



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
P.O. Box 41100 • Olympia, Washington 98504-1110

December 7, 2020

Joanna Carns
Office of Corrections Ombuds
2700 Evergreen Parkway NW
Olympia, WA 98505

Dear Ms. Carns:

The Washington Department of Corrections appreciates the opportunity to respond to the OCO Report on the ‘investigation into the termination of several individuals from the Reynolds Work Release Center’ completed by the Office of Corrections Ombuds.

Recommendation	Response
DOC should ensure that all relevant camera evidence related to an incident is retained and reviewed by the Disciplinary Hearing Officer as part of the hearings process, particularly when requested by an individual in the hearing.	The Department will add language to the general requirements section of Policy 460.135 <i>Disciplinary Procedures for Work Release</i> that audio, still imagery and video will be preserved and retained and presented as evidence in a disciplinary hearing that pertains to a specific infraction.
DOC should try to utilize termination as a last resort for behavior at Work Release. Other lesser restrictions should be considered first, as well as impacts on employment, school, etc.	DOC is drafting policy revisions for DOC Policy 460.135 <i>Disciplinary Procedures for Work Release</i> and this recommendation will be reflected in the revision of this policy.
DOC should utilize the correct infraction for behavior. The 509 major infractions were subsequently reduced to 103 minor infractions.	A community corrections officer or designee should impose the least severe appropriate infraction for a negative behavior. The infraction should serve the goal of deterring future negative behaviors as well as considering the need for protection of others. This value system will be codified in the revised policy and all work release community corrections officers will be trained accordingly.
Sanctions should not be determined based on whether the person “accepts responsibility,” as this places pressure on a person not to plead	By state law, the legislature and Department of Corrections stresses personal responsibility and accountability as intentions of the state’s

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<p>their case.</p>	<p>system of corrections. Accordingly, personal responsibility and accountability should not lead to greater sanctions. By policy, sanctions are not determined based on whether a person accepts responsibility. The department will include this in future training opportunities for hearings officers.</p>
<p>DOC needs to conduct training for work release staff regarding the definition of “retaliation” and that it is prohibited.</p>	<p>“Retaliation” is not in alignment with the Department’s values. The Department is incorporating the definition of the term “retaliation” as well as examples into annual required training by all corrections staff. Assistant Secretary Armbruster will be meeting with all work release supervisors to discuss “retaliation” and stress the importance of zero tolerance of retaliation within work release facilities.</p>
<p>DOC should initiate its own investigation related to the staff’s false statements during this incident and take any necessary corrective action.</p>	<p>The Assistant Secretary for Reentry is initiating an investigation relating to the incident, to include statements made by staff with relation to the incident.</p>
<p>DOC should create a clear, written protocol for any future “lockdown” scenario, with clear expectations regarding how to appropriately detain individuals, length of time, provision of food and medication, etc. This protocol should be available at every work release facility.</p>	<p>The Assistant Secretary for Reentry is assigning this task to a cross-divisional work group to develop a clear protocol for lockdown/restricted movement scenarios. The assistant secretary will also include a member from the Ombuds staff in this cross-divisional work group.</p>

Though it is not a recommendation within the Ombuds report, the department is concerned by any racial overtones within its operations. In addition to the department’s ongoing work regarding values, the Reentry Division is working with the agency’s equity and inclusion administrator to provide training and establish community conversations between staff and incarcerated individuals to discuss these crucial topics.

The information provided by the OCO was useful to ensure the Department of Corrections is doing everything it can to ensure the health and safety of the incarcerated population and the staff in the Washington correctional facilities. Staff in all capacities are working extremely hard to keep the

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potential spread of the COVID-19 virus from our facilities. Each day may present a different challenge and our teams are dedicated to performing our jobs and fulfilling our missions to the best of our ability. The department will continue being part of the solution, adjusting protocols and precautionary measures being taken accordingly during this uncharted time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Sinclair".

Steve Sinclair, Secretary
Washington Department of Corrections