

Exhibit 1: Information Request Memos

Margo Schlanger

Court Appointed Monitor, *Adams and Knights v. Commonwealth of Kentucky*

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Memo to: Kentucky Department of Corrections Director of Operations Janet Conover
Programs Branch Manager Debbie Kays
All institutions' ADA Coordinators and backup ADA Coordinators
From: Margo Schlanger, Settlement Monitor (adams.settlement.monitor@gmail.com)
Date: September 15, 2020
Re: Followups from recent phone and other contacts with Deaf and hard-of-hearing inmates.

As you know, my law students have recently conducted dozens of inmate interviews, talking to Deaf and hard-of-hearing (HOH) inmates at each KDOC institution. This memo summarizes issues recently raised by inmates we heard from via those phone calls or otherwise. (Note that there were also additional issues raised by inmates who did not want their names shared; some of these are reflected in the “repeat issues” reported below.)

To be completely clear, the descriptions below recount what we’ve heard from inmates—not what we’ve found after investigation. Obviously, we don’t yet know the true state of affairs.

The most common complaints, across institutions, are:

1. Difficulty hearing announcements, both inside and outside, leading to HOH inmates missing meals, mail call, pill call.
2. Masks make it harder to read lips and understand staff, make it harder to wear hearing aids.
3. Telephones are difficult to use because of background noise. Telephone voice identification difficult for HOH people to use. Insufficient number of volume-adjustable and HOH phones.
4. Inmates not getting HOH ids, bed signs, other auxillary aids; not being informed about available auxiliary aids. (E.g., not knowing they could purchase vibrating clock or watch).
5. Hearing aids not working well, not replaced promptly.
6. Bilateral hearing aid denials.
7. Difficulty getting hearing aid batteries, especially in seg, but elsewhere as well.
8. Officers being disrespectful, writing inmates up for hearing-impairment-related issues (e.g., not following an order they didn’t hear)
9. Job dismissals/disqualifications relating to hearing impairments.

For each individual issue identified below, please provide what information you can on what happened in the incident in question. Include timing. That is, for example, if someone says he has not received a hard-of-hearing ID, please include when he arrived at the prison, when he had his auxiliary aid assessment, whether he should have gotten the ID, and when he got it. If someone says he was written up for hearing-related failure to follow an order or the like, please provide full documentation of the relevant disciplinary incident, including its result. And so on.

BCC

Repeat issues:

- A. Inmates report missing announcements; inside COs just yell them out and the yard loudspeaker is also difficult to hear. Therefore, people miss meals, mail call, pill call, and the time to turn in homework for programs.
- B. Masks make it harder to read lips and understand COs.
- C. Phones are difficult to use because of the background noise.
- D. Inmates not offered auxillary aids, and many did know that they had the option to purchase any type of vibrating clock or watch.
- E. Officers are supposed to flip the lights before making announcements, but most of them don't.
- F. Difficulty getting hearing aid batteries.
- G. HOH people barred from several jobs.
- H. Unit tv does not typically have closed captions on.

Individual reports:

- 1. [REDACTED]: Mr. [REDACTED] said that the lunch room he can't hear anything. He's unable to wear his hearing aid because it doesn't stay on with his glasses and mask. Mr. [REDACTED] used to have 2 HAs, but when they were sent off to be fixed, he only received 1 back. Ms. Peach told him he could only have one HA. He also had to pay \$10 for this new HA. This new HA wasn't fitted and is too small, so he doesn't use it. He wants to go to medical and tell them it doesn't work, but doesn't want to pay \$3. He also has a pocket talker, but it gives him ear infections so he doesn't use that either. Mr. [REDACTED] requested a bed shaker, but his request was denied. Mr. [REDACTED] has also been written up for not getting up for diabetic call. Mr. [REDACTED] filed a grievance, but it was denied (this happened a while ago).
- 2. [REDACTED]: Mr. [REDACTED] was supposed to receive a HA when he transferred to BCC from the Fayette County Detention Center, but they were lost. This happened in 2015 and he never received them back. He would like a HA. When he arrived at BCC, they told him he would receive a bed shaker, he never did. He would also like a HOH ID card, he has a tag that says HOH, but it's not the purple card that other people have and is more obvious. Last month he was written up for not being able to hear a Lieutenant.
- 3. [REDACTED]: Mr. [REDACTED] was told he'd receive 2 HAs, but he only received one. He also used to have an HOH aide, but they changed the requirements for getting one.
- 4. [REDACTED]: Mr. [REDACTED] doesn't believe he'd hear the fire alarm if he was asleep. He also regularly misses announcements. He's been written up for not hearing orders before. He is having more issues understanding staff now that everyone's wearing masks and you can't stand near people. Mr. [REDACTED] doesn't use the phone often because he can barely hear. He was previously told he couldn't be in the dog program because of his hearing, but that rule changed recently. Mr. [REDACTED] cannot hear the unit TV at all and they don't closed captions.
- 5. [REDACTED]: Mr. [REDACTED] has 1 HA but it doesn't help, it's just a loud roaring sound. Mr. [REDACTED] would like a vibrating clock. Mr. [REDACTED] sometimes attends religious services and says it's hard to hear because of the background noise.

6. [REDACTED]: Mr. [REDACTED] just had a hearing test and is scheduled for HAs. He's been waiting to receive them for about a month. Mr. [REDACTED] has a pink card indicating he has bad vision, but would like a split pink/purple card to also show he's HOH. Mr. [REDACTED] lost a job because of his hearing. He used to drive a tractor, but he couldn't hear when he was on the tractor so they moved him to landscaping. This happened before 2019. Mr. [REDACTED] said sometimes it's hard to hear in religious services because the room can get loud.
7. [REDACTED] Mr. [REDACTED] has problems with guards threatening to write him up because he can't hear. He received a bed shaker yesterday, but he still hasn't received an ADA aide. He can't hear guards yell or pill call.
8. [REDACTED] It took Mr. [REDACTED] around 5 months to get his HA. He didn't know other auxiliary aids were available. He does not have a HOH door sign. There's no volume controlled phone in SAP.

BCFC

Repeat issues:

- A. Difficulty hearing intercom announcements.
- B. The TTY used to be free, but now you have to pay for it (the same rate as the regular phone).

Individual reports:

1. [REDACTED]: Mr. [REDACTED] has a dorm runner who helps him with announcements. He has a HA, but it picks up a lot of background noise, like the wind when he's outside. Mr. [REDACTED] said that there are some COs who don't understand what it means to be HOH and don't seem to care even when he shows them his HOH card.
2. [REDACTED] Mr. [REDACTED] has issues hearing the intercom. He doesn't know what it says unless someone else tells him. This is because there's so much background noise.

EKCC

Repeat issues:

- A. Problems hearing announcements
- B. Officers being disrespectful
- C. Masks making it hard to wear hearing aids
- D. Delays getting an HOH ID card or door sign
- E. Difficulties getting hearing aid batteries,
- F. Absence of closed captioning on the TVs
- G. Lack of HOH phones and no purple video phones
- H. Job dismissals/disqualifications relating to hearing impairments.

Individual reports:

1. [REDACTED]: Mr. [REDACTED] said that he had 5 hearing aids lost during his stay at KSP, and has not been able to get them replaced. He also said the hearing aid and batteries don't work.
2. [REDACTED] Mr. [REDACTED] was told that he was fired from the cleaning job because people with a hearing aid couldn't work in that job, same with working outside.
3. [REDACTED]: Mr. [REDACTED] said that the hearing aid doesn't help during phone conversations, during which it's hard to hear. He also said sometimes communicating with the guards is aggravating because he can't understand what they mean, and it messes him up. Mr. [REDACTED] also had an issue where he was told to go back to his wing and didn't hear the officer, and was told he was going to be written up for not listening but never received the write-up. He also said that it was hard to communicate in disciplinary proceedings because of the fiberglass partition being used.
4. [REDACTED]: Mr. [REDACTED] says he is regularly threatened with write-ups. He said he has lost all hearing accessories, and that the staff yell and get an attitude with HOH inmates.
5. [REDACTED]: Mr. [REDACTED] said that he's often harassed by guards even with his HOH card, and they get upset when they can't get his attention. He also said he did not have an HOH sign for his door, and that COs don't let them use HOH phones.
6. [REDACTED]: Mr. [REDACTED] said that the sign language phone is broken, and that the closed captioning phone isn't always working. He also said he needs lights in the room to see when the announcements were being made, and that the hearing aids and batteries don't work well.
7. [REDACTED]: Mr. [REDACTED] said he has trouble hearing things that are announced over the intercom, and the officers don't always knock to let him know that announcements are being made so he misses things like rec and pill call. He also said it can take a couple days to get the batteries back. Mr. [REDACTED] also never got his ID card. His main issue is that many of the officers are not respectful of his hearing issues, and that he had trouble hearing during his programs, making it difficult to stay motivated to participate in future programs. He also got written up for missing a movement when he didn't hear it being called.
8. [REDACTED] Mr. [REDACTED] said that he was given two hearing tests at LLCC and then a test at EKCC, several of which came back as inconclusive. He is unsure if he's hard of hearing, and doesn't know if he may have signed a waiver for a hearing

aid because he got a form to sign before his hearing test came back. Mr. [REDACTED] has a HOH door sign, but not an ID card. Also, he said that it would be easier to communicate if people wore clear masks.

9. [REDACTED]: Mr. [REDACTED] thinks that he needs a hearing aid; he said he lost it, and they wouldn't let him go back and get it. It's been missing since June. He now has issues hearing the announcements, except pill call, which he said is pretty loud. He said he did have writeups a few times for not hearing the guards because they thought he was ignoring them. Even after explaining that he was hard of hearing, they were not dismissed.
10. [REDACTED]: Mr. [REDACTED] said that the background noise for his hearing aid is so bad that he can't wear it, because it's too difficult to try and focus past the background noise. He was also told that he had to move to an HOH wing or go to seg; he was told later that he didn't have to move, but by then he had already gone through the moving process and didn't want to have to move back. Mr. Hayes also said he's been yelled at before for not being able to hear an order, although he's never been written up for it.
11. [REDACTED] Mr. [REDACTED] said that he was told he does not have hard of hearing but that he disagrees, and that the test was done incorrectly. He said he has not been given a hearing test in 2 years.
12. [REDACTED]: Mr. [REDACTED] said he has trouble hearing the speakers because they're garbled most of the time, so he usually just keeps an eye on the clock. Mr. [REDACTED] also had issues with wearing his mask straps muffling the hearing aid. He also just got his HOH ID and door sign the day of our interviews. In the past, Mr. [REDACTED] had some issues with a few officers who started yelling when he couldn't hear anything, and says he gets in trouble all the time for his hearing problem because it causes interactions to escalate.
13. [REDACTED]: Mr. [REDACTED] said that he was put in segregation for using the hard of hearing phone a few months back.
14. [REDACTED] Mr. [REDACTED] said that the staff are not that understanding about inmates being HOH, and that since the inmates don't wear their ID all the time, then sometimes staff get upset when he can't hear them saying things to him. He also does not have a door sign, and has been having issues with getting the medical staff to bring batteries in a timely manner.
15. [REDACTED]: Mr. [REDACTED] said that he has been having trouble getting a hearing impaired sign, a shake watch, and a HOH phone. He also said guards have yelled at him for not hearing when he's called.
16. [REDACTED]: Mr. [REDACTED] had been trying to get a HOH sign for over 4 months and was not able to get one. Mr. [REDACTED] also mentioned that he can't turn the closed captioning on for the TV.
17. [REDACTED]: Mr. [REDACTED] said that he has trouble hearing the COs yell for things like count. He said the prison has not given him an ID card or a door sign. Sometimes, Mr. [REDACTED] has difficulty communicating with the COs when he doesn't hear them. The phones are hard to hear well when he uses them. He said the main TV closed captioning is also not turned on.
18. [REDACTED]: Mr. [REDACTED] has not received any help regarding his hearing. He does not have a HA or any other auxiliary aid. He's talked with the ADA director but still has not received any assistance.

GRCC

Repeat issues:

- A. Inmates not able to hear announcements
- B. Issues getting ID cards
- C. Loud phone area
- D. Not enough HOH phones
- E. Telephone voice identification difficult for HOH people to use
- F. Bilateral hearing aid denials
- G. Hearing aids not replaced in a timely manner
- H. Inmates in segregation unable to get hearing aid batteries

Generally, the inmates were both aware of the ADA coordinator and had positive things to say about him.

Individual reports:

1. [REDACTED] Mr. [REDACTED] had trouble hearing announcements that were made in the prison, and with not being woken up for things. His hearing aid doesn't work well; he wants to clean the filter, but they didn't show him how to do it or give him the materials to do it himself. He also found that the officers were not very understanding of people with hearing aids, and that they were either not communicative or overbearing.
2. [REDACTED] Mr. [REDACTED] could not always hear the loudspeakers at the institution. He was also in the process of getting a hearing aid, ID card, and HOH dorm sign. He had continuous issues with the guards thinking that he was being aggressive because he was speaking loudly to them, and has been written up for not doing what he was told because he could not hear. The phones were difficult to hear and to use.
3. [REDACTED]: Mr. [REDACTED] said that his hearing aid and HOH ID are not in yet, and that he can't hear the daily announcements, preventing him from getting his insulin shot. He said he's also missed pill call and meals.
4. [REDACTED]: Mr. [REDACTED] had his hearing aids lost by the officers after being put in segregation and having his property taken during that time – his hearing aids were lost in March, and he has not yet gotten a replacement. The volume controlled phone is also difficult for him to use because he can't hear over the background noise, because it's right in the middle of the normal phones. Mr. [REDACTED] also said he is not being woken up by the officers for movements, chow time, and other announcements.
5. [REDACTED]: Mr. [REDACTED] is having issues with his hearing aid not working well, with medical unable to provide a fix. He also had an issue where a guard was not waking him up in the morning by knocking or using the speaker on the megaphone, and was rude when he asked her to start doing those things. He also had his ID taken and it was never returned to him. Mr. [REDACTED] said the phone was hard to use because it's hard to get the voice activation to work in a noisy room.
6. [REDACTED] Mr. [REDACTED] said he is still waiting on an HOH ID card.
7. [REDACTED]: Mr. [REDACTED] said that he can't hear the officers coming around to make announcements most of the time, and that the bullhorns they bought garble things and don't help with the issue.

8. [REDACTED]: Mr. [REDACTED] had difficulty hearing announcements on the intercom, and said the phones are difficult to use because the phone room is crowded and noisy. He said this is particularly difficult with the new voice recognition system, and that the volume control phone can be hard to access, as well the phone for the hearing impaired, because there aren't enough. Mr. [REDACTED] also said that some of the COs get mad when he can't understand them.
9. [REDACTED]: Mr. [REDACTED] said that he was supposed to have ear surgery and things that he might have some kind of ear cancer, but has not been able to find out the results yet.
10. [REDACTED]: Mr. [REDACTED] said that he took his hearing aid to medical and it was sent out for over 4 months. He also said the TTY was not working and officers in the dorm wouldn't let him use the phone. He also said that his hearing aid was taken when he was in RHU, and it was lost; according to Mr. [REDACTED] this was the third time this happened to him. He also said he got a disciplinary report because he missed count after not hearing it.
11. [REDACTED]: Mr. [REDACTED] had issues getting a second hearing aid, and he has trouble hearing the announcements, which he says are made by the officers yelling them rather than the intercom. He also does not have an ID card, as it was lost during the transfer.
12. [REDACTED]: Mr. [REDACTED] had trouble hearing announcements, and has also been having trouble getting batteries from medical. He also had a vibrating watch taken out of his cell not returned, and has had issues getting his bed shaker and alarm clock back since getting out of segregation. Mr. [REDACTED] also said he asked for an interpreter for court call and was denied because they said that they didn't have anyone. He also said the captel is not working. He's had issues hearing in the programs he takes, and has even dropped out of some programs because he could not hear what was going on. Mr. [REDACTED] also had issues with being shackled despite using sign language, and with getting an interpreter for religious services.

KCIW

Repeat issues:

- A. Inmates unable to access the law library during the lockdown
- B. Difficulty understanding officers because of masks.
- C. Lots of issues with hearing announcements (alarms, intercoms, etc.) and therefore missing meals and other things.
- D. Difficulty getting HA batteries since lockdown started.
- E. Difficult to hear on the phones; inability to access the phone with the volume adjustment because so many people want to use it. Also, the phone with the sound amplifier is in the dayroom and it's very loud in there.
- F. HAs not working well

Individual reports:

1. [REDACTED] Ms. [REDACTED] has trouble using her HA because of the background amplification.
2. [REDACTED] Ms. [REDACTED] HA amplifies too much background noise, so it's been useless for her.
3. [REDACTED]: Ms. [REDACTED] went to see an ENT last April because of ear infections. She got tubes, but they were later removed and that's caused a lot of issues. It's hard for her to keep medical on top of her hearing issues. Because of COVID, on July 1, they did a fogging with a cleaning spray in the dorm. Ms. [REDACTED] didn't hear the announcement to evacuate and was in her room when they sprayed the solution. She took her to the ER and she still has a constant cough. Ms. [REDACTED] is in seg and can't use her bed shaker because there isn't a plug. Her 1st HA was working properly and it took her from Sept. 2019 to March 2020 to get a new one. She's had issues with missing announcements for chow, especially when she was participating in the WILLOW program.
4. [REDACTED] Ms. [REDACTED] HA died 2 months ago. She's had issues getting it replaced. It also took her several years to get a hearing test. She didn't know there were any other auxiliary aids available. She is regularly yelled at by COs for not being able to hear. In 2015, she spent 15 days in seg for not being able to hear a CO. [After we spoke Ms. [REDACTED] sent a JPay that she received a new HA]
5. [REDACTED]: It took Ms. [REDACTED] from 2014-2020 to get a HA. Medical never showed her how it works, so she can't use it. They don't seem to care about her HA or that her ears are always infected.
6. [REDACTED]: Ms. [REDACTED]'s HA has never worked and she would like a new one.

KSP

Repeat issues:

- A. Difficulty hearing announcements
- B. Phones are hard to use: they are too close together, so it's loud. And only one has volume control.
- C. In seg, inmates have a hard time hearing what the COs yell at the front of the unit when they're located in the back.
- D. Trouble with the COs and being written up for hearing issues
- E. Inmates told they could not purchase auxiliary aids
- F. Delays in replacing hearing aids
- G. Hearing aids and pocket talkers not working well.

Individual reports:

1. [REDACTED]: Mr. [REDACTED] said that because he doesn't have an ID card, he isn't able to get access to the volume controlled phone and has trouble hearing his family. He also has trouble hearing announcements, and communicating with the guards.
2. [REDACTED]: Mr. [REDACTED] said that because there's only one volume controlled phone, it's hard to get on that specific phone, and that the prison should get more of them. He said he often has trouble hearing the announcements. He said the prison did not give him information on how to purchase auxiliary aids. Since moving walks, he no longer has a door sign. On this walk, he also said the guards do not wake him up and help when he can't hear things.
3. [REDACTED] Mr. [REDACTED] recently lost all of hearing in his right ear and 50% in his left. He was told his hearing test was unreadable and that he needed to see a real ENT. Because of COVID he hasn't had that appointment yet, and his hearing keeps getting worse.
4. [REDACTED]: Mr. [REDACTED] hearing aid has been broken for about 4 or 5 months, and not having it has been causing him problems in the prison. He is missing yard and chow because he can't hear the announcements. He was scolded for missing count, and has been sent to the hole because when he misses announcements, the guards get upset "and then it escalates so I start yelling back". He said that he asked about getting an auxiliary aid but was told they're not available. He filed a grievance over a hearing issue twice, and said that the first time they convinced him to drop it without resolving the issue but the second time he waited until he got his door sign to dismiss.
5. [REDACTED]: Mr. [REDACTED] HA isn't working properly. He would prefer a bone conducting hearing aid that a specialist recommended.
6. [REDACTED]: Mr. [REDACTED] took a hearing test and it said he has good hearing, but he knows he is HOH and doesn't know what to do next.
7. [REDACTED]: Mr. [REDACTED] said that he requested a bed shaker, but was told that his hearing isn't severe enough to qualify. He was also told that he could buy one, but only after multiple complaints, and he does not have the funds to purchase one. Mr. [REDACTED] regularly does not wake up for count because he can't hear it. He was not given materials on purchasing auxiliary aids, and only knew about it because Mr. [REDACTED] had one and he saw it in the settlement. He also had to file a grievance to get closed

captioning on religious channels at the institution. He's also been scolded for talking too loud. He gave us the grievance numbers for his grievances.

8. [REDACTED]: Mr. [REDACTED] said that his hearing aid and pocket talker don't really work well because they're the type that go outside the ear, and not into the ear itself. He said he asked about getting earbuds for his TV that work better, and he was told that he could only pay for them himself. He's willing to do so, but can only do it in installments, which he was told isn't possible. Mr. [REDACTED] said he can rarely understand the announcements, and he's been put in the hole for not hearing what guards say when his back is turned. He's also told that he talks too loudly. Mr. [REDACTED] asked for a new HA but was told that it costs too much. Also he has one HA, but would like two.
9. [REDACTED]: Mr. [REDACTED] said that his main issue was that he wanted an information packet on getting noise cancellation earbuds or other auxiliary aids. He said that the day we scheduled the interview, they came and gave it to him, so he no longer has any issues. However, Mr. [REDACTED] did say that sometimes he can't really hear the announcements
10. [REDACTED] (she/her): She went to the ENT to have tubes put in her ears, but when she woke up from surgery the doctor said he didn't put tubes in her ears (but the prison said he did). She's not sure what's going on. When she was in seg, she'd regularly miss the announcement for rec. It took her a long time to get a hearing test. Her HA was lost when she was transferred back to seg in KSP. She's been without one for several weeks.
11. [REDACTED]: Mr. [REDACTED] doesn't have a HOH ID or sign to alert COs he's HOH. He would like both. He said that he's been unable to get access to the volume-controlled phone because he does not have an HOH ID card or door sign. He said that the facility does not categorize him as hard of hearing (on the masterlist, he's marked 'low') and that it causes issues because people don't know he's hard of hearing and can't hear announcements.
12. [REDACTED]: In 2019, Mr. [REDACTED] was sent to the hole and forbidden from taking his HA or glasses. Since then, he's been told he could take his HA if he's sent to the hole. But in reality, if you're taken to the hole when you don't have your HA on you then you can't go and get it. And when staff packs up your property, it can take over a week to get your property (so you're without your HA during that time). Mr. [REDACTED] had to make his own HOH door sign. It took Mr. [REDACTED] a while to get an initial hearing test. He didn't know other auxiliary aids were available.

KSR

Repeat issues:

- A. Medical staff not responsive to reported hearing issues
- B. Difficult to hear in the phone room
- C. Difficulty hearing announcements, especially because of housing location
- D. Staff disrespect
- E. Hearing aid for the wrong ear
- F. Too-high qualification for devices
- G. Difficulties getting battery replacements,
- H. Poor hearing aid quality
- I. Difficult getting replacement hearing aids.

Individual reports:

1. [REDACTED]: Mr. [REDACTED] said that he can't hear times for count, and then officers beat on his door and are rude to him.
2. [REDACTED]: Mr. [REDACTED] said that although Ms. Wathen is usually pretty good at solving problems, he's been unable to get batteries from medical and hasn't heard from her yet. He also said that he asked about getting new earbuds to use with his TV and radio, and hasn't heard back about that either.
3. [REDACTED]: NOTE: Mr. [REDACTED] had trouble understanding what I was saying. Mr. Davis said that he can't hear well in the phone room so isn't really able to communicate with his mom. He also said that he doesn't have hearing aids any more but that when he did, he was having issues with the batteries. He's also been yelled at to lower his voice.
4. [REDACTED]: Mr. [REDACTED] said that his hearing device took a while to get, and some of the COs were rude when he didn't hear the call for chow. He said he has trouble hearing over the noise around him.
5. [REDACTED] Mr. [REDACTED] said that the medical staff are not very respectful, and that his hearing aid doesn't work very well.
6. [REDACTED]: Mr. [REDACTED] said that after getting out of quarantine, his HOH card was thrown away.
7. [REDACTED]: Mr. [REDACTED] said that he thinks that he needs another hearing test, and that he's been depending on watching other inmates to figure out what is going on.
8. [REDACTED]: Mr. [REDACTED] said that he thought his hearing aid test said hearing aid recommended, but that he was told he did not meet the standard.
9. [REDACTED] Mr. [REDACTED] said that he needs a hearing aid for his right ear, rather than his left, because it causes him issues where the staff come up and scream at him when he doesn't hear things from his right side. He said he can hear the announcements about 50% of the time and has missed medical appointments because he couldn't hear. Mr. [REDACTED] said he has trouble hearing when he talks on the phone and getting through the voice ID part at the beginning. He's been written up in the past for not being up in time for count because he couldn't hear over his movie.
10. [REDACTED]: Mr. [REDACTED] said that KSR is good for the most part, but that officers are not using the PA systems and the PA systems are not working very well, so he misses announcements.

11. [REDACTED]: Mr. [REDACTED] said right now, he's in a cell in the back, right underneath the air conditioner. He said he can't hear them holler pill call, breakfast, etc but was told he could not be moved. He wants to get a bed shaker, but can't because the prison said they are not sending out orders right now.
12. [REDACTED]: Mr. [REDACTED] said that he was given a hearing aid for his right ear, but that it was his left ear that he needs one for. He said that when he wears it in his right ear, he can't hear anything at all. Because of his issues hearing, Mr. [REDACTED] said he's missed announcements and gotten unit writeups for failing to show up places on time. In the past, he said he had to file 3 or 4 grievances just to be sent out for hearing testing. Mr. [REDACTED] also stopped attending chapel because he couldn't hear what was going on during the services. When he asked for a mask that didn't cause his hearing aid to turn off or decrease in volume, he was told that he had to use the same standard issue one as everyone else.
13. [REDACTED] Mr. [REDACTED] said he has been developing hearing loss as a result of neglect by the prison. He also said his hearing aid is for the wrong ear.
14. [REDACTED]: Mr. [REDACTED] said that sometimes the guards walk away as they are talking which makes them hard to hear. He also said he can't make out what's being said over the phone because of background noise.
15. [REDACTED]): Mr. [REDACTED] said that he was told he does not need a hearing aid, but he can't hear at all if he plugs his left ear. He did say he got written up once when he couldn't hear an order, although it was ultimately dropped. The pocket talker doesn't work well for him, and he's nervous that using it will further damage his hearing. He used to have a hearing aid, and thinks his family would send him one if the jail would allow it. Mr. [REDACTED] said some of the staff are hard to communicate with, and are not very patient.
16. [REDACTED]): Mr. [REDACTED] said he's been having issues with not being able to hear count, and then being told that he'll be written up for it. Mr. [REDACTED] said he often misses things like mail, or chow when he doesn't hear things so he has to get to places early or get ready early. Mr. [REDACTED] said he asked for a clock and was told he wasn't eligible; later, when he asked again after being written up, he was told he would have to buy them. He said that he's 6 months behind in MRT because he can't hear or understand the instructor. Mr. [REDACTED] also said he didn't get his hearing aid in the CPTU, so he had trouble hearing during court call.
17. [REDACTED]: Mr. [REDACTED] said that he is having trouble getting hearing devices, and that he has gotten disciplinary reports after not hearing officer orders.
18. [REDACTED]: Mr. [REDACTED] said that the intercom is hard to hear, and that his hearing aid sometimes beeps and is hard to use with the phone. He also said that the SAP program was hard to hear because of his hearing impairment.
19. [REDACTED]: Mr. [REDACTED] said that his right ear has substantial hearing loss, but that he does not have a hearing aid for his right ear and he would like one.
20. [REDACTED]: Mr. [REDACTED] said that he is out of batteries for his hearing aid and hasn't been able to get more from medical.
21. [REDACTED]: Mr. [REDACTED] said that he was told he could not replace his hearing aid, and that it is bad quality. The staff are not respectful, and Mr. [REDACTED] said they mumble through the mask and don't care if you miss announcements.

22. [REDACTED]: Mr. [REDACTED] said that his hearing aid does not work, and only picks up sound from behind him. He said it does not help his hearing issues, and that he has to ask for people to repeat things a lot.
23. [REDACTED]: Mr. [REDACTED] said he was having trouble getting batteries for his hearing aid, and has been told he will be written up by the guards for not hearing when they are behind him.
24. [REDACTED]: Mr. [REDACTED] said that he got a hearing test in 2018 and was told that the doctors said he needed hearing aids. However, he was told at KSR that he does not qualify.
25. [REDACTED]: Mr. [REDACTED] said that he had blood coming out of his ear and went to get tests for it, but never heard the results of those tests.

LAC

Repeat issues:

- A. Staff disrespect
- B. Inmates written up for not hearing announcements
- C. Phones with volume control difficult to get to
- D. Unavailability/delay for hearing aid replacements
- E. Masks making it more difficult to lip read
- F. Batteries lasting a short time
- G. Difficult to get auxiliary aids.

Individual reports:

1. [REDACTED] HA was stolen about four months ago and it has not been replaced. He was not offered a pocket talker in the interim.
2. [REDACTED] Mr. [REDACTED] said his bed shaker is not working any more, and that his hearing aid is hard to use because of all the feedback. At one point, he was written up for not hearing something even though he told them he didn't hear what they said, but it was later dropped.
3. [REDACTED] Mr. [REDACTED] said that he can barely communicate during visits because the area is so loud, and it's the same with the phones.
4. [REDACTED] Mr. [REDACTED] said that there's only one phone with volume control, so it can be hard to get to it. Mr. [REDACTED] also said that in his program, he couldn't hear what was going on and it impacted him personally because he felt like people were treating him like he was stupid. Mr. [REDACTED] also said that he lost his old hearing aid, and now the hearing aid he has is for the wrong ear because it was an incorrect replacement.
5. [REDACTED] Mr. [REDACTED] said that he had issues with not being able to read lips as well now that people are wearing masks. He said he can't always hear what's being said in announcements unless he can get near the front where the town crier is. He also said that he doesn't receive extra batteries, and sometimes when he goes to get extra batteries medical says they're locked up and he'll have to come back. The COs are not patient when he asks them to repeat things, and was once told that he was going to be written up for not hearing that it was count. Because the phones take voice ID, he said it's hard to use when you can't hear the prompt to say something into the phone. He's also had problems participating in programs where he couldn't hear what was being said, because it's hard to keep up. He also had issues at his job because of his hearing issues.
6. [REDACTED] Mr. [REDACTED] said it is hard to hear people wearing masks because their voices are muffled. He said he can't usually hear announcements in the prison. He also said his hearing aid is not working well and he doesn't know how to get it fixed, but right now he can't wear it inside the dorm. When he asked the institution about getting a vibrating watch or clock, he was told they didn't know anything about it. He said that his hearing issue had caused problems communicating with staff because he can't understand people. He's also had issue talking to people on the phone. Also, Mr. [REDACTED] said he had issues hearing what was happening in his program, and he quit out of frustration.
7. [REDACTED]: Mr. [REDACTED] said that he can't really hear the announcements that are made, but that his hearing assistant inmate tries to help. His

biggest complaint was that the batteries only last a few days at a time, and that he hasn't been using his hearing aid as much because of that. Mr. [REDACTED] also said that he had a few minor incidents miscommunicating with an officer where he couldn't hear her well when he was trying to explain that he was trimming flowers, but the writeup was dismissed when he explained it at court call.

8. [REDACTED]: Mr. [REDACTED] said that he was supposed to get a hearing aid after his last hearing test, but still has not received it. He also said he can't hear announcements and so has missed meals. [He has since received a HA]

LLCC

Repeat issues:

- A. Difficulty hearing intercom/announcements, causing inmates to miss meals, when the yard opens, pill call, and changes on the yard.
- B. Difficulty hearing the buzzer on the rec field indicating the field is closing or announcements indicating that it's open.
- C. Difficulty getting information/assistance on HA maintenance, such as how to clean the hearing aid, change filters, and adjust the range and frequency.
- D. Difficulty getting new batteries can be difficult.
- E. Inmates in the 7-a d wing report that their HOH aide does not provide them with any assistance. They have told the ADA coordinator and unit director.
- F. No copy of the settlement in the library.
- G. Difficulty hearing phones. Some report that there is not a phone with sound amplification.
- H. COs grow frustrated when HOH people cannot hear them.

Individual reports:

1. [REDACTED]: Someone stole Mr. [REDACTED] HA months ago. He asked medical to replace them, but has not heard back. He has reached out to Ms. Grissinger multiple times, but never heard back. He also misses pill call, work, and other notifications because he is without a HA.
2. [REDACTED] Mr. [REDACTED] is having a difficult time getting in contact with Ms. Grissinger to follow-up on why his HAs were taken and how to get them back.
3. [REDACTED]: Mr. [REDACTED] uses a pocket talker, his hearing isn't bad enough for a HA. But sometimes he still has issues hearing CO, since the pocket talker amplifies background noise. Mr. [REDACTED] would like his vibrating alarm clock to be replaced. The display is out on half of it. He doesn't have the money to buy a new one (this one's on loan). He was told it'd be replaced after this phone call. Mr. [REDACTED] has been written up and put in the hole several times for not hearing COs orders. The last time was in Oct. 2019.
4. [REDACTED]: Mr. [REDACTED] is deaf in his left ear and would like to see an ENT. He was told that he would be referred to one, but has not been. He has missed chow, classes, and his job because he didn't hear the announcements.
5. [REDACTED]: Mr. [REDACTED] was fired, kicked out of the honor dorm, and written up because an officer thought he was being smart with him when he just couldn't hear the officer. Mr. [REDACTED] apologized to the officer and explained he was HOH, but that didn't make a difference. He wrote Ms. Grissinger and the Warden and did not hear back. His grievance was also denied.
6. [REDACTED]: It took Mr. [REDACTED] a year to convince medical he needed a hearing test. His HA is pretty useless because it picks up so much background noise. He brought his HA to medical, but they didn't do anything. He wasn't offered a pocket talker. He asked for a 2nd HA and was told that wasn't going to happen. He used to have a vibrating watch, but it broke. He tried to get a new one, but it cost too much. He has a hard time accessing the chapel and day room because it's so loud. He got written up 2 years ago for not being able to hear a CO, but it was dropped.

7. [REDACTED]: It took Mr. [REDACTED] 6 months to be recognized as HOH. He still hasn't met the HOH helper for his dorm, even though he's been there for 1.5 years.
8. [REDACTED]: Mr. [REDACTED] requested a bed shaker from Ms. Grissinger three months ago but he never heard back. Mr. Hodgson has a shake and wake, but the vibration is so light it doesn't wake him up. It took Mr. [REDACTED] a long time to get his HA. He had to file multiple medical grievances because he didn't have the money to pay for it. He requests a phone amplifier every time he uses the phone, but the COs told him they don't have one. When Mr. [REDACTED] was in the hole he wasn't allowed to wear his HA (this was in Jan. or Feb. 2020). He has previously asked officers to write things down and they said no. Mr. [REDACTED] was kicked out of the STOP Program last year because he didn't hear the announcements to go to class. This happened last year. Mr. [REDACTED] has trouble hearing at religious services. When he wears his HA, the speakers in the chapel mess with it and it doesn't work.
9. [REDACTED]: Mr. [REDACTED] is HOH, but was told that he's not on the HOH list for who can buy a vibrating watch. But he has found it easier just to deal with the problems rather than seek assistance and be sent to a different prison.
10. [REDACTED] Mr. [REDACTED] was initially given a HA for the wrong ear, it took him 3 weeks to get a correct HA. He would like to get a vibrating watch, but they're too expensive. In Feb. or March he got a write-up for walking out into the core during a fire alarm. He was moved to the hole for 4 days, moved to the worst dorm, and lost his job. He told the COs he was HOH and they didn't care. He's been called a MF and SOB for talking too loud. (And maybe also written up due to speaking loud?)
11. [REDACTED]: Mr. [REDACTED] was given one HA, but would like two.
12. [REDACTED]: Mr. [REDACTED] right hearing aid was lost. He filed a theft report with the UA in his dorm, but has not received a new HA.
13. [REDACTED]: Mr. [REDACTED] HA amplifies more background noise than speech. He's tried to fix it, but has been unsuccessful. The prison can take it back if they'd like.
14. [REDACTED]: Mr. [REDACTED] just took a hearing test a couple days ago and was told he'd hear back soon. He also took a hearing test 6-8 months ago. He was told he has hearing loss, but never heard anything else. Mr. [REDACTED] does not have a HOH ID or door sign. Ms. Grissinger told him it's in the mail. He was yelled at 2.5-3 months ago for not hearing a CO. He tried to explain that he's HOH, but they don't believe him because he doesn't have an ID tag.
15. [REDACTED]: Mr. [REDACTED] received a hearing test 2 weeks ago. He would like a HA. He's previously told officers he can't hear them and they'll just yell at him and act like he's joking. He has a HOH ID, but not a sign for his bed. He's been written up for disobeying orders 2 or 3 times, but it's been a while now. He shows guards his HOH ID, but they don't care. Mr. [REDACTED] had problems in his high school diploma class. He told the teacher he couldn't hear, but the teacher said he wouldn't repeat things. He told his friends and COs about this issue, but nothing changed. Mr. [REDACTED] has gotten in trouble because COs think he's screaming at them, when really he's just HOH.
16. [REDACTED]: Mr. [REDACTED] would like a bed shaker, but doesn't have the money to buy one. Mr. [REDACTED] HA was lost when he went to the hole 3 months ago. The prison said they'd get him a new one, but they haven't. He's spoken to his UA,

medical, and Ms. Grissinger. COs will yell and curse at him when he can't hear them. Usually they apologize after he shows them his HOH ID card.

17. [REDACTED]: Ms. [REDACTED] uses a HA, but finds it useless. She's put in grievances over the past year about her HA not working correctly and never heard back. She put in sick calls over this issue too, but hasn't been called up. She requested a 2nd HA at KSR but was told you can only receive one. She's had issues in classes when she can't get to class early enough to sit in the front.
18. [REDACTED]: Mr. [REDACTED] has 2 HAs, but one of them cracked a couple months ago. While it still works the casing that holds it together is cracked, so he doesn't use it in case it breaks altogether. He's told Ms. Grissinger about this, but she said they can't replace it for free even though it's under warranty till December 2020. His other HA falls out because of the mask design, so he stopped wearing it about 2 weeks ago.
19. [REDACTED]: Mr. [REDACTED] has been trying to get an alarm, but can't pay for it. He spoke to Ms. Grissinger about this 8 months ago, but she told him he had to pay for it to receive one. Mr. [REDACTED] is diabetic and gets write-ups for not waking up on time in the morning. Mr. [REDACTED] asked the dorm officer for a phone amplifier 7 months ago, he never heard back. Mr. [REDACTED] does not hear announcements for program openings, this keeps him from participating. He's also had issues in programs. In MRT he couldn't hear the instructor. He told the instructor and the instructor didn't care. Mr. [REDACTED] has gotten into disciplinary trouble because of his hearing. Most recently in Feb. 2019, he was in line for commissary and didn't hear them call his name. He was yanked out of line and put in the hole for 15 days. Mr. [REDACTED] believes he didn't get a closet job (where janitors turn in all of their materials) because of his hearing (the job requires dealing with a lot of people).
20. [REDACTED]: Mr. [REDACTED] has been incarcerated for 30 years and never received a hearing test. His hearing isn't that bad, except when he's around a lot of noise
21. [REDACTED] Mr. [REDACTED] requested a bed shaker about a month ago, but was told they're out of stock and that he'll be notified when they are available. Last Nov. or Dec. there was an evacuation for a suspected fire, Mr. [REDACTED] didn't hear the alarm and was left in his cell. He was written up for not following orders. He explained that he didn't hear the COs and the write up was dropped. He regularly misses pill call and chow because he can't hear. His HA doesn't work well when there's too much background noise. He is currently in RHU and it's difficult to get a new battery. He's been without a battery for 5 days now. He requests one twice a day and has a sign in his window asking for new batteries. In March 2020, Mr. [REDACTED] was yelled at by a CO (Garcia) for watching his tv too loud. The CO told him he wouldn't be HOH if he wasn't shooting guns. Mr. [REDACTED] filed a grievance, and the captain's office coerced him into dropping it because he didn't want them to take his tv. He would like to use the videophone to talk with his daughter who's also HOH, but his request was denied. He would also like a phone amplifier.

LSCC

Repeat issues:

- A. Need more HOH phones. There are currently 6 phones, but only two have volume control. Even the volume control phone is hard to hear because it's in the same room with the other phones and that room is loud. People have had their phone calls ended because COs say they're talking too loud into the phones. There is also only one TTY phone for the entire prisons. The TTY and the captel phone are located in the same room. Therefore, you have to wait for the person using the TTY or cappella phone to be able to use the other one. That makes it harder to get access to that room.
- B. No auxiliary aid catalogue/brochure as at other institutions.
- C. Not copy of the settlement in the law library.
- D. HAs do not work well.
- E. Difficulty getting new batteries.
- F. Discipline for using hand gestures.
- G. Multiple people reported trouble hearing over the PA system. Living assistance aide doesn't always keep people from missing pill call and chow.
- H. TVs don't usually have closed captions.

Individual reports:

1. [REDACTED]: Mr. [REDACTED] had a hearing aid at WKCC and asked for a new one. They gave him a pocket talker instead. He has been asking for a new hearing aid for months and has put in for 3 sick calls. He's been put in the hole over his hearing demands. He's asked for assistance waking up in the morning and just got a HOH sticker. Nothing has been done to help him with his hearing issues.
2. [REDACTED] Left HA was stolen when he was at GRCC. Mr. [REDACTED] requested a new HA after filling out a report stating it was missing, but he never received a new one. Mr. [REDACTED] also asked for a bed shaker, but has not heard back.
3. [REDACTED]: Has trouble hearing the regular phone and would like to use the TTY phone. He used it once and the prison has not allowed him to use it since. Mr. [REDACTED] can never hear announcements. He regularly misses pill call; he doesn't miss chow since everyone goes. Mr. Blair uses a HA, but it still makes the sound muffled.
4. [REDACTED]: Mr. [REDACTED] took a new hearing test and the nurse told him that if it comes back inconclusive he'll be charged \$10. He wants to know if that's allowed.
5. [REDACTED]: Mr. [REDACTED] recently got a disciplinary report for refusing or failing to obey an order. He told an officer he didn't understand her and asked for her permission to go to morning chow, but instead received a write-up. He has a hard time hearing announcements. If he's in a room by himself he misses count, chow, and other instructions. Mr. [REDACTED] dropped his HA and broke it. It still works, but it's damaged. He doesn't want to request a repair because with COVID it won't get fixed. Two-weeks ago, Mr. [REDACTED] was written up for not being able to hear a CO. He was initially written-up for disobeying an officer, but it got downgraded to a misdemeanor.
6. [REDACTED] Mr. [REDACTED] uses a pocket talker because it works better than a HA. The HA doesn't stay in and bothers his ears. Mr. [REDACTED] is having issues with medical staff. They will not quickly replace the earbuds on the pocket talker when they stop

working and they only last for a couple of weeks. He was hoping to buy better quality earbuds.

7. [REDACTED]: Mr. [REDACTED] has nerve damage to his hands and can't feel his fingertips. Therefore, his HA is useless because it's too small. Mr. [REDACTED] would prefer a HA that was all one piece. He also has allergies that give him inner ear infections and medical is not addressing the problem.
8. [REDACTED]: Mr. [REDACTED] has been waiting for a hearing test for 6 months. He had a whisper test at RCC, but hasn't had any follow-up since then. He went to medical a couple of weeks ago and they said everything was slow because of COVID. Mr. [REDACTED] just got a new HOH sign for his locker the day before the interview. Everytime a particular officer searches his cell he takes it. Then Mr. [REDACTED] has to go and get a new one. This officer also makes rude remarks about Mr. Hessing's hearing (he says "are you stupid"). Mr. [REDACTED] also has constant ringing in his ears which makes phone calls with his four-year-old son very challenging. Mr. [REDACTED] son has vision and hearing issues and nonverbal autism. The prison offered to let Mr. [REDACTED] use the TTY, but that doesn't solve his communication issue with his son. Mr. [REDACTED] wants to use the videophone. He makes the request often (most recently the day before the interview). He has been denied everytime for the past 4 years. Mr. [REDACTED] talks to his daughter every night, and wants to be able to talk to his son. Mr. [REDACTED] used to work in the kitchen, but he was eventually fired because he didn't hear the call for workers in the morning (this was 3 years ago at RCC).
9. [REDACTED]: Mr. [REDACTED] took a hearing test and says he needs HAs, but was denied. Mr. [REDACTED] can't hear COs call count, doesn't understand the intercom, and can't hear on the phones. It took a while to get a HOH ID card, and he would like a vibrating clock, but would like both. Mr. [REDACTED] has gotten verbal warnings from officers for not being able to hear them.
10. [REDACTED]: Mr. [REDACTED] would like a vibrating watch. He regularly misses breakfast because he does not hear the announcement to wake up. Mr. [REDACTED] has requested a bed shaker 3 times and still hasn't heard back. He's had a HA for a year, but needs a new one. His HA isn't strong enough. He's asked for a new HA and had a test 2 months ago, but has not heard back. He does not currently have a HOH ID card. It was taken when he was moved to segregation, and he never got it back. He asked his case worker for a new one over a month ago.
11. [REDACTED]: Mr. [REDACTED] took a hearing test, but never received the results or any other assistance.
12. [REDACTED]: Mr. [REDACTED] has a HA and pocket talker. The HAs are so cheap they make everything distorted. He's just been using a pocket talker for 2 years now. He bought a good pair of headphones so it works better. However, his headphones have been confiscated twice (most recently in June 2020). He filed a grievance and got them back, but he doesn't have a form or anything to keep this from happening again. He hasn't told anyone the HA doesn't work well. Mr. Pasha gets in disciplinary trouble frequently because of his hearing. He gets direct orders he doesn't understand and misinterprets or he talks too loud. But it's been a while since he's been written up because of this.
13. [REDACTED]: Mr. [REDACTED] reports hearing problems, but that nothing has been done to help him

14. [REDACTED]: Mr. [REDACTED] has been waiting for a HA for almost a year now. He has also requested to see Ms. May and has not yet.
15. [REDACTED] Mr. [REDACTED] regularly misses pill call and chow because he can't hear announcements. His HA amplifies too much background noise and makes him dizzy. He just got a new hearing test yesterday. He also only received one, but would like two. He hasn't gotten any write-ups, but he's been yelled at by guards because of his hearing. They'll say he refused to do something, but really he couldn't understand what officers were saying. Or with pill call officers will say he's jumping in line, when he didn't hear his dorm called. The officers don't care when Mr. [REDACTED] shows them his HOH ID card.
16. [REDACTED]: Mr. [REDACTED] took a hearing test seven months ago and never got the results. He asked Ms. May about it last week when he found out she was the ADA coordinator. She said she'd ask medical. Mr. [REDACTED] does not have a HOH ID or sign. Mr. [REDACTED] has previously been yelled at by officers for not being able to hear, but it hasn't happened in a while.
17. [REDACTED] Mr. [REDACTED] HA is not working correctly. It makes a loud roaring sound. He's reported the issue to medical several times. Mr. [REDACTED] would also like a second HA.

NTC

Repeat issues

- A. Inability to hear announcements
- B. Custody staff not respectful of hearing
- C. Inmate writeups after not hearing orders or announcements.
- D. Hearing aid replacement delays,
- E. Delays in getting ID cards
- F. Not hearing back from the ADA Coordinator when emailing,
- G. Trouble getting auxiliary aids

Generally, seems like some issues were dropped when the ADA coordinator position switched from Ms. Baker to Ms. Payton.

Individual reports:

1. [REDACTED] Mr. [REDACTED] experienced difficulty getting replacement hearing aids and had significant delays. He also has troubles hearing on the phone and had an issue with a guard where he was denied access to use the TTY. He also hasn't gotten the bed shaker he requested. He also has not received his ID card yet.
2. [REDACTED]: Mr. [REDACTED] had issues with a guard where he was told to "shut up" after asking if he could turn around so he could hear better. He also has trouble hearing at church, and requested a different hearing aid since the one he has now doesn't work well. He has issues hearing announcements by the COs and being woken up. Mr. [REDACTED] also feels that a more noticeable HOH card would help with interactions with the officers. He was also written up for not showing up for pill call, which was because he did not hear an announcement. He was also dismissed for getting loud in a discussion with his kitchen job.
3. [REDACTED]: Mr. [REDACTED] said there's also a long wait to use the hearing impaired phones, because there are so few of them. He also said he would like to get a vibrating alarm watch.
4. [REDACTED]: Mr. [REDACTED] had issues with missing announcements because the intercom was not loud enough, and had a few verbal altercations over not being able to hear until he ultimately got a new mask that allowed him to tie it in the back and wear his hearing aids with it. He thinks that he might have accidentally signed a waiver for an HOH ID card without meaning to. Mr. [REDACTED] said he often has trouble with staff because he can't hear them and has been shaken down because of it before, and was once almost written up until he wrote to the ADA explaining the situation. He also asked to use the TTY but never heard back. When he wrote the ADA asking to talk, he said that he never heard back.
5. [REDACTED]: Mr. [REDACTED] said he doesn't hear chow or count or pill call often, because he can't understand the intercom. He also said he needs but cannot pay for the vibrating watch.
6. [REDACTED] Mr. [REDACTED] said he never heard back from the ADA coordinator when he sent a message about getting auxiliary devices.
7. [REDACTED]: Mr. [REDACTED] said that he often can't hear the announcements for movement and chow call.

8. [REDACTED]: Mr. [REDACTED] sometimes has hearing announcements, but his main issue is that he can only get one battery at a time and they only last 4 to 5 days. Mr. [REDACTED] said he also thinks it would be more helpful if he had a HOH card that was more visible, rather than just having HOH written on his pink medical card, because it makes it easier for the COs to see. He also had trouble participating in the sex offender program because he couldn't hear the instructor very well. He was also written up for disobeying an order that he didn't hear because the battery in his hearing aid was dead.
9. [REDACTED]: Mr. [REDACTED] said that he was told the canteen does not have vibrating watches for sale when he asked.
10. [REDACTED]: Mr. [REDACTED] asked about how to purchase shake watches, because he's having trouble hearing the guards call count in the mornings.
11. [REDACTED] Mr. [REDACTED] had issues hearing what was going on at the prison when guards gave him orders, and sometimes almost gets cuffed up until he explains that he's HOH. He didn't hear movement announcements because the officers don't fully come into the wing to announce things. He also thinks a light flashing like it did at EKCC would be helpful. He also didn't get his bed shaker replaced after it was misplaced when he went to the hospital.
12. [REDACTED]: Mr. [REDACTED] said that he was told that he doesn't need a hearing aid or hearing card. However, he said that he's still having hearing issues. He also said their hard of hearing phones are broken.
13. [REDACTED]: Mr. [REDACTED] is having trouble hearing the announcements being made in the dorm because the officers just yell from their offices when making announcements. He also said that the non-routine movements make it difficult to know what's going on, and he said he got writeups for going to pill call when he thought it was pill call but was mistaken because he didn't hear the announcement. Mr. [REDACTED] said he has a pending grievance for an issue having to do with his hearing, and that the prison is not doing well on hearing impaired issues. He also said that the ADA-assistant inmates sometimes get it wrong, causing additional tension. He said that his writeups have caused him major issues in prison.
14. [REDACTED]: Mr. [REDACTED] says he misses pill call and chow regularly because he can't hear the announcements. Especially on the weekends, he says that he has trouble knowing what's going on. Mr. [REDACTED] said that his hearing aid doesn't help with most of the hearing issues he has, and that he got released from his kitchen job due to not hearing things and a writeup for being released early.
15. [REDACTED]: Mr. [REDACTED] said that he doesn't have an HOH sign on his bed or one that is visible on his card, and that he's been having issue where he doesn't hear commands made by guards. He also said that he doesn't have a vibrating watch, and that the hearing impaired phone often breaks.
16. [REDACTED]: Mr. [REDACTED] said that he's told the officers he can't hear well but has missed meals, chow, medication, pill call, and other announcements.
17. [REDACTED]: Mr. [REDACTED] said that he has been having trouble communicating with people and reading lips while people in the prison are wearing masks.
18. [REDACTED]: Mr. [REDACTED] said that his hearing aid does not work well.
19. [REDACTED]: Mr. [REDACTED] had an issue hearing the intercom announcements.

20. [REDACTED]: Mr. [REDACTED] had issues with being written up for not wearing his mask properly, which he wasn't doing because of his hearing aid. Now, he has a mask that ties behind his head, but only one – and when he has to wash it, he still has to wear the other mask that loops behind his ears. Mr. [REDACTED] also said that he can't hear the guards very well when they yell announcements and he was told to walk back with his hands on his head down the walk because he was a minute early for the legal library. Mr. [REDACTED] also said he paid 20 dollars for hearing aids. Mr. [REDACTED] also doesn't have a hearing impaired sign. He filed a grievance both about being made to march back with his hands on his head for not being timely during a movement, and for the mask issue. For the mask issue, the grievance response was that it's policy to wear a mask; he hasn't received resolution on the other grievance yet.
21. [REDACTED]: Mr. [REDACTED] had issues getting his hearing impairment signs. Also, Mr. [REDACTED] said that appointing HOH-assistant-inmates has caused conflict between the inmates when the HOH appointed inmates don't wake them up. Mr. [REDACTED] also said he had trouble using the TTY because it would not take his pin.
22. [REDACTED]: Mr. [REDACTED] said that he asked for another hearing aid because this one doesn't work well, and he was told it would be \$500. He said also that he does not have an HOH ID card and that he's harassed by the staff for missing announcements.
23. [REDACTED]: Mr. [REDACTED] said that the settlement papers are not in the library.
24. [REDACTED]: Mr. [REDACTED] was having trouble with his hearing aid and his batteries not lasting for very long. He also asked for written notes on a doctor's appointment because he couldn't hear the explanation of the problem, but they sent him to an in person doctor's visit instead – he appreciated this, but would have appreciated the written copy. He also had an issue where he was called over the loudspeaker and didn't hear it, so he was almost disciplined.
25. [REDACTED]: Mr. [REDACTED] was written up for missing the call for work. This caused his point score to rise and he's in danger of being sent to maximum custody. He would like the write-up reexamined.
26. [REDACTED]: Mr. [REDACTED] said that he was given a hearing aid for the wrong ear, and that his other ear has tinnitus.
27. [REDACTED]: Mr. [REDACTED] said he got a serious write-up for interfering with count because he did not hear it. He also said he often can't hear announcements, and has trouble communicating with the guards.
28. [REDACTED]: Mr. [REDACTED] had an issue getting a vibrating watch, and has trouble hearing even after receiving his hearing aid; he thinks a hearing aid with a volume control button would help. He also mentioned that the ADA Coordinator never got back to him when he sent her a message. During the religious services, he often had trouble hearing what was going on.
29. [REDACTED] Mr. [REDACTED] was having issues with his hearing aid not getting cleaned, and not changing the filter on the hearing aid when he asked. He also mentioned that people don't come to make announcements. He was also told that he didn't qualify initially for assistive devices like vibrating clocks or watches, but now that he can buy them, it's been a very delayed process. He's also had issues with guards arising from his hearing issues, but has never been written up. He never heard back after sending a message to the ADA Coordinator

RCC

Repeat issues:

- A. Inability to hear announcements
- B. Masks making it difficult to hear staff
- C. Hearing aid batteries not lasting very long
- D. Officer disrespect
- E. Problems getting or using auxiliary aids

Individual reports:

1. [REDACTED]: Mr. [REDACTED] said that he wanted to get a second hearing aid, and was told he could not get one. Mr. [REDACTED] said this makes it difficult to participate in his classes because he can only hear the people on the right of him. He also said the batteries don't last very long, and that he can't get the filter in his hearing aid changed. Mr. [REDACTED] also had issues with COs being rude when he said he couldn't hear them.
2. [REDACTED]: Mr. [REDACTED] said that his batteries only last a few days, and he can only get two at a time. He also said that half the time he does not hear announcements over the speakers, and gets threatened because he doesn't show up for things like pill call. Since moving units, he has not gotten a new door sign. He also said that when he talked to the parole board, he could hardly hear anything they said.
3. [REDACTED]: Mr. [REDACTED] said it's gotten more difficult to read people's lips since everyone has started wearing masks in prison.
4. [REDACTED]: Mr. [REDACTED] has trouble hearing the announcements sometimes, depending on who is making announcements over the intercom. He also said he thought he was supposed to get a hearing aid, but it's been 2 or 3 months and he hasn't heard anything about it yet. Mr. [REDACTED] also said he asked for an alarm clock and no one ever got back to him about it. Although he's never been written up, he said guards treat him like he's slow because he can't hear well and talk down to him. He also said even with the volume amplifier, it's hard to hear over the phone. During his programs, Mr. [REDACTED] has trouble hearing what goes on when they watch movies in the gym, and has to ask other people to write the reflections on the movie.
5. [REDACTED]: Mr. [REDACTED] said that when he's strapped down to be transported for court trips, he can't adjust his hearing aid, and he would find it helpful to use the type of restraint that people who use sign language get to use.
6. [REDACTED]: Mr. [REDACTED] said he sent one of the unit administrators a JPay about getting an assistant inmate to wake him up in the mornings for things like breakfast, but has not heard back yet. He said he can't always hear the announcements being made, especially in the morning when he's still half-asleep. Mr. [REDACTED] also said he has issues with people in the cafeteria who are trying to rush them through and so he has trouble hearing when to get the correct food, and knowing where to go. He also said he's had disagreements with the officer in charge of the indoor rec area because he can't hear her and because of her attitude.
7. [REDACTED]: Mr. [REDACTED] said that he was beaten because he couldn't hear an officer and cracked a few ribs.

8. [REDACTED]: Mr. [REDACTED] can't always hear the announcements, and people in his dorm often have to come and let him know what's going on. Mr. [REDACTED] said that some officers, particularly new ones, will do things like ask if he's deaf when he doesn't hear things. He also said that he asked for a helper to come and wake him up for chow and rec, but was told he didn't need one.
9. [REDACTED] Mr. [REDACTED] says he needs to get his hearing aid replaced, and that it's been broken for 3-4 months. He said that he wrote medical and the assistant ADA about it, but that it has not been replaced. Now that it's missing, he can't hear a lot of the announcements, and has issues not hearing what the guards are saying. Once, he said he was written up for missing chow. He also can't hear his family when he calls home. Mr. [REDACTED] was also told that only permanent inmates (no idea what this means) were allowed to purchase auxiliary aids.
10. [REDACTED]: Mr. [REDACTED] said he's had trouble being woken up for things like his kitchen duty. Mr. [REDACTED] also said that masks muffle people's voices, making it harder to communicate.
11. [REDACTED] Mr. [REDACTED] said that in Unit 3, he got thrown in the hole for not being able to hear things that the COs were saying, and that they don't listen when he tells them that he's hard of hearing. He's also had issues with wearing his mask, because it messes with the volume button on the top.

WKCC

Repeat issues:

- A. Announcements hard to hear, so inmates miss pill call and chow.
- B. Not enough phones with volume control.
- C. Even with volume control it's still hard to hear in the phone booth.
- D. HAs amplify too much background noise to be useful.

Individual reports:

1. [REDACTED] Mr. [REDACTED] signed up to buy a vibrating watch, but never heard back.
2. [REDACTED]: Mr. [REDACTED] has severe tinnitus. He is unable to wear his HA because it intensifies the ringing so much. He would like assistance with this issue
3. [REDACTED]: Mr. [REDACTED] has been seen multiple times by medical for hearing tests and they keep telling him nothing is wrong with his hearing. However, Mr. [REDACTED] knows he is HOH. He has told them he would like to buy a HA for \$10, but they won't let him.
4. [REDACTED]: Mr. [REDACTED] has a parole hearing August 25th. He received an email asking if he needed any hearing assistance. Mr. Bruce said there are earphones he could use during the hearing, but those aren't helpful for Mr. [REDACTED] since they require him to take out his HA. He needs someone looking at him directly and speaking right in his face or he can't hear. The prison will not give him an interpreter for the hearing. Mr. [REDACTED] has also been denied access to the TTY to talk to his family. Further, the TTY is only available 7:30am-2pm and it's located in the yard office. This makes it even more difficult to access.
5. [REDACTED] Mr. [REDACTED] does not know who Mr. Bruce is or how to get in contact with him. Mr. [REDACTED] is made fun of every day he goes into work because he can't read or hear well. He has not told anyone about this issue yet. He also reports that his HA is not working well.
6. [REDACTED]: Mr. [REDACTED] would like a vibrating watch, but is waiting till he can afford to buy one. He would like a HA that amplifies less background noise.
7. [REDACTED]: Mr. [REDACTED] has a hard time using the phones because of all the background noise. He's also not gotten into the New Directions program yet, but people who signed up after him did. He was kicked out of MRT because he missed two classes due to not hearing the announcement for class. This happened 2.5 months ago. He was told he could pay \$25 and get the book.
8. [REDACTED]: COs have threatened to write-up Mr. [REDACTED] for not waking up for work on time. His HA amplifies too much background noise, so he doesn't use it often. Mr. [REDACTED] has a hard time contacting Mr. Bruce because Mr. Bruce isn't on JPay and doesn't work in the building right now. He had trouble hearing the preacher in Church because the words would muffle together.
9. [REDACTED]: Mr. [REDACTED] doesn't use a HA right now, because he's worried about how bulky it is. But Mr. Bruce told him they're fairly small so he might try it out. He had a pocket talker, but was told to return it in July 2018. He's not sure why because he was using it so much. He would like to get a new pocket talker over a HA, but medical said no. Other HOH individuals received information on purchasing a vibrating watch,

but Mr. [REDACTED] has not. He would like one. He emailed Mr. Bruce about it, but never heard back. He doesn't have a HOH ID card. He previously signed a waiver, but now he's changed his mind.

Ross-Cash

Repeat issues

- A. Announcements very hard to hear, so inmates are missing pill call and chow.
- B. Masks make it more challenging to hear/understand staff.

Individual reports:

1. [REDACTED]: Ms. [REDACTED] regularly misses announcements and has been written-up 4 times in the last 1.5 months for missing work because she doesn't wake up on time. All of her write-ups were dismissed. She does not have a HA or pocket talker, but thinks she should qualify. She took an Audicus test a couple months ago and hasn't heard anything since then. She also requested a vibrating watch a month ago and hasn't heard anything else about that. She's also not sure how she could pay for one and if she could get a loaner watch.
2. [REDACTED]: Ms. [REDACTED] is supposed to have left and right HAs, but only has a right HA. This makes it challenging for her to tell what direction sound is coming from and gives her a constant headache. Ms. [REDACTED] also misses pill call due to not hearing morning announcements.
3. [REDACTED]: Ms. [REDACTED] would like a vibrating watch, but wants to know if there's a way to get one for free.

Margo Schlanger

Court Appointed Monitor, *Adams and Knights v. Commonwealth of Kentucky*

625 So. State Street • Ann Arbor, MI 48109 • E-Mail: Adams.Settlement.Monitor@gmail.com

734-615-2618

Memo to: Kentucky Department of Corrections Director of Operations Janet Conover
Programs Branch Manager Debbie Kays
All institutions' ADA Coordinators and backup ADA Coordinators
From: Margo Schlanger, Settlement Monitor (adams.settlement.monitor@gmail.com)
Date: September 22, 2020
Re: Additional followups from recent phone and other contacts with Deaf and hard-of-hearing inmates.

This memo supplements the prior description of individual issues raised by inmates we heard from via those phone calls or otherwise; these additional issues came to me after the initial list sent with my information request. As I said before, the descriptions below recount what we've heard from inmates—not what we've found after investigation. We don't yet know the true state of affairs.

For ease of response, I have numbered the issues continuing from the prior lists.

EKCC

19. [REDACTED]: Mr. [REDACTED] said that he would like a second hearing aid. He also said that he has asked for a face shield or mask that could be worn without interfering with his hearing aid, and was told one could not be located.
20. [REDACTED]: Mr. [REDACTED] said that there was no copy of the settlement in the legal office when he tried to look and asked for it.

GRCC

13. [REDACTED]: Mr. [REDACTED] said since non-ADA inmates have been housed in the ADA dorm hard-of-hearing inmates are often unable to access phones.

KCIW

7. [REDACTED]: Ms. [REDACTED] said that she was issued a hearing aid that does not work, and that medical staff did not help her with the issue.

KSP

13. [REDACTED]: Mr. [REDACTED] said that his hearing test came back inconclusive multiple times, and that he's been having hearing issues for years but has never received a determination of whether he needs a hearing aid or not. Mr. [REDACTED] just had another medical appointment, but did not yet know the result of his testing when we spoke to him. He reports he does not have a HOH ID card or a door sign, and would like them.

KSR

26. [REDACTED]): Mr. [REDACTED] said his hearing aid quality is bad and the device cannot be worn at the same time as a mask.
27. [REDACTED]): Mr. [REDACTED] said that the phones for the hard of hearing and the TTY do not work, and he has not been able to use either for 3 months.

LLCC

22. [REDACTED] Mr. [REDACTED] said there is no copy of the settlement in the library.
23. [REDACTED]): Mr. [REDACTED] said he's had issues where he's been straining to hear the guards, and the guards have been making fun of him for not being able to hear them.
24. [REDACTED]): Mr. [REDACTED] said that there is no copy of the settlement in the library.
25. [REDACTED]): Mr. [REDACTED] said he has not received his hard-of-hearing cards.

Margo Schlanger

Court Appointed Monitor, *Adams and Knights v. Commonwealth of Kentucky*

625 So. State Street • Ann Arbor, MI 48109 • E-Mail: Adams.Settlement.Monitor@gmail.com

734-615-2618

Memo to: Kentucky Department of Corrections Director of Operations Janet Conover
Programs Branch Manager Debbie Kays;
All institutions' ADA Coordinators and backup ADA Coordinators
From: Margo Schlanger, Settlement Monitor (adams.settlement.monitor@gmail.com)
Date: October 2, 2020
Re: Open issues

Now that I've received your responses to the semi-annual information request, I have put together this list of open items. For each institution, there are as many as four sets of open issues:

- A. Items requested in the September 2020 semi-annual information request, but not so far received.
- B. Description of additional individual issues raised by inmates to me or my assistants. For these, as I said before, descriptions below recount what we've heard from inmates—not what we've found after investigation. We don't yet know the true state of affairs. I know you provided responses to a number of similar issues, but these have been newly raised to me. For ease of response, I have numbered the issues continuing from prior lists.
- C. A list of issues mentioned in my last report that were NOT covered by your in-process action plans.
- D. A list of individual inmates who have requested a copy of the summary of the settlement agreement. Ordinarily, this would be available to them via the law library. However, we have heard from many of them that either the document is not accessible to them in the law library or the library itself is inaccessible due to COVID. Therefore, I request that you distribute the settlement summary to them (it is attached).

What I request is this:

- A. Please provide the missing information, asap.
- B. Please provide what information you can on what happened in the incident in question. Include timing. That is, for example, if someone says he has not received a hard-of-hearing ID, please include when he arrived at the prison, when he had his auxiliary aid assessment, whether he should have gotten the ID, and when he got it. If someone says he was written up for hearing-related failure to follow an order or the like, please provide full documentation of the relevant disciplinary incident, including its result. And so on.
- C. Please provide an update on where things stand on each issue listed; if there are any steps left, explain what they are and your intended timing.
- D. This request is under consideration by Ms. Conover, and she can report back to me about its resolution.

Thanks for your ongoing cooperation. I ask that this information be provided in one week. If this poses difficulty, please let me know.

BCC

C. Missing Items from Action Plan:

1. Unequal access to alerts remains a major source of difficulty for deaf/HOH inmates. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

D. Individuals to receive attached settlement summary:

- Sean Pernestti (201686)

BCFC

C. Missing Items from Action Plan:

1. Unequal access to alerts remains a major source of difficulty for deaf/HOH inmates. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

D. Individuals to receive attached settlement summary:

- [REDACTED]

EKCC

B. Individual issues:

21. [REDACTED]: Mr. [REDACTED] is unaware of what auxiliary aids are available. He is particularly interested in getting an amplifier for his headphones.

C. Missing Items from Action Plan:

1. Unequal access to alerts remains a major source of difficulty for deaf/HOH inmates. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. Vibrating alarm clocks should be available to deaf/HOH inmates.
3. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

GRCC

A. Missing Items from Information Request:

1. The captel permission section of the Auxiliary Aid tab is not filled out; please complete.
2. Please provide PDFs of pages of the inmate handbook addressing disability, and date for the version of the handbook, rather than simply confirming that they exist.
3. Please provide PDFs of the Deaf/HOH Brochure and other documents provided to deaf or hard-of-hearing inmates, rather than simply confirming they exist in the Information Tool.
4. Please give the number of how many inmates have a non-ear tie mask, rather than simply specifying that they are available; if the answer is zero, please confirm that.
5. Please complete the response to this question (stopped mid-sentence): "When an inmate reports that a hearing aid is not working, what are the steps followed to evaluate the complaint? Include all relevant copays and other procedures."
6. Please provide a response to this question: "Please describe, in detail, each step that takes place once a person is identified as deaf or hard-of-hearing, to evaluate/offer any auxiliary aids. Include who is responsible for each step." The information tool said "see attached" but the information required is not in any of the attachments.

C. Missing Items from Action Plan:

1. GRCC had a PA system in the housing units, but often used bullhorns instead. These are very difficult for HOH inmates; the PA system is better, so it should be used. GRCC reported that this issue was solved, but there should be follow-up with inmates to assure that the new system is working.
2. There seems to be some confusion about auxiliary aid devices. I asked whether a captioned telephone was available, and was given information about a videophone. I asked about non-auditory devices, and was given information about intercoms, which are auditory.
3. The general staff training provided seems to be incorrect; it is generic ADA training, rather than the approved training that focuses on deaf/HOH issues. The Department has a training module for staff on communicating with deaf/HOH inmates. That is what they should be getting.
4. A review of disciplinary reports involving hearing issues reveals an issue the ADA Coordinator should have addressed: Inmate David Slusher, DOC# 296648, was charged in Sept. 2019 with failing to report for an assignment, when he stopped attending school. He was asked why he had stopped, and answered, "I tried to tell him I cannot hear that good I was trying to get my hearing aid fix I have hearing problems." Mr. Slusher received 30 days recreation restriction. I am not suggesting that this was inappropriate. However, there should also have been follow-up on his hearing aid issue.
5. Audiology processing is slow for some people. Table 6 of the Court Report shows that for 25% of GRCC inmates whose hearing issues came to Ky DOC attention in 2019, processing time was 113 days or more.

KCIW

A. Missing Items from Information Request:

1. Some of the pages of the ADA Brochure are cut off – please provide a new scan with the full pages contained.
2. Please give the number of how many inmates have a non-ear tie mask, rather than simply specifying that they are available; if the answer is zero, please confirm that.

B. Individual Issues: Both Ms. Callahan and Ms. Coy mentioned that things have gotten worse since switching from the last ADA Coordinator.

8. [REDACTED]:
 - a. Ms. [REDACTED] said that some of the guards have attempted to handcuff her, and have gotten in her face when she could not understand them.
 - b. Ms. [REDACTED] said she misses breakfast a lot, and that often guards and medical do not stop or slow down when she tries to signal that she's deaf in conversations.
 - c. Besides the social worker, she said that there are many instances when she asked for the VRI because she cannot read lips but it was not provided to her. She's also had trouble getting the prison to provide her with an in-person interpreter when she asked for one.
 - d. Ms. [REDACTED] said she does not have any privacy using the videophone, and that she cannot get the privacy screen.
 - e. Ms. [REDACTED] also mentioned that she has been moved to a new dorm where she's constantly worried about her bed shaker getting broken because the people in her new area are very rowdy. She currently got a new bed shaker since she requested it once her old one broke, but is very concerned about it breaking.
 - f. She said that the videophone was also broken for a while, and was positioned in a way that her hands were not visible or hard to see.
 - g. Finally, she said that it's really hard to be in a dorm without the other deaf person in the prison, and that she finds it very isolating.
9. [REDACTED]:
 - a. Ms. [REDACTED] has been woken up in the middle of the night to interpret for Ms. [REDACTED] (who is also deaf) even though she told the officers and the warden several times that she does not wish to be woken up to interpret, and that the officers need to use the VRI. This has also happened when she was in the gym using rec time.
 - b. The videophone is located in an area with lots of other people, including officers who can sign, are around who can see what Ms. Coy is doing.
 - c. Ms. [REDACTED] cannot remember the last time she was able to use the VRI, because it's never provided, even when she asks.
 - d. The prison has only provided an interpreter for a class once, for other things like celebrations or church, there is no interpreter.
 - e. Ms. [REDACTED] also said that the masks make it really difficult for her to communicate because she lip reads, and that she has been put in handcuffs without being able to use her hands, like when she was taken to the OBGYN.

C. Missing Items from Action Plan:

1. Earphones should be available for inmates when watching the orientation videos.
2. Vibrating watches and alarm clocks should be available to HOH inmates, and not only deaf inmates. KCIW reported that HOH inmates would soon have the opportunity to purchase watches and alarm clocks as well, but has not yet confirmed that this change occurred.
3. In the TTY instructions, there were no instructions on getting an outside line for the TTY. However, it's possible this instruction is not needed, because it is staff who apparently take care of this part.

KSP

A. Missing Items from Information Request:

1. Please provide an updated response to this question: “For all disciplinary proceedings since July 2019 involving an inmate who signs, provide report of inmate name, date, and communication method for each.” The current answer is that KSP has no inmates to who sign to communicate, but we believe that is incorrect.
2. Please provide the following: “Any memoranda, training, policy, etc. issued in 2020 addressing deaf/hard-of-hearing issues.” If there are no existing documents to provide, please confirm that.
3. Please give the number of how many inmates have a non-ear tie mask, rather than simply specifying that they are available; if the answer is zero, please confirm that.
4. Please provide an answer to the following: “What arrangements are made to provide vibrating watches/clocks for inmates who are indigent?”

B. Individual Issues:

14. [REDACTED]: Mr. [REDACTED] said that he can’t hear the doors open and close, and that he thinks he is going to get in trouble for not being able to hear.
15. [REDACTED]: Mr. [REDACTED] said that inmates living in dorm 6 can’t hear the announcements because there’s no announcement system, and he isn’t able to hear the officers yell unless they’re very close to the inmate’s door.
16. [REDACTED]: Mr. [REDACTED] wants to purchase a pair of headphones, but isn’t able to pay for them all at once. He said that he’s asked the ADA Coordinator multiple times if he can set up a payment plan or have the institution purchase them and then pay them back every month, since he is willing to pay but never has enough money in his account to pay the full amount.

C. Missing Items from Action Plan:

1. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

D. Individuals to receive attached settlement summary:

- [REDACTED]

KSR

A. Missing Items from Information Request:

1. Please provide an updated answer to the following: “Any memoranda, training, policy, etc. issued in 2020 addressing deaf/hard-of-hearing issues.” Several documents were referenced in the Information Tool that were not attached; when reviewing the emails we received, it looks like we did not receive Part 9, which may be the issue.

B. Individual Issues:

28. [REDACTED]
 - Mr. [REDACTED] said that he thinks KSR needs to get a Sorenson end-touch videophone because it works much better than the current videophone, which sometimes has a poor signal and gives him login issues sometimes. He said that the new Sorenson has a better signal, a better network, and is being offered for free by the Kentucky Commission on the Deaf and Hard of Hearing.
 - Mr. [REDACTED] said that a few times, the prison thought he was going online because the videophone apparently comes with a keyboard, but that he is not and doesn't know much about internet technology.
 - Mr. [REDACTED] said that sometimes the door has been locked to get to the videophone and he's had to go and get a guard and show them a piece of paper from the ADA Coordinator saying that the door to the videophone can't be locked.
 - Mr. [REDACTED] also said that masks have made it more difficult to communicate with people, and that clear face masks would be helpful.
 - Mr. [REDACTED] also said the VRI can take a long time to get set up and he has to wait some time; he also said that if the one in dorm 1 doesn't work, he has to walk over to dorm 3 to use it.
 - Finally, Mr. [REDACTED] also wants to verify that an in-person interpreter will be available for his parole board in 2 years, because he does not want to use the VRI for that.
29. [REDACTED] Mr. [REDACTED] said that it's hard to hear calls for different treatments, and that he can't access the settlement because the law library is not accessible during lockdown.
30. [REDACTED] Mr. [REDACTED] said that he received a write up a few months ago for not hearing count and being out of place to get a cup of ice. He said it was eventually thrown out, but that many of the officers still don't speak loudly or clearly enough to understand.
31. [REDACTED]: Mr. [REDACTED] said that he was turned down for a hearing aid, and that he did not get an HOH watch because the ADA Coordinator was supposed to send the order form out but he never received it. However, Mr. [REDACTED] is being released on October 30.

C. Missing Items from Action Plan:

1. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.

2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

D. Individuals to receive attached settlement summary:

- [REDACTED]

LAC

C. Missing Items from Action Plan:

1. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.
2. TV captioning was inconsistent. However, LAC did report that movies are shown at least once with captioning.
3. No intercom systems were in use.

LLCC

A. Missing Items from Information Request:

1. Please provide, in addition to the individual grievances, “a summary of ALL grievances by all deaf/HOH inmates. Covers formal, informal, withdrawn, etc. Should include the issues, summary of response, resolution.” Other prisons have provided this in the form of a one or two sentence summary for each grievance addressing the factors stated in the question.

B. Individual Issues:

26. [REDACTED]: Mr. [REDACTED] would like a vibrating alarm clock or vibrating watch. However, he is unable to afford one. He says that he is not allowed to have the watch in advance and have the funds deducted from his inmate account at a later time.
27. [REDACTED]: Mr. [REDACTED] does not have a HOH ID card.
28. [REDACTED] Mr. [REDACTED] said that he was never educated on how to clean his hearing aid and change the filters, or how to adjust the hearing range and frequencies on his hearing aid.
29. [REDACTED]: Mr. [REDACTED] primary issue with the videophone is that when he calls another videophone, the caller ID says the call is related to a prison. Then, his Deaf friends won't answer the call. Ms. Grissinger said she would set up a time when she and Mr. [REDACTED] could call his friends from the VRI, which does not have this issue, and explain what the caller ID means. Mr. [REDACTED] also said that it can be challenging to access the VRI, since it's in the main building and only Ms. Grissinger can set it up. At times, this can take a few hours, or even longer if Ms. Grissinger is not available.
30. [REDACTED] Mr. [REDACTED] said that he's been told he is too close to being sent home to get treatment for his hearing issues, and that he was told that LLCC does not have a copy of the settlement by the legal department.
31. [REDACTED]: Mr. [REDACTED] said that he's sometimes unable to hear when chow is called, and that he would like to be able to hear it.
32. [REDACTED]: In addition to the complaints Mr. [REDACTED] has already raised, Mr. [REDACTED] also said that in seg he's been missing the case worker and UA rounds because he cannot hear and is not being alerted to their attention. He also asked for a new hearing aid. Mr. [REDACTED] has since transferred to NTC.

C. Missing Items from Action Plan:

1. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

D. Individuals to receive attached settlement summary:

- [REDACTED]

i [REDACTED]

LSCC

A. Missing Items from Information Request:

1. Please clarify your response to the following: "A list of each inmate currently at your institution whose audiology processing FINISHED after March 2020, for whom such processing took or is taking over 60 days, documentation of the explanation for any such delay, and a description of any steps taken to avoid similar problems going forward." The information tool refers to an attachment; if you are referring to the information contained in the audiology section, please confirm.

B. Individual Issues:

18. [REDACTED]: Mr. [REDACTED] said the background noise makes it difficult to use the phones, and that he has a lot of difficulty hearing them holler for count in the prison. He said it would be easier to hear if the guards were louder or the PA system was used for count. Mr. [REDACTED] also mentioned that social distancing has made it difficult to hear what's going on in his programs.
19. [REDACTED]: Mr. [REDACTED] said that at LSCC, he's missed pill call because he can't hear the officers calling for it, and the batteries for the HAs only last 12-15 hours. Mr. [REDACTED] said that HOH/deaf inmates can't always hear what the officers say, and that the HOH phones are being used by non-HOH inmates, limiting access by those who actually need them. Mr. [REDACTED] said that he liked the lights at KSR that blinked for chow and pill call, and that he found them helpful.

C. Missing Items from Action Plan:

1. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.
3. While a memo was issued for stuff concerning instructions on how to use the TTY, it is not clear whether this memo includes instructions on getting an outside line.
4. There seem to be no routine software updates to the VRI laptop.
5. While it was reported that maintenance is working to install a volume adjustment button on telephones in the SAP area, no update has been provided.

D. Individuals to receive attached settlement summary:

- [REDACTED]

NTC

B. Individual Issues:

30. [REDACTED]: Mr. [REDACTED] said that he's been removed from the videophone list because the institution says he does not know sign language, but he said that he can use sign language, body language interpreting and lip interpreting well enough to use it. Mr. [REDACTED] said that if the TTY is down, the videophone is the only way he can communicate, and that he hasn't been able to talk to his attorney or his family effectively since not being allowed to use it. Mr. [REDACTED] also said his hearing aids broke and that the institution gave him a pocket talker instead of fixing them.
31. [REDACTED]: Mr. [REDACTED] said that the black box with the plug keeps shutting off where it's connected to the camera. He said that he's talked to the deputy about it and getting it updated to the In Touch 2 instead of the 1, since that's an older system, and was told the prison could not provide that. He also mentioned that the masks made it difficult to lip read and communicate.
32. [REDACTED] Mr. [REDACTED] said that he went to medical and they looked at his hearing aid to replace two pieces, but it didn't fix the issues he was having and he still is unable to use it. He said that using it causes him pain. Mr. [REDACTED] is being released in five months, and said that if his hearing aid can't be fixed he will probably just wait to get one once he's released.
33. [REDACTED]: Mr. [REDACTED] recently transferred to NTC from LLCC. At LLCC, Mr. [REDACTED] had requested a new hearing aid. Since transferring, Mr. [REDACTED] has requested a vibrating watch from the ADA coordinator, but has not received a response back. He has also requested access to the videophone to talk with his daughter. Mr. [REDACTED] also does not have a HOH ID card.

C. Missing Items from Action Plan:

1. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

D. Individuals to receive attached settlement summary:

- [REDACTED]

RCC

C. Missing Items from Action Plan:

1. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

D. Individuals to receive attached settlement summary:

- [REDACTED]

WKCC / Ross-Cash

C. Missing Items from Action Plan:

1. In-person notifications should be provided where needed for personal alerts, whether by staff or other inmates.
2. ADA coordinators should publicize that non-auditory watches/alarm clocks are available for indigent individuals by loaning the device or by forwarding the money, to recover when money comes into their account. This process is available for both formally indigent individuals or individuals who have insufficient money to pay for the device.

D. Individuals to receive attached settlement summary:

- [REDACTED]

Margo Schlanger

Court Appointed Monitor, *Adams and Knights v. Commonwealth of Kentucky*

625 So. State Street • Ann Arbor, MI 48109 • E-Mail: Adams.Settlement.Monitor@gmail.com

734-615-2618

Memo to: Several institutions' ADA Coordinators and backup ADA Coordinators
cc: Kentucky Department of Corrections Director of Operations Janet Conover
Programs Branch Manager Debbie Kays
From: Margo Schlanger, Settlement Monitor (adams.settlement.monitor@gmail.com)
Date: November 21, 2020

In working through my final court report, I have several followup questions for 8 of the institutions. Some of these are related to requests previously made where I need more information; a few are new items raised by communications from inmates to me.

I know this is a holiday week. If it's possible to get me responses prior to Thanksgiving, that would be great. If not, next week will be fine. Thanks very much.

EKCC

1. [REDACTED] reported that he has been having trouble getting a hearing impaired sign, a shake watch, and a HOH phone. He also said guards have yelled at him for not hearing when he's called. Previously reported.
Prior response: "When I have spoken with him previously he had no issues or requests. I will meet with him again and see what he needs."

Current question: What happened with that meeting?

2. [REDACTED], reported trouble hearing the COs yell for things like count.
(Previously reported; no response)

Current question: For Mr. [REDACTED] has there been any followup with him? More generally, does this indicate that current practices are not sufficient?

3. [REDACTED], reports that a videophone or captel privacy screen has been taken down.

Question: Do you know if he's talking about the videophone or the captel? Is his report correct? What is the situation?

4. [REDACTED], reports that he has been sent to the hole for not hearing COs, that he does not have an HOH ID card or door sign, and that therefore he can't use the HOH phone.

Question: Does Mr. [REDACTED] have an ID card and door sign? If not, why not? Has he been disciplined for failing to hear COs? What was that situation?

5. [REDACTED] reports that the captel phone no longer provides captions.

Question: I believe Mr. [REDACTED] is incorrect; but can someone check and show him how to use the captel?

6. [REDACTED], reports that he does not hear COs when they call for him and they try to write him up. He also misses announcements for medical and chow. Mr. [REDACTED] would like his cell speaker turned up. He would also like a vibrating clock or watch, but does not have the money.

Question: What is the situation? More generally, does this indicate that current practices are not sufficient? Has Mr. [REDACTED] been told about arrangements for a vibrating clock or watch for indigent inmates?

GRCC

1. [REDACTED], filed a grievance about not being able to hear chow and other announcements.

Question: Please provide full documentation, of the grievance and also any followup done.

2. [REDACTED], filed a grievance that he didn't have access to HOH phone in the office on the weekends.

Question: Please provide full documentation of the grievance and also explain what kind of phone this is and how inmates are supposed to get access to it on the weekends.

3. [REDACTED], reported trouble hearing the announcements, which he says are made by the officers yelling them rather than the intercom. This was previously reported, but the prior response did not address this issue.

Current question: What is the situation? Does the intercom work? Have officers been instructed to use it?

4. [REDACTED], reports that he has been waiting a year for a hearing aid appointment. He is not included in the audiology report we received from GRCC.

Question: What is the situation?

5. [REDACTED], reports that when he went to segregation, his hearing aid case with filters and cleaning equipment were confiscated. He would like assistance getting these back.

Question: Is this correct? Can you get them back to him. Also, if this is correct, what kind of training/policy announcement can prevent recurrence for him and others?

6. [REDACTED], reports that his hearing aid was lost when he was sent to segregation. He says he has put in sick calls but has not been able to get it replaced. Because he doesn't have his hearing aid, he's having trouble waking up for things, which poses an issue because he needs to wake up to take his psychiatric medication.

Question: Was the hearing aid lost when he went to segregation? If so, how long has replacement taken? If there's been a delay, why? And what about other solutions to effective communication of wake-up calls and the like?

KCIW

1. [REDACTED], reports difficulties with getting staff to use the VRI. She filed grievance # 20-186, which states that Dr. King refused to use the VRI on 5/14/20. This grievance was rejected as untimely. Ms. [REDACTED] also reports to us more generally that staff are reluctant to use the VRI, for example, in "class." (I don't know what she means by "class.")

Question: Has anyone checked with Dr. King to make sure he knows to use the VRI when communicating with Ms. [REDACTED] and others for whom sign language is their preferred method of communication? More generally, this has been a long-term problem: can someone check with the class in question and assess the use of VRI interpretation and report back?

KSP

1. [REDACTED], reports he didn't know about auxiliary aids.

Question: Did he have an auxiliary aid meeting?

2. [REDACTED], reports difficulty getting new hearing aid batteries. He says he has asked every day and been told they are not available.

Question: Has there been a period of time where hearing aid batteries have not been available? What's being done about this?

KSR

1. [REDACTED], reported that he is having trouble getting hearing devices, and that he has gotten disciplinary reports after not hearing officer orders. This was previously reported.
Prior response: Mr. [REDACTED] was tested and received a hearing aid 2/6/20 but "did not like the way it looked" and wanted ones that go inside the ear. He turned it in and signed a refusal on 2/27/20. He just failed his questionnaire on the hearing screen 9/17/20, so he is being sent back through the process.

Current question: Has he gotten any disciplinary reports related to not hearing an order? Please send full documentation.

2. [REDACTED], reported that he's in a cell in the back, right underneath the air conditioner. He said he can't hear officers announcing pill call, breakfast, etc., but was told he could not be moved. He also wants a non-auditory alarm, but can't get one because the prison said they are not sending out orders right now. This was previously reported.

Response: During the medical lockdown, only emergent issues were being addressed as all staff were re-assigned to maintain operations of the institution. Now that we have returned to normal, I will begin accepting orders again.

Question: If Mr. [REDACTED] housing location is causing hearing difficulties, why can't he be moved? What else might be done so that he receives effective communication?

3. [REDACTED], reports that he has trouble because COs are not willing to repeat themselves or help wake him up. He says he doesn't have money to buy a vibrating clock, that he is unable to hear well on the phone, and that he was not able to do SAP because he couldn't hear. We told him to raise these issues with the ADA Coordinator.

Question: What is the situation with respect to these complaints? Has Mr. [REDACTED] been offered a phone amplifier? What kinds of accommodations are available for his participation in SAP? Has he been told about the availability of non-auditory devices for indigent inmates?

4. [REDACTED], reports that he was charged ten dollars for his pocket talker.
Question: It was my understanding that the copay for a hearing aid is \$10, but not for a pocket talker. Is that correct? If so, can he get a refund?

LLCC

1. [REDACTED], filed grievance 20-617 on 7/2/20 claiming that his hearing aids were taken from him. The grievance was denied as untimely.
Question: Did he get his hearing aids back? Does he need a hearing aid? If so, what is the plan for getting that for him?

2. [REDACTED], filed grievance 19-046 on 1/28/19, claiming that he was wrongfully denied a vibrating watch even though it's documented that he has hearing loss. This was deemed nongrievable.
Question: Why is this nongrievable? And what is the obstacle to Mr. Vaughan's purchase of a non-auditory alarm?

3. [REDACTED], reported that he was removed from the SOTP Program last year because he did not hear the announcements to go to class. Previously reported. Prior response: "SOTP discharged due to 2 missed classes in 4/2020. [REDACTED] was educated to the requirements of the program during orientation phase and signed acknowledgement. To date, he has not requested reapplication for the program."
Current Question: What you report is consistent with Mr. [REDACTED] report—he missed some classes, leading to his expulsion from the program. And it is plausible that he did not reapply because he feels that without accommodation, the problem is likely to repeat. What steps are being taken within the SOTP program to ensure effective communication and to avoid penalizing hard-of-hearing individuals for their need for accommodation? Has anyone reached out to Mr. [REDACTED] to discuss his communication needs and how they can be met within SOTP?

4. [REDACTED], reports that he has been written up and put in the hole several times for not hearing COs orders. The last time was in Oct. 2019. Previously reported.
Question: Is this true? If so, what is needed to avoid recurrence, both for Mr. [REDACTED] and others?

5. [REDACTED] 9, reports that one of his hearing aids falls out because of the mask design. Previously reported, with no response.

Question: Has Mr. [REDACTED] and all other inmates who wear behind-ear hearing aids been offered the special masks that attach behind their heads, rather than behind their ears?

6. [REDACTED], reports that he cannot get hearing aid batteries: medical reports they are unavailable. He has also asked for a non-auditory alarm clock or watch, but has been told he does not qualify.

Question: What is the situation with respect to hearing aid batteries? And what are the qualifications for getting a non-auditory alarm clock or watch?

LSCC

1. [REDACTED], reports that he filed a grievance seeking a hard-of-hearing door card.

Question: Why would a grievance be necessary for this? What is the situation?

2. [REDACTED], reports that he would like to use the videophone to talk with his son. Previously reported.

Prior response: "Mr. Hessing informed UAI Conley he has written to Miss Conover regarding use of video phone and is awaiting a response. Ms. Conover has not received any correspondence from Inmate Hessing to date."

Current question: Has anyone discussed this request with Mr. [REDACTED] Does he or his son use sign language to communicate? If so, is there a problem?

3. [REDACTED], would like a vibrating watch; he reports he requested one over a month ago but has not heard back.

Question: Is the system of ordering non-auditory devices currently operational? What is the status of this request?

4. [REDACTED], reports that he has had issues hearing announcements and got a write-up because of it. He also reports repeated problems with his hearing aid, brought to medical's attention but not solved.

Question: Did Mr. [REDACTED] get such a write up? Please provide full documentation. And what is the situation with his hearing aid?

There are several reports that suggest that the disciplinary process is not considering whether an inmate might not have heard the order he is charged with disobeying. For example:

5. [REDACTED], was penalized for not showing up for his job on time, "when the crash gates open." Many inmates have told us their hearing issues make it hard to know when the gates open; no consideration of Mr. Shepherd's hearing was reflected in the resolution.

6. [REDACTED], received a writeup on 4/25/20 for showing up late to pill call. Oversleeping because they're not woken up or can't hear the announcement for pill call is a common issue for HOH inmates. In the documentation, Mr. [REDACTED] stated he had trouble hearing the intercom announcement since it's very faint. He was nonetheless found guilty.
7. [REDACTED], was written up on 8/18/20, and found guilty of showing up at pill call without being called. Mr. [REDACTED] said that he went to pill call because he was told it was pill call by an inmate hearing assistant. It was not addressed in the resolution why this did not excuse or mitigate the infraction.

Question: Have the staff who conduct court call and make disciplinary decisions been trained that it is inappropriate to penalize someone for their disability (e.g., for failing to obey an order they did not hear), and that they should ask appropriate questions and document their thought processes with respect to this issue in relevant disciplinary cases? It seems appropriate to retrain; there's certainly a failure with respect to documentation demonstrated by the above examples, and there might be a more substantive failure.

8. [REDACTED], filed a grievance (NTC #20-327) relating to personalizing his mask. Documentation explains that masks are part of the issued uniform and should not be altered.

Question: Has this inmate and other inmates who wear hearing aids, been offered behind-the-head masks rather than behind-ear masks, to be compatible with hearing aids?

9. [REDACTED] 3, reports problems with COs not waking him up or making announcements loud enough. Mr. [REDACTED] once got a write-up for going to pill call late because it was not announced.

Question: Did Mr. [REDACTED] get such a writeup? Does it seem that staff are doing what is needed to ensure effective communication of announcements?

WKCC / Ross-Cash

1. [REDACTED], pleaded guilty on 8/4/20 to failure to abide by published schedule or rule. Apparently, he was paged 3 times and failed to report to the kitchen to assist with assembling sack lunches. The documentation shows that Mr. [REDACTED] explained that he was hard-of-hearing and didn't hear the page. There is no further discussion of this situation.
Question: Have the staff who conduct court call and make disciplinary decisions been trained that it is inappropriate to penalize someone for their disability (e.g., for failing to obey an order they did not hear), and that they should ask appropriate questions and document their thought processes with respect to this issue in relevant disciplinary cases?