



STATE OF WASHINGTON

**OFFICE OF THE CORRECTIONS OMBUDS**

*2700 Evergreen Parkway NW • Olympia, WA 98505 • (360) 664-4749*

November 19, 2020

Steve Sinclair, Secretary  
Department of Corrections (DOC)

**Office of the Corrections Ombuds (OCO) Investigative Report**

Attached is the official report regarding OCO's investigation into the termination of several individuals from the Reynolds Work Release Center. We appreciate the opportunity to work collaboratively with DOC to amend current policies and practices to better ensure humane treatment of all incarcerated persons while they are within state confinement.

Any member of the public who wishes to report a concern to OCO is welcome to contact the office at (360) 664-4749 or at the address above. All concerns are logged into the OCO database and used as part of its overall reporting to policymakers and analysis of issues within DOC.

Sincerely,

  
Joanna Carns  
Director

cc: Governor Inslee

**OCO INVESTIGATION  
CONDUCTED BY ANGEE SCHRADER,  
ASSISTANT OMBUDS- GENDER EQUITY AND RE-ENTRY**

**Summary of Complaint/Concern**

On May 8, 2020, the Office of the Corrections Ombuds (OCO) received a complaint on behalf of an African American incarcerated individual, which alleged the following:

- On May 1, 2020, the complainant was arrested at Reynolds Work Release with four other residents and sent to Washington Corrections Center. On the day of the arrest, the complainant's family was peacefully protesting Reynolds Work Release conditions due to COVID-19—outside of the facility in a public parking lot. The complainant and their family alleged DOC staff arrested the complainant in retaliation for the peaceful family protest outside. They also alleged racial and religious discrimination. The complainant was scheduled to leave for the Graduated Re-Entry Program on May 26, 2020. This incident could now disqualify him from the program. As of the day the concern was filed with OCO, the complainant still had not been served with an infraction explaining why he was arrested.
- The complainant was eventually issued a 509 major infraction for failure to disperse when he used the bathroom during a facility lockdown. He was found guilty of the infraction. His sanction was a 30-day loss of good time and termination from Work Release—which made him ineligible for Graduated Re-Entry.
- Multiple residents had tested COVID-19 positive at Reynold Work Release, and the facility was on quarantine before all five men returned to prison. Out of the five male residents sent back to Washington Corrections Center on May 1, 2020, four were Black, and one was Caucasian.

**OCO Statutory Authority**

- Per RCW 43.06C.005, OCO was created to assist in strengthening procedures and practices that lessen the possibility of actions occurring within DOC that may adversely impact the health, safety, welfare, and rehabilitation of incarcerated individuals, and that will effectively reduce the exposure of DOC to litigation.
- Per RCW 43.06C.040, OCO has the authority to receive, investigate, and resolve complaints related to incarcerated individuals' health, safety, welfare, and rights.

**OCO Investigative Actions**

- As part of this investigation, OCO reviewed video evidence from Reynolds Work Release on the day of the incident. OCO did later find in the investigation that not all video evidence that was requested by OCO was submitted by DOC. **Per RCW 43.06C.050 (4), The ombuds has the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department**

**that the ombuds considers necessary in an investigation of a complaint filed under this chapter, and the department must assist the ombuds in obtaining the necessary releases for those documents which are specifically restricted or privileged for use by the ombuds.**

- As part of this investigation, OCO filed a public disclosure request on July 22, 2020, for all information regarding the residents involved in the concern. OCO did not begin to receive this request from DOC until October 20, 2020. **Per RCW 42.06C.050 (5), Following notification from the ombuds with a written demand for access to agency records, the delegated department staff must provide the ombuds with access to the requested documentation no later than twenty business days after the ombuds' written request for the records.**<sup>1</sup>
- As part of this investigation, OCO reviewed DOC Policy 460.135 Disciplinary Procedures for Work Release and DOC policy 250.500 Work Release Physical Plant.
- As part of this investigation, OCO contacted incarcerated individuals, family members and interviewed DOC staff; reviewed videos recorded by family members on the day of the incident from outside the facility; reviewed all infraction paperwork filed and reviewed the recorded disciplinary hearings for four of the five residents.<sup>2</sup>

### **Timeline of Events**

- 4/11/2020      Family members of the complainant hold protest at Reynolds Work Release Center. The demonstration includes a small group of Black women holding signs stating, "My Son Matters" and "All Lives Matters! COVID19 Kills."
- 4/26/2020      A resident at the Reynolds Work Release Center in Seattle tests positive for COVID-19. Multiple individuals begin reporting symptoms. The facility is placed on quarantine.
- 4/30/2020      Second resident tests positive for COVID-19.
- 5/1/2020      2 pm: Family members of the complainant organize a second peaceful protest outside facility to bring awareness to confinement conditions.
- 2:15 pm: Facility lockdown initiated.
- 2:50 pm: Complainant arrested for failure to follow a directive when using the bathroom and placed in handcuffs.
- 3:02 pm: Lockdown ends

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<sup>1</sup> DOC staff have updated their process to better ensure that OCO staff receive timely responses in line with the RCW.

<sup>2</sup> Only four of the residents were given infractions and had hearings; the fifth was returned to work release.

5:40 pm: Complainant transferred back to Washington Corrections Center, 81 miles away, and housed in the “intake separation unit” in the IMU.

- 5/2/2020 DOC staff write an incident report for the previous day. The report stated that DOC staff witnessed multiple residents yelling out of the window on the staircase by the 4<sup>th</sup>-floor landing. The report indicates DOC staff told the residents four times over the intercom to return to their rooms before they complied. After the residents returned to their rooms, the incident report named four specific residents that came out to use the bathroom. Those four residents were then brought downstairs and taken into custody, as well as a fifth resident. An incident report was not found for the fifth resident arrested.
- 5/8/2020 The complainant's family member contacted OCO to report concerns. As of this date, the family thought the complainant was taken into custody at the Work Release and accused of attempting to incite a riot within the Work Release Facility.
- 5/12/2020 DOC Work Release Staff wrote and signed a Serious Infraction Report for a 509 infraction. "Refusing a direct order by any staff member to proceed or disperse from a particular area on 5/1/2020 when he failed to stay in room." The report duplicates the same information from the incident report and includes additional details mentioning the two protests and police presence outside. It states, "Some of the demonstrators in the parking lot adjacent to the facility were likely family members of residents and had a bull horn directing comments towards the windows and across 4<sup>th</sup> ave."
- 5/21 – 6/10 Legislators and community begin to email concerns to DOC.
- 5/22/2020 Complainant was served with a Work Release Notice of Allegations, Hearing, Rights, and Waiver. **The DOC copy on file was dated 05/12/2020; however, it is signed by the complainant on 5/22/2020.** The complainant reported he had 20 minutes to review the discovery and could not bring it back to his cell. The hearing was set for 5/27/2020.
- 5/26/2020 Complainant's original approved date to be transferred to home confinement via the Graduated Re-Entry Program.
- 5/27/2020 Complainant was found guilty of the 509 infraction, terminated from Work Release, and sanctioned to 30 days loss of good time.
- 6/2/2020 OCO holds first meeting with DOC, including the DOC Secretary, Assistant Secretary, and Senior Reentry Administrator, among others, to discuss concerns related to the incident.
- 6/10/2020 One resident is sent back to Reynolds due to a lack of evidence.

- 6/11/2020 DOC Headquarters reduced 509 Major Infraction to 103 General Infraction for the four residents.
- 6/12/2020 DOC restored the 30 days loss of Good Time, and Work Release termination was reversed for the four residents.
- 6/15/2020 Complainant's Graduated Re-Entry Plan is confirmed.
- 7/16/2020 Complainant released to the Graduated Re-Entry Program (community confinement).

## Summary

On May 1, 2020, a large group of protesters for an anti-mask rally gathered close to Reynolds Work Release in Seattle.<sup>3</sup> Simultaneously, in the public parking lot next to Reynolds Work Release, a small group of family members assembled in a protest regarding confinement conditions in the facility during the COVID-19 pandemic. At least two individuals at the facility had tested positive with COVID-19, and the facility was on quarantine. Due to safety concerns, DOC staff initiated a "lockdown" of the facility.

This was the first lockdown that the facility had initiated in recent history, and expectations were not clear. During the lockdown, at least 15 residents exited their rooms to use the bathroom. The complainant and four other individuals were arrested and detained in the work release for using the bathroom. They were held for close to three hours handcuffed behind their backs and denied food and medication; they were subsequently transferred to Washington Corrections Center located 81 miles away.

OCO finds that the complainant was unfairly targeted and potentially retaliated against due to his family's multiple protests outside the facility. OCO also finds that during the infraction hearings process, DOC relied on insufficient evidence. The Disciplinary Hearing Officer determined that he did not need to view video evidence because he had staff statements; however, OCO's video footage review directly contradicts staff statements. OCO further finds that DOC did not follow its policy related to work release disciplinary procedures. Last, through this whole process, including OCO's investigation, OCO finds that DOC staff engaged in a pattern of deceit and obstruction to fabricate circumstances to bolster their version of events, which was not accurate, and to obstruct both internal and OCO investigations into the matter.

## OCO Findings

- **OCO finds that the decision to infract the complainant and other residents was made in the context of multiple protests happening outside the facility and a recent outbreak of COVID-19 at the facility, and directed by DOC HQ staff.**

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<sup>3</sup> May Day in Seattle is a historic day for protests.

- On April 26, 2020, a resident at the Reynolds Work Release Center tests positive for COVID-19. This was the first positive test of an incarcerated individual at any DOC work release center and only the second DOC facility to experience a positive test. The facility is placed on quarantine.
- On May 1, 2020, a large group of protesters for an anti-mask rally gathered close to the facility; simultaneously, in the public parking lot next to the facility, a small group of family members of the complainant, a resident at the facility, had assembled in a peaceful protest regarding conditions of confinement during the COVID-19 quarantine.
  - Staff stated they had safety concerns in the building due to these protests ongoing outside and perceived related tension within the facility, so they initiated a "lockdown." According to most staff, this was the first lockdown of the facility that had occurred in their memory.
- The CCS stated that the DOC Senior Reentry Administrator directed her to arrest and infract anyone who came out of their room during the lockdown.
- **OCO finds that the complainant was unfairly targeted and potentially retaliated against due to his family's protest outside the Reynolds Work Release Center.**
  - As stated above, the complainant's family arranged a protest outside the facility related to confinement conditions during the quarantine. This was their second protest at the facility.
  - Although multiple DOC staff reported to OCO during staff interviews that they did not know the resident's family was protesting outside, two reports by Reynolds staff indicated that they did.
    - In the incident report written by the CCS, it states, "Sargent [redacted] notified me that there were family members of one of the residents [redacted] across the street gathering. I observed them about a half a block away and also knew that they were family of this resident as they had been outside the building protesting treatment of the resident population in response to the covid-19 pandemic about 2 weeks ago (they want their loved one released)."
    - The infraction report written by the CCO stated, "Some of the demonstrators in the parking lot adjacent to the facility were likely family members of residents."

- Although multiple people throughout the facility utilized the bathroom at different times during the lockdown between 2:15 pm and 3:02 pm, only five were infracted and arrested, including the complainant.
  - Based on OCO's video evidence review, at least 15 residents used the bathroom during this timeframe who were not arrested or infracted.
  - Although two DOC staff testified that they told the complainant to stay in his room, OCO's review of the video evidence for that exact time showed that as they were allegedly walking the floor and telling the complainant to stay in his room, two other residents left their rooms and used the bathroom. They were not addressed by staff, nor were they infracted.
  - When the complainant was later called from his room by staff to be arrested for leaving his room to use the bathroom, OCO's review of video evidence shows another resident attempted to utilize the bathroom at the same time. The staff member sent that resident back to his room. That resident was not infracted.
- As a lockdown had not previously occurred at the facility, the rules, and expectations related to using the bathroom had not been previously expressed or explained to the complainant or others.
  - OCO substantiated through staff interviews that Reynolds Work Release had never had a lockdown that they could remember in recent history.
  - The complainant alleged that usually, the residents are allowed to use the bathroom at any time. Further, the complainant reported to OCO that DOC never told him that he could not utilize the bathroom when the lockdown occurred.
- During the later disciplinary hearing, the complainant attempted to plead not guilty, which led the CCO to say that he was "not taking responsibility" and recommended 45 days loss of good time. In contrast, one of the other residents, who was white and not related to the protestors, also pled not guilty. Still, the CCO recommended only 30 days of loss of good time for him, despite this resident having a major infraction on his record.
- **OCO finds that DOC relied on insufficient and inadequate evidence to find the complainant guilty of the infraction.**
  - Per DOC policy 460.135, "The Hearings Officer will conduct the Work Release major infraction hearing, assess the evidence and render decisions in a fair and

impartial manner in accordance with the statute, case law, Washington Administrative Code and Department Policy."

- The Hearings Officer failed to review the video, despite multiple requests from the complainant and the other residents infringed for him to review the video.
  - In an email dated May 26, 2020, the DOC Hearings Presenter preparing the evidence for the hearing made a request to the CCO asking for the video evidence. The CCO dismissed her request, stating, "That's not going to happen but noted. They can bring the topic up during the hearing."
    - In follow-up communication with OCO, the Hearings Presenter stated that incarcerated individuals have the right to request the video to be reviewed or any other evidence to bolster their claims. She stated that this was the first time to her knowledge that a CCO had refused to provide the camera evidence.
  - At the beginning of the disciplinary hearing, the complainant made a request for the Disciplinary Hearings Officer to view the video. In response, the Disciplinary Hearings Officer stated, "Video footage has not been provided due to safety and security concerns. The video footage is being declined due to what I just cited due to safety and security concerns. Video footage is typically not entered into evidence because of those reasons. You have the right to request it."<sup>4</sup>
  - The complainant asked the Hearings Officer a second time to review the video evidence to confirm he dispersed when told, and the hearings officer again refused to view the evidence:
    - Disciplinary Hearings Officer- "I just had testimony from two witnesses on the 5<sup>th</sup> floor. Two officers, that testified both of them had conversations with you, you deny those conversations took place?"

Complainant- "This is why I asked for the video."

Disciplinary Hearings Officer- "Ok which we have been over that as far as the video footage and I noted that I noted your request ok, well I got two firsthand witnesses that are providing testimony that they both had conversations and the issue is not only that is part of the issue. The issue is the infraction in itself. Refusing a direct order. When those directives were issued by [Redacted] for you to

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<sup>4</sup> It is unclear why the Hearings Officer would say that the complainant has the right to request it when he had just finished saying that it would not be provided. OCO also notes that "safety and security" is often cited as a reason to not provide video to incarcerated individuals, yet it is unclear what safety and security reasons related to the video were actually present in this instance.

go to your room due to the facility being placed on lockdown, ok, you were in your room that was the directive for you to go to your room, ok? You took it upon yourself to go to the bathroom several minutes later, as you put it, ok? That in of itself constitutes a 509 infraction that I just read. Ok, again, this is a preponderance hearing 51 percent and clearly based on the firsthand testimony provided by two witnesses, ok, I feel the preponderance has been met, and I am going to find you guilty of the allegation."

- The CCS wrote in her incident review that "several residents failed to comply with the directive and did not disperse or cease their interaction with demonstrators. The residents who failed to comply were placed in wrist restraints." However, OCO's review of video evidence did not demonstrate that the residents arrested were interacting with demonstrators.
- One of the Correctional Officers testified during the hearing that he told the complainant that he witnessed him come out of his room the first time, and he told him he could not use the bathroom. The CO testified that this occurred at approximately 2:25 pm or so. However, OCO's review of video evidence from the main hall on the 5<sup>th</sup> floor demonstrated that this CO was not on the 5<sup>th</sup> floor with the complainant at 2:25 pm or minutes after. He arrived on the 5<sup>th</sup> floor at 2:15, then entered and exited the complainant's hallway at 2:17. DOC would not release the video evidence to OCO that could substantiate this claim of a conversation. It should be noted that while this officer was on this floor, two other residents who were not infractioned utilized the bathroom.
- One of the Correctional Officers testified during the hearing that they witnessed the complainant come out of his room with his hands in his pockets, and she told him to go back in his room. The complainant denied this happened. DOC would not release the video evidence to OCO that could substantiate this claim.
- DOC Headquarters staff in the Classifications unit also questioned the validity of the infraction. An email sent on June 5 to the Senior Reentry Administrator stated, "If you read the infraction and what he was found guilty of #WAC509, it is not right. At no time did the offender refuse to disperse. He may have been out of bounds by not being in his room, but he never refused according to how the infraction is written." The Senior Reentry Administrator responded by asking for a phone call.
- **Once the five residents were detained, they were subjected to further mistreatment by being handcuffed for an extended period without access to food or medications, and they were transported back to prison even though the crisis that had precipitated the lockdown had ended, during a pandemic.**

- The lockdown ended at 3:02 pm without further incident.
  - The residents sat downstairs handcuffed behind their back between 2:50 and 5:30 while awaiting transport. They were then transported to Washington Corrections Center while handcuffed, which is approximately 81 miles away.
  - OCO confirmed with DOC staff that the residents were not given food or prescribed medications until the following day at the receiving prison.
  - An additional concern related to the transfer back to prison is that Reynolds Work Release Center was on quarantine at the time of the transfer due to positive COVID-19 test results within the facility. Transferring the individuals back to prison potentially puts more incarcerated persons and staff at risk.
- **OCO finds that DOC staff failed to follow their policy in the infraction process.**
    - DOC policy 460.135 "Major Infraction Hearing Decision" states, "The offender is supposed to be served within one working day of discovering the infraction behavior if the offender has been incarcerated as a result." The complainant said he was still unclear on what infraction he was charged with or why until May 22, when he received the infraction report and discovery.
    - DOC policy 460.135 states, "The hearings officer will: Decide if the offender willfully committed the conduct and whether the conduct constitutes a major infraction. Reduce the written major infraction to a lesser included minor if applicable. Consider factors such as the offender's overall adjustment to the facility, prior infractions prior conduct, and mental status."
      - All five residents had positive records, with the exception of one person who had received a major infraction since arriving at work release, and all five residents had jobs at the time of the arrest. However, this positive record was not discussed in the hearing until after the complainant's guilt was determined.
      - The infractions were ultimately all reduced after the hearing to a minor infraction.
    - DOC policy 460.135 states with relation to sanctions, "Upon a guilty finding, impose appropriate sanctions per Disciplinary Sanction Table for Prison and Work Release." During the sanctions phase, the CCO recommended a more significant loss of good time credit due to the complainant "not taking responsibility for his actions." The Disciplinary Hearing Officer agreed with the CCO's statement regarding not taking responsibility, although he ultimately gave the complainant a lesser sanction. However, at no point in the policy does it state that a person's acceptance of responsibility should be part of the sanction recommendation. More harshly punishing someone for "not taking responsibility"

by not pleading guilty ultimately could place negative pressure on people's assertions of their rights.

- During the hearings for the other three residents, the CCO said they had a positive adjustment to Work Release; however, loss of good conduct time and termination was still given as a sanction. Thus, it is unclear how this positive record was taken into account.
- **OCO finds that DOC staff engaged in a pattern of deceit and obstruction, potentially to fabricate a rationale for their actions.**
  - Significant video evidence from the complainant's hallway was withheld from OCO by DOC. OCO requested all video evidence on May 14 and did not receive it until June 11. Further, it was only during OCO's site visit to the facility to conduct interviews on October 15 that OCO staff discovered that an additional camera was located in the side hallway where the complainant's room was located and that footage was never released to OCO.
    - Upon being questioned, DOC staff stated that they were not sure that the video was saved and that they would check. OCO never received further communication on this matter.
  - During the residents' transport, the CCS indicated in her incident report that the family of the resident who was protesting outside suddenly began to charge across the street towards the work release at herself and the Senior Reentry Administrator. OCO's review of video evidence contradicts this statement.
  - As stated earlier, DOC staff told OCO staff that they did not know that the family members protesting outside were family members of residents, but that was directly contradicted through their incident reports.
  - As stated earlier, DOC staff testified during the hearing that he told the complainant that he could not use the bathroom; OCO's review of the video indicated that the officer was not on the floor with the complainant at the time they testified to.
  - As stated earlier, the CCS wrote in her incident review a statement regarding residents interacting with demonstrators and failing to comply with directives. OCO's review of the video evidence did not demonstrate that the arrested residents interacted with demonstrators. Additionally, the complainant's windows did not face the protestors. Further, none of the staff interviewed by OCO provided specifics or could identify that the arrested individuals interacted with the demonstrators.

- During the disciplinary hearing, the CCO stated, 'His ERD is 11-25-20, No issues with staff except for the end. **He became aggressive towards I think staff here when he was being led out...**' When OCO later asked the CCO what he meant by "aggressive," he stated that he could not remember the context. After OCO presented the CCO with context, he claimed the complainant used "abusive language" when handcuffed. When OCO asked the CCO if he remembered who reported that information, he said no. The CCO was not present at the Work Release when the residents were transported.
  - OCO notes that labeling Black men as "aggressive" has a negative historical context, rooted in racism.
- OCO staff conducting interviews at the facility on October 15 were met with hostility by facility staff. OCO staff was initially told by DOC staff upon arrival they could not tour the facility. Upon reminding DOC staff of OCO's statutory authority, permission was then granted. The interviewed staff's union representative was a prior subject of an OCO investigation and more than one complaint, and used intimidation tactics toward OCO staff and obstructed the interview.
- **OCO substantiated that one of the five residents did not receive an infraction due to a lack of evidence but was not returned to Work Release until over one month later.**
  - The resident was not returned to Reynolds Work Release from Washington Corrections Center until 06/10/2020, even though he was innocent.

## Recommendations

- 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 involved in the hearing.
- 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 should utilize the correct infraction for behavior. The 509 major infractions were subsequently reduced to 103 minor infractions.
- Sanctions should not be determined based on whether the person "accepts responsibility," as this places pressure on a person not to plead their case.

- DOC needs to conduct training for work release staff regarding the definition of "retaliation" and that it is prohibited.
- DOC should initiate its own investigation related to the staff's false statements during this incident and take any necessary corrective action.
- 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.



STATE OF WASHINGTON  
**DEPARTMENT OF CORRECTIONS**  
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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.

<b>Recommendation</b>	<b>Response</b>
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,

Steve Sinclair, Secretary  
Washington Department of Corrections

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