



REPORT ON THE NEED FOR ROBUST INDEPENDENT OVERSIGHT OF THE VIRGINIA DEPARTMENT OF CORRECTIONS

by

GAY GARDNER AND LINDA GUSTITUS
INTERFAITH ACTION FOR HUMAN RIGHTS
OCTOBER 2023



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Introduction

As two volunteers working on behalf of Interfaith Action for Human Rights (IAHR), we have been in communication with more than 650 people incarcerated in Virginia state prisons since 2015. We have also heard from many of their family members. We cannot independently verify the details of their stories; however, given their number and the similarities in the stories despite coming from different people who often did not know one another, we believe the stories paint a disturbing picture of Virginia prison operations and deserve to be taken seriously.

The 2023 state budget, approved by the Virginia General Assembly and Governor Youngkin, includes \$250,000 to establish an Office of the Department of Corrections (DOC) Ombudsman in the Office of the State Inspector General. We welcome this critically needed step. However, considering that Virginia spends \$1.5 billion annually on its prison system, which houses approximately 24,000 individuals, it is clear that the Office of the DOC Ombudsman will require significantly more than the \$250,000 it was given this year to do its job effectively.

We offer the stories in this report to support making the new Ombudsman's office a meaningful one – with the oversight and investigative powers, funding, and staff that will inform the legislature, the general public, and Virginia taxpayers about what actually happens in Virginia prisons and improve the Virginia Department of Corrections' (VADOC's) operations. Only a truly independent and robust agency can provide the accountability that Virginia residents deserve.

We believe independent oversight is in the best interests of everyone involved in Virginia's carceral system – incarcerated people, their families, employees, and the VADOC itself. Indeed, it is essential in order to cultivate public trust in the Department. In the absence of a truly independent and permanent investigative body, we are sure to see an endless cycle of exactly the kinds of problems identified in this report.

The VADOC asserts it is already subject to multiple accountability mechanisms, but these mechanisms lack apparent or genuine independence as well as the resources to effectively resolve many of the serious allegations we have received from people in VADOC prisons. In order for oversight mechanisms to earn the public's trust, they must not only **be** independent; they must be **seen to be** independent. When trust is lacking, incarcerated persons and their families often resort to costly legal challenges, tying up Virginia courts with cases that, if properly handled, could have been avoided.

Over the past 4 years, IAHR has held a number of virtual meetings with VADOC leadership to discuss the concerns people housed in their facilities have brought to our attention. We value the opportunity we have had for those meetings and for the email communications we have exchanged in between those meetings. Although those contacts have helped resolve or clarify issues in some cases, in far too many cases we are left with unresolved conflicts between the accounts of incarcerated people and what the VADOC tells us has happened. And in cases involving “Restorative Housing” Units (RHUs), the VADOC has severely limited our communication because of pending litigation. This lack of transparency underscores the need for independent oversight of the department. Moreover, to the extent independent investigations can expose cases arising from false allegations, the VADOC has every reason to welcome the vindication such investigations could bring.

From individuals in VADOC custody, we have learned:

- Many who will eventually be released into Virginia communities are angrier and less mentally stable now than they were when they entered prison. The promise of rehabilitation and mental health services often goes unfulfilled.

- Many suffer medical conditions requiring costs to the state and resulting in suffering to the individual that could be avoided with prompt and competent medical attention.

- Many are not given the drug treatment programs that they seek and need. The programs are often too full and the waiting list too long.

- Many feel unsafe in Virginia prisons because of the presence of gangs, drugs, and weapons.

- Many are held in unsafe or unsanitary conditions, housed in units subject to extreme temperatures and/or lacking access to a nutritionally adequate diet.

- Many experience deprivation of human contact and physical exercise which they so desperately need.

- Many experience racism and religious discrimination.

- Many have little or no trust in the Virginia prison system. Their complaints and grievances too often go unaddressed, and investigations can take too long and produce unsatisfactory results or results that remain secret. Many incarcerated individuals feel they are never heard or seen unless and until a third party is able to bring their concerns to the attention of senior VADOC officials or influential people outside of the prison system.

- Everyone housed in a Virginia prison is at the mercy of prison officials who have the power by accusation to reduce their access to programming, increase their security level, take them out of General Population, and reduce their standing for good time.

The stories summarized in this report are representative of many more that we have followed and are divided into the following issues:

- Assaults by Prison Staff

- Abusive or Unprofessional Conduct by Prison Staff

- K-9 Attacks

- Racial and Religious Discrimination

Inadequate Health Care
Unsafe and Unsanitary Conditions
Food Issues
Property Loss, Destruction, and Theft
Inadequate Programming Opportunities
Ineffective, Unreliable Redress Mechanisms
Broken Disciplinary System
VADOC/SIU Investigations of Questionable Impartiality, Thoroughness, Transparency
and/or Follow-up
Misuse of Isolated Confinement
Inadequate Time Out of Cell
Protective Custody Issues
Lockdowns

Assaults by Prison Staff

Between January 2020 and the end of July 2023, IAHR received complaints of more than 50 alleged assaults by prison officials. The inherent vulnerability of incarcerated people to potential violence by staff was summed up concisely by a man at River North who wrote to IAHR in February 2023: “Please do not use my name until I’m out of prison. Just these emails are a risk to my safety. There are lots of blind spots and ‘faulty’ cameras. They have been known for violent retaliation and have no problem dragging you into a blind spot in cuffs and shackles then beating you unconscious, then reporting that you were trying to fight them. They also love using the dogs.”

CASE #1: J.H., Wallens Ridge, wrote on 2/7/20 that he “was in a state of panic and fear from officers mistreating me and torturing me thru out the months I’ve been here. Spitting in my food, sometimes not feeding me at all, threatening my life, harassing me due to my religion, etc. . . So I hung myself in my cell. When an officer found me, he stood at my door for a little while watching me and laughing and making jokes. I lost consciousness. He finally called it in because when I came to, people were surrounding me making fun of me and Unit Manager E was asking other officers why did they put me in a cell in front of a camera . . . The other guy found me and called it in, cuz he would’ve watched me hang until I died. They did not follow policy, they did not even have the handheld video camera when they came in my cell. I was roughly escorted and officers talked disrespectful and cursed me the entire way. When I got in medical . . that’s when UM E, Major K, and Captain C assaulted me and threatened me. I was so afraid and in so much pain from my neck and throat, I couldn’t talk. E told the nurses . . . to step out of the room so they could f--- me up.”

IAHR was contacted separately by two other prisoners who said they witnessed the assault against J.H. IAHR later received a letter from J.H.’s former cellmate confessing to assaulting him and claiming to have been coerced into doing it by Major K and other officers. VADOC officials informed IAHR that there was an investigation by the VADOC’s Special Investigations Unit (SIU), which concluded the alleged assault did not take place.

CASE #2: B.C., Wallens Ridge, wrote that he was taken to the RHU (segregation) on 7/15/21 after a fight. He said he refused to talk about it and that Unit Manager E said, "Oh, you gonna be real quiet in a second when we beat your ass." He accuses E, Lt. N, and Officers J and B of taking him to the medical unit, beating him and choking him while handcuffed.

CASE #3: Reyce Collins, Pocahontas, who gave IAHR permission to tell his story, reported on 9/15/21 that he was beaten by Officer E.D. on 8/23/21 and was put in isolation (RHU) under investigation after that. He said he asked the SIU to investigate, but to the best of IAHR's knowledge, no such investigation was conducted. Collins says E.D. struck him in the face four times with a closed fist. He also alleges that E.D. grabbed his throat and squeezed it for about 5 seconds while Collins was cuffed and restrained by two other officers. Collins said this began when he had a verbal altercation with a female captain over Rice Krispies. He said he jokingly asked another prisoner for the Rice Krispies off his tray. He said the captain heard this and tried to get him to back off, but he gave a flippant reply, which he concedes could have been interpreted as insubordination, and he probably shouldn't have said it. Collins claims he was not combative or argumentative. He said as he was being taken to the RHU, an officer put his hand behind his head and forced it downward, making him walk with his head down and his arms up while cuffed. According to Collins, as they entered the RHU, he was forced up against the wall by two officers, and E.D. punched and choked him while still cuffed. After the fourth punch, he said he was forced to the ground and was then placed in the shower. He said he apologized to the captain for talking back to her. He later felt nauseated and noticed a knot on his forehead and a cut next to his left eye and bruises and swelling on his face. He stated that he reported his injuries and was taken to the medical unit, where he was treated for a concussion. He was then taken back to the RHU and placed under investigation. He said the assault occurred off camera, so there was no video evidence of it.

CASE #4: IAHR received names of at least 19 witnesses to an assault on **Z.M., Red Onion**, on 10/8/21 by several officers. Five of them described to IAHR witnessing a brutal and unprovoked assault on Z.M. **Taybronne White #1202958, Derek Williams-Mitchell #1427546, Andre Wilkins #1519978, and Logan Miles #1563538** agreed to go on the record about what they saw. A fifth man provided a similar description but did not give permission to be identified. They all reported a shocking and completely unprovoked beating of Z.M. by a group of officers. Z.M. says he does not remember the assault but reports having received permanent injuries because of it. He says he may have been high on "spice" at the time and not responding to what officers were saying to him. There was an SIU investigation of the incident, but the content of it is secret, including from Z.M. IAHR is unaware of any action taken against any participants in the alleged assault.

CASE #5: C.H., Wallens Ridge, on 12/20/21 informed IAHR that on 11/16/21 he asked to go to the medical unit. "[Sgt C] took me, tried to provoke me all the way. He sits me on the medical bed, grabs me roughly, says I love this room, [there's] no camera. I'll beat your ass. Slings me across the room. I land on steel carts, bust my temple open. He slams me on the floor, bangs my head on the floor, roughs me up."

CASE #6: W.D., Greenville, told IAHR on 12/28/21 that he was sexually assaulted by Lt. C. He filed a lawsuit in federal district court, which was dismissed as untimely filed. "You don't understand how this has affected me mentally and other things. I've tried to kill myself over this sexual assault, sometimes I wonder if I am gay now?? Was it my fault? PREA has me listed as a high-risk sexual victim in the prison system now. This piece of s--- got promoted to Captain two weeks after he sexually assaulted me."

CASE #7: D.M., Pocahontas, told IAHR on 1/30/22 that he “checked himself into” the RHU in 2021 because of constant harassment by certain officers. He wrote, “Unit Manager B.S. grabbed me by the throat back in February of 2021 and I filled out an emergency grievance to get removed from his building. Well they moved me back into his building around the middle to end of November, so I put in a grievance on it and they never responded to it. (Have the receipt from when they received it) and I have written multiple times inquiring and no response so my family started emailing Richmond about being back in his building and this really p----- him off and he confronted me per the warden. He then started harassing me once again and writing me charges and telling me I'm not going anywhere. On 11/20/22 he called me out to do a COVID Test and I refused, knowing they would have to move me out of his building, and this really p----- him off so B.S. and the building Sgt. B grabbed me up and drug me out into the hall, shoved me down to my knees and handcuffed me and put on leg restraints. B.S. slammed my head into the cinder block wall and said, ‘go ahead and call your sister now, bitch, you're nothing but a pussy. Go ahead and buck so we can beat your f ----- ass,’ all while cuffing me, and they jerked me up and drug me to RHU while they were trying to jerk my wrist and arms up as high as they could and were twisting my wrists up trying to break them while talking s--- about my sister's email to Richmond and telling me how I'm a bitch and on and on and then get me to RHU and they shove me down on my knees in the shower and the Sgt knees me in my ribs and B.S. hit me in the back of the head while I was down on all fours. I get uncuffed and my ankle is bleeding from them dragging me, head hurts, my ribs hurt, my wrists are red and swollen and they just leave me sitting in the shower for about three hours and then put me in quarantine and I was not permitted to use the phone or kiosk the entire time I was in there from 9/20-9/31. This is what I've been dealing with and nothing is ever done about it and everyone is aware.”

CASE #8: R.B., St. Brides, informed IAHR on 4/2/22 that Officer S is volatile and aggressive and frequently threatens offenders with physical violence. “I personally watched him punch an offender in the face while the offender was sitting down simply because the offender questioned him about laundry in a way that Officer S perceived as disrespectful. It was completely unprovoked, but he was not punished at all. Instead, he was seen afterwards laughing about it with other officers. The offender was taken away in handcuffs and has not been seen since.”

Abusive or Unprofessional Conduct by Prison Staff

People in Virginia prisons often report a variety of abusive and retaliatory treatment, including being threatened by officers to withdraw complaints, having knives planted in their cells, being called demeaning and racist names, being placed with cellmates who have been bribed to attack them, receiving false disciplinary charges and then being placed in isolation (RHU), being placed in cells with non-functioning toilets, and having property destroyed and stolen. Between January 2020 and the end of July 2023, IAHR received more than 100 complaints of unprofessional conduct. Red Onion Prisoner S.B. wrote on 3/31/23, “They will do cell searches and throw property around, open up food items, pour [them] all over the table, toss paperwork around the cell, and the higher ups will try to justify these acts. Give you a charge to put you in solitary, not to mention the verbal abuse and for a lot of us that's ten times worse than the others, so them calling us snitches, bitches, and saying other violating things really affects us. Even though it's against their standard of conduct they get away with it, which only puts us in a lose, lose situation.”

CASE #1: In May 2022, **D.K., Greenville**, wrote to say he has serious mental health issues. He said Sgt. W called him derogatory names and took his TV. He expressed fear for his life. He said he is in segregation in an empty, bare cell and scared to go to recreation because that's where “they handcuff and beat you horribly.”

CASE #2: **B.W., Red Onion and Wallens Ridge**, wrote that he was in the RHU from 10/11/21 to 1/23/22. He said he became a target of retaliation by officers. He says an officer at Red Onion jammed his finger in the tray slot; he was awakened in the middle of the night and sexually harassed; and he has been denied outside recreation, showers, and cell cleaning materials. He reported mental health issues, including panic attacks. He claimed he was confined for 2 days in a cell with no working toilet and was given only half a blanket. According to B.W., when his grandmother called the prison to ask for help for him, Unit Manager E had two officers come to his cell on the morning of 1/13/22 and take him to E's office, where he was surrounded by about four officers and handcuffed. He said E “told me that my grandmother had called up here complaining about what was being done to me and that we were going to call her and get it straight. I told him I was afraid due to him having me surrounded by officers, handcuffed in an office with no cameras. He told me he didn't care. He then called my grandmother and lied and tried to cover up everything and wouldn't address me not getting showers and outside rec. Then as I was leaving, the CO who was facing me jerked me up and was cussing. I then asked 3 different COs for mental health. Officer He, Officer Ha, Officer D, they all cussed me out and refused to let me see mental health.”

CASE #3: **M.W., River North**, reported to IAHR on 1/20/22 that prisoners got upset about the fact that the showers hadn't been cleaned in several weeks and they had not been given cleaning supplies. M.W. said he was feeling mounting anxiety, partly because a religious article had been confiscated from him. When his dinner tray was put through his slot, he pushed it back, and it appears he was perceived to have thrown the tray, which he denies. He refused to turn around to be cuffed, so 8 officers allegedly maced him, beat him, and took him to isolation (the RHU). He states that he was called “nigger,” “boy,” and “monkey.” He said he was thrown into the shower with his pants around his ankles

and held to the ground for a long time. M.W. said he was taken to a cell and put in 5-point restraints from 4:30 pm on 10/29/21 to 12 am on 10/30/21. The warden came to tell them to let him out, and he claims he was placed in restraints in which his ankles were chained to his wrists. He said this lasted from 12 am to 10 am the next day. He said he was given no clothes or blanket and that Officer D.B. brought him “the loaf,” which he describes as “burnt mush.” He refused to eat it although the loaf was all he was given from 10/31/21 to 11/5/21. [VADOC operating procedures allow the loaf to be given to prisoners who have thrown food or used food as a weapon.]

CASE #4: C.K., River North, wrote to IAHR to say the Corrections Officers (COs) forced him on March 3, 2022, to participate in a fight with a CO – what they called a fight club. They told him there would be no charges for fighting, and after the fight he was transferred to a different prison. Charges were brought against C.K. but were later dismissed.

CASE #5: M.B., Red Onion, wrote in March 2022 that in February 2022, he left for a shower and when he returned, his TV was on the floor face down with the screen cracked and no picture. He said he asked the officer if he had bumped the TV, and the officer said he would take care of it. Sgt. H also said he would make sure he gets a new TV. M.B. was released from the RHU before he got the TV and states that 2 weeks later, during a random cell search, his broken TV was confiscated. He said he got a TV from another inmate until his new TV was delivered. An officer witnessed this and allegedly ordered the TV removed as contraband. M.B. fears that if he files a complaint, they’ll plant a knife on him as a reason to put him back in the RHU. He also expressed fear of retaliation for writing to IAHR. When he got a letter from IAHR, he said the officer said “Oh, so you like to write shit up? You won’t last here.”

CASE #6: R.G., Wallens Ridge, wrote to say he was on his way to work on 9/16/22 — having held a job for 1 ½ years and been charge free for 3 years — when a Corrections Officer (CO) patted him down, cuffed him, and put him in segregation (RHU). When R.G. asked why, he was told, “you know why.” He was later charged with having a cellphone, which he says he did not have, and no one ever showed him one. He says his hearing was set for 9/26 but didn’t happen. He was later given a notice that his hearing had been postponed to 10/14, but it didn’t happen then either. Apparently, the officer quit, but R.G. was told he could not go back to General Population until a bed became available. He said he spent more than 33 days in the RHU with the charges dropped. He believes he was charged in retaliation for “writing up” the captain, whom he accused of losing his legal mail. [Also listed under “Misuse of Isolated Confinement” below.]

CASE #7: J.N., Wallens Ridge, wrote to say that on 9/24/22 he was put in segregation (RHU) at 7:25 am and was waiting for his personal belongings. He said an officer came by at 9 pm with some of his property. He said the CO threw his belongings in the cell and broke his JP6 tablet. When he told the CO what happened, the officer allegedly said he didn’t give a f. . . J.N. said he asked for his name but couldn’t get it. The following day at 9 am he got a new charge, a 120B for covering his security light, which J.N. denies doing. J.N. said, “I don’t feel right because I really don’t have nobody with me who can help me with this stressful situation.”

CASE #8: Dominique Pryor, Sussex I, (who gave IAHR permission to share his experience and observations) wrote on 10/6/22, “Not only is this place unfinished and understaffed to the point where it is unsafe to properly operate, the staff that they do have here is extremely unprofessional and oblivious to their job and how to perform their duties. They are creating an environment of anger, confusion, animosity, and the ultimate [result] will eventually cause people to get hurt! The administration is actively telling the prison population to police each other and that if you don't, that you will be held responsible for it and will be punished as a whole, which they know they are not supposed to do and it [is] not the responsibility of the prison population, and trying to push that type of atmosphere or culture is going to create problems with the prisoners.

CASE #9: K.N., Red Onion, wrote on 12/28/22 about numerous instances of racial animus — including false charges, name calling, and direct threats. In one instance he says Officer A.B. threatened K.N. by saying he would make his time in B4 pod “a living hell.” K.N. says A.B. told him “to go back to Africa where” he “belonged.” K.N. says Officer A.B. told him he grew up KKK and “hates” n—.” He writes that Lt. M.B. calls him “all sorts of racist names he can think or come up with under the sun when I am locked behind this metal door.” K.N. was so disturbed by his treatment that he was convinced he would be killed by the guards while he is in the RHU. He wrote, “I just needed someone to know if I be killed by [these guards] at Red Onion State Prison you will know my death was not an accident.” [Also listed under “Racial and Religious Discrimination,” below.]

CASE #10: In a 2/17/23 email, **S.G., Sussex II,** wrote, “I was placed in isolation for writing a complaint on the canine officer. The ‘investigation unit’ (Intel) called me to the private office where a male & female officer questioned me about the complaint I filed about the dog being allowed to bite & snip at my leg while another inmate was being locked up, when I was accosted by Major W, Captain S, Unit Manager D, Lt. C and 3 other high ranking officers whose name I didn't get, all asking why am I filing this complaint, ‘my black ass has no rights’ being that I'm locked up & ‘who the f--- does your black ass think u are?’ using profanity & physical aggression, getting in my face, while the Intel officer is saying ‘Your ass is lucky the dog didn't do this!’ showing me his mangled calf where he was once bit by the dog before.” [Also listed under “Racial and Religious Discrimination.”]

CASE #11: In February 2023, **I.B., Wallens Ridge,** wrote to say he was viciously beaten by officers and is being continually threatened and harassed by one in particular. He says Officer B was the ringleader and told him, “I'm watching your black ass.” He said he filed grievances and appeals but on 5/18/23 I.B. wrote to say, “I need help! I am afraid for my life!” In June 2023, the VADOC informed IAHR that there is an ongoing SIU investigation into I.B.'s claims. [Also listed under “Racial and Religious Discrimination.”]

CASE #12: L.D., Fluvanna, reported to IAHR on 6/2/23: “Some men was just recently fired from here for having sex with some of the ladies that has been going on for years in here. Not only that but I have a whole prea situation with an officer & what have they done, nothing. I wrote a whole statement telling them that he said let me see something asking to see my vagina & breasts & nothing was done & they still had him working around me.”

K-9 Attacks

IAHR is aware of several lawsuits filed by men in VADOC custody who have been seriously injured by K-9s. The organization has received reports of at least 24 K-9 attacks from 2015 to the present, some of which have been confirmed by multiple witnesses. Often these accounts include allegations that the K-9s needlessly escalate a situation or that they are brought in to attack men *after* a disturbance has been quelled. Many of these resulted in permanent serious injuries to the individuals. A few examples follow. [The Insider](#) recently reported on some of these cases.

CASE #1: James Harmon, River North, gave permission to share his experience publicly. He wrote to IAHR on 4/29/21 about a K-9 attack he experienced on 12/9/20: “. . . Earlier in the day I had a dispute with an officer. Not long after I was told to step into the hallway, that the unit manager wanted to talk to me. I was aware the unit manager was not here, so I did not want to step out into the hallway. I was then told by the officer in the booth I would be shot if I didn’t step in the hall. When I stepped out there was 1 sgt and 2 officers in the hall. I was aggressively told to ‘cuff up’. I was uncomfortable allowing them to put cuffs on me because of the demeanor they were expressing. I was then pepper sprayed and slammed head-first on the floor. When I fell to the floor I was knocked unconscious. When I regained consciousness I realized the K-9 dog had torn my leg open and had locked on to my ankle. The entire incident happened on camera so there is footage. The officers then tried to make me walk to medical, when I could not use my leg. I was put in a wheelchair and taken to medical, where the nurse tried to get the bleeding under control and I was taken to the hospital where I had to have emergency surgery. The doctor told me I may have to have another surgery later. I have no sensation in my toes and am in constant pain. . . I still have issues with the officers joking about it and acting like they are sicking the dog at me. It is not a joking matter. I will have to deal with this injury for the rest of my life.”

CASE #2: T.B., Red Onion, filed a *pro se* case against a K-9 officer and received a settlement conference order from the court scheduled for June 1, 2023. On 3/26/21 he says he was “sucker punched” by another prisoner. He said he fought to defend himself until a K-9 officer arrived and that he tried to comply by lying on the ground, but the dog was released on him. He said he received six separate bites on his arm and was taken to the hospital for surgery. He told IAHR that he has video footage of the incident. According to T.B.’s account, nothing happened to the man who attacked him, but T.B. experienced retaliation in the form of not being allowed to do his job and receiving an unwarranted disciplinary charge the same day he received his settlement papers. He wrote to IAHR on 5/31/23: “I was charged with a 120b which is tampering with security devices for having a pair of pants in my window, which everybody has in their window to block the sun rays from putting a glare on your TV. So out of 84 people in this pod I was the only one who got a charge. I have witnesses who said they had stuff in their window for 2 years and more and never received a charge for having their window halfway covered. I also used to come out at night to clean the pod and the shower but now for some reason they don’t let me out anymore. When I asked why, the officer said he was told by the Sgt not to let me out.”

CASE #3: On 4/13/22, **Jawan Lee, Red Onion**, contacted IAHR about an incident that occurred on 4/5/22 at about 11:45 am. Lee gave permission to share his experience publicly. He said 12 cells on the bottom tier were let out for lunch, but another man popped out of his cell. There are green lights that come on over a cell when the door is secure; Lee said his green light wasn’t on. He said he walked

past two officers sitting at a table, one of whom was Sgt. M. Lee then described the prisoner walking towards him and attacking him for unknown reasons. **Lee's attacker, G.A.**, later confirmed to IAHR that Officer K bribed him with tobacco to attack Lee because the officer was unhappy about complaints Lee had filed. Lee says he only tried to defend himself. According to Lee, officers sprayed them with OC spray but didn't do anything else to try to stop the fight and that booth officers shot them with the gun, striking Lee on the back. He said he was blinded by the spray. According to the two men involved, the K-9 officer came in; the dog ran straight to Lee, who was underneath his attacker, and bit his right leg. Lee said the dog took a chunk out of the back of his leg, and he was taken to the hospital, possibly in Norton. He says he was left with three holes and one long scrape in his leg and that the doctor told him he could see that the dog's tooth scraped the bone. Now Lee says he has trouble walking and uses a wheelchair. He received a 218 charge for fighting and a 201 charge. Sgt. M was the reporting officer on his charge. Lee was in the medical unit when he contacted IAHR but was expecting to go to segregation (RHU) from there.

Racial and Religious Discrimination

IAHR receives many complaints about discrimination, especially from people of color about racist comments and attitudes and from Muslims about religious-based harassment and barriers to practicing their faith, particularly during Ramadan.

CASE #1: K.N., Red Onion, wrote on 12/28/22 about numerous instances of racial animus, including false charges, name calling, and direct threats. In one instance he says Officer A.B. threatened him by saying he would make his time in B4 pod "a living hell." K.N. says Officer A.B. told him "to go back to Africa where" he "belonged." K.N. says CO A.B. told him he grew up KKK and "hates" n—." He writes that Lt. M.B. calls him "all sorts of racist names he can think or come up with under the sun when I am locked behind this metal door." K.N. was so disturbed by his treatment that he was convinced he would be killed by the guards while he is in RHU. He wrote, "I just needed someone to know if I be killed by [these guards] at Red Onion State Prison you will know my death was not an accident." [Also listed under "Abusive or Unprofessional Conduct by Prison Staff."]

CASE #2: Reyce Collins, Pocahontas, told IAHR on 10/23/21: "There's this guy in cell 7 – a black dude – who is a victim of all kinds of verbal taunts. 'crack baby', 'dumbass,' 'f... retard,' 'your mother should have swallowed you.' It's obvious that the young guy needs some sort of mental health treatment because he has difficulty with simple tasks, yet they offer him no assistance."

CASE #3: M.W., River North, reported to IAHR on 1/20/22 that eight officers allegedly maced him, beat him, and took him to isolation, calling him "nigger," "boy," and "monkey." [See "Abusive or Unprofessional Conduct by Prison Staff" for a more detailed account.]

CASE #4: In a 2/17/23 email, **S.G., Sussex II**, wrote, "I was placed in isolation for writing a complaint on the canine officer. The 'investigation unit' (Intel) called me to the private office where a male & female officer questioned me about the complaint I filed about the dog being allowed to bite & snip at my leg while another inmate was being locked up, when I was accosted by Major W, Captain S,

Unit Manager D, Lt. C and 3 other high ranking officers whose name I didn't get, all asking why am I filing this complaint, 'my black ass has no rights' being that I'm locked up & 'who the f--- does your black ass think u are?' using profanity & physical aggression, getting in my face, while the Intel officer is saying 'Your ass is lucky the dog didn't do this!!' showing me his mangled calf where he was once bit by the dog before." [Also listed under "Abusive or Unprofessional Conduct by Prison Staff."]

CASE #5: In February 2023, **I.B., Wallens Ridge**, wrote to say he was viciously beaten by officers and is being continually threatened and harassed by one in particular. He says Officer B was the ringleader and told him, "I'm watching your black ass." He said he filed grievances and appeals but on 5/18/23 I.B. wrote to say, "I need help! I am afraid for my life!" In June 2023, the VADOC informed IAHR that there is an ongoing SIU investigation into I.B.'s claims. [Also listed under "Abusive or Unprofessional Conduct by Prison Staff."]

CASE #6: J.H., Red Onion, a Muslim, informed IAHR on 4/20/20 that his toilet had been broken since 3/17/20 and no one would fix it. It was so full of feces that he had to stack books and shoes on the seat to sit on so he could avoid touching the feces. Unit Manager C and officers told him he should "f ___ himself and ask Allah to fix it." He showed Qualified Mental Health Professional (QMHP) Ms. C the toilet on 4/16/20, and she said, "Yes, I see it." He asked her to report it, but still it was not fixed. He filed a grievance, which was determined to be unfounded.

CASE #7: D.F., Sussex II, wrote on 5/4/21: "As far as issues we face as Muslims. The major issue is our diet. . .The DOC offers 2 forms of religious diets. 1 is a common fare which meets the Christian dietary requirements but doesn't meet Islamic halal requirements and the 2nd is a Orthodox Jewish Diet. Now nowhere does the DOC offer Muslim inmates an option to have a halal diet besides purchasing food from commissary. . . The second issue that we as Muslims face in here is that when the Jewish inmates celebrated Passover the DOC provided at state expense a premium kosher menu during Passover. They purchased special packs of tuna fish as well as provided real fruit juice and other items. Yet when we fast the 30 days of Ramadan all we get is meat rock, Bologna, and beans. The deserts aren't screened for pork gelatin or other ingredients like L-Cysteine, rennet, tallow, or other ingredients derived from pork byproducts. These are the major issues. The minor issues deal primarily with being able to purchase Azan Watches to have an accurate prayer time. Being able to have an Islamic TV channel (Al-Jazeera America) like the Christians have with the 4 TV channels that DOC provides for them. The DOC actually receives over 100 channels which we pay for but we are only allowed to receive 20 on our TVs. Kinda ridiculous if you ask me since our commissary purchases pay for all the channels and some are free over the air digital channels that can be piggy backed on the cable channel with a duplexer attached to the main line. . ."

CASE #8: H.J., Wallens Ridge, reported on 4/18/21 that "on 4/15/21 appx 9:30 am I go to the counselor office and I speak with Mr. ___. He addresses my matter, then I ask if unit manager S was here and he said Yes. I then said could you inform him I'd like to speak to him about a cell change, as in being housed with another Muslim, and also tell him I'm interested in withdrawing a few grievances concerning staff mishandling my mail. He said okay, that he'd tell him and I was sent back to my pod. 5 minutes later, I was called back into the hallway, searched and handcuffed. Upon being searched I willfully handed Sgt R my jp5 tablet, and some paperwork. Once handcuffed, Sgt R screams at me, 'don't you ever threaten me boy, f--- you and all the write ups you write on me, now tell Allah that! Take this piece of shit to seg!'" . . . Three days later H.J. wrote, "just this morning, 4/21, I was given the wrong diet tray for Ramadan breakfast feeding. . . I was given a NOI (Nation of Islam) tray. I told the officer he gave

me the wrong diet. His response, 'pray to Allah for the right tray'! I've done nothing to these people for them to hate me!"

CASE #9: A.I., Sussex II, wrote to IAHR at various times during Ramadan in 2022 to report problems with meal delivery to those who were fasting. He and others reported that the correct number of breakfast trays was sometimes not being delivered before sunrise during Ramadan. He said those who did not receive their trays did not eat and had to go without food until sunset at 8 pm. He added that their attempts to address these problems through the grievance procedure were unsuccessful. In addition, A.I. complained that the prison ended the observance of Ramadan a day early.

Inadequate Health Care

IAHR receives many complaints about the quality and accessibility of health care in VADOC facilities. The effort and persistence needed to get medical concerns addressed appropriately is often exhausting. In too many cases medical needs go unaddressed for too long. Dental care is often very hard to come by; it's not unusual for people in VADOC facilities to wait months and even years for dental treatment. Therapeutic mental health treatment other than psychotropic drugs appears to be virtually nonexistent in most VADOC prisons.

CASE #1: D.A., Keen Mountain, wrote to IAHR in November 2021 that he had been in segregation (RHU) since 8/1/21. He explained that he had previously spent more than a year in segregation at Buckingham CC. He said he has serious mental health issues and that there is nothing to do, so he dwells on the past, which is driving him "insane." A month later he wrote that he was molested when he was 12 and has used drugs ever since to cope. He states that he's getting increasingly paranoid while in the RHU. He thinks they should have a program that actually helps a person's mental health instead of making it worse. He says they have mental health pods, but he's been told he doesn't qualify for them, which doesn't make sense to him. "It's just screwed up here, well everywhere in prisons in this state for people like me, where all they think about is you're trying to get over on them in some way, but what they fail to realize is maybe you're trying to get actual help from everybody who's gotten over on you." [Also listed in "Misuse of Isolated Confinement."]

CASE #2: C.S., Fluvanna, wrote to IAHR on 6/5/21: "I just want to inform you that last Thursday May 27th I was taken to the hospital for a blood clot and the night before that I had done a emergency griveance and it took (2) or more hours for them to come see me. The nurse took my blood pressure, etc and then the nurse told me that I had a clinic appointment on that Thursday, that I could wait to then. I then said because I have a history of blood clots don't she think she needs to call the doctor and she stated no. So when I got to the hospital after doing a x-ray, ultra sound, EKG they found the blood clot and immediately put me on blood thinner medication and the doctor stated then that they should have never took me off the blood thinner medication from the start when they put me on that from my 1st blood clot back in 2012. Since I came back from the hospital my shots have not been on time. The hospital stated every (12) hours 6:30am and 6:30 pm. Once here they changed it to 8:30am and 8:30pm and on Wednesday June 2th I didn't get my first shot until around 12:29 in the afternoon and since then they have never been on time. The pill form they wanted to put me on, FCCW denied it stating it was too expensive and now already I have bruises all over my stomach from the shots. I have yet to see a

doctor for a follow up appointment and discuss my inflamed lungs the hospital found also and gave me a shot of steroids in my IV that coming from my sarcoidosis and I am having a time breathing now. [I] get very short of breath, get tired very easy as well. This is really got me frightened because the medical [unit] is very short staffed as well."

CASE #3: M.O., Fluvanna, contacted IAHR on 2/4/22. Because she is totally blind, she has an assistant who helps her communicate. She wrote: "Yes, I am totally blind and have been at FCCW since 3/2005. I have undergone numerous hurdles and hardships because of my disability but nothing such as what I endured in December and am currently going through. I had surgery at UVA on 12/20/2021 and was returned to FCCW on 12/21/2021..That is when my injury occurred, not while at the hospital. I was being transported in a van which requires stepping both up and down numerous times on entry and exit. I do not know why I was not taken in the SUV. However the guard, c/o W from Goochland, was supposed to assist me in exiting the van in the sally port. She was helping me but then grabbed my arm, pulled me and said 'come on ms. O.' Not being able to see I was immediately off-balance and began falling. I screamed when I felt myself going down and Sgt. K who was working the sallyport ran to grab me. I stumbled but she broke my fall and kept me from hitting the ground completely. I told the nurse in my Bldg and complained to staff. I was taken to be x-rayed while staying in the infirmary where I did indeed sleep in my wheelchair [due] to the bed being broken. . . . My shoulder results were held for over a month and I was not treated for it. I can't clean my cell or even do some personal hygiene things such as dressing without pain. I have spoken to [X] about this and filed paperwork but so far I am only told it is being investigated and asked if I still want to pursue this issue. I definitely do; as a blind person I am completely at the mercy of the c/o's when on transport and this shouldn't have happened to me."

She provided an update on 3/8/22: "I feel that I keep hitting one barrier after the next. Currently one grievance reply is past due (3/3/22) and the other is due 3/19. I speak with anyone available about this and the status of the 'investigation' but never get any new information. I spoke with AW T during her round in my wing earlier today and was told she would check with Major E about the status. I'm told she is the one conducting the investigation. Sgt. K who actually witnessed the incident has not been asked to give a statement (she has told me she is willing to answer their questions as well as give a statement regarding the events of my fall). Physically I am still in pain and functioning on decreased mobility. Medical has put me on Tylenol and Mobic neither of which provide any relief. I have had more seizures since my fall as well as my balance is off. I also have periods of zoning out which never happened before but Fluvanna will not send me for an MRI or additional testing. The fact that I have no broken bones shown in x-rays does not mean that I am not still suffering as a result of this incident."

CASE # 4: G.C., Sussex I, told IAHR in January and February of 2022 that he is being refused his diabetic finger sticks and insulin injections. He said he believes this is retaliation for filing complaints and grievances about what he considers to be reckless and unsanitary medical practices and medical personnel "not showing up at all."

CASE #5: A.R., Pocahontas, told IAHR on 2/18/22 that he had asked to see a psychiatrist. He said, "they talked to me and told me to practice anxiety skills and gave me a pamphlet but that's all."

CASE #6: H.S., Sussex I, has diabetes and Stage 3 renal failure and wrote in April 2022 about his lack of treatment. The VADOC told IAHR on 7/28/22 that he "is getting everything he needs." H.S. said his A1C in 2020 was 6.4, that he didn't have another A1C test until September 2021, and that he was not given the results of that September test until December 10, 2021. He was told his A1C was 9.2, which is excessively high. He said nothing has been done about his Stage 3 renal failure.

CASE #7: B.B. and Y.A., Sussex I, wrote in May 2022 about their serious medical issues. B.B. wrote that his urinary bag is leaking because he's not getting it replaced often enough, that there is always blood in his urine, and that he has great difficulty getting appointments at the Medical College of Virginia (MCV) at Virginia Commonwealth University (VCU). Y.A. said he suffers from neurogenic bladder, psoriasis, irritable bowel syndrome (IBS), and ulcerative colitis and has not been able to get enough sterile catheters.

CASE #8: M.K., Sussex I and II, suffers from colon cancer. He wrote to IAHR on 6/1/22, "[The DOC] also stated that I refused an appointment at VCU Urology on 5/25/2022, which never occurred. I had submitted an emergency grievance on 5/16/2022 [about being] denied medical attention but I had to have someone from the outside call to advocate for me to be seen, which I was, and my condition was so bad I was immediately transported to the VCU emergency room. These are the hoops an inmate must jump through to be seen here. If an inmate doesn't have a person on the outside to advocate for them, then their personal health is in jeopardy. I'm really concerned because I'm being denied certain medical appointments for my cancer treatment and they have no problem with lying in an attempt to cover it up. From what I hear the Department of Corrections oversees and controls the medical contracts now."

A year later (7/1/23), M.K. contacted IAHR about the prison's failure to maintain his essential medical supplies: "I'm contacting you because the medical dept here is denying me colostomy supplies and I'm walking around with a t-shirt wrapped around my stomach. I usually receive supplies every week but they told me on Tuesday of last week that they forgot to order my supplies and that they don't have any. In addition to that I will have to go without them for 2 or 3 weeks until they get them. That is cruel and inhumane treatment. I truly can't believe this is happening. I contacted my sister who is livid about this situation and attempted to resolve the issue, but they continue to give her the run around and try to avoid her calls. This is a situation in which they should never run out of this type of supply." As of a month later, M.K. still had not received any colostomy bags and was having to cover himself with a garbage bag.

CASE #9: M.A., Fluvanna, suffers from multiple serious medical conditions, including degenerative rheumatoid arthritis, fibromyalgia, and lung disease. She told IAHR on 5/1/22: "I had my 3rd infusion treatment on the 15 of April... The infusion itself went okay but the trip itself has left me with issues. I was transported on a van instead of the SUV. . . I basically had to pull against the flex-cuffs which broke and bruised my skin and also caused a blister on the sole of my right foot when I stepped too hard onto the metal step because I thought I was going to fall. I've written the medical director asking to be only transported by SUV and Nurse Practitioner E who saw me afterward is also requesting that. I saw the podiatrist about my foot and he ordered daily treatment but I am having more success treating it myself instead of waiting on them to call me for treatment."

M.A. provided the following update on 12/14/22: "I also wanted to let you know that over the past few months I had to have emergency neck/spine surgery. For whatever reason Dr. S who is acting medical director decided to only allow one assistive device per person. I was told that I could retain my rollator for 6 months but not my wheelchair. I tried explaining that I use both depending on my current condition and was told to do a sick call if I needed use of a wheelchair. That now takes 8-10 days to be seen if you are seen at all. Even though both my wheelchair and my rollator was 'offender owned' my wheelchair was taken. My RA [rheumatoid arthritis] has become active and out of remission, suddenly my legs would give out on me and wouldn't hold me resulting in me falling. I wrote medical numerous

times, eventually I was given hip x-rays and told both of my femoral heads had collapsed and I needed total hip replacements and was put in PT. I still was falling and struggling and eventually my provider called the ADA coordinator who authorized me to use a wheelchair, it wasn't until my Rheumatology appt on 10/6 that he saw other possibilities that FCCW had not explored and I was sent for neck x-rays and then rushed to the hospital because my neck was broke and my 2, 3 and 4th vertebrae were damaged causing me to lose use of legs. I was told I was lucky to be alive and not be a paraplegic. I had spine fusion and a titanium cage placed around my vertebrae. I was allowed to quit wearing the collar last week. I am scheduled to have my left hip replaced and also was told at my post op appt that it can take up to a year to determine if nerve damage is permanent."

CASE #10: T.S., Red Onion, shared the following with IAHR on 6/12/22: "I have been housed in isolated confinement since 2/2/22 (4 months). I'm under IM [Intensive Management] status. No group or program has been conducted! . . . I'm repeatedly being targeted by this unit manager! As of now I'm intentionally being housed in a mental health cell under his orders that does not afford me normal living conditions which under DOC policy I'm supposed to be provided. I was placed in this cell on 5/1/22 and was told by Lt. M.W. that I pissed Unit Manager C off and I need to chill out, lay low, then they'll see about putting me in a better cell. As of now there is a punitive sign that was placed on my cell door on 6/4/22 saying I'm not allowed recreation or access to the kiosk until 6/15/22 per UM C. . . . I am writing in concern for my safety and well-being (mentally, physically, emotionally and spiritually). I have never in my life constantly thought about being killed or killing in self-defense until being incarcerated at Red Onion State Prison, and recently suicidal thoughts come and go through my mind. I've never had this problem and don't plan on suicide, but I tried talking to mental health and am left with unanswered questions." [Also listed in "Misuse of Isolated Confinement."]

CASE #11: A.W., River North, is an admitted drug addict. He wrote on 10/8/22 that he wants help for his addiction and isn't getting it. He said he has been locked up for 26 years and wants to be drug free when he gets out. He believes drugs are too available in the prison. [After we wrote to the warden, A.W. was placed in a drug treatment program in January. He successfully completed it in 2023.]

CASE #12: B.F., River North, wrote on 11/17/22 that he is deaf in his left ear, has 60% hearing loss in his right ear, and has a hearing aid. He said he was put in a single cell and couldn't hear when three "gang bangers" came in, beat him up, and stole his belongings. (He also said, "Gangs run the phones.") He wants hearing aid assistance so he can hear orders and protect himself. After IAHR contacted the VADOC, we were told on 4/18/23 that the Chief Medical Officer reviewed the files and confirmed the treatment plan is appropriate. They said he is getting hearing assistance and accommodations are being made.

CASE #13: L.F., Sussex II, wrote on 1/3/23 to say he was declared legally blind on 9/10/21 due to Stargardt disease. He said it took 1 year for him to get special lenses and that his doctor isn't an eye doctor. He explained that he has to pay other incarcerated men to read memos and letters and fill out his commissary orders. He said he has asked for a magnifying glass but has yet to receive one. According to L.F., he hasn't been able to speak to anyone about this because "they say the prison is severely understaffed" and he is always put on hold. "I feel like each day that passes my independence, my safety, and my ability to remain productive is slipping away," he wrote.

CASE #14: M.B., River North, told IAHR on 1/27/23: “I have been trying to get to the dentist since June. They keep telling me that I’m on the list. I have temporary caps on my teeth, they are rotting under the caps, yet they refuse to see me. I am taking the nurse’s advice and [asking to see] the hygienist, she might be able to get me into the dentist.”

CASE #15: P.M., Augusta, wrote on 1/29/23 to say he wants to sue because he wasn’t given the medicine he needs, and it resulted in a heart attack and 4 stents.

CASE #16: G.L., Red Onion, first wrote in 2022 to say he has kidney disease and needs to be where he can get dialysis and a renal diet. He wrote again on 3/14/23 to say he is very sick and not being attended to. After we wrote to VADOC, we were told he’s now being followed closely.

CASE #17: P.W., River North, is a veteran with PTSD incurred from his military service. He wrote to IAHR on 3/17/23: “Mental health is nonexistent here. All they want to do is dope ya up and make ya into a zombie. I suffer from severe PTSD /anxiety, paranoia, etc. and living in a GP pod I find myself constantly being triggered and on edge.”

CASE #18: H.P., Sussex II, wrote on 11/9/22 about his need for better medical care. He said he has written request forms, emergency grievances, and complaints regarding his severe, chronic pain and urgent problems with his vision. He complained chronic anemia, no appetite, weakness, and severe pain in his knees, neck, feet, and lower back. He said he feels “desperate.” After IAHR contacted the VADOC, we were told on 3/28/23 that “he is receiving appropriate care and was recently seen by medical staff.” They said he “is scheduled for the eye clinic and will receive a follow-up with the medical provider soon.” On 4/25/23 H.P. wrote to say nothing has been done, that he’s been filing grievances but has received no response. He wrote again on 6/5/23 and 6/13/23.

CASE #19: I.C., Sussex II, wrote on 4/13/23 to say he is suffering from a large hernia and wants to have surgery to have it removed. He said he also needs a dentist to treat a tooth that fell out, as well as other dental problems. After IAHR contacted the VADOC, I.C. wrote on 4/30/23 to say his surgery is now rescheduled. I.C. wrote on 5/2/23 to say his tooth still hasn’t been taken care of.

CASE #20: On 5/15/23, the mother of **W.R., Sussex II**, said her son was stabbed and had staples put in, which weren’t removed until 15 days after they should have been, causing them to have to be removed surgically. (She said he had been in the RHU for 30 days and was going “nuts.”) She said an investigator looked at 2 ½ hours of video of her son begging for medical attention after the stabbing, that the COs wouldn’t take him to the medical unit, and that finally a new shift superintendent took him there after W.R. pleaded with her.

CASE #21: E.R., Green Rock, in July 2023 sent 6 affidavits from fellow prisoners about the death of a prisoner and the lack of response by the Green Rock medical team.

CASE #22: Q.D., Sussex I, is a trans woman who wrote to IAHR on 3/15/22 about her difficulty in obtaining care for her multiple medical conditions. She said a physician had recommended a follow-up appointment with an endoscopist within 6 weeks, which she never received. She said she had been waiting since the previous November for an appointment with an endocrinologist regarding her gender dysphoria. She claimed to have been beaten and raped by a cellmate in 2015 and reported enduring tremendous physical, emotional, and psychological pain and trauma for which she had not received

attention. She said she finally saw an endocrinologist in October 2022. She reported being assaulted by a Crips gang member in December 2022. [Also listed under “Unsafe and Unsanitary Conditions.”]

CASE #23: R.W., Sussex II, wrote to say he has a seizure disorder and has fallen many times. He has reported difficulty getting medical staff to discuss it with him. He believes he is supposed to have a caretaker. IAHR was informed by the VADOC in early June 2023 that he was scheduled for an appointment with a neurologist at the MCV/VCU, but as of 8/9/23 it hadn’t happened. He said he was continuing to have seizures and was in great pain. He complained that after a recent seizure Nurse R had refused to help him get up, and he had to walk back to his bed on his own.

CASE #24: The brother of **T.P., Keen Mountain**, wrote IAHR on 4/4/22 to say T.P. fell while in prison and was subsequently diagnosed with two broken vertebrae and has been unable to receive any treatment, even though CAT scans and MRIs revealed his back is broken. He said he was also diagnosed with COPD before arriving at Keen Mountain, but they refuse to get his medical records or treat him for that as well.

CASE #25: T.C., Wallens Ridge, contacted IAHR in September 2023 about an alarming amount of rectal bleeding he was suffering while the prison was on lockdown. He explained that he had put in a request for a sick call but was not taken from his cell for a medical consultation. Instead, he said a nurse came to his cell door to ask what his concern was. T.C. reported that he asked if they could speak in private, as he did not want to discuss his symptoms within earshot of other men in the pod. According to T.C., the nurse said she would say he refused his appointment. He says he put in another request, and two days later the nurse returned to his cell with a colleague and a CO. T.C. reported that the same thing happened again, and he was not afforded any privacy. He says he filed an informal complaint with the medical supervisor but still had not been seen about his symptoms when he contacted IAHR on September 1. IAHR, in turn, contacted VADOC headquarters and was promised that T.C. would be seen that day. T.C. subsequently informed IAHR that he was seen that day, but he believes he would have continued to be ignored if IAHR had not informed VADOC headquarters of the problem.

Unsafe and Unsanitary Conditions

People in Virginia prisons report a variety of conditions that undermine health and safety. These include widespread mold at certain facilities, repeated sewage backups that the prisoners themselves are left to clean up without proper supplies, and unclean water. People often complain about missing or broken intercoms, which puts them in danger during an emergency, especially in facilities with staffing shortages. Those with disabilities and transgender people are vulnerable to harassment and abuse by other prisoners as well as staff. They are often placed in housing units where they feel especially unsafe and complain of being extorted by gang members who control access to phones.

CASE #1: C.S., Fluvanna, wrote to IAHR on 9/11/21: “The smoking is getting terrible in here, has sent several offenders to the infirmary due to not being able to breathe. I was one of them last weekend and they can't give us breathing treatments due to the covid-19 and the nurse in the infirmary stated that it has been several offenders that has to come to the infirmary due to all the smoking in the housing

units. Medical has reported it to watch command and nothing has been done about it yet. When this use to be a smoking facility I was always housed in the non-smoking units. Was hospitalized due to the smoking effected my lungs real bad so that I had to be housed in a non-smoking housing unit. I have sacordosis and the other offenders have copd, and other breathing issues that the smoking is effecting. I am still waiting to see the doctor from when I had to go to the infirmary last weekend and the nurse there put in a referral to the doctor because my lungs was sounding shallow. Feels like an elephant sitting on my chest.”

CASE #2: J.H., Sussex I, told IAHR on 10/28/21 that he was among the men who met with a VADOC official at the request of IAHR, about the lack of time out of cell. “I also told [the official] that there are several prisoners in this pod who are not capable of cleaning their own cells & that a lot of the time they have to go a month or more without their cells being cleaned. That we are denied recreation a lot of the times and that it's rare that we get more than 2 hours of recreation when we do get rec. Also, there are times that 3 weeks will go by without chemicals to clean our cells with. . .The intercoms in the cells haven't worked in over a year & when we call for help to see medical staff or mental health staff we are ignored completely.”

CASE #3: S.G., Sussex I and Keen Mountain, wrote on 2/4/22: “The water here has a funky smell so if you attempt to drink it, you actually gag at the odor, then retch at the brownish color.” He provided an update on 2/17/22: “This is the 3rd day in a row that the sewage pipes have backed up into the pod causing Xtreme odors and putrid water to be left in the pod for hours with no support or proper PPE to clean this literal SHIT up. I am sick and tired of being sick and tired.” The following day he added: “We have been living in shit for 3 days. Literal feces. Why is 4 Building covered in sewage with no PPE being given or proper procedure and protocol being followed?” A week later (2/24/22), S.G. responded to a message from VADOC management blaming the sewage backups on prisoners: “The sewage system is due to offenders putting things in the toilet BUT the issue is bigger than that. It has to do with the whole septic tank system. I know this based on the fact that once 2 building has a sewage backup, within 72 hours 4 bld. will suffer the same fate. As soon as they ‘snake’ the inner drains in the pod and assume the issue is fixed b/c they pulled out some soup packs or other garbage the issue arises again a month or a week later. Someone has to go to the main sewage system and remove the cloggage from there. Because of this issue the water literally comes out of the faucets and showers dark brown. So much so that it is blatantly obvious. We have to announce to one another ‘The Water is Shitty. Don’t drink it or get in the shower.’ Eventually it clears up, but how much, we truly never know. I have inquired about the water quality and simply [asked for] an inspection, but all I get is ‘its ok to drink it’ yet there is a sign up front in administration that says ‘drink the water at your own risk.’ We never get water advisories from admin. It’s fend for yourselves, when staff is issued bottled water to drink. That same water, we have to buy on commissary for \$1.50.”

More than a year later (6/16/23), S.G. reported: “On to the next thing – BLACK MOLD. Yes, of course I have written it up and it got put into CORIS, but staff did not respond. So I wrote a grievance but still have not received a response. All of this was brought to my attention by another inmate, C.B., who is the head maintenance man for the compound. He has all the facts and proofs that Keen Mountain is infested with black mold and has always known. C.B. has informed me that there is a massive black mold infestation in the showers, ventilation system, and Chase closets (where all the plumbing begins and ends). There is sewage and bacteria being pumped into the cells and administration knows it.”

CASE #4: Q.D., Sussex I, is a trans woman who wrote to IAHR on 3/15/22 about her difficulty in obtaining care for her multiple medical conditions and her safety concerns. [See also “Inadequate Health Care.”] She claimed to have been beaten and raped by a cellmate in 2015. She reported enduring tremendous physical, emotional, and psychological pain and trauma for which she had not received attention. She reported being assaulted by a Crips gang member in December 2022.

CASE #5: K.T., Wallens Ridge, complained to IAHR about black mold. He wrote on 3/21/22, “There is black mold in the cells and elsewhere at Wallens Ridge State Prison, on the roof of the kitchen, under the dish washing machine and pots and pans.”

CASE #6: K.M., Keen Mountain, reported on 3/19/23: “I've tried filing complaints concerning the mold, the water . . . and the complaints just seem to disappear. I never hear anything back every time I file one. I will put in more and keep trying though. . . There is mold in every vent in every cell, inmates have went to the basement to work and say it is covered in black mold. The water changes color regularly and I'm scared to drink it most of the time. . . This is an unsafe living environment.”

CASE #7: L.J., Sussex I, wrote on 6/4/23: “[T]he handicapped in DOC should not have to take extreme measures to protect themselves from violent gang members, sexual predators and/or drug addicts from stealing their personal property. I could have been medically transferred to Deerfield Correctional Center due to my spinal condition that places me at an extremely high risk of being victimized because I can't protect myself nor my personal property from being taken and/or stolen. I don't like feeling helpless. But this is exactly the grim reality before me in this unfortunate situation. Because they can't protect me at this high security level here with all this crazy stuff going on with the stabbings, drugs, and the gang members' violence. ”

CASE #8: J.K., Greensville, wrote on 7/29/23 that their sheets had not been washed in 3 months.

CASE #9: M.V., Pocahontas, wrote on 10/23/22 to say the “terrible food” is not fit for human consumption and that they “received no water during recreation – even when it’s 90 degrees. . . I do not comprehend how they get away with so many violations. We feel helpless in here. It’s like we don’t matter. We’re in here because we made mistakes, we know that, I know that. We’re just asking to be treated in a humane way.”

Food Issues

One of the most common concerns IAHR receives from incarcerated people in Virginia is about the quantity, quality, and nutritional content of the meals they receive. C.W. at Wallens Ridge, for example, wrote in May 2022, “there are offenders that are getting sick from the food due to they are constantly feeding meat rock which states on the labels for farm animals use only.” At least one prison has occasionally run out of meals before everyone has been fed. It is not unusual to hear assertions that the food prisoners are actually fed is not the same as what is shown on the written menus.

CASE #1: B.C., Sussex I and River North, complained on 8/21/20 about the nutritional content and amount of food. While at Sussex I, he wrote about not receiving the kosher Jewish diet he was supposed to receive. He lamented the generally poor quality of food, which he said rarely included fresh fruit and vegetables. He believes eating rotten food has given him chronic dysentery. He claims the calorie content of the meals is usually less than 1,000 a day.

CASE #2: S.G., Sussex II and Keen Mountain, has provided detailed descriptions of meals over a 3-year period. Here are some entries from his log:

- On 10/24/21 he reported “54 servings of eggs in 54 days. Same food over and over – boiled eggs, potatoes, carrots.” There were no green vegetables, rarely an apple, and never any other fruit.
- Two months later he wrote: “Breakfast consists of a ‘coffee cake’. Lunch is a Nutrigrain bar, and dinner is a piece of fruit. The ‘entrée’ is rarely worth eating. The fruit is so small it’s as if it doesn’t exist. What they claim to be an orange is smaller than a tangerine. The cheese is as thin as this paper and isn’t the equivalent of a Kraft Singles square. The peanut butter is more almond butter, it doesn’t melt or spread on bread, so there is no way you can eat it on bread. The ones that eat it out of desperation become constipated. We complained about getting eggs 5 days a week. Breakfast NEVER changes from pancakes, eggs, and sausage gravy. I refuse to say that we are starving in here, but we are famished.”
- 2/21/22: “This is the third day I haven’t been fed. I told [4 named officers], just to name a few. I am so malnourished I can see and feel my ribs.” [IAHR heard from others about the shortage of meal trays during this period. We reported this to VADOC managers in Richmond, who responded that Regional Administrator F visited Sussex II on February 9 and prisoners received their evening meals that day. This reply was not responsive to the allegations raised.]
- 3/21/22: “There also were several days when the meals came literally 20 to 25 trays short leaving most without food and when it was addressed there was nothing done to correct it, so yes, once again I went without being fed on multiple occasions. I assure you that complaints are being filed, but now they go so far as to say ‘we don’t have any forms for you to fill out.’
- 10/18/22: “I assure you we are not getting what they say they are giving us. For example, the menu says we get coffee & milk for breakfast everyday but since I’ve been here [KMCC] we’ve never gotten that.”
- 11/25/22: “Staff eats pizza & chicken but inmates eat meat rock & soy. The food service is saying we are eating Hamburgers & French fries, when we get mystery meat & watered down potatoes.”
- In February 2023, while in the RHU, S.G. shared that “I’ve been asking for a spoon to eat with since yesterday but the c.o. said “we ain’t got none, eat with your hands.” How am I suppose to eat beans & macaroni with my hands? That’s nasty. I took my medicine cup & did the best I could. The meal was terrible but I can’t afford to not eat. . . Lunch (2/9/23) was so minuscule, 3 pieces of ‘grass,’ stale bread & cookies, that say best by 2-5-22 a year old! This is why my body feels like its eating itself.”
- 6/16/23: “For lunch we received a piece of putty (meat unknown) the size of a McDonald’s sausage biscuit, with an old dry ¼ piece of Italian bread, watery zucchini, and a bowl of cereal that says ‘better if used by 12 Nov. 2021,’ all while the staff got fried chicken, potato wedges, green beans, biscuit, salad with ranch dressing, and some kind of cobbler. . . I’ve written this up several times and the kitchen always writes back, ‘staff does not get anything different on the menu besides a salad’ which is a blatant lie. I wonder how much food waste this compound

alone throws away. I guarantee you these people throw away more food than it puts in inmates' stomachs."

CASE #3: B.W., Sussex II, wrote to IAHR on 2/10/22: "On the 7th & the 8th we went almost 24 hours without food. . . It's about 20 something people who didn't get their food.. They came & served breakfast on both days around 10:00 then lunch about an hour later & then dinner always comes short & staff just lock us in the cell & go home like they don't care about it." Ten days later he added: "They came & talked to me, I dk who Mr. F is, but the problem is still going on til today... I've got multiple people's names who are going days without getting their food...today they had my dinner sitting on a bench from 5 to 6 something & then gave it to me without letting me go to the microwave or anything... Its now going on 8pm & there are still people who didn't get their food...this place is out of control."

CASE #4: A.I., Sussex II, told IAHR on 2/22/22 that "the food here is stringiest and disgusting. We get fed the same thing every meal, every day. It is not enough to feed a toddler, let alone a grown man or adult. . . Officers do not feed us on time and if and when we do get fed, the food is cold and hardly enough." A month later he said, "we are still suffering all the same issues. Food is coming hours late and cold."

CASE #5: K.T., Wallens Ridge, informed IAHR on 3/21/22: "I am on the Orthodox Jewish Diet but they do not give us what we suppose to have, we suppose to get kosher milk that they have but they don't give it to us and they does not be following the menu, they will serve us the same meal for lunch and dinner for four (4) to five (5) days in a row straight. 5-11-22: We are being fed spoiled food through the Jewish diet. Particularly on 5-5-22-5-6-22 and this was reported BH allowing cos to examine the [c]ooked eggs with black dots and a putrid smell dated for 4-6-22. There was no relief made available and officers delayed addressing it with the kitchen staff and refused to sign my celly's emergency grievance to prevent them from further serving them. At dinner our Jewish bags were missing and what was brought back was not tuna as they were but more boiled eggs! By the same co who observed the spoiled eggs that morning. The other items they serve don't have dates so its difficult to know how long they have had them but any days you can tell the difference between fresh and spoiled."

CASE #6: S.S., Sussex I, wrote on 9/12/22: "I'm at sussex 1 state prison and I'm on a jewish diet have been for some time now the menu for that diet say were supposed to get tuna 3 time a week, veggis and fruit. however we've been getting fed the same meal for lunch and dinner for the last 8 days in a row. when we or I complain we're told that's all they have in the kitchen. there is no menu that feeds any inmate the same meal for lunch and dinner for 8 days in a row.. I don't know what else to do. i've written it up on a complaint but nothing has changed."

CASE #7: M.B., River North, wrote in a 1/27/23 email: "The food is unacceptable. I'm on sealed meal, the only meal they cannot mess with. Yet often the food is missing things like milks, desserts, portions of peanut butter and such, sometimes it is spoiled. They also like to serve soy on almost every meal, to the point I am developing 'man boobs' (don't know what else to call it). Yet on regular or common fare, they under-serve food, serve 'chicken bolt' every day and do not follow Serve Safe. Chicken bolt is the nasty bits of chicken that is frozen into cubes, packed into plastic bags and shipped, it's then thawed in its own blood then cooked in its blood. The regular trays' vegetable is almost always steamed shredded cabbage, steamed potato or steamed shredded carrots. So now they offer trays without the vegetable to save money instead of making it better so we want to eat it."

CASE #8: J.T., Greenville, said on 8/17/23: “The food they're serving us is terrible and we get breakfast at 11 am and lunch at 5 pm and dinner any time after 9:30 pm as late as 11 pm! For me that's hard, being I have no funds to purchase commissary.”

CASE #9: J.K., Greenville, wrote on 8/27/23: “1. On 7-30 my dinner meal was at 4:35 pm, 7-31 breakfast was at 4:00 pm. It consisted of 2 packs of oatmeal and 2 slices bread. Nothing else. (my meal is a sealed religious diet.) the oatmeal uncooked. no way to cook it.
2. On 8-3 I was given a breakfast tray containing nothing but dry uncooked oatmeal. no way to cook it.
3. Most meal's provided for my religious diet have become freeze dried Soy based rice or ramen style meals which need boiling water to cook. mostly not provided. . .”

Property Loss, Destruction, and Theft

IAHR frequently receives complaints from prisoners about lost and damaged property either during cell searches or following transfers. When the organization raised this with VADOC managers, they replied that they did not believe this was a serious problem.

CASE #1: M.M., Wallens Ridge, wrote on 3/4/21 that he was placed in the RHU in early January 2021. “Every time I come to segregation, officers, when they packed up my commissary and property that I had in my cell, they [steal] it and throw it in the trash, and they eat some of my snacks in the office where there is no cameras. They been doing this to a lot of inmates. According to Sgt E.R., I have to pay taxes to officers every time I come to segregation. I spoke to UM E about it . . . and he told me the officers can do this messing with inmates’ property and commissary because they [are] officers and I am an inmate with no rights.”

CASE #2: C.H., Sussex I, wrote on 5/12/22 that in his move to Sussex, he lost all of his belongings including his legal papers, which are time sensitive.

CASE #3: S.J., Wallens Ridge, wrote on 7/2/22 that he was sent to the RHU on 5/3/22 for investigation to last 15 days. He said he was never given a disciplinary charge. On 5/10/22 he was transferred from Lawrenceville CC to Wallens Ridge. He said he didn’t get his property while in the RHU at Lawrenceville, that he got some of his property at Wallens Ridge, but most of it was missing. He particularly lamented the loss of his personal pictures, including of his father who is deceased. He added that the screws were taken out of his TV and his JP5 player was broken. He said he had a necklace, but Wallens Ridge would not allow him to keep it and that he paid to have it sent out, but the intended recipient didn’t receive it. He believes camera footage can prove what he’s saying about the necklace. He added that no inventory of his belongings was done.

CASE #4: D.G., River North, wrote on 10/29/22 that his JP6 player was confiscated. He said he thinks it’s in retaliation for keeping a log of outside recreation. He wrote again on 3/15/23 to ask if we heard anything about his legal papers that were taken from him. As of 7/21/23 he said he still had not received his family photos or his legal documents.

CASE #5: IAHR received over a half dozen complaints (from G.H., V.B., Z.M., W.G., R.V., M.L., D.L) about violent cell searches by the “strike force” in December 2022 and January 2023, in which a group of officers from other VADOC facilities entered cells and destroyed prisoners’ personal property, including televisions. Because of the number of similar reports we received about this (at least five from **Wallens Ridge** and two from **Red Onion**), IAHR believes the reports were sufficiently credible to require serious investigation and follow-up. We inquired multiple times about this with VADOC management but received no substantive response. We asked the Office of the State Inspector General to look into these reports but have received no substantive response from that office either.

CASE #6: J.H., Keen Mountain, wrote on 1/30/23 to say he was among a group of prisoners who were viciously beaten by a strike force, many of whom didn’t have their body cameras on or working. He said he was put in the RHU and lost his property. On 4/13/23 he wrote to say “I did file a complaint about my property. They had until 4/7/23 to answer it, they kept continuing the date to answer. Before I left Wallens Ridge the warden told my family if I sign for the little bit of property I had he would transfer me which I did because [of] the living conditions. They replaced a few things but my legal work is still missing. . . once my family got on a few things for me they was trying to make it like they was doing me a favor by transferring me but they violated me in many ways. I do feel like I messed up a little by signing for 50% of my property 45 days later in the hole, but honestly I couldn't deal with the conditions.”

CASE #7: D.F., Sussex I, provided the following account to IAHR in early May 2023: “Our pod 4B was shook down yesterday 5-3-23. We were escorted to the rec. yard to be xrayed, which is OK but then while we were on the rec. yard the strike force was shaking down our cells at the same time without us being present to watch. This is a violation of policy. During shakedowns we are [supposed to be] present to watch in case they find contraband in the cell. Then you or your cellie has to claim the contraband, then the c/o knows which person in that cell to write the charge on. But when I got back to my cell, all my legal work, paperwork, clothes, along with my cellie’s stuff was all on the floor, mixed together. They tore through sealed food items, dumping it on the floor as well. They broke my headphone and took my cellie’s 6-way surge protector, cable cord, the battery charger. So much property was missing I can’t even list it all. Now we can’t even write a complaint because we don't know which c/o's shook us down. They even went as far as dumping out the mayonnaise in the containers into the toilet and throwing the empty bottles on the floor, destroying tens of dollars worth of food and countless dollars of property. I have never seen anything like this. They could have easily planted drugs, money or knives, etc. in the cells and there would have been nothing we could have done to defend ourselves of these serious charges because we were not there to watch our cells being shook down. They didn't even have us sign papers identifying that our cells were shook down and no one signed the property shakedown sheet. That identifies what property items (TV, headphone, jp6 players, etc) each inmate has in his position at the time of the shakedown. These are other violations of policy. They even went as far as to breaking our pod microwave and cutting the cord off of it so we could not use it!! We told our unit manager about it. (Mr. H). He said he would look at the cameras to see what c/o did this, but we know nothing will be done about it and now we don't have a microwave. I really don't care about a microwave but I put it in this email to show you how serious things have gotten. When c/o's are breaking state bought property to retaliate against inmates because they know that here there is no accountability for their actions by the major, warden or even Richmond, it seems they can get away with anything now. This whole shakedown was done wrong and in violation of DOC POLICIES! I cannot afford to keep buying property items just to have c/o's break them and/or take them when we're allowed to have these items.”

Inadequate Programming Opportunities

The COVID pandemic interfered to some extent with the VADOC's ability to provide programming opportunities for people in its custody. However, apart from this, IAHR regularly receives heartfelt communications from Virginia prisoners about insufficient opportunities for education, rehabilitation, mental stimulation, and reentry preparation. Some prisoners are begging for programming, particularly drug treatment.

CASE #1: Reyce Collins, Pocahontas, who gave IAHR permission to use his name, told IAHR that he spent 92 days in the RHU, awaiting transfer to Green Rock CC. He said he was assaulted by Officer E.D. on 8/23/21 and was placed in the RHU under investigation after that. He said he subsequently passed a polygraph exam he requested. He said the only programming he is offered is a packet of sudoku and word search puzzles every Friday. "If you're on Step Down 1 or Step Down 2, supposedly they make you complete an assigned journal packet, but not even half of the people back here are privy to such journal assignments. . . There are people that have been back here for two weeks without their property or any books to read. Supposedly we're supposed to get the 'bookcart' on Tuesdays and Thursdays, but it has been 2 ½ weeks since it has come down the corridor. . . There is no programming."

CASE #2: M.B., Buckingham, told IAHR on 1/13/22 that he had been in the RHU for 183 days. He said he told investigators he had become addicted to drugs and had accumulated debts to other prisoners for drugs. He said he asked for help, specifically to be placed in "the intensive drug program." According to M.B., in the RHU, "the only thing remotely [related] to programming is this lady comes through 2-3 times a week, gives us a total of 6 journals and pulls us out for about 30-45 minutes and talks to us. She genuinely does her best, but the privileges, education access and work opportunity, absolutely [do not exist]. They don't even try to fake it like they are halfway following policy. They just don't comply at all." He writes that they are offered 4 hours out of their cells "maybe 2 times a week, if lucky."

CASE #3: M.H., Wallens Ridge, told IAHR on 1/19/22 that he had been diagnosed with serious mental illness and was in a Secure Diversionary Treatment Program, but it was no different from being in the RHU. He complained of being locked down 24/7 with no programming. He said that there were 3 days a week when he could use the phone and email, but the kiosk had been broken for several weeks. On 6/26/22 he stated that the problems with the kiosk and lack of programming were continuing. He said the only programming was a one-hour music program that was offered a single time.

CASE #4: M.G., Wallens Ridge, wrote on 3/21/22, "There are no programs up here. The administration constantly says we offenders need stable adjustment. But there is nothing here to establish stability. There are no programs. The DCE program is for guys who don't have a G.E.D. They have custodial maintenance, but it's been shut down b/c of covid 19 & also the coordinator of that program makes it a hard choice to commit to applying for it. Anger management & Thinking for a Change were two programs that they had but those aren't funded any more or they are just NOT doing them. But I have completed those programs too."

CASE #5: Jerrod Claiborne, Greenville, gave IAHR permission to use his name and share his experience. On 10/3/22 he reported that he had been in segregation (RHU) from 7/2/22 until 9/22/22, when he was transferred to Green Rock CC. When first placed in the RHU, he said he was told he was under investigation, but not the purpose of the investigation. He added that he was told the investigation was completed on September 6, but he remained in the RHU for 16 more days. "My first 30 days, we didn't really get any rec, stayed in the cells all day. Then the unit manager changed, and she made sure that we got outside rec every day. It ranged anywhere from an hour to four, depending on the staff. There isn't [any] programming at all. It's just seg [segregation], but they make it seem to the outside world like they program. . . They don't give you any books or nothing to stimulate your mind." [Also listed in "Misuse of Isolated Confinement"]

CASE #6: J.S., Red Onion, was classified IM [Intensive Management] in early 2021 after being charged with assaulting an officer. He wrote on 6/13/23, "I been in IM-Closed now for 6 months. . . I have yet to be offered one therapeutic class. . . Nobody cares about our humanity. It's hard on my mental health and faith. . . There needs to be serious amendments to this program. Treatment staff should run actual classes. Such as Thinking For Change, Anger Management, Decision Points, Coping with Stress Skills and Fatherhood Classes. All treatment does is pull visitation, G.E.D. inmates from their cells to a desk. . . Why are they considered treatment officers if they are not helping us with treatment? Even while I was IM-0 through IM-2 the only time we seen them was when they were collecting and passing out booklets for the challenge program. . . This is not a program! This is fraudulent on every level. All I do is watch t.v. and sleep. How is that bettering anyone in the program? How is that a program? There is no structure. People cannot expect these men to change or be remorseful when we are not being taught. This program is a disguised hole; that's it. . . We are not being heard, helped or encouraged to heal. We are simply being held. We are frustrated, we are angered and we are hopeless. . . This is not a stepdown, it is a maze of smoking mirrors. It is discouraging to constantly be reminded in every way that the community has given up on me. I pray for change and I need to know what other ways I can help."

CASE #7: L.D., Fluvanna, complained to IAHR on 10/5/23 that resources for art have been reduced or eliminated. She writes: "There are too many mental health issues & not enough help. 1st off they want to stop us from doing arts & craft . . . They don't understand that, that is therapeutic to some people. Its not like they offer any classes. . . We feel as tho they want us to fight & get high instead of giving us some positive things to do. Everyone here is not bad people, we just made some bad choices which landed us here. . .I know 1st hand what goes on in here. And like i said they offer nothing. U can only take 1 class ur whole stay that is ridiculous. It didn't always be like that. U use to be able to take as many classes u wanted to. . .They use to have things for the ones who stay out of trouble to do but they took that too so there's nothing. And they wondering why people be wanting to kill their selfs."

Ineffective, Unreliable Redress Mechanisms

People frequently report being denied forms needed for filing written complaints and grievances. Other complaints include lack of confidentiality, failure to process complaints and grievances so that they are either lost or deemed to be untimely filed, and failure to provide independent review of complaints. Often individuals insist that if the security video footage were reviewed, it would vindicate them, but even in these cases, VADOC personnel nearly always find against the complainant. The Department reportedly is planning to make complaint and grievance forms available on prisoners' JP6 tablets so people won't need to procure them from staff. This will be a positive development.

CASE #1: H.J., Wallens Ridge, complained to IAHR on 4/2/21: "There are never any forms in the office where they are supposed to be. guess where the informal complaints, regular grievances, and emergency grievances are? in unit manager S's office!!! I had to buy the last complaint form I filed from another offender because they are so scarce and hard to come by!"

CASE #2: James Harmon, River North, gave permission to share his experience publicly. He wrote to IAHR on 4/29/21 about a K-9 attack he experienced on 12/9/20. He described the attack [see "K-9 Attacks"] as well as his efforts to file a grievance. He wrote, "I was placed in medical after my surgery and was not allowed my property until I was released from medical but as soon as I was released I started filing my informal complaints and then my grievance. I had to put in 3 grievances because the first 2 were never turned in or 'lost'. I have filed to the best of my abilities. I am now waiting for the answer back from the Ombudsman which is the final step in exhausting the grievance procedure."

CASE #3: A.W., Wallens Ridge, informed IAHR on 5/15/21 that he wrote informal complaints against Major K on 4/7/21 and Officer C on 4/9/21 for depriving him of recreation without due process, that both complaints went missing, and that they weren't responded to by the grievance office. He accuses Officer C of retaliating against him by writing him a false charge of threatening bodily harm on 4/29/21. He said he was taken to the RHU the same day and that he was not given a mattress or cleaning supplies. He said on 5/10/21 he filed two informal complaints against Officer C about retaliation and the mattress but only the one about the mattress was logged, and he received a receipt for it. He told IAHR that he filed another complaint about the alleged retaliation on 5/12/21, but he still received no receipt or response.

CASE #4: R.B., St. Brides, appealed to IAHR for help on 9/23/21: "I would like to know what options may be available for holding the institutional ombudsman and the operations manager here accountable for their continued failures to do their job - their persistent negligence, abuse of power, and complete undermining of the grievance policy. The ombudsman continues to ignore complaints, deny them intake, and use every trick at her disposal to make legitimate complaints disappear. She does not investigate claims or even speak to persons who file them. Complaining to her supervisor - the operations manager - is futile as she only makes excuses for her and backs up her erroneous decisions. Appealing intake decisions to the regional ombudsman is equally futile as she does the same thing. I am so tired of this injustice!"

CASE #5: V.P., Wallens Ridge, wrote on 11/10/22 that he is in the RHU because he was in a fight, which he says was started by two other inmates on 9/17/22. He says three officers were on the floor and used mace, which stopped the fight. According to V.P., they were told to lie on the ground and when he went to do that, he says “the officer in the control booth shot me directly in my face no more than 10 yards away with a 40 millimeter shotgun round.” He says it was not done to restore order, since he was already on the ground. He then recounts a serious lack of medical care for treatment of both the mace and his wounds. He was eventually taken to the local emergency room. He says he has tried to use the prison grievance system, but “in filing complaints they [are] either throwing them away or they were not processed.” V.P. further claims that he has filled out the forms to obtain a copy of his medical records but hasn’t received the records. He says he has been in the RHU since the incident but doesn’t belong there. He feels “helpless” — and that “people are trying to sweep it under the rug and silence me at the same time.”

CASE #6: M.B., River North, expressed concern on 1/27/23 about the lack of an effective way to submit complaints confidentially. “[Only PREA complaints can be reported] privately, but even that is a lie. No paperwork is accepted without your name, number and on the right paperwork. But as soon as you do file any paperwork – I filed paperwork about the gang members in the cell above me and the unit manager (H) called them into the office and showed them the paperwork!! I tried using non-official paper and leaving my name off. Never went through. The paperwork was for 24/7 blasting rap through the vents, bullying people around and using the phones when it’s time for hearing impaired only, they are not even supposed to be out.”

CASE #7: In February 2023, IAHR wrote to VADOC management on behalf of **L.F., Red Onion**, who claimed he had filed multiple complaints and grievances that were never processed and for which he was given no receipts. We told the VADOC, “L.F. writes that his access to the grievance procedure is being blocked. For example, he claims to have filed two written complaints on January 20 and three more on January 26 for which he was given no receipt and no response. As we've discussed previously, this is a very common complaint that we receive from people in VADOC facilities. The lack of documentation is a circular problem that makes it impossible to prove one's access to the procedure is being blocked.” IAHR asked whether the Department was considering a remedy for this but received no response.

CASE #8: On 2/27/23, **A.W., Wallens Ridge**, shared with IAHR his frustration about his inability to get appropriate consideration from the grievance procedure: “I just wish my written complaint and my grievance was investigated properly when I filed it. Everything I was saying was accurate, and they were still just turning it down. This is real good evidence of why there needs to be an independent grievance office. There shouldn’t be no reason why I have to reach out to you in order for my complaint to be investigated properly. But I am very thankful for you.” He went on to complain about the grievance coordinator not doing her job: “I made a complaint about Major H and she responded to it saying another complaint addressed my issue. Then I wrote a regular grievance stating this complaint is a different incident on a different date and time and staff member. I asked if Major H can please give a response to my complaint and if it can please be investigated by looking at the camera, for my suggested remedy. My grievance was not accepted.”

CASE #9: S.G., Sussex II, wrote to IAHR on 3/8/23: “Thank U for responding back to my email because I've been wrestling mentally with this situation. . . Back in December on the 16th my cellmate got into an incident with another inmate in the cell we share. I had no hand in the incident but trying to

prevent the situation from happening. Once the situation took place I go to the door because I saw someone being stabbed & as soon as I seen this I go to the middle of the unit we're housed in & start waving my shirt in the air trying to get the attention of the booth officer. After my cellmate & the other individual were taken to segregation, 2 days later myself & three other individuals were picked up & charged with Aiding & Abetting another to Commit Aggravated Assault. Myself & the other 3 individuals had no hand in aiding either individual in the incident. The charge was placed on us through the camera footage so during the whole process there are things available to us to build our defense & camera footage is one of them. When requested we were all told that the same footage that was used to bring the charge against us was irrelevant to the case??? How?? If that footage was used to bring charges against us how we couldn't use that same footage to build our defense? . . . The unfairness & the biased approach of just convicting an inmate because you have the power or authority to do so isn't right. Before that incident I was 2 & a half years charge free & it's really bothering me because I didn't do anything. I don't have a problem with accepting responsibility for something I'd done but I did not participate in this incident in any form.”

CASE #10: E.R., Green Rock, wrote on 6/5/23 to say there was a death at Green Rock for which the medical team responded slowly. He expressed outrage as well as his intention to gather affidavits from everyone in the area to prove what happened. IAHR received a similar letter from another Green Rock prisoner. IAHR was told there is an SIU investigation. On 5/2/23 E.R. wrote to say he sent IAHR a written copy of the complaint that he'd filed Wednesday night “but no receipt has been issued as this is now day 4 & similar issues are still occurring with the same administration. So my inquiry is this... what steps may we (the incarcerated) take if our complaints aren't being processed to seek our exhaustion for further actions & camera footage from outside of the buildings shall prove that the complaints are being submitted into the proper box. . . Everything that I mentioned on my complaint may be verified by the body cams of the Sergeants amongst A-2 unit camera footage. I also have a detailed description from the victim with his information on it & will be sending this off to you so that you may see that this is occurring to multiple individuals . . . as 3 more incidents occurred yesterday pertaining to the same Sergeant. The assistant warden with the major (P) & A-Break Day Shift Commander (Captain P) is aware of the situation, but no thorough investigation is being conducted to eliminate the situation & this is another reason as to why I'm asking you as to what we (the incarcerated) need to do not only to pursue proper justice, but to protect ourselves from retaliation by staff?????”

Broken Disciplinary System

VADOC has a disciplinary system that is supposed to provide for a hearing before a hearing officer with the opportunity for the prisoner to present evidence and witnesses. Video tape is often used by VADOC to prove its charge, but the video is made available to the individual who is charged only in cases involving the most serious category of offenses. IAHR receives complaints regularly about the refusal of a hearing officer to accept the individual's evidence or hear their witnesses, deeming them to be “irrelevant.” People often miss their hearings, either by choice or by not being informed of their hearing date, or the hearings are postponed. Decisions are routinely upheld on appeal and the independence and competency of the hearing officers is questionable based on the number and similarity of the complaints we have received.

CASE #1: R.P., River North, wrote on 12/27/22 that he was given a false charge of using vulgar language to an employee, and it cost him his job. He said he was given a hearing for which he filed witness statement forms, documentation forms, and video evidence forms. R.P. claimed the video would show no staff in the area when the statement was made. He said all of his forms were denied because the hearings officer determined they were not relevant. He told IAHR he was fined \$15 and terminated from his job despite performing it well, and he argued that the proper procedures weren't followed.

CASE #2: G.L., Red Onion, wrote in late 2022 that on 1/28/22 at 6 pm, he was in an altercation with his cellmate, who had a knife. He says he tried to get help from Lt. J.M., but Lt. M didn't respond. According to G.L.'s account, he stabbed his cellmate with his cellmate's knife and was sent to Red Onion on January 31, 2022, but he wasn't charged until March 3, 2022. G.L. claimed that Lt. M didn't appear at the hearing, despite the fact that G.L. had requested him as a witness. G.L. said the hearing officer deemed Lt. M's testimony to be irrelevant. He says he spent 78 days in the RHU with "no status," and because of that he was denied access to a TV or commissary.

CASE #3: M.E., Wallens Ridge, wrote on 10/22/22 about being falsely accused of being in a fight when he said he was actually the one who stopped the fight and protected the victim. He said the hearing officer refused to listen to his evidence, which included other witnesses and relevant video footage. He said he was told he could fight it on appeal, but appeal is a remedy for procedural errors only.

CASE #4: M.B., Red Onion, wrote in March 2022 that a corrections officer (CO) improperly confiscated his TV as contraband and filed a disciplinary report. M.B. said he waived appearing at a hearing and was found guilty of possessing contraband even though he denied the TV was contraband. When IAHR asked why he waived the hearing, M.B. said, "Ma'am, i came from Wallens Ridge, where if they get you in the office they will say you did something that warranted them to use force... i just wanted to avoid being in that situation."

CASE #5: O.T., River North, wrote on 4/23/23 to say he believes he is a Level 2 prisoner and shouldn't be housed in a Level 4 prison. He writes that he was transferred from Augusta CC to River North, for reasons unknown to him. He added that it was supposed to be a temporary transfer pending an investigation and that he doesn't know the basis for the investigation. IAHR asked VADOC management about this, and they replied that the transfer was "appropriate" and that O.T. knows "why he is where he is." IAHR so informed O.T., who said that he was never told why [he] was transferred from a Level 3 to a 4, that he "never received a charge for why they shipped" him, and they never told him why he was under investigation. He said, "the only thing I know is that on the ICA papers it says 'threat to operation of facility,' that's all."

CASE #6: T.W., Wallens Ridge, wrote on July 4, 2023, that he was told to strip for a video visit and that the officer kept him unclothed and continued to look at him. He said he filed a complaint under the Prison Rape Elimination Act (PREA) and has experienced retaliation by officers since then. He said he was charged with violence against an officer, which he disputes, and at his hearing he was told video and other evidence wasn't relevant, even though the video was used to support the charge.

VADOC/SIU Investigations of Questionable Impartiality, Thoroughness, Transparency, and/or Follow-up

Although the VADOC vigorously defends the independence and professionalism of its Special Investigations Unit (SIU), there are many cases that cast significant doubt on the impartiality and thoroughness of SIU investigations. There is little transparency in the conduct of an SIU investigation (who was interviewed, what evidence was deemed relevant, the lack of access to videotapes upon which the investigation may rely); investigations can take a long time during which the person being investigated is likely to be held in segregation (RHU); and the individual, at most, is told the conclusion of the investigation with no explanation of what it was based on. IAHR received more than a dozen complaints between January 2020 and the end of July 2023 involving questionable SIU investigations or other internal VADOC inquiries, in addition to many more instances of failure to hold officers accountable for clearly unacceptable conduct.

CASE #1: On 8/11/21, **C.H., Wallens Ridge**, informed IAHR that he was raped on 1/2/21 by his cellmate. VADOC confirmed to IAHR that there was an SIU investigation, but C.H. says no investigator spoke to him about it until 5 months later. C.H. claims he later learned that Major K had falsely told others that C.H. had lied about being raped. According to C.H., a subsequent cellmate told him that Major K put him in a cell with C.H. so he would hurt C.H., but that cellmate refused to do so. On 3/21/22 C.H. wrote: "I just last week got the SIU answer on their investigation on being raped on 1/2/21. It took them 15 months. They say it's unfounded. They're covering Wallens Ridge backs."

CASE #2: **W.D., Greenville**, told IAHR on 12/28/21 that he was sexually assaulted by Lt. C. (See "Assaults by Prison Staff.") He filed a lawsuit in federal district court, which was dismissed as untimely filed. W.D. said he wrote to the governor and the VADOC Director but received no response. He claimed he was later informed by the PREA Compliance Manager at Greenville that an SIU investigation substantiated his allegations and that the perpetrator would no longer have contact with him. However, W.D. subsequently reported that he learned the perpetrator had been promoted.

CASE #3: **D.M., Pocahontas**, told IAHR on 1/30/22 about harassment and violent treatment he said he received from Unit Manager B.S. and Sgt. B in November 2022. (See "Assaults by Prison Staff.") On 3/9/22 DM wrote, "I did hear from a Sgt. W with SIU who basically just told me the UM and Sgt denied it happening and I felt like he was defending them and attacking me and basically calling me a liar so that's how that went."

CASE #4: In March 2022, **C.K., River North**, wrote to IAHR to say COs forced him on March 3, 2022, to participate in a fight with an officer. [See "Abusive or Unprofessional Conduct by Prison Staff."] On 4/25/22 IAHR wrote to VADOC asking for an investigation. IAHR was told there would be an SIU investigation but heard nothing until 10/26/22 when IAHR asked about the status of the investigation. The organization was told that C.K. failed a lie detector test. Neither he nor IAHR was told whether the officers were given lie detector tests. C.K. subsequently informed IAHR that the test showed he willingly engaged in the fight because he did so after he first refused. He also asked why his charges were dismissed if what had happened was so serious. He believed the dismissed charges were evidence of the collusion of the COs. On 11/10/22 IAHR sent C.K.'s responses to the VADOC and was told they would be shared with the investigators. IAHR received no further information.

CASE #5: On 4/13/22, **Jawan Lee, Red Onion**, contacted IAHR about an incident involving a K-9 that occurred on 4/5/22. [See “K-9 Attacks” for details.]. Lee gave permission to share his experience publicly. He said Intel Officer Ms. M asked him if he wanted to talk to the SIU. He told IAHR that he didn’t know what the SIU was, but when he found out, he asked to talk to them. Lee said he had an appointment to talk to Agent H. He later reported that he found the SIU to be useless and that the investigator sided with the officers.

CASE #6: J.P., River North, wrote in June 2022 saying he was attacked in May by four Crips gang members, that he was beaten and had his property stolen. He said two COs knew about it in advance but took no action and that he spent 4 days in the medical unit. J.P. said there was supposed to be an SIU investigation, but he hasn’t heard anything.

CASE #7: M.E., Wallens Ridge, complained to IAHR in October 2022 about being falsely accused of being in a fight. [See “Broken Disciplinary System.”] After he was found guilty at his hearing and IAHR wrote to VADOC, on 2/27/23 the VADOC told IAHR that the SIU had investigated the case, that the investigation did not clear M.E. of involvement in the altercation, and that notarized letters M.E. sought from fellow prisoners would not change the outcome, as there is no way to ascertain the reasons why the men modified their statements. On 4/18/23 the VADOC reported that the SIU described what the security video showed and that it did not support M.E.’s claims. Neither M.E. nor IAHR was allowed to see the video.

The SIU’s highly questionable handling of an alleged [incident of choking of a man in restraints](#) by a unit manager at Keen Mountain was revealed by the *Richmond Times Dispatch* after the paper obtained video of the incident. The unit manager was later promoted to Assistant Warden.

Media outlets have reported on the [FBI investigation](#) of the murder of **Charles Givens at Marion Correctional Treatment Center**, following the VADOC’s lack of vigorous action in response to his death.

Misuse of Isolated Confinement

Current international human rights standards reflect the significant body of research documenting the serious damage to mental health that often results from prolonged stays in isolation. Since 2015, when IAHR began hearing from people in VADOC custody about their experiences in isolated confinement – which has gone by many labels, including segregation, “restrictive housing,” and, most recently, “restorative housing” – the VADOC has reduced the number of people placed in isolation for prolonged or indefinite periods. IAHR welcomes this downward trend. However, significant room for improvement remains.

While in what is now called “restorative housing” (RHU) in VADOC facilities, a person’s housing status is reviewed at regular intervals. However, there is very little transparency about how the reviews are conducted and what the criteria are for keeping a person from progressing. Often the individual is given paperwork (a DOC 11H form) stating a reason for the placement, but the reason is often expressed in a terse and cursory form that is not very enlightening.

Moreover, these documents reveal that occasionally each level of review of the decision is made by the same person, thereby casting doubt on the quality and integrity of the review.

Some people return to General Population after a few days to 2 weeks. Others can work their way out of the RHU by moving through the Step Down Program. People who are deemed to be the most dangerous are classified as Intensive Management (IM). Some of these individuals have remained in isolation for 18 months to 2 years and even longer, hindering or at least slowing any hope of rehabilitation. One man commented in September 2020, “Virginia DOC [says they] want these inmates to have ‘family values’ and build a positive relationship with family and friends. But long-term segregation is designed to break us. We get two 20-minute calls a month on level 1 IM-0 and SM-0, then 3 calls a month on IM-1 and SM-1, then on IM-2 and SM-2 four calls a month. No way can we have a positive relationship with our family. So we will fail in GP and society.”

The VADOC claims that placement in the RHU is not punitive and that it is used solely to remove a person from the general prison population in order to protect the security of the prison or the safety of people who live and work there. Those who are placed in the RHU, however, consider this a distinction without a difference, as placement in the RHU usually coincides with and is triggered by disciplinary charges. Men often complain of being deprived of a mattress, blankets, and a pillow for one to several days after being placed in the RHU.

People are often placed in the RHU pending an investigation that can go on for several weeks or even months. During this time, they may not be placed in the Step Down Program, and many say they are given no information about the reason for their placement in the RHU or how long it will last.

CASE #1: A.C., Wallens Ridge, wrote in early 2021 that he was placed in the RHU from 1/22/21 to 3/8/21. He said he had an Institutional Classification Authority (ICA) hearing on 2/25/21. When he later received the DOC-11H form, it shows that J.E. reviewed his own decision and does not provide a reason why A.C. posed a security threat.

CASE #2: M.W., Red Onion, informed IAHR in November 2021 and March 2022 that he was having serious mental health problems, including PTSD, bipolar disorder, and auditory and visual hallucinations and that he has multiple disciplinary charges for self-harm. He says he was in the RHU from 10/7/21 until early March 2022 (5 months) and wanted to be returned to a “mental health pod,” but was told by mental health staff that he didn’t need it. He said, “They are also keeping me in the hole longer than they [are] supposed to. One day I had a mental breakdown and they gave me 19 charges. I started cutting myself and banging my head on walls, floors and anything else. But when I told [them] that it was a mental breakdown and that I blacked out, the QMHP [qualified mental health professional] said that I was in the right state of mind so all charges would stick. I was 7 months charge free and this was the first time they heard from me since I got to this prison. . . The new policy is the offenders spend 30 days in the RHU and be put into step down, but I been in RHU for almost 54 days.”

CASE #3: T.S., Red Onion, shared the following with IAHR on 6/12/22: “I have been housed in isolated confinement since 2/2/22 (4 months). I’m under IM [Intensive Management] status. No group or program has been conducted! . . . I’m repeatedly being targeted by this unit manager! As of now I’m intentionally being housed in a mental health cell under his orders that does not afford me normal living conditions which under DOC policy I’m supposed to be provided. I was placed in this cell on 5/1/22 and was told by Lt. M.W. that I pissed Unit Manager C off and I need to chill out, lay low, then they’ll see about putting me in a better cell. As of now there is a punitive sign that was placed on my cell door on 6/4/22 saying I’m not allowed recreation or access to the kiosk until 6/15/22 per UM C. . . .I am writing in concern for my safety and well-being (mentally, physically, emotionally and spiritually). I have never in my life constantly thought about being killed or killing in self-defense until being incarcerated at Red Onion State Prison, and recently suicidal thoughts come and go through my mind. I’ve never had this problem and don’t plan on suicide, but I tried talking to mental health and am left with unanswered questions.” [Also listed in “Inadequate Health Care.”]

CASE #4: J.T.C., Red Onion, wrote in August 2022 that he had been in the RHU since 1/9/21 (9 months) because of charges for which he had long been cleared. He said he had received no documentation related to his housing status even though he requested it multiple times. He said he asked the lieutenant, the sergeant, the unit manager, and the institutional program manager, but had received no response as to why he was still in the RHU.

CASE #5: R.M., River North, provided the following description to IAHR on 8/18/22 of events he says occurred in July and August of 2022: On 7/22/22 the volunteer for his religious studies program mentioned that she lived in Freis, VA, and was the neighbor of one of the counselors at the prison. That counselor was present, heard the conversation, and made no objection. On 7/28/22, R.M. mentioned in passing to another counselor what he had heard about the two being neighbors. Within an hour he says he was in the RHU “under investigation” and within 24 hours he was approved for a transfer to Sussex I or II. None of the due process requirements appear to have been followed. R.M. didn’t know of any hearings taking place and, if there were any, he said he was not allowed to attend them. His release date was lengthened. He explained that the “investigation” was completed within 24 hours, but he was held incommunicado for 12 days after that. This was all because he allegedly possessed personal information about a staff person. He added: “The segregation unit has had no AC since 8/5/22, so it’s been 11 days in a windowless metal cell with ZERO air circulation.”

CASE #6: J.J., River North, wrote on 8/24/22 that he had been in the RHU for 4 months. He said there had been no AC for at least 3 weeks and that if they get any rec at all, it’s only an hour or two. He has no windows, no JP6 players, and no email. “We only get the phone two times a month. When we have our ICA hearings, they just do them. They don’t have us there. They just bring us our paperwork and do whatever with us. I was locked in a storage container for 3 days as a kid. So having no windows, AC, no JP6 and phone is really getting to me. Our mental health people do not help us. I’ve been trying to get back on my anxiety meds since my dad died a few months ago while I’ve been in seg. All they do is tell me to meditate.”

CASE #7: R.T., Wallens Ridge, wrote on 8/29/22 that he and several others protested having to go back to their cells in the RHU earlier than the end of their 4 hours of out-of-cell time. He said he was told by the sergeant that they were to get only 2 ½ hours of recreation. R.T. described how he and three others protested by sitting at the rec table and refusing to go back to their cells. He reported that they

were handcuffed and ankle cuffed at the table. According to R.T., they were then taken one-by-one to their cells, completely stripped, and placed in restraints. He claimed that their mattress and blankets were removed, the toilet paper was removed, and they were not allowed to go to the bathroom. He said they were in shackles and handcuffs that they couldn't lift above their waists. He adds that he was supposed to be in the RHU for only 30 days, but it had been 52 days when he contacted IAHR.

CASE #8: R.G., Wallens Ridge, wrote to say he was on his way to work on 9/16/22 — having held a job for 1 ½ years and been charge free for 3 years — when a Corrections Officer (CO) patted him down, cuffed him, and put him in segregation (RHU). When R.G. asked why, he was told, “you know why.” He was later charged with having a cellphone, which he says he did not have, and no one ever showed him one. He says his hearing was set for 9/26 but didn't happen. He was later given a notice that his hearing had been postponed to 10/14, but it didn't happen then either. Apparently, the officer quit, but R.G. was told he could not go back to General Population until a bed became available. He said he spent more than 33 days in the RHU with the charges dropped. He believes he was charged in retaliation for “writing up” the captain, whom he accused of losing his legal mail. [Also listed in “Abusive or Unprofessional Conduct by Prison Staff”]

CASE #9: Jerrod Claiborne, Greenville, who gave IAHR permission to use his name, wrote on 10/3/22 that he was in the RHU from 7/2/22 until 9/22/22, when he was transferred to Green Rock CC. He said when he was first placed in RHU, he was told he was under investigation but was given no reason. According to Mr. Claiborne, he was told the investigation was completed on 9/6/22, but he remained in the RHU for 16 more days. “My first 30 days, we didn't really get any rec, stayed in the cells all day. Then the unit manager changed, and she made sure that we got outside rec every day. It ranged anywhere from an hour to four, depending on the staff. There isn't [any] programming at all. It's just seg, but they make it seem to the outside world like they program. They don't give all the privileges their supposed to give either. . . And in my eleven years there, before all the mandates for seg had been changed, you'll always deal with the mice, spiders, and roaches. They don't afford you accessibility to cleaning supplies. They don't give you any books or nothing to stimulate your mind. When it's hot, you deal with unbearable extreme heat. I was 248 when I went to the hole. I'm now 217, when it's cold, the temperatures are not real. Feels like it's negative below, but they will give you extra sheets and blankets. And it's no way that the feeding proportions are appropriate for grown men.” [Also listed in “Inadequate Programming Opportunities”]

CASE #10: Dominique Pryor, Sussex I, who gave IAHR permission to use his name, wrote on 10/6/22: “The days of using segregation as a weapon to punish was supposed to be over! But not only is it not and they still use it as punitive instead of corrective, they have expanded it and started turning whole population pods into segregation under the illusion or scam that there is a security issue! They have created an extremely unprofessional and oppressive environment, and it is getting worse, and these types of circumstances and strain can and usually creates an extremely dangerous and volatile environment!”

CASE #11: S.G., Keen Mountain, wrote on 2/17/23: “. . . Do u know what they are using the hole for? Covering the shower light. This guy had the light covered so no one could watch him & when the officer told him to take it down he did but not fast enough, so the officer said next time do what I say when I say do it, next thing we know they're tackling him to the ground locking him up. Another ridiculous incident: my cell mate told the officer to pick his pillow up off the floor since he was standing on it & the officer told him to "Shut the f... up!" After saying "No u shut the f... up" they locked him in isolation. There are rarely fights, stabbings or rapes just juvenile incidents being used to justify isolation.

Usually the juvenile behavior is from the officers pushing things that don't need to be pushed. I just witnessed a man try to kill himself in cell 1 & the treatment was so sad. Instead of trying to comfort & discourage him they beat & antagonised him. It's sad when people would rather die than live life like this."

CASE #12: O.M., Keen Mountain, described to IAHR on 3/30/23 an incident that resulted in his being charged with inciting a riot and taken to the RHU. He said this came at the end of a verbal altercation with multiple officers in which O.M. criticized a canine officer for using his K-9 to gratuitously threaten inmates who were in the food line.

CASE #13: S.B., Red Onion, wrote on 6/8/23: "Yes, I am still IM status. They purposely denied me the ability to progress in February even after the disciplinary offenses I was facing were dismissed and I met every other criteria."

CASE #14: T.C., Red Onion, told IAHR on 8/17/23: "I've been on Intensive Management since Nov. 2017 which is a little over 5 ½ years. I've done each step IM0 6 months, IM1 6 months & IM2 I done a year. I was set back for a 200 series charge where I used a friends pin number on the phone because I was only given a certain amount of calls a month. Once I actually made it to IM phase I completed Each - Phase 1 for a year & then phase 2 for 2 years until recently, June 7th 2023, where I actually caught my 1st charges & taken out of the phase pod & placed in the RHU pod for 120b tampering with security devices, 201 disobeying a direct order & 239 Simple assault on a person. Basically I had my window covered because an officer was retaliating against me by not giving me the phone because I wrote an complaint form on him in the Past. Then probably a while later June 26th 2023 I was given another 201 Disobeying a direct order & 239 Attempting to commit simple assault upon a non offender which were fabricated charges placed on me by officers to cover up their misconduct through their facilities policy & procedure because disciplinary infractions can't be grieved. . ."

The multitude of other cases from 2022 and 2021 include:

-- **K.G., Red Onion**, wrote on 5/23/22 that his communication with family is cut off, he's in a bare cell in solitary, and has a K-9 at his door. He says he was sent from Red Onion to Wallens Ridge on 3/8/22 as an "emergency security" transfer and that he was beaten by guards and threatened with a K-9. He was placed on suicide watch for 39 days with no privileges. He says he spends 24 hours a day in his cell.

-- **M.L., Wallens Ridge**, wrote on 5/12/22 that he had been in solitary confinement since October 2008 and now can't stand to be in a shared cell. He said he has spoken to a lot of people about urgently needing a single cell and that he's going to come "unglued."

-- **D.D., Keen Mountain** wrote on 2/14/22 that he had been in the RHU since 11/16/21. He said, "There is no programming. No mental health services. No access to law library. No job opportunities. No religious services or schooling. In 90 days I've not had access to a haircut one time. No access to linen exchange. I've seen inmates be placed in the cell with no sheets or blankets for weeks at a time. On shower days we are forced to put back on the same clothes we've had on. . . No cell cleaner is available. And we are often served different food than the general population."

-- **D.W., Keen Mountain and, subsequently, Wallens Ridge**, wrote on 11/24/21 that he had been in the RHU since the end of October. "There is no re-entry at all. There is no type of programs or activities while in RHU. There is only outside rec in a cage when they want to give it to you and it's from 6:30 am until 10:30 am even when it's 30 degrees outside." He says he was in 5-point restraints for 9 hours and 40 minutes without a bathroom break and wasn't given breakfast. Because he was accused (falsely, he claims) of spitting at an officer, he states that he was placed on "the loaf" for 7 days – one at

breakfast and one at dinner with nothing to drink. [He describes the “loaf” as a brown mass of red beans, carrots, and rotten cabbage.] He wrote on 1/20/22 that they put him on the loaf four times without documenting it, and he states he has never done anything inappropriate with food. He said he was on Step Down-1 for 2 weeks and was on Step Down-2 when he contacted IAHR. “But I am still in RHU, there is no difference. I am still not allowed my property, TV, coffee, soups, beard trimmers, razors. Only 3 showers a week. One 20-minute phone call on Wed & Sat. No recreation at all. We can’t even order shampoo, lotion, colored pencils. So there is nothing different ‘except’ they do not cuff you or put shackles on you and you are not hooked up to a dog leash anymore.”

-- **D.A., Keen Mountain**, wrote in November 2021 that he had been in the RHU since 8/1/21. He said he had previously spent more than a year in segregation at Buckingham CC. He added that he has serious mental health issues and that there is nothing to do, so he dwells on the past, which is driving him “insane.” He said he was molested when he was 12 and has used drugs ever since to cope. He stated that he’s getting increasingly paranoid while in the RHU. He thinks they should have a program that actually helps a person’s mental health instead of making it worse. He said they have mental health pods, but he was told he doesn’t qualify for them, which doesn’t make sense to him. “It’s just screwed up here, well everywhere in prisons in this state for people like me, where all they think about is you’re trying to get over on them in some way, but what they fail to realize is maybe you’re trying to get actual help from everybody who’s gotten over on you.” [Also listed in “Inadequate Health Care.”]

-- **A.A., Sussex II**, wrote on 1/25/21 to say, “I’m in solitary confinement now with no mattress, no blanket, no pillow & sheet, also no toilet paper, no hand soap as [I am] supposed to by policy. I’m shivering with cold, it’s been 12 hours now, I couldn’t sleep the whole night and cannot do many movements because it’s SO cold, I’m crying, what these guys are doing to me!?! He states he was never given a DOC-11H form or any documentation of his placement in the RHU. He remained in the RHU from 1/23/21 until early August 2021 (more than 7 months), when he was transferred to Red Onion.

Inadequate Time Out of Cell

It has long been the VADOC’s stated policy to provide people in segregation (RHU) with at least 4 hours out of cell every day. Since July 2023, this requirement has been in statute. Nevertheless, people in VADOC custody report inconsistent adherence to this requirement. People in General Population are supposed to receive significantly more time (7 to 14 hours daily, depending on security level) out of their cells, except during periods of facility-wide lockdown. However, even they report instances of less than 4 hours a day out of cell. Even when they do come out of their cells, the quality of the time out of cell for people in the RHU is poor; outdoor recreation is in a cage, and in-pod recreation is experienced as being shackled to tables so that movement is very restricted.

CASE #1: H.W., Keen Mountain and Wallens Ridge, wrote on 1/24/21: “The problem is the not asking people if they want rec or showers. They will walk past real quiet and sometimes play as if they don’t hear you. They hate taking RHU guys out because they have to shackle them. . . We’re considered a nuisance for wanting to go out.”

CASE #2: D.W., Keen Mountain, wrote on 5/5/21, “We are denied pod rec and access to phone and showers during the day [and] only allowed a limited time at night. We are not allowed to receive

informal complaints or any type of grievance form to report the improper due process that is being done here at this facility. . . They also tell us that if we go to outside rec, we cannot have showers or phone for that day.”

CASE #3: Reyce Collins, Pocahontas, who permitted IAHR to share his comments publicly, wrote on 9/21/21: “In RHU it goes like this. The COs come by in the morning, right as the Day Shift bracket assumes control, and they go door to door as if they are conducting a security check. Some officers ask [if we want rec or showers], some officers don’t. According to them, it’s our responsibility to be at the door waiting for them to come around, which is hard because 75% of the time they don’t announce that they are coming around with the rec/shower sheet. Moreover, it definitely is NOT 4 hours, not even close. I’d say the absolute most would be two hours and that’s if you go outside AND take a shower. Somedays (Sundays for sure) there isn’t rec or showers being run AT ALL.”

CASE #4: M.S., Sussex I and II, wrote on 9/29/21, “They have these desks that they portray to be recreation, and policy states we should receive out-of-cell exercise. However, you cannot move your hands or feet at these desks so we know it’s impossible to exercise. Note that we only were provided actual outside recreation maybe 5 times my entire 5 months in restrictive housing. No exaggeration!” On 2/3/22 he wrote, “I’ve been here [Sussex II] in Seg since 1/21/22 and haven’t received any recreation or out of cell activity whatsoever.”

CASE #5: B.U., Wallens Ridge, wrote on 10/11/21, “From 8/23 to 9/16 we have had a total of 31 hours pod recreation, 3 hours outside recreation, that’s 23 days! None of those days did we get 4 hours of recreation consistent with L.O.P 830.B attachment A.” He wrote again on 2/12/22, 3/31/22, 5/8/22, 6/1/22, 6/6/22, and 7/25/22. In the last correspondence he said, “They’re only giving us 30 minutes of rec every other day.”

CASE #6: J.A., Sussex I, wrote on 10/15/21 that after some men met with a VADOC official “the recreation here improved slightly, but is still not adequate. . . .We are supposed to come out of our cells on a fluctuating recreation schedule at either 8 a.m. to 11:30 a.m. or from 1 p.m. to 3:30 p.m. every day. Outside rec is supposed to be given on days we have the a.m. rec every other day. In theory this was okay. Would of been a huge improvement, and did feel nice the first week because staff followed the schedule. However.... it was short lived. After the first week, laziness [resumed] and we’re now lucky if we get outside once a week, and the pod rec isn’t even started most mornings until around 9 or 9:30 a.m. to 11:30 a.m. or 2 p.m. until 3:30 p.m. mostly because of laziness. We’re supposed to be on a rotating basis to come out of the cells to walk and get trays for meal. But in months I’ve only done this maybe 3 times. And thus the out of cell time for population has quickly regressed nearly back to those super horrible conditions. And it only gets worse...”

CASE #7: Mr. R, Pocahontas, wrote on 1/20/22 that they were receiving only 2-3 hours out of cell each day in general population. “They took our 3-4 pm and 10-11 pm rec because they said it interferes with staff break time. . . Sometimes staff lets us out a half hour late, taking a half hour of our time away when we’re only coming out a couple times a day for an hour at a time and when asked why we’re not getting our rec, staff’s response usually is ‘If you don’t like it don’t come to prison.’ Sometimes the response is ‘we do what we want here.’” On 2/18/22 he wrote, “As far as rec outside, we get it for an hour every other day and maybe two hours twice a week. I know there [are] rules called the Nelson Mandela rules which one of them states we are supposed to get an hour outside rec every day weather permitting, but they haven’t done that here in two years. I know they are using the pandemic as an

excuse, but they love to lock us down, shorten, or take rec here constantly. All the complaints against this place, nothing ever happens. It's like it always gets swept under the rug."

CASE #8: M.G., Wallens Ridge, wrote on 3/21/22, "This is a level 5 compound. They say we are supposed to get 7 to 8 hours of recreation [in General Population] to call home, use the kiosk, shower a minimum of 1 hour outside & basically to move around. But we barely see 3 & a half hours on a good day. One of those hours is outside. I'm in the honor pod & I go to work at 8 a.m. Some days I may get an hour out before I go to work & by the time I come back we are locked down for feeding & 12 o'clock count & we'll make it back out at 1:45ish to 3 o'clock & recreation is over. If we come out at nighttime it's for 30 minutes or nothing. We are in the cells for 18 to 20 hours a day. That's not a form of stable adjustment."

CASE #9: Khaiel Thompson, Wallens Ridge, who gave IAHR permission to use his name, wrote on 3/21/22, "I've been at Wallens Ridge State Prison from 2016, and ever since I been here the correction officers been giving us an hour [of] pod recreation or no recreation at all on the weekends with the same excuse, that they're short of staff." He wrote again on 4/2/22, "And as for the recreation, the most recreation we get per day is 3 hours out of the cell per day and most of the time the correction officers short us of our hour pod and/or outdoors recreation." He continued to write about the lack of recreation including a detailed day-by-day account from 5/20/22 to 8/12/22, which IAHR has on file.

CASE #10: D.D., Red Onion, told IAHR on 6/9/22: "I'm in A4 RHU. Not one offender has been pulled for outside rec/indoor table rec in over three months. We are told [it's because they are] short of staff but they write in the log books that we refused. Common sense will tell you 22 men in my pod did not refuse for over 90 days, and if they wrote down that they did pull rec it's a lie and camera footage would back this up."

CASE #11: J.C., Wallens Ridge, told IAHR on 6/14/22 that he's in the Secure Diversionary Treatment Program (for people with serious mental illness) and says they have not had recreation in months. "Staff keeps telling us they do not have enough staff." They are considered General Population. "We are supposed to have wellness groups, but I've been at WRSP since Oct 2021 and I have only been to two, maybe three, groups. Again, staff tells us that they do not have enough staff! Then they wonder why I do things to harm myself in order to get away from the pod!" He says they have not had haircuts since February.

CASE #12: T.W., Red Onion, wrote on 8/6/22 to say they are not getting the daily recreation they are supposed to get under the standards of the American Correctional Association and the U.N. Mandela Rules. "Also, we are not getting fresh air because they keep on taking [our] pod's outside rec and we are not getting the proper exercise because they don't allow us to exercise [during] pod rec."

CASE #13: D.G., River North, provided on 9/24/22 a thorough accounting of the lack of recreation time over several weeks. He said A-3 Pod was denied daily recreation time nearly 75% of the time in 2022. He maintained detailed hand-written records for each day. According to his tracking, A-3 Pod has been denied outside recreation 199 days out of 267 days, and for the 68 days where there was outside recreation, it was for less than an hour. He also raised concerns about being regularly denied indoor recreation time in A-3 Pod, including an 11-day lockdown stretch in August. On 7/24/23 he wrote to say out of cell time is one hour since 7/21/23 and that they are getting only half the recreation of other Level 4 prisons because they're offering recreation just one tier at a time. [This is a common problem.]

CASE #14: R.B., Keen Mountain wrote on 2/23/23: “As of tonight (22nd) we have not come out for pod recreation 3 nights in a row. I’m willing to bet that tomorrow night will be the same, it’s all because on Monday and Tuesday one shift did it so now Wednesday and Thursday is a different shift but seen that the other shift got away with it and will test the waters themselves.”

CASE #15: M.M., Buckingham, wrote to IAHR on 3/24/23: “Step down 2 status are supposed to receive 5 hours out of cell daily, \$40 of commissary, no handcuffs and out of cell programming regularly . . . none of these ever happen. . . it’s 24 hours in cell, we might go outside once a week.”

CASE #16: T.C., Wallens Ridge, wrote on 4/3/23: “As of last July we are supposed to get 4 hours of recreation a day. We never get more than 3, at best.” He is in General Population and should be offered at least 7 hours a day out of his cell.

CASE #17: The mother of **W.R., Sussex II**, wrote on 5/3/23 to say there is no outside time in RHU, no journaling, no books, “no nothing.” She said W.R. has been in RHU 30 days, and he’s going “nuts.” She said W.R. hasn’t seen daylight for 30 days.

CASE #18: W.W., Wallens Ridge, informed IAHR on 6/28/23: “One of the issues that I have is that Operating Procedure 801.4 II.A.3av states that [for] Security Level 5, Minimum hours out of bed area activity to include movement and meals, [is] 7 hours. On a good day we will get 3 hours, every so often 4.”

CASE #19: J.K., Sussex I, told IAHR on 7/10/23: “. . . the situation with rec is out of control. We never get rec on the weekend and no outside rec at all. the rec period barely exists.”

Protective Custody Issues

Many people in VADOC facilities fear for their safety and place themselves in segregation, or RHU, as a way to protect themselves. A strong protective custody program would screen people and provide programming comparable to that of General Population. Either by design or default, the VADOC does not have sufficient protective custody pods for all who require it.

Individuals who place themselves in the RHU for safety reasons are deprived of privileges (e.g., access to phones, email, visits, commissary), just as those who are placed in the RHU involuntarily based on their behavior. In order to earn privileges, they are often required to participate in the Step Down Program, which is designed for individuals who need incentives to change their behavior. It is unclear why the Step Down Program makes sense for someone who is using the RHU as a substitute for protective custody.

CASE #1: T.Y., Sussex II, wrote on 3/9/22 to say he is in RHU and refuses to return to General Population for fear of his safety. He said he was a confidential informant and that the gangs found out, causing a hit to be placed on him by gang members. He wants to be placed in protective custody but says he hasn’t been able to get it.

CASE #2: IAHR heard from **M.F., Sussex I**, in May, June and July of 2021. He reported serious mental health issues from trauma following being raped twice, once at a regional jail and later at Buckingham CC. He said he had been asking for help for 6 months, to no avail. He complained of being placed with cellmates who were predators. After IAHR intervened, DOC management agreed to require high level approval of any other cellmates for him.

CASE #3: **H.T., Wallens Ridge**, told IAHR on 8/10/22 that he does not feel safe. He said his codefendants are in the same region, and he wants to go to Sussex to be away from them. He described being attacked on 8/4/22 by a Crips gang member, held in RHU from 1/8/22 to 6/7/22, and then transferred to Wallens Ridge. He says he wrote complaints about the gang member twice but received no response.

CASE #4: **C.K., River North**, wrote on 10/30/22 that the gangs target sex offenders, and he must pay them to leave him alone. He said he “checked into the hole” (RHU) which he asserts is “the only safe place.” He expressed a desire to be in the Shared Allied Management (SAM) pod but was told he hasn’t been there long enough. He says gangs “own the phone and showers.” He wrote again on 6/21/23 to say he is in the RHU at Sussex, receives no outside recreation, sits for 4 hours cuffed to a table, and has poor mental health care. He reports hearing voices.

CASE #5: **B.L., Green Rock**, wrote on 12/22/22 to say he was a gang member, that he provided information to authorities, that he testified at a highly visible murder trial, and that he cooperated with officials at Nottoway about gangs and drugs in that prison. He said he has asked for a transfer because he says he is in danger at Green Rock because of all the drug dealers and gang members there and because of his cooperation. On 1/21/23 VADOC officials told us they have not discovered any information that he is in danger and that he has never reported any concerns regarding gang members to the intel staff at Green Rock. B.L. wrote on 3/19/23 that he remains afraid and is extremely unhappy. He wants a transfer and feels he needs to be on a suboxone regimen.

CASE #6: **J.J., Sussex II**, wrote on 3/25/23 that he has had continuing trouble with, and threats to his safety from, gangs in the VADOC prison system. He sounded at a loss to figure out how he can stay safe. Like many others, he said that the phones are controlled by gangs. He wrote, “if you are not a gang member you was not using the phone.” He said he got into a fight with a Bloods gang member over the phone, was “jumped” and then “checked into the hole because I fear for my life.” He was transferred to River North but he says he “also had to go to the hole again because of the same things, the Bloods trying to jump me.” He said he was subsequently given a safe place at River North in the SAM pod, but that pod is now General Population. He told IAHR that he then chose to go back to the RHU. “I feel like nobody cares about my safety,” he writes. He says there must be some pod he can go to where he can be safe. He said he was offered the STAR Program but noted that the objective of the STAR Program is to return to General Population. He writes, “I’ve been in lock up for 90 days” as of the date of his letter. The VADOC told IAHR that “he continues to refuse release from RHU for fear for his safety despite there being nothing to support his contention that he is in danger.”

CASE #7: **J.K., Keen Mountain**, wrote in May 2023 about his desire for protective custody. He said he had been in RHU for 3 ½ years waiting for a placement in protective custody.

Lockdowns

Lockdowns are a fairly routine practice in the Virginia prison system. They are used to search for contraband and to prevent violence. IAHR has received a number of complaints over the years about the excessive use of lockdowns, the unnecessary length and scope of some lockdowns, and their severe negative impact on mental health and rehabilitation of the prison population. Lockdowns are often in response to the misconduct of a few but result in the punishment of the many.

CASE #1: K.B., Wallens Ridge, wrote on 6/17/22 to say, “They have placed us on lock ‘quarterly’, so they say, in the last 60 days! The first one was back in March on the 5th, that one lasted until the 21st. This last one we went on lock on the 14th of May and came up around the first or second. I don’t think they get how horrible this is to be trapped in a tight space with yourself and another human being.”

CASE #2: Dominique Pryor, Sussex I, who gave IAHR permission to share his experience and observations, wrote on 10/6/22: “...Their answer to everything is to put the compound or individual pods on lock even for non-security issues that most of the time only involves one prisoner and is the definition of an isolated incident, but their response is to lock everyone down and when you say something or ask questions, they always say that you need to talk to your friends and tell them not to do this or that, because if they keep doing it they are going to keep punishing the whole for the one or few! The d.o.p 861 exists for the sole purpose of dealing with issues and that is what is supposed to be utilized to deal with issues.”

CASE #3: M.H., Wallens Ridge, wrote on 1/6/23 about the lockdown at Wallens Ridge. He said, ‘it’s driving people crazy. . . These past few months we’ve been confined to the cell to the point offenders are fighting amongst each other due to the conditions. Last month an offender killed his roommate due to frustration. This whole prison has turned into long term segregation by another name. Long term is now against the law due to the mental problems it was causing . . . We are humans that feels and know when something isn’t right. We don’t get to call our families, there has been at least 4 deaths in the past 3 months. The fights and stabbings are getting out of control because a lot of people are fed up. That’s certainly not a reason to harm another person but if you think about it like this image being locked in a cell for weeks, no communication with loved ones at all when the doors open everyone is running to the phone, plus its only a hour you get to call home, use the shower, not to mention you have to share all of this amongst 40 plus others. This is a recipe for destruction, specially as of late, we might come out for 30 mins. And that it for 2-3 weeks literally. These conditions plus they telling us they’re short staffed we are in a serious crisis. We are humans just like anyone else. Most of us suffer from mental health problems and should be getting help. There’s no light in this place. Please help us any way you can. We really are being warehoused.”

CASE #4: C.J., Sussex II, wrote in July 2023 to say he was denied a visit from his mother twice, once because the prison was on lockdown and the second time because the pod was on lockdown. IAHR wrote to VADOC and asked about the lockdown. VADOC officials responded that on “July 20th the entire facility was placed on lockdown due to multiple incidents that occurred during the week. Our Quarterly Lockdown was conducted Monday, July 24th - Sunday, July 30th. Building 2 is still on lockdown because of the multiple incidents the week of July 17th. Inmates are allowed the opportunity to take showers, utilize the kiosk and telephones. Building 2 video visits and in-person visitation are still suspended until further notice.”

C.J. wrote on 8/4/23 to say that “during the lockdown we hadn't used the phones for about 2 weeks and things got out of hand where people started setting fires in the pod to get the attention of the administration so that we could use the phones and get showers. As for the kiosk, they were offline so that we couldn't send our families emails. As far as us just asking and we would have had access to the phones and kiosks while on lockdown, I would have loved to see that. We received breakfast sometimes around 10 or 11am, lunch around 2 maybe 3 pm, and dinner after 6pm. One day we didn't eat lunch and dinner until 7 or 8 pm, and the only reason we received that is because there was a Sargent that knew we were getting treated wrong that helped us out. He tried to get us phones and shower, but his superior said no; so he had to go over his superior's head to get us showers and then the kiosk came on, but no phones. That Sargent told us that he was going to pull showers all night until everybody received theirs, but after 9:00 pm count he came back and said that the warden called the compound and said to shut it down. The reason the lockdown went into effect was because they said that there was a gang meeting in our pod and then after that somebody got stabbed in another pod, followed by I think 3 more stabbings in the next 2 days. They said that our pod/building was under federal investigation, but our pod had nothing to do with what happened in either one of those other pods.”

C.J. went on to describe the lockdown in detail: “We would be on lockdown in our cells with no phones and kiosk at all. We would be allowed to take a shower every 72 hours and go back into our cells. We would get commissary a few days later than what we were suppose to get it. We go through hell trying to get our state clothes washed because they say that the people who wash our clothes are not working. This place is crazy and very unorganized, short of staff and we don't get anything that we are suppose [to] have. They pass out soap and toilet paper once a week, but for cell with 2 men in it, we get 1 bar of soap and 1 roll of toilet paper per person. Before last week, I hadn't seen soap for 3 weeks. I can list a million and one things that this place does not do right. I look at the orientation manual at what we are suppose to have and all I can do is shake my head.”

C.J. wrote again to say, “since yesterday we have now been on modified lockdown meaning top tier comes out for the first half of the day and then bottom tier comes out for the remainder of the day. Count time is at 12 pm and that's what they use to separate our rec. Yesterday was okay but today is crazy, talking about being short of staff. There is a Sargent and 2 correctional officers that are working in the building. Each officer is in a booth, this morning the top tier came out for their rec and after count the bottom tier was denied rec because the Sargent had to relieve one of the officers for their break. I truly don't understand how this place is still operating.”

CONCLUSION

In these pages we have shared a very small portion of the many stories we have received from people serving time in Virginia state prisons. Too many of the allegations reported here are left unresolved. Virtually none of them have been thoroughly investigated by a truly independent entity. The taxpayers who fund the Virginia Department of Corrections deserve better. The individuals housed in its facilities and their families deserve better.

Despite compelling narratives on the part of those housed in Virginia prisons and in some cases supporting documentation, in the end the VADOC has had the last word. With the new independent Department of Corrections Ombudsman housed in the Office of the Inspector General, the legislature, the public, and the prisoners and their families will have an independent party to investigate, question, or challenge a VADOC decision. But it will be effective only if it is sufficiently funded and staffed and given full investigative authority.