached out to medical in regards to medication. The concern was forwarded to the prescriber. Keep on person medications is not allowed in Ad Seg so he will have to get medication through pill line while housed there.	Assistance Provided
59.	Patient reports that 28 months ago they had a tooth pulled by the oral surgeon. The stitches came out and left a hole that hasn't healed. They have had 2 surgeries since then for related issues, but the hole still isn't fixed and because of that they have chronic sinus infections. Because of the sinus infections he is told they can't do the surgery to fix the hole.	Patient called hotline to provide update that he received his surgery after OCO outreach and that issue was resolved.	Assistance Provided

60.	He was discontinued from mental health medication from his psychiatric prescriber for missing pill line.	This has been an ongoing issue reported to OCO from Stafford Creek. In the mental health report our office published, the DOC response indicated a memo was sent to all psychiatric prescribers that strictly prohibited the discontinuation of medications without assessing the patient. This has been lifted to DOC HQ who is performing an audit of grievances regarding this issue.	Assistance Provided
61.	I/I says that he received a false infraction; a female officer said that he made a comment to her that he did not, and he was charged with sexual harassment. He says that this infraction came after he voiced concerns about the amount of attention that she was giving to another incarcerated individual.	DOC launched its own investigation into the officer's actions and it appears there is merit to the allegation. The infraction was dismissed.	Assistance Provided
62.	Person reports that they have been in the IMU at SCCC after being transferred from MCC following an II investigation and 603 infraction. Person reports they were transferred to that particular facility to be screened for CD treatment, however was later told it is no longer offered there.	This person was able to attend their FMRT hearing in which all their concerns were addressed and they now know the facility of placement and that the proper programming will be provided.	DOC Resolved
63.	Retaliation from mailroom staff following investigation of mailroom employee	We sent a letter informing this individual to file a grievance regarding retaliation. We also included the working definition of retaliation and our three pronged approach, for clarification.	Information Provided
64.	Caller reports that he paid for postage for his property to be shipped to OCC and he has never received them. He also never received the shipping receipts for the shipping (although the deductions are on his spendable account.) He has grieved this with OCC and SCCC and neither are able to tell him where his property is.	Unfortunately, OCO does not have the ability to locate lost property, nor can we provide reimbursement. Gave information on next actions of recourse.	Information Provided
65.	The physical mail/jpay mail/video grams continue to be ridiculously slow. My husband has video grams from me from mid-	Our office has no jurisdiction over Jpay issues. The complainant states this was something we agreed to review at another time. With that information, our office requested	Lack Jurisdiction

	June (its nearly mid July) that he has not received and yesterday he got a picture that was sent 9 days prior and there are dozens more waiting. Physical mail takes 2-3 weeks to arrive to an inmate once it lands at Stafford. Beyond ridiculous and just downright cruel.	records from the facility and HQ regarding timeframes of Jpay messages. At this time, we were able to get records that show that each facility is falling within the seven day time frames within the past month. We will be closing out this investigation as we have no jurisdiction, cannot enforce repercussions for staff, hire more staff and DOC is in timeframes.	
66.	I/I says there is a false PREA against them and wants it taken off their record.	Provided information on steps to get a keep separate removed. Explained that OCO will not intervene until he has tried to resolve the issue with DOC and that we reviewed the keep separate, and did not see that it was in place in any violation of DOC policy, WAC or, RCW.	No Violation of Policy
67.	Caller now at CCCC after being transferred from SCCC after an anonymous Kite claimed he was having a sexual relationship with a CO. His JPay messages sit for weeks and he says his property has been damaged. His last grievance was rejected due to an ongoing confidential investigation by IIU.	DOC policy 450.050 prohibited contact states in cases of staff sexual misconduct the employee will be removed from the call list. This PREA investigation is still ongoing.	No Violation of Policy
Washington Corrections Center			
68.	Person received a 728 infraction and initially waived his right to attend. However, his cellmate took responsibility for the contraband so he tried to submit a witness statement along with his own statement and was denied both. DOC staff tried to help him submit those to the Hearing Officer but the HO refused them. Then the complainant tried reverse the waiver and attend the hearing but the hearing went on without him anyway.	I/I initially waived appearance and tried to change his mind but the hearing went on without him. DOC removed the infraction from his record.	Assistance Provided
69.	Person was found guilty of a 702 infraction, however, person states he did not commit that infraction by definition. DOC found him guilty. Person says that in the appeal the Superintendent even states that "the items	Infraction for a 702 was dismissed when the element of a "tool" was specifically stated as not having been met on the appeal paperwork by Assoc. Supe.	Assistance Provided

	recovered DO NOT meet the definition of a tool".		
70.	<p>He has filed a complaint with your organization and a medical grievance. Still NO one has replied contacted or tried to remedy the situation.</p> <p>I wrote 8 different emails to 8 different DOC employees including the superintendent at WCC . I have gotten no results not even a we received your email. He has now been on this hunger strike for 5 days along with the other inmate in unit R/5. He can barely talk his cough has gotten so bad due to the cold in the unit please help them some please go see the inmates</p>	He has been moved out of the R units and back to Clallam Bay.	DOC Resolved
71.	<p>Complainant says that they're incarcerated on a DOSA revoke and was told that he would be the first person to get into the Chemical Dependency class at WCC but was then told by his counselor that HQ sent the CD instructor an email telling her to hold off on putting him in the class while they investigate a DOSA revoke. Person says he was evaluated by DOC at 3.3 level of care; however, WCC only offers 2.5 level of care.</p>	When Substance Use Disorder Treatment is available he will receive it. It is unknown if he will retain DOSA at this time due to infraction behavior.	Information Provided
72.	<p>Disputing a 603 infraction. Found guilty on Confidential Informant testimony. Claims alleged code language were regarding a fund raiser and not code for drug transaction. Claims he was neither given the opportunity to testify nor receive copies of supporting documents.</p>	OCO elevated to the facility superintendent. The statement the I/I gave in defense of their innocence could not be substantiated. With the confidential investigation information provided, DOC appears to have sufficient evidence to uphold this infraction.	No Violation of Policy

73.	Person says that he received a 505 fight infraction, but he was the one assaulted.	I/I received 505 infraction but says he was the victim. Infraction packet says that he was checking outside of his cell and looked upset and agitated, summarizes CI information that he had observable wounds and the other I/I did not. Low evidence standard appears to be met.	No Violation of Policy
74.	I/I believes they and other I/Is are receiving incorrect calculations of sentenced time; specifically, they are referring to a violation of DOC Policy 350.100 which allows good time deduction from the minimum term rather than the maximum term.	Reviewed policy and time calculation. Was not able to find any issues with the time calculation. Also, I was not able to find in policy where it clearly states that DOC is required to use their minimum term to calculate earned time.	No Violation of Policy
75.	I/I says on multiple days medical at WCC at IMU-South violated his HIPAA rights. He asked for privacy and not to talk at his cell door and was told to talk there or don't receive medical. Also concerned that incarcerated individuals are asked PREA screening questions at cellfront.	OCO conducted interviews of DOC staff and held several discussions with DOC HQ staff. We substantiate that DOC staff asking incarcerated individuals sensitive screening questions - medical and PREA - at cellfront both happens and is a concern. However, we do not have a resolution as both limited staffing and space issues impact the issue. We will continue to raise it with DOC Health Services and hopefully a resolution will be possible in the future.	Substantiated
76.	Complainant states that special "safety equipment" used to block other people and satellites from observing him while in prison has gone missing and wants his equipment returned to him. Equipment will only function when he's in possession of it and claims he's observed other staff wearing it.	Re-Opened Case: Received updated LOGID#, but that grievance was not accepted and no similar grievance reached the level necessary prior to OCO intervention. Provided information to the individual again regarding the property in question, which would not be allowed per policy. Individual has a right to open a tort claim if they can provide additional evidence, but at this time, OCO has no way to substantiate any of the property or staff misconduct claims brought. Reached out to DOC and determined the Resolution Request LOGID# provided by the complainant neither exists in his electronic file nor DOC's system. Additionally, the complainant is referencing "safety equipment" which blocks satellites from tracking his movements and observing him in his cell and while showering. Included a new Ombuds Review Request form for additional information on how such equipment functions and why DOC would allow him to be in possession of equipment with such capabilities.	Unable to Substantiate

Washington Corrections Center for Women

77.	Person says they were pulled out of their cell, pat searched and placed in a holding area while a room search was conducted by DOC staff. Person says they were never given a search report. Additionally, they were taken out for a UA but was told they would receive a swab test instead because "all trans get swabbed now". Person feels this isn't true and was being treated differently. Another person of the same gender status was given a UA, not a swab test.	Person and been released from DOC custody. Sent closing letter to address on record.	Declined, Other
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Washington State Penitentiary

78.	Reporter relayed concerns regarding JPAY video visiting, the quality of food and her son getting serious food poisoning from the food. She also relayed concerns about how DOC places people so far from their families making in-person visiting very difficult due to the long travel. She also reported that staff have been disrespectful and rude to him.	Uplifted concerns related to JPAY and provided the reporter with information and resources to get involved with local and state wide family counsels. Explained our systemic work and our scope. Also gave her information about how to best utilize our office and our hotline hours for her loved one.	Assistance Provided
79.	Individual is missing property after his transfer from AHCC to WSP to CBCC. He was given two boxes, but he has seven that have been sitting at WSP. He paid \$55 for the boxes to transfer, but he hasn't received them. He is missing his Jplayer, address book, and more.	OCO reached out to multiple facilities to locate the property. DOC agreed to ensure that the property made it to the individual's final destination.	Assistance Provided
80.	Person was infracted for WAC Rule 558 violation and was found guilty, however individual reported the finding of guilt was not supported by any evidence, violating his constitutional right and other due processes.	OCO reviewed disciplinary packet and could not substantiate individual's claims of never receiving prior warning before the infraction was issued. OCO elevated the individual's mental health concerns to DOC administration, who declined to overturn the infraction on those reasons. OCO will continue to advocate for more incorporation of an	No Violation of Policy

		individual's mental health needs in the disciplinary process, and information on systemic reviews was sent to the I/I.	
81.	Reports that a DOC staff member wrote a BOE with false information in it. He was told that he's not allowed to sit on the floor, even though all other staff said it's fine because there are no chairs and he's got bad knees. He wasn't yelling as the BOE states. the BOE states that he wasn't wear his mask, which he says he was. The reporter states that there are multiple opinions and assumptions in the BOE, a violation of policy 300.010	BOE was written in compliance with DOC policy.	No Violation of Policy
82.	Appealed publication rejection of "Egyptian Yoga: The Philosophy of Enlightenment" book due to sexually explicit content. Appealed to Correctional Program Manager and has not heard anything, Publication Review Committee should be reviewing this book and wants it returned to him if approved.	Uplifted systemic concerns regarding the publication review committee. Reviewed specific publication, DOC rejected it per policy based on the nude images depicted in this specific book.	No Violation of Policy
83.	Complainant alleges that he was found guilty of a 501, 633, 663, and 734. Although his appeal was denied, he alleges that the evidence used in the hearings does not support a guilty finding.	AO reviewed infraction hearing records, including the confidential record. DOC standard of evidence for a guilty finding is "some evidence", which is satisfied by the confidential information reports and the summary of the investigative record. DOC satisfied their low evidence standard and the sanctions received are within policy guidelines.	No Violation of Policy
84.	Person reports that he was never made aware that he would continue to be housed in long term segregation, which is affecting his mental and physical health. He says that he requested transition programs to combat his behavior, but DOC denied it, even though he has been infraction free for 4 years.	DOC is actively working on finding this person out of state placement.	No Violation of Policy

85.	I/I says his electronic correspondence is being processed as regular mail, in no envelope, with no date stamp, without being logged and at times is delivered to him a week late. I/I has Federal court cases in the Western District of Washington which produce an average of 6 filings/correspondence from the court all per month. Processed by staff as regular and late. These are not JPAY filings, they are done in the law library.	DOC is currently following court directives to not treat notice of electronic filings as legal mail. DOC staff are to place the notice in an unsealed envelope and the person will receive it through inter-facility mail.	No Violation of Policy
86.	A named DOC staff member is alleged to have stolen a CTX-300 keyboard from this persons property. He states that it is theft because there is no search report, infraction or any other reason that the keyboard would have been confiscated. It was confirmed the this person that his keyboard was "hot trashed" by the DOC staff member.	We have confirmed that the DOC staff member did throw away this persons property in violation of policy. DOC has done appropriate administrative actions to address the conduct.	Substantiated