

H A R L A N   R I C H A R D S

March 26, 2019

Special Needs In Prison

I have been dealing with the issue of needing special accommodations for years. I have a crippled leg so I need to have a lower bunk, extra pillow, special shoes, a foot tub and a moderate activity rating. I've been like this the entire time I've been in prison but I've never had a problem getting the special items I need until I came to Stanley.

For some reason, they fight like hell to prevent prisoners from getting accommodations based on a physical disability. The worst part is that they require annual reviews so I have to re-argue the issue year after year. To exacerbate the problem, the Special Needs Committee is made up of Unit Managers - people who have no medical expertise whatsoever. Add to that the opaqueness of the review process and it turns into a nightmare scenario.

In 2017, I went to HSU to request renewal and to seek permanent status for all my special needs. In addition to the fight over whether I need the accommodations, I was charged \$7.50 for a copay because I went to HSU to make the request. I filed a grievance because their policy specifically exempts special needs reviews from copays because it is not a request for medical attention. I lost the grievance, of course, because that's what the complaint system is for: to provide cover for arbitrary and/or illegal actions of staff members. I wrote off the loss and resolved to be more proactive in 2018.

In June 2018, I provided a copy of the policy along with my request for renewal to make sure the erroneous charge would not be levied against me again. Even though the nurse agreed not to charge me, I got charged anyway so I wrote letters to the head of HSU and to Bureau of Health Services Director James Greer. This time, they corrected the erroneous charge.

A couple of weeks ago I received a letter from a nurse in the BHS main office responding to my 10 month old letter telling me the charge was appropriate. Unbelievable! Where was he for the last 10 months? Why didn't I get a response from the Director I sent the letter to?

Well, I resolved to respond so I sent back a letter telling him what an incredible waste of time it was for him to send me a letter 10 months later. I also pointed out that the grievance was wrongly decided and that what he should have done was overrule that erroneous decision and refund the 2017 copay.

I also explained to him that the only reason he upheld the erroneous determination was because the prison system has an extreme case of groupthink. It is more important to back up another staff member than to do the right thing. I can imagine his shock when he read my letter calling him out for his shameful conduct. Maybe it will shock him out of his complacency and cause him to do the ethical thing and hold those 2017 staff members accountable for violating their own policies. I doubt it, but you never know, it might happen.

Oh, and my special needs: Saner minds have prevailed and I finally received non-expiring authorizations so I don't have to do the annual dance for the rest of my time in Stanley. But when I transfer, it will start all over again with the Special Needs Committee in the next institution.