

SKAMANIA COUNTY CLAIM FOR DAMAGE FORM

CLAIMANT: THIS CLAIM MUST BE FILED WITH THE	FOR OFFICE USE ONLY:
SKAMANIA COUNTY CLERK OF THE BOARD Skamania County Auditor's Office Skamania County Courthouse 240 North West Vancouver Avenue, Room 27 Stevenson, WA 98648	CLAIM NO. _____ DATE FILED: _____ COPIES TO: _____
NO DAMAGES CAN BE PAID BY SKAMANIA COUNTY UNLESS THIS FORM IS COMPLETE. THIS PROVISION CANNOT BE WAIVED.	ATTACHMENTS: YES(#) NO

1. Name (including spouse if married): (Please Print)
Chuck Charles Leon Lamb
2. 2122 E. 5th Street, Vancouver WA 98661
Address City State Zip
3. HM Phone: (360) 943-5258 WK Phone: (360) 576-7081 MSSG Phone: (360) 665-2564
4. Date and time of incident: Nov. 04, 2005 to Sept. 27, 2006
5. Location of incident:
Please see #5 attached:
6. Describe in narrative form and in detail exactly how the incident occurred:
Please see #6 attached:
7. What is the amount of damages claimed arising out of the following circumstances (Include estimates and bills, if available): Please see # 7 attached:

8. Please list name and address of any and all witnesses or persons involved:

(Please Print)

Sgt. Dale Midland (business address) P.O. Box 790, 200
Vancouver Ave., Stevenson WA 98648
Tina Burgess P.O. Box 900 Shelton, WA 98585 (WCC)

9. Describe the damages or injuries you sustained as a result of the incident:

Please see #9 attached:

10. Was incident investigated by a police officer? Sheriff ☒ State Patrol

City

11. If a vehicle was involved in the incident, describe: Make (NA)

Model Year State License No.

Insurance Company Policy Number

12. Describe what you did after the incident occurred: Wrote letters

asking for correction.

13. Describe the conversations you had, if any, with County personnel during or after the incident occurred.

See attached response to my attempts for correction.

14. How did you identify the County as the party responsible for your damage?

Please see #14 attached:

I certify under penalty of perjury under the laws of the State of Washington that the information contained in this claim is true and correct.

DATED THIS 1st DAY OF November, 2006

NOTARY PUBLIC
LORIS BACKLUND
STATE OF WASHINGTON
My Commission Expires May 28, 2010


Claimant's Signature

File Name: Commiss/Risk Mang/Claims/Claim For Damages

NOTE: Personal property (car, etc.) damages are to be accompanied by 2 estimates for repair costs. The Skamania County Risk Manager will investigate this claim. The decision to honor this claim will be based upon that investigation. Making a false report or providing false evidence is a crime and punishable by fine and/or imprisonment. Additional pages may be attached if needed to answer the questions.

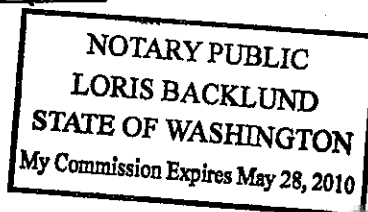
State of Washington

County of Clark

I certify that I have satisfactory evidence that Charles Lamb is the person who appeared before me, and said acknowledge that ~~he~~/she signed this instrument and acknowledge it to be ~~his~~/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 11-1-06

Loris Backlund



Residing in Vancouver, WA

Expires on 5-28-2010

Unofficial Copy

#5

#5 Location of incident :

Skamania County (Jail) PO Box 790, 200 Vancouver Ave., Stevensen,
Washington 98648

Pacific County Jail - South Bend, Washington

Clark County Jail - Vancouver, Washington

WCC (DOC) - Shelton, Washington

CRCC (DOC) - Connell, Washington

AHCC (DOC) - Airway Heights, Washington

Unofficial
Copy

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#6

6. Describe in narrative form and in detail exactly how the incident occurred:

I was arrested by the Pacific County Sheriff's Department at 2704-240th Place, Ocean Park, Washington on Nov. 04, 2005 at the request of Skamania County, Washington Officials. I could not afford bail that was set by Skamania Co. I remained in jail and was sentenced in Skamania Co. to serve time at Washington Department Of Corrections (DOC). I was then transported to the Clark Co., Washington Jail by Skamania Co. Officials in route to Washington DOC. Skamania Co. Jail Records Official Dale Midland intentionally refused to give me all of my credit for time served and refused to give me good conduct/earned time off credits that is given to other inmates. In addition I was discriminated against by Dale Midland because of my financial situation. Had I been able to pay the bail set by Skamania Co. and served all of my time with Washington DOC I would have been given 33% good conduct/earned time off credit for the time served prior to being placed with Washington DOC. Dale Midland only gave me credit for 62 days and no time off credits after several attempts by me to motivate him to correct his prejudice. Credit for time served should have been (Pacific Co. 4days, Skamania Co. 58days, Clark Co. 7days) for a sub total of 69 days plus 33% good conduct/earned credit time off (23 days) for a total of 92 days. (see attached evidence).

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#7

#7 What is the amount of damages claimed arising out of the following circumstances:

- #1 Unlawful detainment for 30 days \$75,000.
- #2 Loss of wages 30 days X \$250 per day \$7,500.
- #3 Loss of consortium with family \$10,000.
- #4 Severe emotional distress \$50,000.
- #5 Punitive damages \$100,000.
- #6 All attorney and court costs plus filing fees as needed.

Total as of this filing \$242,000.

#9

#9 Describe the damages or injuries you sustained as a result of the incident :

I was unlawfully detained for 30 days. I was denied my right to equal protection of the law on a freedom issue when I was denied good time/earned credit based on my financial status and that are given to inmates who can afford bail and do thier time with Washington DOC. I was denied my right to due process of law on a freedom issue when I was deprived of time served, and good time/earned credits absent any type of pre-deprivation hearing. I was subjected to multiple punishment as proscribed by the Double Jeopardy Clause of the United States Constitution/Washington State Constitution when I was not given full credit for time seved and good time/earned time credits for jail time at Skamania County's request. I suffered severe emotional distress, loss of wages, loss of freedom, loss of relations with family.

14

#14 How did you identify the County as the party responsible for your damage
:

I was arrested at the request of Skamania County. I was sentenced to do time with Washington Department Of Corrections by Officials representing Skamania County. Dale Midland represents Skamania County as its Jail Records Official. As the Jail Records Official it is his responsibility to report the proper time served and good time/earned time credits to Washington Department Of Corrections. He knowingly and willfully violated the rules and policies made by the State Of Washington and the United States of America.

SEE:

DOC 350.100
RCW 70.48.071
RCW 9.94A
RCW 9.92.140

SEE CASES:

MACFARLANE v. WALTER, 179 F.3d 1131 (1999)
BERGEN v. SPAULDING, 881 F.2d 719 (9th Cir. 1989)
GOTCHER v. WOOD, 66 F.3d 1097 (9th Cir. 1995)
In re ANDERSON, 112 Wn. 2d 546
In re CASHAW, 123 Wn. 2d 138
PRP of SHAUPP, 66 Wn. App 45
WRIGHT v. ENGUM, 124 Wn. 2d 343
STATE v. PRELAN, 100 Wn. 2d 508
STATE v. CHIRRA, 191 A. 2d 308
In re BORDERS, 114 Wn. 2d 171
In re CHORNEY, 64 Wn. App 469
PRP of WILLIAMS, 121 Wn. 2d 665
STATE v. PEPPER, 54 Wn. App 583
STATE v. KELLY, 60 Wn. App 921
REANIER v. SMITH, 83 Wn. 2d 342

SEE ALSO :

Washington State Constitution (Human Rights)
USCA (Human Rights)
Constitutional Law (West Digest Key # 250.3 (2))
Prisons (West Digest Key # 15(3))

Inmate Copy

DAVID S. BROWN
SHERIFF

OFFICE OF THE SKAMANIA COUNTY
SHERIFF

PO Box 790
200 Vancouver Ave.
Stevenson, WA 98648
Phone (509) 427-9490
Fax (509) 427-4369
www.skamaniasheriff.com
scso@co.skamania.wa.us

Dave Cox
Undersheriff

Pat Bond
Chief Criminal Deputy

Marlea McKenzie
Chief Civil Deputy

David Waymire
Jail Superintendent

Date: 02/23/06

TO: Coyote Ridge Corrections Center

From SGT Midland

Subject: Lamb, Charles L.

DOC#: 887512

Cause#: 05-1-00108-7

Change in jail time certification on above subject. Subject will receive credit for 4 days in Pacific County while waiting transport to our jail from 11/04/05 to 11/08/05.

Subject served 58 days in our jail and 4 days in transport with a total of 62 days served on cause 05-1-00108 and no earned early release credits.

Thanks, Sgt Midland SCSO

ADJ ERD = 8-23-06



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

RECEIVED

JAN 25 2006

WCC RECORDS

JAIL TIME CERTIFICATION

The following information is requested for the purpose of crediting time spent in confinement prior to the transfer of the below listed subject:

NAME	DOC	DATE OF BIRTH
LAMB, CHARLES L.	887512	8/2/57

COUNTY	CAUSE
SKAMANIA	05-1-00108-7

Please list all dates of arrest and release plus earned early release credits concerning the above subject up to the Date of Transfer, then return to the address below. Thank you.

[illegible]

Dale Nieland
SIGNATURE OF JAIL RECORDS OFFICIAL
1-23-06
DATE

 Lina Burgess
 RECORDS OFFICER, DEPARTMENT OF CORRECTIONS

 1-17-06

 DATE

Washington Corrections Center
P. O. Box 900
Shelton, WA 98584



proud past, promising future

CLARK COUNTY
WASHINGTON

April 3, 2006

Charles L. Lamb 887512
Coyote Ridge Corrections Center
PO Box 769
Connell, WA 99326

Dear Mr. Lamb:

Re: Claim No. : 06030

You are making a claim for not receiving proper credit for time served. I have reviewed the records involving your custody and convictions. Below is a narrative from jail records that explains the good time that was earned and why there was none additional from Clark County. The sentences were concurrent and therefore no good time earned. Therefore, your claim is denied.

Mr. Lamb was booked into the Clark County Jail on 01/05/06 at 1510 pm. He was transported from Skamania County to Clark County- in route to Washington State Department of Corrections in Shelton, WA. Mr. Lamb had several misdemeanor warrants out of our agency. Clark County added 3 local charges- cases #40518, 12666V and 40709. Mr. Lamb was scheduled for court on January 6, 2006 at 1330 hours. Mr. Lamb was sentenced to 275 days with credit for time served on each case. Judge Schreiber specifically indicated that the sentences were to run concurrent with each other and the felony case from Skamania County. There was no warrant of commitment or Judgment and Sentence paperwork prepared by District Court because the charges were to run concurrent to Skamania DOC time.

Sincerely,

Edward M. Pavone
Risk Manager

/EMP

1-5 to 1-12

I was transported the following Thursday.

DATE: 02 15 06 NAME: LAMB, CHARLES L.
LOCATION: COYOTE RIDGE C.C.

DOC NO: 887512
COUNSELOR: 2474

GOOD CONDUCT TIME

ON THIS SENTENCE FROM SKANANIA COUNTY, 051001087 WITH A MINIMUM TERM OF 1 YEARS, 1 MONTHS, 0 DAYS, YOU HAD THE POTENTIAL TO EARN 75 DAYS OF GOOD CONDUCT TIME (GCT) FROM THE TIME START ON THIS CAUSE, 01/13/06 TO THE START OF THIS REPORTING PERIOD YOU HAVE LOST 0.00 DAYS OF GCT.

IN THIS PERIOD, 01/13/06 TO 02/01/06, YOU HAVE LOST OR WILL BE RECOMMENDED TO LOSE 0.00 DAYS OF GCT AS A RESULT OF INFRACTIONS.

THE AMOUNT OF GCT LOST MAY EXCEED THE AVAILABLE GCT FOR THIS PERIOD AND WILL BE SUBTRACTED FROM FUTURE TIME PERIODS. IF GCT DENIED AS A RESULT OF AN INFRACTION EXCEEDS AVAILABLE GCT ON THIS CAUSE, ONLY THE PORTION OF THE INFRACTION THAT CAN BE ADDRESSED ON THIS CAUSE WILL BE SHOWN ON THIS REPORT; HOWEVER, THE TOTAL AMOUNT OF THE SANCTION MAY BE REFLECTED ON OTHER CONCURRENT OR CONSECUTIVE CAUSES. IN NO EVENT WILL THE TOTAL AMOUNT OF THE INFRACTION SANCTION BE EXCEEDED.

INFRACTION CODE	DESCRIPTION	DATE	DAYS DENIED	THIS CAUSE
NONE				

YOU HAVE THE ABILITY TO EARN THE REMAINING 75.00 DAYS OF GOOD CONDUCT TIME ON THIS SENTENCE PROVIDED YOU RECEIVE NO INFRACTIONS RESULTING IN LOSS OF GOOD CONDUCT TIME CONSISTENT WITH PRESUMPTIVE SANCTION POLICY, AND WASHINGTON ADMINISTRATIVE CODE.

EARNED TIME

YOU HAVE A POTENTIAL TO EARN 37 DAYS EARNED TIME WHILE SERVING ON THIS SENTENCE. UP TO THE START DATE OF THIS REPORT, 01/13/06 YOU HAD EARNED 0.00 DAYS EARNED TIME AND NOT EARNED 0.00 DAYS OF EARNED TIME. IN THIS PERIOD 01/13/06 TO 02/01/06, YOU HAVE EARNED 3.17 DAYS EARNED TIME AND NOT EARNED 0.00 DAYS EARNED TIME.

YOU HAVE THE ABILITY TO EARN THE REMAINING 34.27 DAYS EARNED TIME CREDITS CONSISTENT WITH EARNED RELEASE POLICY AND MANDATORY SENTENCE REQUIREMENTS.

IF YOU ARE CURRENTLY SERVING ON MORE THAN ONE SENTENCE, THE AMOUNT OF EARNED TIME CREDITS WILL BE APPLIED PROPORTIONATELY DEPENDENT UPON THE AMOUNT OF TIME SERVED ON EACH INDIVIDUAL CAUSE DURING THIS PERIOD.

IF YOU ARE SERVING AN INDETERMINATE SENTENCE (OFFENSE OCCURRED PRIOR TO JULY 1, 1984) THE INDETERMINATE SENTENCE REVIEW BOARD MAY, AT THEIR OWN DISCRETION, THROUGH A DISCIPLINARY HEARING, DENY EARNED TIME CREDITS CERTIFIED BY THE DEPARTMENT OF CORRECTIONS.

I HAVE RECEIVED A COPY OF THE ABOVE INFORMATION AND UNDERSTAND ITS CONTENT

INMATE SIGNATURE

DATE

until time start date is corrected I refuse to sign and understand for this action
John

02 15 06
IIS0445-36

WASHINGTON DEPARTMENT OF CORRECTIONS
RECORD OF EARNED EARLY RELEASE

PAGE 1

INMATE NAME: IAMB, CHARLES L.

DOC NUMBER: 887512 COUNSELOR: 2474

SENTENCE DATA:

COMMIT CAUSE NO. COUNTY
AA 051001087 SKAMANIA

CRIME
DOMESTIC ASSAULT

MIN. TERM REL. DATE
1Y 1M 0D 08/26/2006

FROM TIME START: 01/13/2006 TO: 02/01/2006

* DETERMINATE *

POTENTIAL TIME: ET: 37.44 DAYS GCT: 75 DAYS

EARNED EARLY RELEASE INFORMATION (DI45):

TYPE	FROM	TO	LOCATION	DAYS	STATUS	DOC	ISRB	THIS CAUSE
EARNED TIME	01/13/06	02/01/06	WA COR CTR R	3.17	0000	PENDING	3.17	0

TOTALS: GOOD CONDUCT TIME: EARN TIME: 3.17

POTENTIAL INFRACTED TOTAL GCT * ETI ETII ETME TOTAL ADDRESS ET NOT FUTURE

6 0 6 69 * 0 3.17 0.00 3.17 0 34

AUTHORIZED SIGNATURE

DATE: 1/1/06

DATE: 2/15/06

Until time start date is corrected I refuse
to sign and understand I will not be
disciplined for this action. Charles