

ALASKA STATE COMMISSION FOR HUMAN RIGHTS
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BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

ALASKA STATE COMMISSION FOR)
HUMAN RIGHTS, PAULA M. HALEY,)
EXECUTIVE DIRECTOR *ex rel.*)
FRANK OLSON,)

Complainant,)

v.)

ASCHR No. J-12-248

STATE OF ALASKA, DEPARTMENT OF)
CORRECTIONS, DIVISION OF)
INSTITUTIONS,)

Respondent.)

RECEIVED
HUMAN RIGHTS COMMISSION
JUN 22 2015
COMMISSION SECRETARY

ACCUSATION

Paula M. Haley, Executive Director of the Alaska State Commission for Human Rights, *ex rel.* Frank Olson, hereby alleges the following against the State of Alaska, Department of Corrections, Division of Institutions:

1. During the times relevant to this Accusation, Frank Olson was incarcerated by Respondent at one or more of Respondent's correctional facilities.

2. Mr. Olson suffers from a number of physical impairments which, individually or collectively, substantially limit one or more major life activities, including the major life activities of walking and caring for himself.

3. Mr. Olson is a person with a disability as defined by the Alaska Human Rights Act.

4. On May 6, 2011, Mr. Olson requested that Respondent provide him with a reasonable accommodation for his disability. On May 9, 2011, Mr. Olson's health care

1 provider indicated that he needed the specific reasonable accommodations of a cell that is
2 accessible to persons with disabilities (sometimes referred to as an “ADA cell”), use of a
3 cane, and assistance from a “mod worker” to help him with transport, cleaning, and
4 laundry. Mr. Olson’s health care provider also indicated that Mr. Olson’s need for the
5 reasonable accommodations was permanent.
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8 5. On June 6, 2011, while Mr. Olson was incarcerated at Respondent’s
9 Anchorage Correctional Complex (ACC), he was granted the requested reasonable
10 accommodations.
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12 6. Mr. Olson was released from Respondent’s custody on April 12, 2012,

13 7. On June 30, 2012, Mr. Olson was returned to Respondent’s custody at its
14 Mat-Su Pretrial Facility in Palmer. Mr. Olson was transferred to one of Respondent’s
15 Anchorage facilities on July 5, 2012 and was returned to the Mat-Su Pretrial Facility on
16 July 8, 2012. At no time during his stays at Respondent’s facilities described in this
17 paragraph was Mr. Olson provided with the reasonable accommodations that he had
18 previously requested and been granted by Respondent.
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21 8. Instead of providing him with the reasonable accommodations that had
22 already been granted at ACC, Respondent required Mr. Olson to complete and submit a
23 new request for reasonable accommodations when he returned to Respondent’s Mat-Su
24 Pretrial Facility on July 8, 2012, despite the fact that his need for the reasonable
25 accommodations had been designated as permanent.
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1 cleaning, and laundry at any time Mr. Olson is incarcerated at one of Respondent's
2 facilities.

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4 3. That the Commission order Respondent to adopt and disseminate a policy
5 of nondiscrimination on the basis of disability under the Alaska Human Rights Law,
6 including a policy and procedures addressing provisions for making reasonable
7 accommodations for prisoners with disabilities.
8

9 4. That the Commission order Respondent to obtain training conducted by a
10 neutral, third-party trainer, of at least six hours in length for its managers, supervisors, and
11 ADA coordinators and ADA decision makers on the provisions of the Alaska Human
12 Rights Law that prohibit discrimination in the provision of government services, with an
13 emphasis on the prohibition against discrimination based on disability.
14

15 5. That the Commission order that the foregoing policy and training curriculum
16 be approved by the Commission's executive director and require that they be submitted to
17 the executive director for approval prior to adoption.
18

19 Dated this 22nd day of June 2015 at Anchorage, Alaska.
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21 ALASKA STATE COMMISSION
22 FOR HUMAN RIGHTS

23 *Signature Redacted*
24

25 _____
26 Stephen Koteff
27 Human Rights Advocate
28 Alaska Bar No. 9407070