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CASE TOPIC: \_\_Staff Sexual Misconduct

CASE #: HQ 06-49-06-FO.

DATE OPENED: 06/24/2006

DATE CLOSED: 07/17/2004

## SIGN AND DATE AT TIME OF REVIEW OR RECEIPT

IN OFFICE REVIEW	CASE OUT REVIEW	COPY AUTHORAZATION

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# CONFIDENTIAL

# State of Washington Department of Corrections Prisons Division



# Special Investigations Unit Case File HQ 06-49-06-F01

CONFIDENTIAL

0300



STATE OF WASHINGTON

DEPARTMENT OF CORRECTIONS OFFICE OF CORRECTIONAL OPERATIONS WASHINGTON CORRECTIONS CENTER FOR WOMEN P.O. Box. 17, MS: WP-04 - 9601 Bujacich Rd. N.W. - Gig Harbor, WA 98335-0017

### WASHINGTON STATE DEPARTMENT OF CORRECTIONS INVESTIGATIVE REPORT

CASE NUMBER:

DATE OPENED:

DATE CLOSED:

EMPLOYEE(S) INVOLVED:

OFFENDER(S) INVOLED:

**TYPE OF INVESTIGATION:** 

**ORIGIN OF COMPLAINT:** 

LOCATION(S) OF OCCURRENCE(S):

DATE(S) OF OCCURRENCE(S):

INVESTIGATED BY:

POLICY AREAS ADDRESSED:

WCCW 06-104-06

June 26, 2006

July 17, 2006

Correctional Officer Willie Cobb

Sexual Assault

Intake Clothing Storage Area

Mid-April, 2006 Henry Keller 🌡 Correctional Investigato

Department of Corrections Policy: 490.800 Prison Rape Elimination Procedure

0301

#### SYNOPSIS:

On June 26, 2006 The Washington Correction Center for Women (WCCW) Intelligence and Investigation Unit (IIU) received a report from Correctional Officer Heidi Easton whom was assigned hospital watch with Offender allegations of sexual assault by Correctional Officer Willie Cobb in mid-April. Offender Control also indicated to Officer Easton, in mid-April she was at Tacoma General Hospital undergoing a pelvic exam, at which time the attending physician (name unknown) discovered a condom inside of her. The doctor

"Working Together for SAFE Communities"

WCCW 06-104-06 July 17, 2006 Page 2 of 5

allegedly told Offender that he would retain the condom in the event she decided to come forward and disclose the origination of the condom. (See Attachment 1)

A report from Officer Sophie Stiles was also received; in her report Officer Stiles states that she discovered an overdue library book notice address to Offender

Stiles noted in her report that the check out date of the book is near the time when Offender **Constant** began going to the clinic for her extensive medical issues and massive bleeding from her genital area. (See Attachment 2)

#### NARRATIVE:

The following interviews were conducted during the course of this investigation.

#### Daanish Hoda, MD

On June 26, 2006 I met with Dr. Daanish Hoda, Medical Director at WCCW. Medical Director Christine Abby was also present during the interview. I gave a brief explanation of the reports I received to Dr. Hoda, he stated that Dr. Frank Kim of Tacoma General Hospital did in fact express concern for the trauma to Offender waginal area due to his suspicions of the offender inducing self harm in that area. Dr. Hoda offered to speak to Dr. Kim as well as the other outside providers that have treated Offender was allegedly discovered inside of her, but he feels positive that if something of that magnitude would have occurred, it would have been reported. Dr. Hoda said that he would e-mail me his findings.

In the afternoon of June 26, 2006 I received an e-mail from Dr. Hoda regarding his conversation with Dr. Kim. The e-mail stated that he spoke with Dr. Kim and he has heard nothing of Offender **Constitution** reporting a sexual assault nor has he heard of a condom being discovered inside Offender **Constitution** Dr. Hoda wrote that Dr. Kim stated, he was sure if an Emergency Room Physician did discover something of the sort, that he/she would have contacted him or sent him a note, and performed a rape assessment as they are trained to do. (See Attachment 3)

#### Offender

On June 30, 2006 I interviewed Offender and the second and the Mental Health Building. I asked Offender and the second and kind of encounter with Correctional Officer Cobb. Offender and that she thought Officer Cobb was rude and did not have any respect for women. I asked why she felt this way about Officer Cobb. Offender and that back in December when she was in the Receiving Unit, Officer Cobb escorted her and two other offenders (unidentified) to the clothing room. Offender and the was rude and demeaning.

WCCW 06-104-06 July 17, 2006 Page 3 of 5

Offender was rule and would not get respect from the women here. Offender was rule and would not get respect from the women here. Offender said officer Cobb has always hated her since that incident.

I asked Offender **Control of** if she was trying on different size sweatshirts in front of Officer Cobb. She said she tried on different sizes, however she had a teeshirt on under her sweatshirt and she had her back to the officer.

I asked Offender and the spital if she told one of the officers manning her hospital watch that Officer Cobb had acted inappropriately with her while they were in the Clothing Room of Intake. Offender admitted that she informed the officer that she did not care for Officer Cobb and vice versa, but at no time did she ever make any allegations sexual in nature about or toward Officer Cobb.

I informed Offender that it was reported to me that she could prove that Officer Cobb had sexually assaulted her, because she was aware of some identifying marks on his body that "she should not know about". Offender stated, "I never said that, true I can't stand the man, but I would never just make something like that up to get him in trouble."

I asked Offender **Constant of** about a missing clothing room key that Officer Cobb allegedly had in his possession. Offender **Constant of** r stated that she did not know that for sure, but when she first went into Receiving there was a rumor amongst the inmates that Officer Cobb had an extra key for the clothing room, " but when we went back there he had the entire key ring".

I asked Offender was admitted. She stated, yes and she hated it when he had watch while she was admitted. She stated, yes and she hated it when he had watch because they did not like each other and he was mean and rude to her. Offender was stated that one day Officer Cobb came in the hospital and relieved the off-going staff. Offender was made the comment, "Great this really makes my day." Officer Cobb allegedly responded by saying, "It should really make your day because I am here for two shifts."

I asked Offender and if is to be to be officers manning her hospital watch, that while at Tacoma General Hospital she underwent a pelvic examination at which time the doctor discovered a condom inside of her, and allegedly indicated that he would retain the condom in a safe place, in the event she decided to come forward and disclose how the condom got there. Offender said, "No that is what the officer told me, she said that an inmate here

at the prison went to the clinic for a pap-smear and they found a used condom that had been in there for like a month." I asked which officer had told her that. Offender took a brief moment, appearing to recall the officers name and said, "Eastman or Easton, something like that."

- 0303

WCCW 06-104-06 July 17, 2006 Page 4 of 5

#### Correctional Officer Heidi Easton

On July 14, 2006 Correctional Officer Heidi Easton was interviewed in the Officer's station in L-Unit. Clarification was sought regarding the Incident Report dated June 23, 2006 that she had written and submitted.

I asked Office Easton to briefly summarize the Incident report that she had written regarding Offender and Officer Cobb. She stated that during the entire shift at the hospital, Offender and officer was, "telling some pretty tall stories". She stated that Offender appeared very sedated through out the shift, as she would, at times begin a sentence and then just suddenly stop talking and gaze off or fall back asleep.

Officer Easton stated that Offender began talking about an officer at WCCW that was rude and mean to her. Officer Easton said r never came right out and said who the officer was, however when Officer Easton asked, "Are you talking about Officer Cobb?" Offender did not hesitate to respond by saying," Yes". Officer Easton said that Offender then went on to say that she was sexually assaulted by Officer Cobb in April when she was housed in the Receiving Unit. Offender allegedly stated that Officer Cobb escorted her and two other offenders (unidentified) to the Intake Clothing Storage area at WCCW to exchange a few articles of State Issued Clothing. Offender claims that Officer Cobb had her try on several different size shirts and "things just went from there".

I asked Officer Easton if she felt that Offender **Control** was being sincere and honest in her accusations. Officer Easton stated that she takes all sexual related allegations seriously however considering the outlandish stories that she had been telling up to that point, the fact that she admitted that she did not personally care for Officer Cobb, and the fact that Officer Cobb had been doing hospital watches to her dismay, Officer Easton stated that she truly felt that Offender **Control** was making these allegations, hoping that she (Officer Easton) would contact the institution and report **Control** claims so they would not assign Officer Cobb to another hospital watch with her.

I asked Officer Easton if at any time she discussed an incident that occurred at WCCW involving a condom being located inside of an offender while a pelvic exam was being conducted. Officer Easton stated that she did not discuss that incident with Offender **Control** however **Control** claimed something of the similar nature occurred to her while she was undergoing a pelvic exam at Tacoma General Hospital. Officer Easton stated that many of the accounts **Control** recalled regarding her alleged incident were comparable to those of the incident that occurred at WCCW in which a condom was actually discovered by a physician conducting a pelvic exam. Officer Easton said that led her to believe that was the origin of Offender **Control** story.

WCCW 06-104-06 July 17, 2006 Page 5 of 5

I asked Officer Easton if, in her own personal opinion, did she feel that Offender was of sound mind and body when reporting the above events. Officer Easton again stated that the appeared to be highly sedated and was telling some "very off the wall stories that really didn't even make sense". Officer Easton again stated that she felt Offender the was making these allegations with diminished inhibitions due to prescribed medications, so that Officer Cobb would no longer be assigned hospital watch.

#### CONCLUSION:

Based on the information and evidence collected during the course of this investigation, the allegations of sexual assault initiated by Offender and the course of this can not be substantiated at this time.

Based on the testimony of the staff and offenders interviewed the following inconsistencies are noted:

- Offender Easton on June 23, 2006 that the alleged incident that occurred in the Intake Clothing Room took place in mid-April
- During Offender and the state of the state o
- Offender denies making any of the allegations reported by Officer Heidi Easton on June 23, 2006.

### **ATTACHMENTS:**

- Incident Report dated June 23, 2006 submitted by Correctional Officer Heidi Easton detailing Offender allegations.
- 2. Incident Report dated June 25, 2006 submitted by Correctional Officer Sophie Styles.
- 3. E-mail from Doctor Hoda's summary of his discussions with Offender **Control** outside physicians.
- 4. PREA notification.



STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS

# **INCIDENT REPORT**

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DATE/TIME OF INCIDENT	OFFENDERS INVOLVED	DOC NUMBER	LIVING UNIT
6/23/06 approx. 1100 hours			CCU
LOCATION	WITNESSES	_ <b>h</b>	·
Bremerton Harrison Hospital			
USE OF FORCE INCIDENT? [] YES 🛛 NO			
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On the above date and time while conducting a			pital with Inmate
was housed in Receiving. I/m and stated to to exchange some clothing in the intake clothin different shirt sizes and "things went from them stated, "She was afraid of what he might do." I very seriously by the institution and that by was hen stated she would not have any prot shouldn't know about. The inmate then stated found a condom inside her during an exam an got there. On another occasion, during a pelvis sexually assaulted, as he stated, "she was pre- clothing room had been missing and that C/O	ng storage area at WCCN e." I asked the inmate wh explained to the inmate iting 3 months to report i plem proving it becauses that when she was taker d that he said he would it c exam, Dr. Kim inquired etty torn up inside." Inma	N. I/m provide claim by she hadn't repor- that those were se t would make it diff she could identify m in to Tacoma Gener keep it secured for as to whether she is to whether she	ims C/O Cobb had her trying on ted the incident before and she rious allegations and were taken icult for her to prove. I/M marks on Cobbs body she ral Hospital in mid April, the Dr. her if she decided to tell how it
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	and asked them if they v		
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STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS		INCIDENT REPORT
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	Clinic 56	Type: Inmatcs Overdúc Notice			Page: 1 06/21/2006 Patron#: D560849752		
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00 9839	After silence : rape and my journey back /	Raine, Nancy Venable	362.883 PAINE 1	0.00		05/18/2006	

Attachment ( 2 ) Page 3 of 3

#### Kelly, Kelly M.

From:	Abby, Christina
nt:	Thursday, June 29, 2006 9:54 AM
. 01	Kelly, <u>Kelly M.</u>
Subject:	FW:

Here's the info. Christina.....

-----Original Message-----

From:Hoda, DaanishSent:Monday, June 26, 2006 2:19 PMTo:Cozzolino, Andrew C.; Kelly, Kelly M.Cc:AbbySubject:

I spoke with Dr. Frank Kim, the Urologist in Tacoma, and he says he has not heard anything to the fact that reported sexual assault or that she told anyone else about it. He had not heard of the "condom" story either. He was sure that if an Emergency Room physician did see something he/she would have called me or sent a note, and done a rape assessment as they are trained to do.

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Daanish

Daanish Hoda, MD Medical Director, Washington Corrections Center for Women Phone 253-858-4225

mant(3)

0310

#### Keller, Henry A.

To:

Wilbrecht, Donald A. (DOC); Morgan, Richard L. 'Prison Admin' (DOC); Stewart, Belinda D. (DOC); Kelly, Kelly M. Allegations of sexual assault

subject:

Allegations of sexual assault

On 06/26/06 WCCW IIU received a report from an Officer that was assigned Hospital watch with Offender dated 6/23/06. The following allegations were detailed in the report:

Offender and the officer at WCCW in April while she was in the Receiving Unit. She stated the Officer escorted her and (2) other offenders (unidentified) to exchange some clothing in the intake clothing area. Offender and claims that the officer had her try on several different shirt sizes and "things went from there" Offender and claimed she would have no problems proving these allegations as she could identify marks on the officer's body that she should not know about.

Offender **Sector** stated she was taken to Tacoma General Hospital in the middle of April and while under going a pelvic exam, the physician found a condom inside her" Offender **Sector** stated that the doctor told her that he would keep the condom secure for her if she decided to report how it got there. (no medical outings are noted in the month of April on the offenders movement sceen)

Offender stated that on another occasion while undergoing a pelvic exam, Dr. Kim (Tacoma Gnereal) inquired about setup being sexually assaulted stating, "she is pretty torn up inside"

On 06/26/06 WCCW IIU received a report from the officer assigned to the WCCW Cose Observation Area (COA) which is where Offender and the following:

The COA Officer discovered an overdue notice from the WCCW Library regarding a book that was checked out by Offender the book was titled "After Scilence: Rape and my Journey Back". The officer noted that the check date of the book is near the time when Offender the book is near the time when the book is near the tis near the time when the book is near the

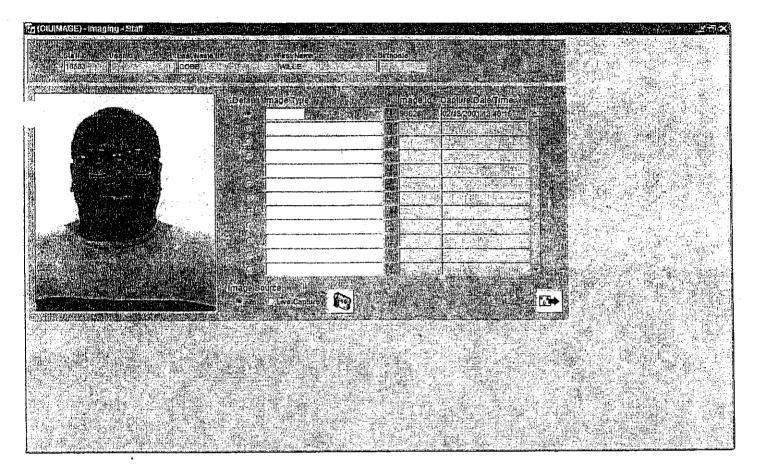
On 06/26/06 I spoke with Christina Abby, Medical Director at WCCW and Dr. Hoda, Physician at WCCW and explained the reports that Lireceived to them. Dr. Hoda stated that Dr. Kim of Tacoma General did express concern for trama to Offender and the state of the suspicious that she is causing self harm in that area due to the continued high volume of bleeding. Dr. Hooda said that we would speak with Dr. Kim and the other outside physicians that have seen Offender and the alleged condom found inside of her, but is positive if something of that magnitude would have occurred it would have been reported. Dr. Hoda said that he would e-mail me his findings.

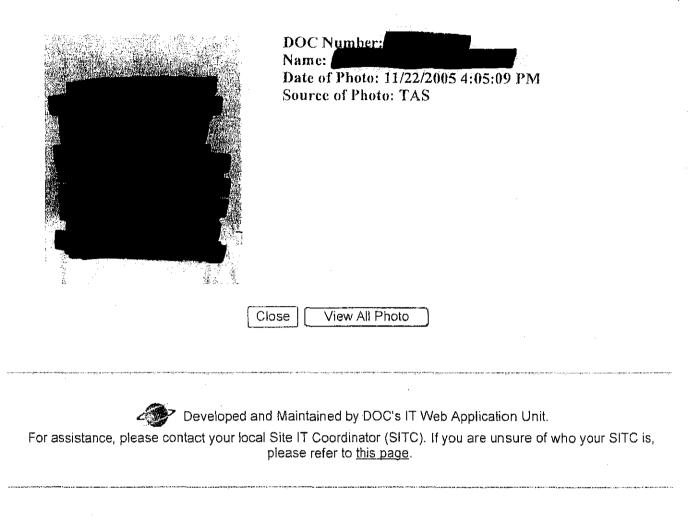
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Please advise of PREA intention

Henry Keller Correctional Investigator, WCCW 253-858-4243

Attachment ( 4 ) Page \_\_\_\_ of \_ 0311





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IISO100 LEGAL FACE SHEET REQUESTED BY: THRASHER TIMOTHY TIME 14:09

11/03/06 WASHINGTON DEPARTMENT OF CORRECTIONS PAGE 1 IISO100 LEGAL FACE SHEET TIME 14:09 DOC NO: NAME: ("AC") STATUS: ACTIVE COUNSELOR: 1131 VACANT BED NO: DOSA-3 CURRENT LOCATION: W.C.C.WOMEN MXED: 09/25/2007 MNED: FBI NO: ERD : 03/26/2007 ADJ.: 03/26/2007 SEX: F AGE: 32 NRD : 10/09/2006 RACE : NA INDIAN SID NO: SCORE: 37 CUS, : CLO HISP ORIG : NO MFED: 11/22/2005 HEALTH RECORD REVIEW : NOT REQUIRED COMM. CONCERN: N RMI: RMB VICTIM WRAP AROUND: Ñ VW ELIGIBLE: NO COMM. PLACEMENT: NO NAMES: (TRUE) (AKA) LSI-R: 46 AND LSI LEVEL : HIGH (AKA) SSA NO: BIRTH: /1974 1974 P. PREL: DENY INST INFRACTION P. WTR: N/A P. MFED: DENY INST INFRAC P. REL: NO ACTION TAKEN PULHESDXT DATE REGISTERABLE OFFENDER : N 2 1 2 1 1 3 2 2 1 07/19/2006 GTL TIME START RECEIVED OC MIN. TERM CC CS REL.DATE STATUS COM. COUNTY #AC#N OKANOGAN 33 11/22/2005 11/22/05 01 2Y 1M OD 03/26/2007 AC CMP. CO./CAUSE OFFENSE DESC. V OC CNTS MIN. TERM CC CS MANDATORY JAIL ATMPT ELUD PURS PO N 01 1C 2Y 1M 0D OY OM OD 117 N 01 1C ESCAPE 1 2Y 1M OD 0 OY OM OD 117 TOTAL MONETARY OBLIGATION: ORDERED \$\*\*\*1070.50 ;AS OF 11/03/06 PAID \$\*\*\*\*\*\*0.00 SET BY: SPECIAL CONDITIONS: YES SCHEDULE : 0 STAT MAX: 08/26/2015 \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* COMMENTS: 11872 11 05/12/06 F01 11876 11 05/19/06 F01 11883 11 05/29/06 F01 11893 10 06/14/06 F01 11982 63 10/29/06 F01 MOVEMENT DATE & TYPE DESTINATION REASON FOR ORIGIN 11/22/05 NEW COMMITMENT W.C.C.WOMEN INITIAL CLASSI. OKANOGAN 12/29/05 OUT TO COURT COURT ORDER W.C.C.WOMEN OKANOGAN 01/05/06 RET.FM.COURT W.C.C.WOMEN RETURN FR COURT OKANOGAN KITSAP 05/15/06 ESCORTED LEAVE MEDICAL NEEDS W.C.C.WOMEN 05/15/06 RET.FM.AUTH.LV. W.C.C.WOMEN MEDICAL COMPLTD KITSAP 05/16/06 ESCORTED LEAVE MEDICAL NEEDS PIERCE W.C.C.WOMEN 05/16/06 RET.FM.AUTH.LV. W.C.C.WOMEN MEDICAL COMPLTD PIERCE 05/19/06 ESCORTED LEAVE MEDICAL NEEDS KITSAP W.C.C.WOMEN 05/21/06 RET.FM.AUTH.LV. W.C.C.WOMEN MEDICAL COMPLTD KITSAP 05/29/06 ESCORTED LEAVE KITSAP MEDICAL NEEDS W.C.C.WOMEN 05/30/06 RET.FM.AUTH.LV. W.C.C.WOMEN MEDICAL COMPLTD KITSAP 06/01/06 ESCORTED LEAVE PIERCE MEDICAL NEEDS W.C.C.WOMEN 06/03/06 RET.FM.AUTH.LV. W.C.C.WOMEN MEDICAL COMPLTD PIERCE 06/14/06 ESCORTED LEAVE KITSAP MEDICAL NEEDS W.C.C.WOMEN

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11/03/06

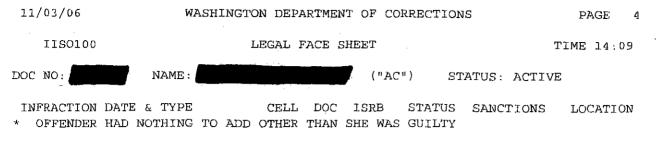
#### WASHINGTON DEPARTMENT OF CORRECTIONS

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LEGAL FACE SHEET

TIME 14:09

DOC NO: NAME : ("AC") STATUS: ACTIVE PROGRAM-POSITION --WEEK-- ----DAY-----DATE ---TIME---- STATUS 03/29/06 V253C125 INFORMATION T 1,2 3 4 мтw 10:00-11:00RSH 03/29/06 V253D126 INFORMATION T 1 2 3 4 MTWTH 11:00-12:00RSH 04/25/06 C060E108 PARTNERS IN P 1234 T W TH F 13:00-14:00 RSH 04/26/06 V253114H INFORMATION T RSH 05/02/06 V253120K INFORMATION T RSH 05/05/06 V253117L INFORMATION T RSH 05/15/06 C027C008 JOB HUNTER 12 MTWTHF 09:00-12:00DRP 06/27/06 C060B112 PARTNERS IN P 1234 TWTHF 09:00-10:00 RSH 06/27/06 C060C113 PARTNERS IN P 1234 TWTHF 10:00-11:00RSH 06/30/06 V253E134 INFORMATION T 1 2 3 4 т TH13:00-14:00RSH 08/16/06 C060B116 PARTNERS IN P 1234 TWTHF 09:00-10:00RSH 08/16/06 C060C114 PARTNERS IN P 1234 T W TH F 10:00-11:00DRP 08/24/06 C060B103 PARTNERS IN P 1234 TWTHF 09:00-10:00 RSH 1234 08/31/06 C060D108 PARTNERS IN P T W TH F 11:00-12:00 RSH 09/06/06 J213D227 FOOD SERV I W 1 2 3 4 SUMTW S 13:00-19:00 ASG 09/14/06 V253B119 INFORMATION T 1 2 3 4 MTWTH 09:00-10:00 RSH 09/14/06 V253C122 INFORMATION T 1 2 3 4 Т TH10:00-11:00 RSH 09/19/06 V253D125 INFORMATION T 1 2 3 4 T W TH 11:00-12:00 ASG 09/19/06 V253E124 INFORMATION T 1 2 3 4 ΜТ RSH 13:00-14:00 09/19/06 V253F122 INFORMATION T 1 2 3 4 M T W TH 14:00-15:00 RSH 10/05/06 V253A121 INFORMATION T 1 2 3 4 M T W TH 08:00-09:00 RSH EARNED EARLY RELEASE DATE & TYPE DOC ISRB STATUS LOCATION 0.00 PENDING WCCW 11/22/05--04/01/06 EARNED TIME 43.40 43.40 0.00 AC INFRACTION DATE & TYPE CELL DOC ISRB STATUS SANCTIONS LOCATION 60 APPLIED 03/03/06 752 POSITIVE DRG TST N 60 DENY GCT WCCW MAX SECUR. 30 \* RECEIVED A POSITIVE UA FOR COCAINE 04/06/06 714 POSSESSING > \$10 N 0 0 APPLIED WKEND CONF WCCW 02 \* DID ACCEPT SEVERAL ITEMS OF CLOTHING FROM ANOTHER INMATE 04/30/06 657 4 GENERAL INFRA. N 0 0 APPLIED WKEND CONF WCCW 02 \* FOUND GUILTY OF FOUR MINOR INFRACTIONS BETWEEN 2/1/06 AND 4/18/06 05/07/06 658 FAIL TO PERFORM N 0 APPLIED 21 SUSPEND WCCW 0 03 30 \* DID NOT COMPLETE HER EXTRA DUTY IN THE TIMEFRAME GIVEN 09/17/06 657 4 GENERAL INFRA. N 0 0 APPLIED WKEND CONF WCCW 04



CUSTODY DATE SCORE TYPE ASSIGNED CUSTODY OVERRIDE LOCATION 11/29/2005 41 INITIAL 12/12/2005 MEDIUM W.C.C.WOMEN 04/10/2006 37 PLAN RVW 04/13/2006 CLOSE W.C.C.WOMEN F RMT CHAIRED BY CUS BROWN. CC2 SHERIDAN AND CC3 NEWSOM MEMBERS. P WAIVED PRESE N CE. 'P' INTAKE REVIEW AND CUSTODY DEMOTION. DEMOTE TO CLOSE CUSTODY DUE TO IN F RACTION BEHAVIORS. HOUSE IN CLOSE CUSTODY UNIT. ANY CHANGE IN CUSTODY POINTS W ILL BE ADDRESSED BY A CUSTODY PROMOTION OR DEMOTION AND/OR CHANGE IN LIVING U N IT.

IISUI012 NO WARRANTS OR DETAINERS FOUND

IISUI005 NO OUT TIME FOUND

IISUI009 NO ISR BOARD INFO FOUND

IISUI015 NO HOLDS FOUND