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STATE OF WASHINGTON
BY CA
DEPUTY

NO. 37396-3-II

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

In re the Personal Restraint Petition of:

JAMES W. GRANTHAM,

Mr. Grantham.

82194-1
RESPONSE OF THE
DEPARTMENT OF
CORRECTIONS

COMES NOW the Respondent, Department of Corrections (DOC), by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and PETER W. BERNEY, Assistant Attorney General, and files the following Response to the Personal Restraint Petition of James Grantham.

I. BASIS OF INCARCERATION

Petitioner, James Grantham, DOC #703436, is currently incarcerated at McNeil Island Corrections Center (MICC), in Steilacoom, Washington. Mr. Grantham is incarcerated pursuant to a valid Judgment and Sentence entered in Pierce County Superior Court Cause No. 94-1-02961-6. Exhibit 1, Declaration of Katrina Toal, Attachment A, Offender Based Tracking System Legal Face Sheet. Mr. Grantham was convicted of Murder in the First Degree. His maximum release date (the last day he can be released) is August 7, 2036, and his adjusted release date (available earned and good time deducted from his maximum date) is June 23, 2032.

II. STATEMENT OF FACTS

In June, 2007, Steven Baxter, an investigator employed by the DOC in the Special Investigations Unit at DOC headquarters in Tumwater, Washington, learned of allegations that a Corrections Officer (CO) was introducing contraband at the McNeil Island Corrections Center (MICC) on behalf of some offenders there. Exhibit 2, Declaration of Steven Baxter, para. 3. When Baxter interviewed the CO, she admitted the allegations were true and provided him with a phone number of the contact person that she would meet and obtain the contraband from which she would then bring into the prison. She did not know this man's name but she provided Baxter with his description. Id.

The CO also turned over a large plastic bag of contraband that she was going to introduce into MICC. In it were found several tobacco products and a jar of instant coffee. Exhibit 3, Declaration of Janet Gaines, Attachment A, Initial Serious Infraction Report. Inside the coffee jar, another plastic bag was found wrapped in duct tape. Id. The contents of this bag were later verified as being marijuana. Id.

All offender phone calls are monitored and recorded at every prison. Exhibit 2, para. 4. Therefore, Baxter entered the phone number the CO gave him into his computer records and found that James Grantham had called that number. Id. The number belonged to his brother, Richard Grantham. Id. Furthermore, the description the CO had

given Baxter of the individual who brought her the contraband matched the description from Richard Grantham's application to visit his brother in prison. Id.

Baxter listened to the tape of the conversation between the Granthams. Exhibit 2, para. 5. With his 12 years experience as a DOC investigator, Baxter could tell the Granthams were using code words for introducing contraband such as getting the "other" and making sure it was wrapped correctly. James Grantham also instructed his brother to buy the coffee and make sure it was ready for a Sunday drop off. Exhibit 3, Attachment A. After this, Baxter went to MICC and interviewed James Grantham who denied any involvement in the plan. He then went back and listened to the tape again to confirm that the voice on the taped phone conversation matched that of James Grantham. Exhibit 2, para. 5.

On December 1, 2007, Baxter drafted an Initial Serious Infraction Report charging Mr. Grantham with violation of WAC 137-25-030(603), Possession or Introduction of a Controlled Substance, and WAC 137-25-030(606), Possession or Introduction of Tobacco Products. On December 7, 2007, the infraction report was served upon Mr. Grantham along with the Disciplinary Hearing Notice/Appearance Waiver. This document informed Mr. Grantham of his rights and that he could obtain witness statements in his defense. Exhibit 3, Attachment B, Hearing

Notice/Appearance Waiver. Mr. Grantham did not request any witness statements. Id.

The hearing was held on December 12, 2007. Exhibit 3, Attachment C, Disciplinary Hearing Minutes and Findings. Mr. Grantham pleaded not guilty to the infractions and provided a written statement. Exhibit 3, Attachment D, Written Statement. In it, Mr. Grantham claimed he never mentioned drugs or tobacco in any conversations of his that were overheard and that Baxter did not attach any "supporting fact finding documents" like a phone record to his report. Id. He also contended Baxter could not recognize his voice because he had only spoken with him for about 15 minutes. Id.

At the conclusion of the hearing, the Hearing Officer, Lt. James Allen, found Mr. Grantham guilty of both infractions "Based on the infraction report, officers statement, SIU investigator stating he indentified the offenders voice making transaction with his brother over the telephone to introduce contraband." Exhibit 3, Attachment E, Serious Infraction Report. As sanctions, Lt. Allen imposed 7 days loss of yard privileges, 90 days loss of good conduct time and 25 days in disciplinary segregation with credit for time served. Id.

Mr. Grantham appealed and on December 20, 2007, the designee of the MICC Superintendent upheld the findings. Exhibit 3, Attachment F, Disciplinary Hearing Appeal Decision.

III. ISSUES

1. Whether Mr. Grantham was afforded all due process of law required for a prison disciplinary hearing.
2. Whether there was some or any evidence to support finding Mr. Grantham guilty of the infractions.

IV. STANDARD OF REVIEW

In order to maintain a personal restraint petition, Mr. Grantham must prove actual and substantial prejudice resulting from constitutional error or non-constitutional error that inherently results in a complete miscarriage of justice. In re Myers, 91 Wn.2d 120, 122, 687 P.2d 532 (1978), cert. denied, 442 U.S. 912 (1979), overruled on other grounds, In re Hews, 99 Wn.2d 80, 660 P.2d 263 (1983); In re Gronquist, 138 Wn.2d 388, 978 P.2d 1083 (1999), cert. denied, 528 U.S. 1009 (1999). A failure to meet the threshold burden should necessarily result in a court's refusal to reach the merits of the petition. Id. Mr. Grantham must not only be presently restrained, that restraint must be due to a constitutional error. Myers, 91 Wn.2d at 122; RAP 16.4.

To determine whether Mr. Grantham has been actually prejudiced by the claimed error, the merits of his constitutional claim must first be examined. Conclusory allegations of constitutional violations are insufficient to support a personal restraint petition. In re Cook, 114 Wn.2d 802, 813, 792 P.2d 506 (1990). In addition, the review of internal

disciplinary proceedings is properly limited to a determination of whether the action taken was so arbitrary and capricious as to deny Mr. Grantham a fundamentally fair hearing. In re Plunkett, 57 Wn. App. 230, 237, 788 P.2d 1090 (1990); In re Reismiller, 101 Wn.2d 291, 294, 678 P.2d 323 (1984). It is not sufficient for Mr. Grantham to simply allege a violation of disciplinary rules. In re Burton, 80 Wn. App. 573, 585, 910 P.2d 1295 (1996). Mr. Grantham must present evidence that is more than speculation, conjecture or inadmissible hearsay to support his contentions. Gronquist, 138 Wn.2d at 395; In re Rice, 118 Wn.2d 876, 828 P.2d 1086, cert. denied, 506 U.S. 958, 113 S. Ct. 421 (1992).

After establishing the appropriateness of collateral review, Mr. Grantham still has the ultimate burden of proof. He must show both the existence of an error, and establish by a preponderance of the evidence that he was prejudiced by the asserted error. Cook, 114 Wn.2d at 814; In re Lord, 123 Wn.2d 296, 303, 868 P.2d 835 (1994), cert. denied, 513 U.S. 849 (1994); In re Williams, 111 Wn.2d 353, 365, 759 P.2d 436 (1988); State v. Kitchen, 110 Wn.2d 403, 413, 756 P.2d 105 (1988); State v. Brune, 45 Wn. App. 354, 363, 725 P.2d 454 (1986). Mr. Grantham must state in his petition the facts underlying the claim of unlawful restraint and the evidence available to support the factual allegations. In re Rice, 118 Wn.2d at 886. Bald assertions and conclusory allegations are insufficient. Williams, 111 Wn.2d at 364-65.

V. ARGUMENT

A. MR. GRANTHAM WAS AFFORDED ALL REQUISITE DUE PROCESS OF LAW.

1. There Was Abundant Evidence That Mr. Grantham Committed The Infractions.

Mr. Grantham frames a single issue for this court to consider. He alleges that he “did not receive minimal due process at a (#603, #606) disciplinary hearing, when the hearing officer lacked sufficient evidence to determine [his] guilt or establish [his] involvement.” Petition, p. 1.

In a prison disciplinary hearing, an inmate is entitled only to minimal due process protections. In re Plunkett, 57 Wn. App. at 235. In Wolff v. McDonnell, 418 U.S. 539, 94 S. Ct. 2963, 41 L. Ed. 2d 935 (1974), the Supreme Court set forth the due process rights of a prison inmate at a disciplinary proceeding where a state created liberty is at issue. Although the court held that such prisoners do not enjoy the full panoply of due process safeguards, it also held that a prisoner is entitled to: (1) written notice of the charges against him at least 24 hours in advance of the hearing; (2) an opportunity to call witnesses and present documentary evidence in his defense, provided that doing so will not be unduly harmful to institutional safety or correctional goals; and (3) a written statement setting forth the disciplinary board’s findings of fact. Wolff, 418 U.S. at 563-66.

Implicit in the due process requirement that an inmate receive a written decision is the requirement that the disciplinary finding be supported by “some evidence in the record.” Superintendent v. Hill, 472 U.S. 445, 455, 105 S. Ct. 2768, 86 L. Ed. 2d 356 (1985). Ascertaining whether the “some evidence” standard is satisfied does not require examination of the entire record, independent assessment of witnesses, or weighing of the evidence. Id. Instead, the relevant question is whether there is *any* evidence in the record that could support the conclusion reached by the disciplinary board. Id. (emphasis added).

The “some evidence” standard was further refined by the Washington State Supreme Court in In re Reismiller, *supra*. Reismiller held that when a prison disciplinary committee finds an inmate guilty of the infraction, that finding must be based on some evidence which links the inmate to the infraction. Id. at 297; *see also*, In re Burton, *supra*.

In the instant case, all requirements for due process were met at Mr. Grantham’s disciplinary hearing. Mr. Grantham acknowledges the limited due process rights afforded an inmate in a prison disciplinary hearing. Petition, p. 5. There is no dispute that Mr. Grantham had more than 24 hours notice of the hearing. Further, he was offered the opportunity to request witness statements and he declined, instead offering his own written statement in his defense. Finally, he was provided a

written statement of Lt. Allen's findings against him. Exhibit 3, Attachment C.

Regarding the evidence Lt. Allen relied upon, there was substantial evidence that Mr. Grantham was introducing contraband into MICC with the assistance of his brother, Richard, and the CO. The CO admitted she was bringing contraband into the prison and provided a description and phone number for the person who was her contact. She also provided a plastic bag containing tobacco products and a jar of coffee in which marijuana was secreted that she was to bring into MICC.

The investigator, Mr. Baxter, pulled up the phone number from DOC computer records and listened to the tape of the phone conversation. The phone number belonged to Richard Grantham, brother of MICC inmate James Grantham. The description the CO provided of the person who brought her the contraband matched that in Richard Grantham's visiting application at MICC. Baxter heard the two men talk of bringing the "other" in, what he recognized as code for contraband, and that Richard was to get the coffee and make sure everything was properly packaged. Baxter then went to interview James and returned to listen to the tape again to confirm it was the same person he had just spoken with.

Mr. Grantham contends Baxter is not "a qualified or recognized voice identification expert." Petition, p. 8. However, he provides no authority that due process in a prison disciplinary requires such a

designation before an experienced investigator can conclude that he recognizes someone else's voice. Baxter listened to the tape, went to speak with Mr. Grantham and went back to listen to the tape again to make sure it was the same person.

As the Hearing Officer had abundant evidence of Mr. Grantham's guilt, his Petition should be dismissed.

2. Dates, Times And Names Of Witnesses

Mr. Grantham also argues that some of the procedural requirements for disciplinary hearings contained in WAC 137-28, in fact create due process rights in him. Specifically, he claims failure to list all dates, times and witnesses in the initial serious infraction report as required by WAC 137-28-270 deprived him of his due process rights. Petition, pp. 4-5. In support of this contention, Mr. Grantham cites In re Krier, 108 Wn. App. 31, 29 P.3d 720 (2001) for the proposition that "Failure to follow procedure of adequate notice results in arbitrary and capricious actions" Petition, p. 4. However, Krier makes no such holding.

In Krier, the petitioner was charged with a general (minor) infraction for smoking in his cell. Id. at 33-34. The petitioner did not attend the disciplinary hearing with his unit sergeant who found him guilty of the infraction and imposed 10 days cell confinement. Id. at 34. During this 10-day period of time, a CO found the petitioner was not in his cell

and charged him with a serious infraction. Id. The petitioner did attend this hearing and claimed he had never been notified of the previous cell confinement order, therefore, he should not be found guilty of the serious infraction. Id. Nevertheless, the petitioner was found guilty of the infraction and lost good conduct time as a result. Id. at 35.

The Court of Appeals in Krier did not hold that the procedural regulations for conducting prison disciplinary hearings found in WAC 137-28-270 created a due process right in inmates. Rather, it held that when an inmate claims he did not have notice that his conduct was proscribed, there has to be some evidence in the record to support a finding to the contrary. Id. at 39.

Here, Mr. Grantham is not claiming that he did not know smuggling tobacco and marijuana was against prison rules. Obviously he knew it was as he established an elaborate process using a compromised staff person to have the contraband brought into MICC. This is far different than the situation in Krier where the petitioner claimed he did not know he had been placed on cell confinement and DOC did not provide some evidence to rebut the claim.

As Mr. Grantham had sufficient notice of both his proscribed conduct and his hearing, there is no due process violation, therefore his Petition should be dismissed.

VI. CONCLUSION

For all of the above reasons, DOC respectfully requests that Mr. Grantham's personal restraint petition be dismissed.

RESPECTFULLY SUBMITTED this 18th day of April, 2008.

ROBERT M. MCKENNA
Attorney General



PETER W. BERNEY, WSBA #15719
Assistant Attorney General
Criminal Justice Division
PO Box 40116
Olympia WA 98504-0116
(360) 586-1445

CERTIFICATE OF SERVICE

I certify that I served a copy of the RESPONSE OF THE DEPARTMENT OF CORRECTIONS on all parties or their counsel of record as follows:

- US Mail Postage Prepaid
- United Parcel Service, Next Day Air
- ABC/Legal Messenger
- State Campus Delivery
- Hand delivered by _____

FILED
COURT OF APPEALS
DIVISION II
08 APR 22 PM 12:23
STATE OF WASHINGTON
BY [Signature]
DEPUTY

TO:

JAMES W GRANTHAM #703436
MCNEIL ISLAND CORRECTIONS CENTER
PO BOX 881000
STEILACOOM WA 98388-1000

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

EXECUTED this 21ST day of April, 2008, at Olympia, Washington.

Katrina Toal
KATRINA TOAL

EXHIBIT 1

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

In re the Personal Restraint Petition of:

JAMES W. GRANTHAM,

Petitioner.

DECLARATION OF
KATRINA TOAL

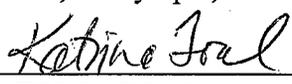
I, KATRINA TOAL, make the following declaration:

1. I am a legal secretary with the Criminal Justice Division of the Attorney General's Office in Olympia, Washington. I have been employed in this position since 1990.

2. I am familiar with the Offender Based Tracking System (OBTS) used by the Department of Corrections (DOC). I am authorized by the DOC to retrieve information from the OBTS. Among other things, information regarding an offender's location, custody, birth date, sentence, infractions and grievances are entered and tracked on OBTS. Attached to this declaration as Attachment A is a true and correct copy of the Legal Face Sheet screen in OBTS for James Grantham, DOC #703436, which I obtained from the OBTS.

I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

SIGNED this 21st day of April, 2008, at Olympia, Washington.


KATRINA TOAL

ATTACHMENT A

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***
BED NO: IO4FB21 COUNSELOR: 0247 FLEMMING, MICHAEL A

CURRENT LOCATION: MICC IMU MXED: 08/07/2036 MNED:
SEX: M AGE: 33 FBI NO: 55408RA5 ERD : 06/23/2032 ADJ.: 06/23/2032
RACE : ASIAN/P.I. SID NO: 14277156 NRD : 12/11/2008 SCORE: 00
HISP ORIG : NO CUS.: MAX MFED: 06/23/2028
HEALTH RECORD REVIEW : DONE COMM. CONCERN: N RMI: RMA
VICTIM WRAP AROUND: N

NAMES: GRANTHAM, JAMES W. ("AC") VW ELIGIBLE: YES COMM. PLACEMENT: YES

GRANTHAM, JAMES W. (TRUE)

GRANTHAM, KDOG (AKA)

KDOG, (AKA)

GRANTHAM, KD (AKA)

GRANTHAM, RICHARD W. (AKA)

LITTLE, KD (AKA)

LITTLEKDOG, (AKA)

LSI-R: 44 AND LSI LEVEL : HIGH
SSA NO: BIRTH: 74
75
76

P. PREL: N/A

P. WTR: N/A

P. MFED: HQS APP IMU STATUS

P. REL: N/A

P U L H E S D X T DATE

REGISTERABLE OFFENDER : Y

1 1 1 1 1 2 2 2 1 10/24/1996

WGHT LIFT RESTR UNTIL: 06/18/1999

Table with columns: COM., COUNTY, GTL TIME START RECEIVED OC, MIN. TERM, CC CS, REL. DATE, STATUS. Includes rows for PIERCE and RAPE 2.

TOTAL MONETARY OBLIGATION: ORDERED \$***1265.41 ;AS OF 03/05/08 PAID \$*****0.00
SCHEDULE: 0 SET BY: SPECIAL CONDITIONS: YES
STAT MAX: LIFE

Table with columns: *AD*Y PIERCE, 15, 10/12/2002, 05/25/95, 11, 34Y 8M 0D, AC, 06/23/2032, AC. Includes row for MURDER 1.

TOTAL MONETARY OBLIGATION: ORDERED \$***5166.73 ;AS OF 05/24/07 PAID \$****240.98
SCHEDULE: 0 SET BY: SPECIAL CONDITIONS: YES
STAT MAX: LIFE

COMMENTS: PSI FILE, TO INCLUDE J&S, PIERCE 941029616 TO WCC-RC
6/1/95 TAP/TACOMA INDUST/CLR 8/96 WSP/MDM
7/29/97 OVERRIDE MAX WSP/JS INT OVR CHIEF 7/15/99 WSP PT
TSF-WSR-CHEIF 6/20/00 WSP/RTS 10267 63 12/19/01 S01
01/24/07 HCSC MI3/HCR. JSM

MOVEMENT DATE & TYPE DESTINATION REASON FOR ORIGIN

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436

NAME: GRANTHAM, JAMES W. ("AD")

STATUS: ACTIVE

MOVEMENT DATE & TYPE	DESTINATION	REASON FOR	ORIGIN
05/25/95 NEW COMMITMENT	WA COR CTR RC	INITIAL CLASSI.	PIERCE
08/17/95 TRANSFERRED TO	WASH STATE PEN	INITIAL CLASSI.	WA COR CTR RC
10/08/96 TRANSFERRED TO	WSP INTENSIVE	MANAGE. PROBLEM	WASH STATE PEN
01/29/97 TRANSFERRED TO	WASH STATE PEN	PROGRAM CHANGE	WSP INTENSIVE
07/28/97 TRANSFERRED TO	WSP INTENSIVE	MANAGE. PROBLEM	WASH STATE PEN
03/25/98 TRANSFERRED TO	WA COR CTR IMU	COURT ORDER	WSP INTENSIVE
03/26/98 OUT TO COURT	PIERCE	COURT ORDER	WA COR CTR IMU
04/07/98 RET.FM.COURT	WA COR CTR IMU	RETURN FR COURT	PIERCE
04/16/98 TRANSFERRED TO	WSP INTENSIVE	RETURN FR COURT	WA COR CTR IMU
08/12/98 TRANSFERRED TO	WA COR CTR IMU	FAC ASSN CHANGE	WSP INTENSIVE
08/12/98 TRANSFERRED TO	WA COR CTR TC	PROGRAM CHANGE	WA COR CTR IMU
08/14/98 TRANSFERRED TO	WA COR CTR IMU	PROGRAM CHANGE	WA COR CTR TC
11/05/98 TRANSFERRED TO	WASH STATE PEN	CUSTODY CHANGE	WA COR CTR IMU
06/20/01 TRANSFERRED TO	STAFFORD CREEK	FAC ASSN CHANGE	WASH STATE PEN
06/20/01 IN TRANSIT AT	WASH STATE PEN	FAC ASSN CHANGE	WA COR CTR RC
06/25/01 IN TRANSIT TO	STAFFORD CREEK	FAC ASSN CHANGE	WA COR CTR RC
02/04/02 TRANSFERRED TO	WASH STATE PEN	CUSTODY CHANGE	STAFFORD CREEK
02/04/02 IN TRANSIT AT	STAFFORD CREEK	CUSTODY CHANGE	WA COR CTR RC
02/07/02 IN TRANSIT TO	WASH STATE PEN	CUSTODY CHANGE	WA COR CTR RC
02/13/04 TRANSFERRED TO	WSP MED SEC CP	PROGRAM CHANGE	WASH STATE PEN
03/20/04 TRANSFERRED TO	WASH STATE PEN	CUSTODY CHANGE	WSP MED SEC CP
07/13/05 TRANSFERRED TO	MCC-WA. STATE	PROGRAM CHANGE	WASH STATE PEN
07/13/05 IN TRANSIT AT	WASH STATE PEN	PROGRAM CHANGE	WA COR CTR RC
07/18/05 IN TRANSIT TO	MCC-WA. STATE	PROGRAM CHANGE	WA COR CTR RC
03/26/07 TRANSFERRED TO	MCNEIL IS CORR	PROGRAM CHANGE	MCC-WA. STATE
03/26/07 IN TRANSIT AT	MCC-WA. STATE	PROGRAM CHANGE	WA COR CTR RC
03/29/07 IN TRANSIT TO	MCNEIL IS CORR	PROGRAM CHANGE	WA COR CTR RC
03/29/07 IN TRANSIT AT	WA COR CTR RC	PROGRAM CHANGE	MCNEIL IS CORR
01/24/08 TRANSFERRED TO	MICC IMU	CUSTODY CHANGE	MCNEIL IS CORR

HOUSING DATE & LOCATION	COUNSELOR	WORK ASSIGN.	SUPERVISOR
05/25/95 C01-2G05L	POSITION BS97		
06/16/95 C01-4B06L	POSITION GS93		
08/17/95 E01-1A10N	POSITION GB46	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
08/22/95 E01-6C014	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
09/08/95 E01-6C014	POSITION 1656	LAUNDRY WORKER	POSITION BK28
		UNASSIGNED-WAIT	
10/11/95 E01-6C014	POSITION 1656	LAUNDRY WORKER	POSITION BK28
		UNASSIGNED-WAIT	
11/17/95 E01-6C014	POSITION 1656	MATERIAL HANDLE	POSITION 0765
		UNASSIGNED-WAIT	

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

HOUSING DATE & LOCATION	COUNSELOR	WORK ASSIGN.	SUPERVISOR
01/03/96 E01-6C014	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
05/13/96 E01-6C014	POSITION 1656	UNASSIGNED-WAIT	
		STUDENT-HIGH SC	POSITION CEE1
06/05/96 E01-6C014	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
06/11/96 E01-6C014	POSITION 1656	UNASSIGNED-WAIT	
		STUDENT-HIGH SC	POSITION CFE1
07/26/96 E01-6C014	POSITION 1656	CUSTODIAN I	POSITION CFUL
		UNASSIGNED-WAIT	
08/16/96 E01-4C182	POSITION BG55	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
10/08/96 E04-MA09	POSITION BP13	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
01/29/97 E01-6C072	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
02/05/97 E01-6E122	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
03/10/97 E01-6E122	POSITION 1656	FOOD SERVICE WO	POSITION GX62
		UNASSIGNED-WAIT	
03/14/97 E01-6E122	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
06/18/97 E01-4C072	POSITION BG55	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
06/18/97 E01-4B252	POSITION BG55	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
07/28/97 E04-MA06	POSITION BP13	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
01/09/98 E04-MA06	POSITION BP13	UNASSIGNED-WAIT	
		STUDENT-HIGH SC	POSITION CEE1
01/30/98 E04-MF12	POSITION BP13	UNASSIGNED-WAIT	
		STUDENT-HIGH SC	POSITION CEE1
03/15/98 E04-MG09	POSITION BP13	UNASSIGNED-WAIT	
		STUDENT-HIGH SC	POSITION CEE1
03/16/98 E04-MF12	POSITION BP13	UNASSIGNED-WAIT	
		STUDENT-HIGH SC	POSITION CEE1
03/18/98 E04-MG09	POSITION BP13	UNASSIGNED-WAIT	
		STUDENT-HIGH SC	POSITION CEE1
03/20/98 E04-MG09	POSITION BP13	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
03/25/98 H04-A101	POSITION 1137		
04/07/98 H04-A201	POSITION 1137		
04/16/98 E04-MF04	POSITION BP13	UNASSIGNED-WAIT	

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

HOUSING DATE & LOCATION	COUNSELOR	WORK ASSIGN.	SUPERVISOR
06/02/98 E04-MF01	POSITION BP13	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
08/12/98 H01-IE101L	POSITION 1137		
08/14/98 H04-B108	POSITION 1137		
09/14/98 H04-B204	POSITION 1137		
10/01/98 H04-B104	POSITION 1137		
11/05/98 E01-1A02N	POSITION GB46	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
11/10/98 E01-6A124	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
01/29/99 E01-6E024	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
03/23/99 E01-6E024	POSITION 1656	CUSTODIAN I	POSITION 1653
		UNASSIGNED-WAIT	
04/21/99 E01-6E024	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
10/22/99 E01-6F043	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
03/13/00 E01-6C093	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
04/14/00 E01-6E163	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
05/24/00 E01-6E162	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
12/18/00 E01-6D122	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
12/18/00 E01-6E162	POSITION 1656	UNASSIGNED-WAIT	
		UNASSIGNED-WAIT	
06/20/01 C01-5D15F	POSITION BR77		
06/25/01 S01-GB29U	POSITION S222		
08/09/01 S01-GD14U	POSITION S222		
08/10/01 S01-GD14U	POSITION S222		
08/10/01 S01-GD14L	POSITION S222		
08/22/01 S01-FB08	POSITION S222		
09/06/01 S01-GD14L	POSITION S222		
09/07/01 S01-GD14U	POSITION S222		
09/11/01 S01-GB18U	POSITION S222		
09/13/01 S01-GD14L	POSITION S222		
09/15/01 S01-GD17U	POSITION S222		
12/19/01 S01-FA14	POSITION S222		
02/04/02 C01-5F12F	POSITION BR77		
02/06/02 C01-5E15U	POSITION BR77		

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

HOUSING DATE & LOCATION	COUNSELOR	WORK ASSIGN.	SUPERVISOR
02/07/02 E01-7A054	POSITION GL57		
02/12/02 E01-6B094	POSITION 1656		
03/04/02 E01-6C062	POSITION 1656		
02/13/04 E02-BA1012	POSITION BK71		
02/18/04 E02-AA2062	POSITION 1143		
02/23/04 E02-RA3032	POSITION 1143		
03/20/04 E01-7A012	POSITION GL57		
03/23/04 E01-6C061	POSITION 1656		
07/26/04 E01-6F151	POSITION 1656		
11/22/04 E01-6F152	POSITION 1656		
06/03/05 E01-6F132	POSITION 1656		
07/13/05 C01-5C14U	POSITION BR77		
07/18/05 D01-D422L	POSITION GL35		
10/17/05 D01-C403U	POSITION BL45		
03/19/06 D01-C416U	POSITION BL45		
06/18/06 D01-C111L	POSITION BL45		
03/26/07 C01-4H01U			
03/29/07 I01-B3082			
03/29/07 I01-B3082	POSITION BV66		
07/24/07 I01-B3081	POSITION BV66		
11/08/07 I01-FA14	POSITION BV66		
11/14/07 I01-FC16	POSITION BV66		
11/15/07 I01-FA16	POSITION BV66		
01/24/08 I04-FB21	FLEMMING, MICHA		

DATE	PROGRAM-POSITION	--WEEK--	-----DAY-----	---TIME---	STATUS
01/04/99	B099A418 BASIC SKILLS				CMP
01/04/99	B099A525 BASIC SKILLS				CMP
02/01/99	V330P114 MEDIA/COMMUNI	1 2 3 4	M T W TH F	08:00-11:00	CMP
02/22/99	V330P427 MEDIA/COMMUNI	1 2 3 4	M T W TH F	12:00-15:00	CMP
03/29/99	C016P605 BASIC COMMUNI				DRP
03/29/99	V330P111 MEDIA/COMMUNI	1 2 3 4	M T W TH F	08:00-11:00	DRP
05/16/00	J213L031 FOOD SERV I W	1 2 3 4	SU M T W S	06:00-12:30	TER
05/16/00	J213L131 FOOD SERV I W	1 2 3 4	SU W TH F S	15:00-18:00	TER
05/16/00	J213L231 FOOD SERV I W	1 2 3 4	M T W TH F	15:00-18:00	TER
09/05/00	J326G003 CUSTODIAN I	1 2 3 4	SU M T W TH F S	08:30-10:00	RSH
09/05/00	J326G103 CUSTODIAN I	1 2 3 4	SU M T W TH F S	12:00-13:00	RSH
09/05/00	J326G203 CUSTODIAN I	1 2 3 4	SU M TH F S	08:00-11:00	RSH
09/05/00	J326G303 CUSTODIAN I	1 2 3 4	SU M TH F S	18:00-21:00	RSH
09/21/00	J326G004 CUSTODIAN I	1 2 3 4	SU M T W TH F S	08:30-10:00	TER
09/21/00	J326G104 CUSTODIAN I	1 2 3 4	SU M T W TH F S	12:00-13:00	TER
09/21/00	J326G204 CUSTODIAN I	1 2 3 4	SU M T W S	08:00-11:00	TER
09/21/00	J326G304 CUSTODIAN I	1 2 3 4	SU M T W S	18:00-21:00	TER

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436

NAME: GRANTHAM, JAMES W. ("AD")

STATUS: ACTIVE

DATE	PROGRAM-POSITION	--WEEK--	-----DAY-----	---TIME---	STATUS
01/25/01	V550L106 BARBERING/HAI				RSH
01/25/01	V550L406 BARBERING/HAI				RSH
03/21/01	V550L053 BARBERING/HAI	1 2 3 4	M T TH	08:10-10:40	TRN
03/21/01	V550L304 BARBERING/HAI	1 2 3 4	M T TH	12:15-15:45	TRN
03/21/01	V550L353 BARBERING/HAI	1 2 3 4	W	08:10-10:40	TRN
12/04/01	J326J048 CUSTODIAN I	1 2 3 4	M T W TH F	14:00-20:00	DRP
04/15/02	V550L051 BARBERING/HAI	1 2 3 4	M T TH	08:10-10:40	DRP
04/15/02	V550L302 BARBERING/HAI	1 2 3 4	M T TH	12:15-15:45	DRP
04/15/02	V550L352 BARBERING/HAI	1 2 3 4	W	08:10-10:40	DRP
10/23/02	J213L034 FOOD SERV I W	1 2 3 4	SU M T F S	06:00-12:30	TER
10/23/02	J213L134 FOOD SERV I W	1 2 3 4	T W TH F S	15:00-18:00	TER
10/23/02	J213L234 FOOD SERV I W	1 2 3 4	T W TH F S	15:00-18:00	TER
11/04/02	V550L061 BARBERING/HAI	1 2 3 4	M T TH	08:10-10:40	TER
11/04/02	V550L312 BARBERING/HAI	1 2 3 4	M T TH	12:15-15:45	TER
11/04/02	V550L361 BARBERING/HAI	1 2 3 4	W	08:10-10:40	TER
03/05/03	J313A002 BARBER I	1 2 3 4	M T W TH F	08:00-15:30	TER
03/31/03	C032M003 VICTIM AWAREN	1 2 3 4	W F	18:00-20:30	CMP
03/31/03	V024B010 HUMAN RELATIO	1 2 3 4	W	12:30-15:30	TER
06/16/03	V550L051 BARBERING/HAI	1 2 3 4	M T TH	08:10-10:40	CMP
06/16/03	V550L305 BARBERING/HAI	1 2 3 4	M T TH	12:15-15:45	RSH
06/16/03	V550L353 BARBERING/HAI	1 2 3 4	W	08:10-10:40	RSH
07/08/03	V028C015 MATHEMATICS F	1 2 3 4	S	08:15-10:40	RSH
09/22/03	V026V002 VOCATIONAL WR				CMP
09/22/03	V028A008 MATHEMATICS F				CMP
10/30/03	V550L051 BARBERING/HAI	1 2 3 4	M T TH	08:10-10:40	CMP
11/04/03	J213L065 FOOD SERV I W	1 2 3 4	SU M TH F S	06:00-12:00	RSH
12/19/03	J213L007 FOOD SERV I W	1 2 3 4	SU M T F S	05:00-11:30	RSH
12/19/03	J213L107 FOOD SERV I W	1 2 3 4	SU M T W TH	15:30-18:30	RSH
12/19/03	J213L207 FOOD SERV I W	1 2 3 4	T W TH F S	15:00-18:00	RSH
01/07/04	J213L008 FOOD SERV I W	1 2 3 4	M T W TH F	06:00-11:30	DRP
01/07/04	J213L108 FOOD SERV I W	1 2 3 4	T W TH F S	15:30-18:30	DRP
01/07/04	J213L208 FOOD SERV I W	1 2 3 4	SU M T W TH	15:00-18:00	DRP
01/21/04	J102L003 CLERK I	1 2 3 4	SU M T F S	09:00-15:30	TRN
03/01/04	J616G126 MACHINE TOOL				TRN
06/22/04	V023D011 JOB PSYCHOLOG	1 2 3 4	W	18:20-20:30	RSH
07/19/04	V023H008 JOB PSYCHOLOG	1 2 3 4	SU	21:00-24:00	CMP
08/26/04	J213L053 FOOD SERV I W	1 2 3 4	SU W TH F S	06:00-12:30	RSH
09/10/04	J102L001 CLERK I	1 2 3 4	M T W TH F	09:00-15:30	TRN
08/15/05	J313D302 BARBER I	1 2 3 4	M T W TH F	08:00-14:00	DRP
09/05/06	I926U012 CI2-UPHOLSTER	1 2 3 4	M T W TH F	07:30-15:30	CMP
12/07/06	I926U003 CI2-UPHOLSTER	1 2 3 4	M T W TH F	07:30-15:30	CMP
12/08/06	I927A003 CI2-ASSEMBLY-	1 2 3 4	M T W TH F	07:00-15:30	TRN
04/23/07	J326J012 CUSTODIAN I	1 2 3 4	SU M T F S	23:30-02:30	TRN

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LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

EARNED EARLY RELEASE DATE & TYPE	DOC	ISRB	STATUS	LOCATION
05/25/95--08/01/95 EARNED TIME	11.33	0.00	PENDING	WCCRC
AC	4.00	0.00		
08/01/95--05/01/96 EARNED TIME	45.67	0.00	PENDING	WCCRC
AC	16.12	0.00		
05/01/96--08/01/96 EARNED TIME	15.33	0.00	PENDING	WSP
AC	5.41	0.00		
08/01/96--01/01/97 ET NOT EARNED	25.50	0.00	PENDING	WSP
AC	9.00	0.00		
01/01/97--03/01/97 EARNED TIME	9.83	0.00	PENDING	WSPIMU
AC	3.47	0.00		
03/01/97--04/01/97 ET NOT EARNED	5.17	0.00	APPLIED	WSP
AC	1.82	1.82		
04/01/97--05/01/97 EARNED TIME	5.00	0.00	PENDING	WSP
AC	1.76	0.00		
05/01/97--06/01/97 EARNED TIME	5.17	0.00	PENDING	WSP
AC	1.82	0.00		
06/01/97--01/01/98 ET NOT EARNED	35.67	0.00	PENDING	WSP
AC	12.59	0.00		
01/01/98--06/01/98 ET NOT EARNED	25.17	0.00	PENDING	WSPIMU
AC	8.88	0.00		
06/01/98--11/01/98 ET NOT EARNED	25.50	0.00	PENDING	WSPIMU
AC	9.00	0.00		
11/01/98--06/01/99 EARNED TIME	35.33	0.00	PENDING	WCCIMU
AC	12.47	0.00		
06/01/99--05/01/00 EARNED TIME	55.83	0.00	PENDING	WSP
AC	19.70	0.00		
05/01/00--05/01/01 EARNED TIME	60.83	0.00	PENDING	WSP
AC	21.47	0.00		
05/01/01--12/01/01 EARNED TIME	35.67	0.00	PENDING	WSP
AC	12.29	0.00		
12/01/01--02/04/02 EARNED TIME	10.83	0.00	PENDING	SCCC
02/04/02--05/01/02 EARNED TIME	14.33	0.00	PENDING	WCCRC
05/01/02--05/01/03 EARNED TIME	60.83	0.00	PENDING	WSP
AD	11.81	0.00		
05/01/03--06/01/03 ET NOT EARNED	5.17	0.00	APPLIED	WSP
AD	1.82	1.82		
06/01/03--01/01/04 EARNED TIME	35.67	0.00	PENDING	WSP
AD	12.59	0.00		
01/01/04--03/01/04 EARNED TIME	10.00	0.00	PENDING	WSP
AD	3.53	0.00		
03/01/04--03/01/05 EARNED TIME	60.83	0.00	PENDING	WSPMSC
AD	21.47	0.00		

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

EARNED EARLY RELEASE DATE & TYPE	DOC	ISRB	STATUS	LOCATION
03/01/05--07/01/05 EARNED TIME	20.33	0.00	PENDING	WSP
AD	7.18	0.00		
07/01/05--12/01/05 EARNED TIME	25.50	0.00	PENDING	WSP
AD	9.00	0.00		
12/01/05--12/01/06 EARNED TIME	60.83	0.00	PENDING	MCCWSRU
AD	21.47	0.00		
12/01/06--03/01/07 EARNED TIME	15.00	0.00	PENDING	MCCWSRU
AD	5.29	0.00		
03/01/07--04/01/07 EARNED TIME	5.17	0.00	PENDING	MCCWSRU
AD	1.82	0.00		
04/01/07--12/01/07 EARNED TIME	40.67	0.00	PENDING	MICC
AD	14.35	0.00		

INFRACTION DATE & TYPE	CELL	DOC	ISRB	STATUS	SANCTIONS	LOCATION
12/19/95 714 POSSESSING > \$10	Y	0	0	APPLIED	CONFINEMNT	WSP
					10	

* @ 1830 CELL SEARCH OF 6C1 FOUND 3 PHOTO ALBUMS, NO #'S, 1 PR BLUE JEANS,
 * NO #; MAIL BELONGING TO PHAN 739627, CURIO STENCIL NO #, 5 CUPS NO #'S; 1
 * BROKEN ASHTRAY NO #; 2 FINGERNAIL CLIPPERS WRONG #'S; 18 CASSETTE TAPES
 * WRONG #; 1 RECTON CONVERTER WRONG #, 2 BOWLS & 1 RADIO OLD #'S REMOVED &
 * NEW #'S APPLIED.

12/31/95 734 UNAUTH GANG/CLUB	N	0	0	APPLIED	LOSE PRIV.	WSP
					10	

* @ 1232 PAT SEARCH OF I/M NOTICED THAT I/M HAD SEVERAL LAYERS OF UNDER
 * GARMENTS ON, OVERSIZED PANTS. CO CONFISCATED GREY POLYESTER PANTS. I/M AN
 * ALLEGED GANG MEMBER FM PIERCE COUNTY.

06/04/96 600 TAMPER WITH LOCK	N	0	0	APPLIED	LOSE PRIV.	WSP
					10	

* @ 1540 & 1550 CO OBSERVED I/M FORCE U6 2ND TIER LANDING SALLE PORTE DOOR.
 * I/M CARRYING A MATTRESS. WHEN I/M ATTEMPTED TO PASS THRU DOOR, WHICH WAS
 * BEING OPENED AT THE TIME, USED THE MATTRESS TO FORCE DOOR TO OPEN FASTER.
 * I/M MADE VISIBLE EFFORT TO PUSH DOOR W/MATTRESS.

03/14/97 557 REFUSE TO PROG.	N	10	10	APPLIED	DENY GCT	WSP
					DENY GCT	
					LOSE PRIV.	
					05	

* @ 0600 I/M FAILED TO SHOW UP FOR WORK AS SCHEDULED. @ 0615 CO NOTIFIED U6
 * TO HAVE I/M SENT TO KITCHEN. @ 0655 NOTIFIED U6 AGAIN. APPROX 0658 U6
 * NOTIFIED CO THAT OFCR SENT TO I/M'S HOUSE & I/M REFUSING TO WORK.

06/18/97 508 THROWING OBJECTS	N	0	0	APPLIED	ISOLATION	WSP
					10	
					DENY GCT	
06/18/97 604 AG. ASSAULT/STF	N	270	270	APPLIED	MAX SECUR.	WSP

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

INFRACTION DATE & TYPE	CELL	DOC	ISRB	STATUS	SANCTIONS	LOCATION
* @ 1345 CO OBSERVED I/M PUNCHING STAFF WHILE STAFF WERE ATTEMPTING TO * RESTRAIN HIM. CO TOOK I/M'S ARM & PUT I/M IN ARM BAR.						
06/18/97	704	ASSAULT/STAFF	N	30	30	APPLIED ISOLATION WSP 10 DENY GCT REMOVED SANC
* @ 1520 I/M THREW A LIQUID SUBSTANCE FROM PAPER CUP HITTING CO B. ANSORGE * IN FACE, UPPER & LOWER BODY. LIQUID MAY HAVE BEEN URINE.						
06/18/97	717	REFUSAL/SAFETY	N	0	0	APPLIED MAX SECUR. WSP 30 ISOLATION 10 DENY GCT
12/27/97	556	REFUSING SEARCH	N	0	0	APPLIED ISOLATION WSP 10 MAX SECUR. 20
* @ 1735 I/M ORDERED TO CUFF UP BY CO FILAN. I/M TOOKT SOMETHING OFF UNUSED * BUNK & STARTED TO WALK TOWARD TOILET. ORDERED I/M NOT TO PUT ANYTHING IN * TOILET. THREW WHAT LOOKED LIKE BUNCHED UP TOILET PAPER & FLUSHED IT. I/M * THEN CUFFED UP & ESCORTED TO "A" MOD SHOWER. SEARCHED CELL & FOUND ONLY * EXCESS STATE ISSUE COFFEE & JUICE PACKETS.						
02/12/98	554	DESTROY PROPERTY	N	0	0	APPLIED LOSE PRIV. WSP 30 RESTITUT. 15 95
* LIBRARY SENT I/M LIB BK "PSYCHOMECH" BY BRIAN LUMLEY FM WSP LIB ON * 1/21/98. WHEN BK WAS CHECKED OUT TO HIM IN GOOD CONDITION W/BAR CODE * AFFIXED TO FRONT PG. WHEN RECEIVED BK BACK FM IMU NOTED COVER HAD BEEN * RIPPED OFF, BOOK STABBED & SCRIBBLED IN PAGES 3 THRU 47, & PG W/BAR CODE * RIPPED OUT. \$5.95 FOR BOOK & \$10 BAR CODE.						
06/24/99	714	POSSESSING > \$10	N	0	0	APPLIED CONFINEM'T WSP 05 REPRIMAND
* @ 1830 CO OBSERVED I/M PASS RADIO INTO E-4. WENT TO E-4 & FOUND DUNBAR * 700572 IN POSSESSION OF RADIO. CONFISCATED RADIO & FOUND ORIG DOC # SANDED * OFF & I/M'S NAME & NUMBER PLACED OVER SANDING MARKS.						
07/29/99	558	STAFF INTERFER.	N	0	0	APPLIED LOSE PRIV. WSP 15

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

INFRACTION DATE & TYPE	CELL	DOC	ISRB	STATUS	SANCTIONS	LOCATION
* @ 0910 CO ENTERED U6 "E" TIER & PORTER 755450 TRUEBLOOD WARNED I/M'S IN E2						
* CO COMING. STOPPED E2, PRIVACY CURTAIN UP BLOCKING BACK OF CELL. 947191						
* MUASAU & GRANTHAM IN FRONT OF CURTAIN. ORDERED TO DROP CURTAIN, SWANBERG						
* 930515 HIDDEN BEHIND CURTAIN, ADMITTED THERE TO TATTOO I/M'S. 952015						
* HUNTER HIDING UNDER BUNK 2. GUN FOUND IN 6E1.						
07/29/99 708 UNAUTH. MEETING	N	0	0	APPLIED	LOSE PRIV.	WSP 15
02/19/00 708 UNAUTH. MEETING	N	0	0	APPLIED	CONFINEM'T	WSP 05
* 1815 DOING TIER CHECK & FOUND 768229 KONG, 730454 FRANCISCO, 947191 MUASAU						
* & GRANTHAM HAVING UNAUTHORIZED MEETING IN 6F4.						
05/06/00 660 POSSESS MONEY	N	0	0	APPLIED	LOSE PRIV.	WSP 10
* 1910 CELL SEARCH OF 6E16 FOUND RADIO W/FRANCISCO'S 730454 ON IT. FRANCISCO						
* DOESN'T LIVE IN U6. ALSO FOUND LOOSE SCRIP (MSC TYPE) (\$11.25). SCRIP						
* FOUND UNDER P'S MATTRESS. OTHER MISC CONTRABAND FOUND. OTHER OCCUPANT OF						
* CELL WAS 783317 MCCULLOUGH, ELDON.						
05/06/00 714 POSSESSING > \$10	N	0	0	APPLIED	LOSE PRIV.	WSP 10
05/30/00 654 COUNTER./FORGERY	N	0	0	APPLIED	CONFINEM'T	WSP 10
* 1830 CO'S PERFORMING ROUTINE CELL SEARCH OF 6E16 & FOUND 1 TATTOO GUN						
* W/NEEDLE, MOTOR, STEM; 1 STENCIL OF DOC 703436P MADE FROM A "TOP" TOBACCO						
* BOX; 1 TV W/BROKEN SEALS; 1/2 OF A PAIR OF TWEEZERS. OTHER OCCUPANT OF						
* CELL IS 783317 MCCULLOUGH.						
08/22/01 509 REFUSE TO LEAVE	N	20	20	APPLIED	DENY GCT	SCCC MAX SECUR. 10
* OFFENDER WAS OBSERVED OUT OF BOUNDS, LEANING ON THE OFFICER'S STATION.						
* OFFICER DIRECTED HIM TO LEAVE THE AREA, AND WHEN HE BECAME UNCOOPERATIVE,						
* ALSO REFUSED DIRECTIVES TO CELL IN. -20 OF 40 DAYS LOSS GCT SUSPENDED						
* PROVIDED NO FURTHER SERIOUS INFRACTIONS. -BP 09/07/01						
08/22/01 509 REFUSE TO LEAVE	N	20	0	APPLIED	2L SUSPEND	SCCC 90
12/19/01 633 ASSAULT/INMATE	N	120	120	APPLIED	DENY GCT	SCCC MAX SECUR. 20 CUST./PGM
* OBSERVED WALKING UP AND PUNCHING ANOTHER OFFENDER IN SCCC DINI NG HALL.						
* -APPEAL DENIED. -BP 01/10/02						
05/27/03 557 REFUSE TO PROG.	N	10	10	APPLIED	DENY GCT	WSP DENY GCT LOSS REC.

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

INFRACTION DATE & TYPE CELL DOC ISRB STATUS SANCTIONS LOCATION

10

* ON 5/27/03 AT 0818-1040HRS, P FAILED TO SHOW FOR MANDATORY CAL I:OUT TO
* EDUCATION DEPARTMENT. MANDATORY CLASSES MISSED: 4/9/03, 4/21/03, 4/30/03,
* 5/8/03, 5/27/03.

12/05/03 714 POSSESSING > \$10 N 0 0 APPLIED LOSE PRIV. WSP
30

* ON 12/5/03 AT 1410HRS CELL SEARCH CONDUCTED IN 6C06 CONTRABAND FOUND; 1 PR
* HAIR CLIPPERS #702638, 1 UNAUTH. NEEDLE, SWEATSHIRT W/UNREADABLE #, 1
* SHIRT #744369, 1 WRANGLER JEANS #827880, 1 PR GUESS JEANS #804773, 1
* MAGNET, 2 FULL SIZE TOOTHBRUSHES, 1 MUSIC TUNER NO #, HAIR CLIPPERS BELONG
* TO ANOTH. P NO LONGER AT INSTITUTION.

03/19/04 603 POSS. CONT. SUB. N 30 30 APPLIED CONFINEM'T WSPMSC
30
DENY GCT

* 3/19/04 @1705HRS, CO WARREN CONDUCTING RANDOM PAT SEARCHES IN MSC
* CHOWHALL. I/M GRANTHAM WAS ORDERED TO STAND FOR SEARCH. I OBSERVED WHAT
* APPEARED TO BE A SM CIGARETTE IN HIS ADDRESS BOOK. P WAS ASKED WHAT IT WAS
* & SAID IT WAS A SM CIGARETTE. PER OPENING THE ITEM, IT CONTAINED A GREEN
* LEAFY SUBSTANCE BELIEVED TO BE MARIJUANA .

03/19/04 734 UNAUTH GANG/CLUB N 0 0 APPLIED LOSE PRIV.. WSPMSC
30

* 3/19/04 @1800HRS, CO FIELDS DID A CELL SEARCH OF RA303 AND FOUND A COPY OF
* A PHOTO. IN PHOTO, 11 MALES ARE SIGNING. THIS IS CONSIDERED STG.

03/19/04 752 POSITIVE DRG TST N 30 30 APPLIED CONFINEM'T WSPMSC
30
DENY GCT

* 1723 P SUBMITTED URINE SPCIMEN FOR TESTING BY STERLING REFERENCE
* LABORATORIES FOR CONTROLLED SUBSTANCE USE FOR THE CAUSE PGM. SPECIMEN
* TESTED POSITIVE FOR THC50 W/QUANT. 24NG/ML RESPECTFULLY, W/CUTOFF OF
* 15NG/ML. RESULTS SHOWED QUANTITIES OVER ALLOWED SCREENING CUTOFF LEVELS.
* RESULTS OF TEST REVIEWED & ARE AS TRUE & COMPLETE.

03/20/04 714 POSSESSING > \$10 N 0 0 APPLIED LOSE PRIV. WSP
30

* 3/19/04 @2200HRS, CO PONTI DID AN INVENTORY I/M GRANTHAM'S PROPERTY DUE TO
* HIS CUSTODY DEMOTION. 9 FOLDERS OF LEGAL INFO BELONGING TO OTHER I/MS,
* PAIR OF ADIDIAS SHOES, BOX WITH MISC. ITEMS, 16 SHEETS CARBON PAPER, 2
* PAIRS PANTS, 4 SHIRTS, REPLACEMENT RAZOR BLADE,BELT, NAIL CLIPPERS,
* TWEEZERS, SOCKS, 2 UNDERSHORTS, 2 BOXERS, 1 TAPE.

06/07/07 778 FALSE URINE SAM. N 10 10 APPLIED DENY GCT MICC
CONFINEM'T
10
ANY 1A-1E
EXTRA DUTY

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

INFRACTION DATE & TYPE CELL DOC ISRB STATUS SANCTIONS LOCATION
* RESULTS FROM STERLING LABS REPORT UA SPECIMENT WAS DILUTED. 1 0 DAYS CELL
* CONFINEMENT. 10 HOURS EXTRA DUTY FOR SHIFT LT. TO BE COMPLETED IN 15 DAYS.
* LOSS OF 10 DAYS GCT.

10/01/07 603 POSS. CONT. SUB. N 90 90 APPLIED DENY GCT MICC
MAX SECUR.
15
LOSE PRIV.
07

* TRANSPIRED TO BRING CONTRABAND INTO FACILITY OF MARIJUANA. 90 DAYS LOSS
* GCT, 15 DAYS D SEG, CREDIT TIME SERVED. 7 DAYS LOSS YARD PRIVILEGES.

10/01/07 606 POS. TOBACCO PROD N 0 0 APPLIED CUST./PGM MICC
MAX SECUR.
10

* CONSPIRED TO BRING CONTRABAND INTO MICC. 10 DAYS D SEG, CREDI T TIME
* SERVED. REFER TO UNIT TEAM FOR CUSTODY REVIEW.

11/08/07 728 OBSCENE MATERIAL N 5 5 APPLIED DENY GCT MICC
MAX SECUR.
05

* POSSESSION OF PORNO PICTURES. 5 DAYS LOSS GCT. 5 DAYS D SEG, TO RUN
* CONCURRENT WITH FIRST INFRACTION.

Table with columns: CUSTODY DATE, SCORE, TYPE, ASSIGNED, CUSTODY, OVERRIDE, LOCATION. Rows include dates from 06/16/1995 to 05/21/2003 and various custody types like INITIAL, REVIEW, BEHAVIOR, PLAN RVW.

07/08/2003 57 PLC ELIG 07/08/2003 MEDIUM MURDER F WASH STATE PEN
12/09/2004 00 PLAN RVW 12/16/2004 CLOSE WASH STATE PEN

UNIT 6 FRMT. DEMOTE TO CLOSE; CRS 0. TARGET MEDIUM (MUR) ON 4/1/06. TARGET LIK
E -LEVEL TRANSFER ON 3/20/05 TO MCC IN THE EVENT P HAS REMAINED INFRACTION FREE

IISO100

LEGAL FACE SHEET

TIME 08:43

DOC NO: 703436 NAME: GRANTHAM, JAMES W. ("AD") STATUS: ACTIVE ***

CUSTODY DATE SCORE TYPE ASSIGNED CUSTODY OVERRIDE LOCATION
FROM THE DATE OF HIS LAST INFRACTION. VALIDATED. NO FURTHER TARGETS DUE TO TWO YEAR VIOLATION AND TIME LEFT TO SERVE.

12/12/2005 39 PLAN RVW 01/20/2006 CLOSE MCC-WA. STATE
P WAS SEEN BY FRMT ON 12/15/06 FOR HIS FACILITY PLAN CHANGE. THE FOLLOWING RECOMMENDATIONS WERE MADE AND APPROVED THROUGH REVIEW COMMITTEE: CUSTODY REMAINS CLOSE AND RETAIN AT D01. TARGET MEDIUM CUSTODY (MUR) 3/19/06 AND RETAIN AT D01.

03/20/2006 59 PLC ELIG 03/20/2006 MEDIUM MURDER F MCC-WA. STATE
CUSTODY PROMOTES TO MEDIUM, TARGETED AT 12/15/05 FRMT MEETING.

12/06/2006 62 PLC ELIG 01/24/2007 MINIMUM HCSC ASG MCC-WA. STATE
01/24/07--HCSC MI3/HCR. JSM

04/23/2007 67 REVIEW 04/25/2007 MINIMUM PRIOR HQ MCNEIL IS CORRECT HIS IS BEING PRESENTED AS INMATE GRANTHAM'S #703436 REGULAR REVIEW. GRANTHAM HAS AN IN-EFFECT FACILITY PLAN FROM 12/06/06 THAT PROMOTED HIM TO MI3 CUSTODY WITH A HCR OVERRIDE. HE ALSO HAS AN ERD OF 11/27/32. GRANTHAM IS CURRENTLY PROGRAMMING THROUGH FULL TIME EMPLOYMENT ON THE JANITORIAL CREW. DURING THIS REVIEW PERIOD HE HAS INCURRED 0 SERIOUS INFRACTIONS AND HAS 67 POINTS. RECOMMEND: MAINTAIN MI3 CUSTODY WITH A PHD OVERRIDE; CONTINUE WITH IN-EFFECT FACILITY PLAN; CONTINUE WITH REFERRALS AND ASSIGNMENTS.

12/12/2007 00 PLAN RVW 01/23/2008 MAXIMUM INTENSIV MCNEIL IS CORRECT SUPERINTENDENT/DESIGNEE CONCURS WITH F UNIT FRMT.

IISUI012 NO WARRANTS OR DETAINERS FOUND

IISUI005 NO OUT TIME FOUND

IISUI009 NO ISR BOARD INFO FOUND

IISUI015 NO HOLDS FOUND

EXHIBIT 2

NO. 37396-3-II

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

In re the Personal Restraint Petition of:

JAMES W. GRANTHAM,

Petitioner.

DECLARATION OF
STEVEN BAXTER

I, STEVEN BAXTER, make the following declaration:

1. I have knowledge of the facts herein, am over (18) years old, and am competent to testify to such facts.

2. I was an investigator employed by the Department of Corrections (DOC) in the Special Investigations Unit at DOC headquarters in Tumwater, Washington, for three years. Prior to that, I had been an investigator at various DOC prisons for approximately nine years. My duties included investigating reports of illegal activity by staff or offenders at the prisons.

3. I conducted an investigation in 2007 of allegations that a Corrections Officer (CO) was introducing contraband at the McNeil Island Corrections Center (MICC) on behalf of some offenders there. When I interviewed the CO, she admitted the conduct and provided me with a phone number of the contact person that would provide her with

EXHIBIT

2

the contraband she would bring into the prison. She did not know this person's name but provided me with his description.

4. All offender phone calls are monitored and recorded at every prison. I entered the phone number the CO gave me into the computer records and found that the Petitioner here, James Grantham, DOC #703436, had called that number, which belonged to his brother Richard Grantham. The description the CO had given me of Richard Grantham matched the description from Richard Grantham's application to visit his brother James in prison.

5. I listened to the tape of the conversation between the Granthams. In my experience as an investigator, they were using code words for introducing contraband such as getting the "other" and making sure it was wrapped correctly. After this, I went and interviewed James Grantham who denied any involvement in the plan. I then went back and listened to the tape again and the voice on the taped phone conversation matched that of James Grantham.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

SIGNED this 17th day of April, 2008, in ^{Olympia}~~Tacoma~~, Washington.


STEVEN BAXTER

EXHIBIT 3

NO. 37396-3-II

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

In re the Personal Restraint Petition of:

JAMES W. GRANTHAM,

Petitioner.

DECLARATION OF
JANET GAINES

I, JANET GAINES, make the following declaration:

1. I have knowledge of the facts herein, am over (18) years old, and am competent to testify to such facts.

2. I am a Corrections Specialist 3 employed by the Department of Corrections (DOC) at the McNeil Island Corrections Center (MICC) in Steilacoom, Washington. I have held this position since March 1, 2008. My duties include conducting prison disciplinary hearings for offenders who violate prison rules. I am also custodian of the records maintained in the disciplinary hearings office. The previous disciplinary hearings officer was Lieutenant James Allen.

3. Lt. Allen conducted the disciplinary hearing for the Petitioner in this matter, James Grantham, DOC #703436, on December 12, 2007. Mr. Grantham was charged with violating WAC 137-25-030(603), Possession or Introduction of any Controlled Substance, and WAC 137-25-030(606), Possession or Introduction of any

EXHIBIT 3

Tobacco Products. Attached to this declaration are true and accurate copies of the following documents from Mr. Grantham's hearing packet:

- A. Initial Serious Infraction Report
- B. Disciplinary Hearing Notice/Appearance Waiver
- C. Disciplinary Hearing Minutes and Findings
- D. Written Statement from Mr. Grantham
- E. Serious Infraction Report
- F. Disciplinary Hearing Appeal Decision

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

SIGNED this 17 day of April, 2008, in Steilacoom, Washington.



JANET GAINES

ATTACHMENT A



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

DEC 07 2007

FORM A

MICC HEARINGS OFFICE CONFIDENTIAL SERIOUS INFRACTION REPORT

Date of Infraction 12/03/07	Offender Name (Last, First) Grantham, James	DOC Number 703436	Housing Assignment Segregation 7 A 1 U
Rule Violation #(s) 603,606			
Time Occurred Unk	Place of Incident (Be Specific) Community/Tacoma		Date Occurred Oct 2007
Witness (1) NA	Days Off	Witness (3) NA	Days Off
Witness (2) NA	Days Off	Witness (4) NA	Days Off

NARRATIVE

State a concise description of the details of the rule violations, covering all elements and answering the questions of When? Where? Who? What? Why? and How?; Describe any injuries, property damage, use of force, etc., attach all related reports.

During the course of a HQ Special Investigation Unit (SIU) investigation of staff misconduct at MICC, information was received and evidence recovered that the staff member under investigation was introducing contraband into MICC. This staff member turned over one plastic bag of contraband to the SIU unit that contained two (2) large Top tobacco tins, five (5) cans of Grizzly chew tobacco, one (1) large bag of Gambler tobacco and one (1) jar of Folgers coffee. Inside the Folgers jar was a package wrapped in plastic and duct tape that contained a green leafy substance that later tested positive for marijuana. The staff member who surrendered the package did not know the name of the person dropping off the package in Tacoma, but did have the phone number which was 253-905-0525. This number verified by phone records belongs to the brother of offender James Grantham DOC#703436. This type of drop off to this staff member had occurred on more than one occasion since June 2007. I, knowing offender Grantham's voice overheard offender Grantham tell his brother to buy the coffee and make sure he had it ready for Sunday, then asked his brother if he had gotten the other stuff. Offender Grantham and his brother talked about meeting people to complete deals in Tacoma. Offender Grantham's brother has been alerted on at least one time at MCC by the narcotic K-9.

This Infraction serves as both notice and summary of confidential information

Reporting Staff Name (Last, First) (Print Name) Baxter, Steven		Shift 1st	Days Off S/S
Evidence Taken <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Evidence Case Number	Evidence Locker Number	Photo Submitted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Disposition Of Evidence (If Not Placed In Locker) Turned over to Pierce County sheriff's Office		Placed In Pre-Hearing Confinement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
NAME(S) OF ALLEGED VICTIMS OF THIS INCIDENT			
Last, First 1)	Staff <input type="checkbox"/>	Volunteer/Visitor/Other <input type="checkbox"/>	Offender <input type="checkbox"/> DOC#
Last, First 2)	Staff <input type="checkbox"/>	Volunteer/Visitor/Other <input type="checkbox"/>	Offender <input type="checkbox"/> DOC#
RELATED REPORTS ATTACHED			
<input type="checkbox"/> Supplemental		<input type="checkbox"/> Background Memos	
<input type="checkbox"/> Staff Witness Statements		<input type="checkbox"/> Medical	
<input type="checkbox"/> Tele-Incident		<input type="checkbox"/> Use of Force	
<input type="checkbox"/> Other (Specify)			

Reporting Staff Signature 	Date 12/11/07
-------------------------------	------------------

Infraction Review Officer Signature

D. J. Willcutt

RECEIVED

Date

12-3-07

REC-07-2007

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.

MICC HEARINGS OFFICE

Distribution: ORIGINAL-Central File COPY-Hearing Officer, Offender, Counselor, Board

ATTACHMENT B



7116



Evidence#: PHOTOS/PIERCEall#: 3081

Hearing ID# 4745

CallTag: No

OFFENDER NAME	GRANTHAM, JAMES	DOC NUMBER	703436	FACILITY	MICC	DATE	12/7/2007
TYPE OF REVIEW	HEARING SCHEDULED FOR		LOCATION		TIME		
DISCIPLINARY	12/11/2007		Hearings Office- F-U		8:10 AM		

REASON FOR HEARING (INCLUDING ALL ALLEGATIONS OF MISCONDUCT IF APPROPRIATE)

- 603 Possession, introduction, use, or transfer of any narcotic, controlled substance, illegal drug, unauthorized drug, mind altering su
- 606 Possession, introduction or transfer of any tobacco, tobacco products, matches, or tobacco paraphernalia

- INTERPRETER NAME/DATE
- I HAVE BEEN PROVIDED A CERTIFIED SIGN LANGUAGE INTERPRETER
 - I HAVE BEEN PROVIDED WITH A SPANISH TRANSLATION OF THE CHARGES AGAINST ME ON SE ME HA DADO UNA TRADUCCION AL ESPANOL DE LOS CARGOS EN ME CONTRA EL DIA

OFFENDER RIGHTS: DATE/FECHA AT TIME/HORA OFFENDER SIGNATURE/FIRMA DE OFENSOR

- YOU HAVE THE RIGHT TO REMAIN SILENT AT THE HEARING, IF YOU CHOOSE TO REMAIN SILENT, YOUR SILENCE MAY BE USED AGAINST YOU AND THE DECISION WILL BE BASED ON THE EVIDENCE PRESENTED.
- YOU MAY WAIVE YOUR APPEARANCE AT THE HEARING.
- YOU DO NOT HAVE A RIGHT TO CROSS EXAMINE WITNESSES, HAVE THE INFRACTING STAFF PRESENT AT THE HEARING, OR HAVE A POLYGRAPH OR OTHER SUPPLEMENTAL TESTS.
- YOU MAY REQUEST WITNESS STATEMENTS AND/OR THAT STAFF MEMBERS, INMATES OR OTHER PERSONS BE PRESENT AS WITNESSES UNLESS IT IS DETERMINED BY THE HEARING OFFICER THAT TO DO SO WOULD BE UNDULY HAZARDOUS TO INSTITUTIONAL SAFETY OR SECURITY : (List Witnesses Below)

STAFF NAME	STATEMENT	WITNESS	POSITION	OFFENDER NAME	WITNESS	DOC NUMBER
None	<input type="checkbox"/>	<input type="checkbox"/>		None	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	

- CRIMINAL CHARGES MAY BE PENDING. ANYTHING YOU SAY HENCEFORTH MAY BE USED AGAINST YOU IN A COURT OF LAW
- STATUS OF CRIMINAL CHARGES: NONE UNKNOWN PENDING IN

- COUNTY CHARGES
- YOU HAVE THE RIGHT TO REVIEW ALL RELATED REPORTS AND A SUMMARY OF ANY CONFIDENTIAL INFORMATION.
 - YOU MAY REQUEST A STAFF ADVISOR. REQUESTED WAIVED
 - YOU MAY REQUEST AN INTERPRETER (If unable to speak and/or understand the English language). REQUESTED WAIVED
 - YOU MAY REQUEST A CERTIFIED SIGN LANGUAGE INTERPRETER IF YOU ARE HEARING IMPAIRED. REQUESTED WAIVED
 - YOU MAY APPEAL THE DECISION AND/OR SANCTIONS TO THE FACILITY SUPERINTENDENT/SUPERVISOR (within 15 working days).
 - IF YOU ARE AN INDETERMINATE SENTENCE CASE AND WITHIN 60 DAYS OF AN ESTABLISHED RELEASE DATE, A GUILTY FINDING COULD RESULT IN THE CANCELLATION OF YOUR RELEASE DATE.
 - I, GRANTHAM, JAMES DOC# 703436 WAIVE MY RIGHT TO THE REQUIRED 24 HOURS NOTICE PRIOR TO BEING SEEN BY THE (DISCIPLINARY) HEARING OFFICER AND AUTHORIZE THE HEARING OFFICER TO MAKE A DISPOSITION REGARDING THE INFORMATION AND EVIDENCE PRESENTED TO THE HEARING OFFICER AS PERTAINS TO MY PARTICULAR SITUATION.
 - I, GRANTHAM, JAMES DOC# 703436 WAIVE MY RIGHT TO ATTEND THIS SCHEDULED HEARING. I UNDERSTAND THAT HEARING WILL BE HELD IN MY ABSENCE.

COPY OF THIS FORM AND INFRACTION, WITH ATTACHMENTS, RECEIVED.

refuse to sign 12/7/07 1100 [Signature] 12/7/07 1100
 OFFENDER/WITNESS SIGNATURE DATE TIME STAFF SIGNATURE DATE TIME

DISTRIBUTION: ORIGINAL - Central File COPIES- Hearing Officer, Offender

ATTACHMENT C



Evidence#: PHOTOS/PI Cell#: 3081

CellTag: No

Hearing ID# 4745

FORM D

STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS

DISCIPLINARY HEARING MINUTES AND FINDINGS

OFFENDER NAME(LAST, FIRST) GRANTHAM, JAMES DOC NUMBER: 703436

DATE OF HEARING: 12/11/200 TIME OF HEARING: 9:10 AM INFRACTION DATE: 10/1/2007 WAIVED 24 HOURS NOTICE YES NO
 WAIVED APPEARANCE YES NO

OFFENDER'S PLEA: GUILTY _____ NOT GUILTY 403 606

INTERPRETER: YES NO NAME: _____

STAFF ADVISOR: YES NO NAME: _____

COMPETENCY CONCERN: YES NO HEARING IMPAIRED: YES NO

WITNESS STATEMENT RETURNED: YES NO WITNESS STATEMENT DENIED: YES NO REASON: _____

SUMMARY OF TESTIMONY (LIST WITNESSES TESTIFYING)/EVIDENCE USED/FINDINGS/REASONS FOR CONTINUANCES, DECISIONS, AND SANCTIONS/ANY RELEVANT INFORMATION):

Not guilty First on this infraction says the staff members were being on anything. This staff member was messing with another inmate. I met Mr. Butler only about ten minutes. Copy of offender statement attached

LIST EACH WAC 137-2B RULE VIOLATION SEPARATELY:

INFRACTION NO.	FINDING				REASON
	GUILTY	NOT GUILTY	DISMISSED	REDUCED	
<u>603</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Based on the infraction report, SID investigator stating he identified the offender, voice making transaction with his brother over the telephone to introduce contraband</i>
<u>606</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

SANCTION(S): 25 Days D/Seg CTS. Loss 90 Day Cnt. Loss yard
7 Days Custody Review

REASON FOR SANCTION(S): _____

RECOMMENDATIONS (Non-Sanction): _____

I HAVE RECEIVED A COPY OF THIS FORM

James in Restraints 12-12-07 0805
 OFFENDER OR STAFF WITNESS SIGNATURE DATE TIME

[Signature] 12-12-07 0805
 HEARING OFFICER SIGNATURE DATE TIME

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, REW 42.17, and RCW 40.14.

Distribution: ORIGINAL-Central File COPIES-Hearing Officer, Offender

ATTACHMENT C

ATTACHMENT D

12/12/07

① No where on this infraction or any other documents that I or I might have does this staff member say she was messaging ~~me~~ **RECEIVED** I with her or bringing or giving anything to me

DEC 20 2007

② No where on any conversation overheard with me ~~the~~ **SMIC HEARINGS OFFICE** drug or tobacco of this staff member mentioned.

③ This staff member has already pointed out to I or I who ~~she~~ the inmate is that she was with and that person is not me.

④ This is a write up with no attached supporting fact finding document such as the phone record Mr. Baxter says he verified such as transcripts to any conversation I might have had concerning this infraction when any other serious infraction would have the supporting facts attached, especially considering the magnitude of this infraction and implications and that those are the bases for this write up.

⑤ We met Mr. Baxter once for about 15 min. and no way does he know me let alone know my voice in person or on audio and to claim that he does brings questions to this write up all together.

⑥ I would like to review any recording used as evidence against me that Mr. Baxter says he overheard me talking about anything related to this infraction pertaining to drugs or tobacco or this staff member and a chance to review any statement made by this staff member ^{or any confidential info.} implicating me in any manner. Assertions & allegations are not enough to establish the substantial factual basis for a belief that a particular action or event actually occurred.

ATTACHMENT E



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

Hearing ID# 4745

Hearing Date 12/12/2007



Evidence#: PHOTOS/PIERCE

Cell#: 3081

CellTag: No

SERIOUS INFRACTION REPORT

Institution: MICC

STAFF REPORT

NAME	GRANTHAM, JAMES	DOC#	703436	DATE:	10/1/2007
Number of rules(s) violated:	603 606			TIME	0:00
Infraction Location	Offsite-Stellacoom Dock				
Witness(es):					
Details in full:					

During the course of a HQ Special Investigation Unit (SIU) investigation of staff misconduct at MICC, information was received and evidence recovered that the staff member under investigation was introducing contraband into MICC. This staff member turned over one plastic bag of contraband to the SIU unit that contained 2 large Top tobacco tins, 5 cans of Grizzly chew tobacco, 1 large bag of Gambler tobacco and 1 jar of Folgers coffee. Inside the Folgers jar was a package wrapped in plastic and duct tape that contained a green leafy substance that later tested positive for marijuana. The staff member who surrendered the package did not know the name of the person dropping off the package in Tacoma, but did have the phone number which was 253-905-0525. This number verified by phone records belongs to the brother of offender James Grantham #703436. This type of drop off to this staff member had occurred on more than one occasion since June 2007. I, knowing offender Grantham's voice overheard offender Grantham tell his brother to buy the coffee and make sure he had it ready for Sunday, then asked his brother if he had gotten the other stuff. Offender Grantham and his brother talked about meeting people to complete deals in Tacoma. Offender Grantham's brother has been alerted on at least one time at MCC by the narcotic K-9.

This infraction serves as both notice and summary of confidential information.

STEVEN BAXTER
REPORTING STAFF

STEVEN BAXTER
REPORTING STAFF SIGNATURE



Evidence#: PHOTOS/PIERCE

Cell#: 3081

CellTag: No

**SERIOUS INFRACTION REPORT
CONTINUATION**

FACT-FINDING DURING HEARING

Was inmate informed of right to remain silent? Yes Date of Hearing: 12/12/2007

PLEA - NOT GUILTY: 606 603
GUILTY:

Did the inmate make a statement after being informed of his/her rights? Yes If so, what?

Not guilty. First on this infraction says the staff member was bringing me anything. This staff member was messing with another inmate. I met Mr. Baxter only about ten minutes. Copy of offender statement attached.

DECISION

FINDING - NOT GUILTY:

GUILTY: 606 603

Facts and evidence found:

DISMISSED:

REDUCED:

to:

603 Guilty Based on the infraction report, officers statement, SIU investigator stating he identified the offenders voice making
606 Guilty transaction with his brother over the telephone to introduce contraband.

Sanction(s):	Days	Suspended
2G Custody Reclassification	0	Refer to unit team for custody review.
2C Loss of Privileges	7	Loss of yard privileges.
2L Loss of Good Conduct Time	90	
2I Segregation	25	Credit time served.

Reason for sanction(s): Introducing contraband into facility.

Recommendations (Non-Sanction)

HEARING OFFICER

SUPERINTENDENT

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Distribution: WHITE-Central File GREEN-Offender CANARY-Board PINK-Counselor GOLDENROD-Hearings Officer
DOC 20-051 (FP 05/11/06) POL

DOC 461.000

ATTACHMENT F



To JAMES GRANTHAM	Number 703436	Date 12/20/07
From SEAN MURPHY	Superintendent's Designee	

On 12/11/07 a DOC Hearing was held for the WAC violation(s) listed: 603, 606
 The hearing officer found you guilty of committing one or more infractions and imposed the following
 sanction (s): 25 DAYS SEG/CREDIT TIME SERVED. 90 LOSS OF GCT. 7 DAYS LOSS OF YARD PRIVELEGES. REFER TO UNIT TEAM FOR CUSTODY REVIEW.

On 12/20/07 an appeal of this hearing was received from you in which you requested review of the hearing officer's decision and /or sanction. DECISION AND SANCTION

You appealed:

- The finding(s) of guilt
- The sanction(s) imposed

In summary, your appeal states:

THE HEARING OFFICER FOUND ME GUILTY BECAUSE THE INFRACTING OFFICER MR. STEVE BAXTER SAID HE OVERHEARD A CONVERSATION I HAD ON THE TELEPHONE (AND I STRESS MIGHT) AND WAS NOT PRODUCED AS EVIDENCE AT THE HEARING, AND I DID ASK FOR THIS RECORDING BEING THAT THIS RECORDING WAS THE BASIS FOR THE FINDING OF GUILT. THE HEARING OFFICER TOLD ME THAT THE INFRACTION WAS PREDICATED ON CONSPIRACY, BUT I WAS NOT WRITTEN UP FOR CONSPIRACY, AS YOU CAN SEE 603, 606 DOES NOT REFER TO ANY CONSPIRACY IN THE INFRACTION. THE INFRACTION REPORT IN THIS CASE FAILED TO ESTABLISH THE TRUTHFULNESS OF THE REPORTING OFFICER. REVERSE THE DECISION OF THE HEARING OFFICER DUE TO THE VIOLATION OF DUE PROCESS.

In reviewing your appeal, I have made the following determination(s):

- The disciplinary hearing process was conducted in accordance with Due Process and WAC 137-28.
- At least 24 hours advance written notice was provided or you waived the 24 hour advance notice in writing/with witness.
- You were provided an opportunity to call witnesses and present documentary evidence on your behalf. If witness(es) were denied, the Hearing Officer provided you with written reason(s) for the denial.
- The finding was made by an impartial (not viewed as biased or having witnessed the incident being heard) Hearing Officer.
- A written statement of the finding(s) and sanction(s) imposed was provided to you and includes the evidence relied on and the reason(s) for the decision.
- Sanction(s) are in accordance with Presumptive Sanction Guidelines WAC 137-28.

If confidential information was submitted, I have confirmed:

- The Hearing Officer made an independent determination regarding reliability of the confidential source(s), credibility of the information and, safety concerns that justify non-disclosure of the confidential source(s) of information.
- The above information was documented on DOC form 21-962, Confidential Information Review Checklist.

On behalf of the Superintendent, I have investigated your appeal and find that:

DOCUMENTS REPORT THAT BASED ON THE INFRACTION REPORT, OFFICERS STATEMENT, SIU INVESTIGATOR STATING HE IDENTIFIED THE OFFENDERS VOICE MAKING TRANSACTION WITH HIS BROTHER OVER THE TELEPHONE TO INTRODUCE CONTRABAND. I HAVE REVIEWD YOUR APPEAL AND FIND THAT THE SANCTIONS ARE IN ACCORDANCE WITH WAC 603; POSSESSION, INTRODUCTION, USE OR TRANSFER OF ANY NARCOTIC, CONTROLLED SUBSTANCE, ILLEGAL DRUG, UNAUTHORIZED DRUG, MIND ALTERING SUBSTANCE, OR DRUG PARAPHERNALIA; 606; POSSESSION, INTRODUCTION, OR TRANSFER OF ANY TOBACCO, TOBACCO PRODUCTS, MATCHES, OR TOBACCO PARAPHERNALIA. YOU HAVE PROVIDED NO NEW EVIDENCE OR STATEMENTS THAT WOULD CASUE A CHANGE IN THE FINDING OF GUILT. I CONCUR WITH THE DECISION AND SANCTION(S) OF THE HEARINGS OFFICER.

- You were found guilty as explained above;
- There was insufficient evidence for a finding of guilt as explained below;
- A procedural error occurred as explained below;
- The sanction was appropriate, and you were provided with the Hearing Officer's written report;

AND THEREFORE, the decision of the Hearing Officer is:

- Affirmed
- Remanded for a new hearing. (You will be notified of the hearing date).
- Reversed
- Modified as follows:

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