

Background and Summary of Complaint

In March 2022, the OCO received multiple complaints from incarcerated individuals at Stafford Creek Corrections Center (SCCC) alleging unfair treatment and retaliation in the veteran's pod. The concerns included excessive and delayed infractions, with subsequent terminations from the veteran's pod, after a DOC staff member was corrected for not wearing appropriate PPE. Further, many incarcerated individuals reported that the delays in delivering infractions appeared retaliatory. Finally, one concern indicated nine¹ out of twelve Black men in the veteran's pod received infractions. Separately, an external person initiated a complaint alleging that her husband experienced retaliation in the form of infractions because she complained to the DOC about staff members not wearing appropriate PPE.

Actions of the OCO

Upon receipt of these concerns, the OCO communicated directly with SCCC leadership about the matter and toured the veteran's pod on March 23, 2022. The OCO independently reviewed infraction data and discovered that 17 individuals received infractions from the named DOC staff member between January 1, 2022, and March 17, 2022. After speaking with unit staff and the incarcerated population, the OCO requested SCCC leadership investigate this allegation. SCCC leadership agreed to open an investigation to include an audit of the veteran's pod infractions in the above timeframe.²

Negotiated Outcomes

SCCC Leadership Dismissed 56 Infractions Impacting 13 People: The OCO and the DOC substantiated that the individuals in the veteran's pod were served infractions after the COVID-19 outbreak rather than immediately following an alleged incident, as required in DOC 460.000. Because of the substantiated policy and procedure violations, SCCC leadership agreed to overturn 56 infractions.

DOC met with incarcerated individuals removed from the pod. Multiple individuals indicated they did not want to return to the pod. The incarcerated individuals who would like to move back to the veteran's pod will have the opportunity to reapply.

The OCO and the DOC could not substantiate retaliation against individuals based on the PPE concern reported. The OCO verified that on February 10, 2022, the staff member received verbal coaching about the PPE concerns.³ The OCO and DOC reviewed the infraction records that substantiated the staff member wrote most of the infractions before February 10, 2022; however, numerous COVID-19 outbreaks and quarantines delayed delivery of the infractions.

¹ OCO verified seven Black men received infractions.

² SCCC experienced numerous Covid-19 outbreaks which delayed SCCC leadership's investigation.

³ The staff member was wearing most of their PPE. However, they had forgotten a face shield.