



# A Report to the Legislature

## Staff Safety Initiative

**Engrossed Senate Bill 5907**

**November 1, 2011**

# Table of Contents

I. Executive Summary .....	1
II. Background .....	3
III. Prison Safety .....	7
Statewide and Local Security Committees .....	7
Labor and Industries Safety Committees.....	10
Use of Multidisciplinary Review Teams .....	11
Programs .....	11
Staff Training.....	12
Communication and Alarms .....	12
Radio Microphones .....	12
Proximity Cards .....	13
Body Alarms .....	13
Video Monitoring Cameras.....	13
Remove Building to Increase Visibility .....	14
Pepper Spray .....	14
Staff-Based Danger Mitigation.....	15
Security Specialists .....	15
Eight-Hour Shifts .....	15
Isolated Person Post Safety .....	15
Offender Movement.....	15
Staff Counselors.....	16
Management by Walking Around.....	16
IV. Community Corrections Safety.....	17
Community Corrections Security Committee .....	18
Training.....	19
Equipment.....	19
Policy and Procedures.....	20
Funding Requests.....	20
V. Charts and Graphs	
Charts	
1. Population Statistics, Confinement.....	4
2. Prison Funding Request.....	9
3. Population Statistics, Community Custody .....	18
4. Community Corrections Funding Request .....	21
Graphs	
1. Identified Gang Population in DOC Prisons .....	5

VI. Appendix

Appendix A.	National Institute of Corrections Report .....	A-1
Appendix B.	Engrossed Senate Bill 5907 .....	B-1
Appendix C.	DOC's Critical Incident Review .....	C-1
Appendix D.	Budget Summary.....	D-1
Appendix E.	Local Advisory Committee Charter and Suggestion Form.....	E-1
Appendix F.	Local Advisory Committee Summaries .....	F-1
Appendix G.	List of Local Advisory Committee Suggestions .....	G-1
Appendix H.	Letter to the Secretary .....	H-1
Appendix I.	New or Amended DOC Policies (Multidisciplinary Teams) .....	I-1
Appendix J.	In-Service Training Plan 2010 .....	J-1
Appendix K.	Staff Message on New Training Plan.....	K-1
Appendix L.	Body Alarm Survey Form and Summary of Surveys Submitted .....	L-1
Appendix M.	Staff Accountability Position Description and Job Announcement.....	M-1
Appendix N.	Demand to Bargain Letter .....	N-1
Appendix O.	Isolated Post Job Aid.....	O-1
Appendix P.	Policy 110.100, Prison Management Expectations.....	P-1
Appendix Q.	Community Corrections Division Safety Committee Roster.....	Q-1
Appendix R.	Community Corrections Division Safety Task Maps .....	R-1
Appendix S.	In-Service Training Plan 2012, Community Corrections Division.....	S-1

## **Executive Summary**

On January 29, 2011, Correctional Officer Jayme Biendl was murdered in the line of duty. This loss is ingrained in our hearts and has changed our agency forever.

On October 21, 2011, a Community Corrections Officer was stabbed while attempting to arrest an offender on community supervision and sustained, while not life threatening, a serious injury.

Staff safety is a concern throughout the Department.

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In the Prisons Division, immediately following the tragic death of Officer Biendl, the National Institute of Corrections (NIC) was asked to review Washington State Department of Corrections' (DOC) policies, procedures, and security systems. The NIC concluded their review in March 2011, with 15 recommendations for DOC. In addition, Engrossed Senate Bill 5907 (ESB 5907) was signed into law in May 2011, requiring new safety measures for prisons and community corrections, including some of the changes recommended by NIC. DOC has implemented nearly every aspect of the NIC recommendations and the ESB 5907 requirements. The most notable change is in the monumental shift in staff awareness and an increased commitment to creating a safer agency that has occurred since the murder of Officer Biendl.

With this renewed focus on safety, there are now 12 Local Security Advisory Committees – one in each prison to address the safety and security concerns of staff. Two larger committees have statewide oversight and are comprised of representatives from the local committees – the Prisons Statewide Security Advisory Committee and the Community Corrections Security Committee – whose responsibility is to address issues that are not resolved at the local level or involve statewide policy changes. Each of these 14 committees is multidisciplinary, including labor union representatives and staff from all levels of the agency. The work of these committees is compelling – they have provided hundreds of suggestions, many of which have been implemented at either the local or state level. All committees are meeting routinely in both structured and non-structured forums to ensure that all voices are heard and all input is received.

The Department has implemented many changes, including the development of new safety-specific training modules, a better regimented process for the movement of offenders within facilities, and a change in Correctional Officer schedules to increase staffing during peak hours of activity. Other changes underway include:

- Deployment of enhanced radio microphones with additional alarm features for Correctional Officers and personal alarms for Community Corrections Officers;
- Establishment of multidisciplinary teams which screen for placements in offender jobs and for movement to a less restrictive custody level;
- Development of a new policy and substantial revisions to eight others to incorporate new ways to increase staff safety;
- Piloting the use of Oleoresin Capsicum (i.e., pepper spray) at several prisons;

- Assessing adequacy of cell phones and coverage for all Community Corrections Officers statewide;
- Development of a system to account for staff at each prison, including new Security Specialist positions (who work closely with the State and Local Security Advisory Committees), as well as a similar position for the Community Corrections Division;
- Development of a process in prisons for staff to check on those working in isolated areas or single person posts, with checks taking place approximately every 30 minutes to verify the safety of custody and non-custody prison staff;
- Enhancement of annual training for staff in the Prisons Division to include two new courses on Offender Movement and Physical Plant Safety, which include facilitated discussions to combat complacency;
- Reformulation of annual training for staff in the Community Corrections Division to focus on specific skill sets that improve the ability of staff to be safe;
- Piloting the use of electronic controlled devices (i.e., Tasers) for Community Corrections Officers;
- Piloting the use of body alarms at the Monroe Correctional Complex;
- Piloting the use of a proximity card system at the Washington State Penitentiary; and
- Assessment of video surveillance systems throughout the state, which is being completed by a consultant.

These and other changes are in progress as staff safety continues to be a top priority of the agency. While the Department is moving forward with many initiatives, others will require additional funding, such as increased staffing, construction of a tower, purchase of hand-held metal detectors for each community corrections office, and enhancements to the Offender Management Network Information system. Additional details are provided in this Staff Safety Initiative Report. The summary of funding requests detailed in this report is as follows:

- One time capital costs of \$168,000;
- One-time purchases of \$251,400; and
- Ongoing costs of \$4,575,840 a biennium.

Much work has already been done to improve staff safety within our current budget. This year, DOC staff has demonstrated that they are resilient, innovative, and willing to adapt past practices to develop the next best practice.

DOC is committed to creating safer work environments through continual collaboration with staff.

# **Washington State Department of Corrections Engrossed Senate Bill 5907 Staff Safety Initiative Report**

## **BACKGROUND**

On January 29, 2011, Correctional Officer Jayme Biendl was murdered in the line of duty. An offender serving life without the possibility of parole confessed to the murder. Immediately following the incident, the Washington State Department of Corrections (DOC) submitted a request for the National Institute of Corrections (NIC) to conduct an independent review of the Monroe Correctional Complex (MCC), specifically Washington State Reformatory, one of five facilities at MCC. NIC was asked to review systems, policies and procedures relative to the murder of Officer Biendl and submit recommendations to mitigate safety and security vulnerabilities.

In March 2011, NIC issued its findings and 15 related recommendations (Appendix A). These suggestions covered custody/control balance, communication and alarm, chemical agents, training enhancement, custody staffing, post orders (specific job duties by custody position by shift), offender movement (the times and areas in which offenders move about the facility), camera placement, offender volunteers, work and program movement, visibility, security audit, change process, close custody designation (highest level of confinement within the general population), and staff accountability (knowing staff location within the prison). Based on this review, with the intent to promote safe prisons, Governor Christine Gregoire introduced Engrossed Senate Bill 5907 (ESB 5907) which was passed by the Legislature and signed into law by the Governor on May 5, 2011 (Appendix B).

ESB 5907 directs DOC to establish a statewide security advisory committee within DOC as well as local security advisory committees at each prison. The legislation requires that DOC submit an annual report to the Governor and the Legislature that includes: the security recommendations raised by both the statewide and the local committees and the actions taken by DOC as a result of the committees' recommendations; recommendations for additional resources or legislation to address security concerns in prisons; recommendations for improving the ability of nonsupervisory classified employees to provide input on safety concerns (including state Department of Labor and Industries mandated safety committees); and the inclusion of safety issues in collective bargaining. This inaugural report will also include a summary of issues related to safety within the Community Corrections Division and associated funding requests, which includes input from all levels of employees within the division.

Additional sections of ESB 5907 direct DOC to establish teams comprised of staff from many different disciplines at each prison to evaluate offender placement in job assignments and custody promotions and to develop training curriculum on staff safety issues in prisons. Though not required in the legislation, this report includes an update on the status of these initiatives. Also per ESB 5907, DOC was directed to hire a consultant to study the feasibility of utilizing body alarms and proximity cards for staff safety, study the deployment of video monitoring cameras within prisons, and make subsequent recommendations. These sections required the consultant to prepare and submit reports on these topics, which will be included in the next Staff Safety Initiative Report that will be submitted to the Legislature on November 1, 2012. Finally, the legislation requires DOC to develop a comprehensive plan, also found in this first annual report, for the use of oleoresin capsicum aerosol products, commonly referred to as pepper spray, as an additional security measure.

Since the passage of ESB 5907, DOC has completed and released the internal review of the murder of Officer Biendl, which included a chronological summary and review of the staff and offender activities surrounding the murder and recommendations to address identified issues (Appendix C). Actions taken by DOC to implement these recommendations are detailed in this report.

To implement the requirements of ESB 5907, funding was provided for the studies and pilots associated with new security measures (such as proximity cards, body alarms, and pepper spray) and for the study of deployment and statewide standards for surveillance cameras (Appendix D).

### **The Changing Offender Population**

Officer Biendl’s murder marked the first time in 32 years that a correctional officer died in the line of duty in a Washington prison. In the last two decades, the offender population has grown larger and more violent, yet the rate of violent incidents has steadily declined in recent years. Last year, 24 percent of offenders in prison were serving time for assault, compared to 9 percent 20 years ago. Today’s prison population also has a higher percentage of offenders serving longer sentences, with 40 percent serving more than 10 years to life, compared to 23 percent serving sentences over 10 years in 1991.

**Chart 1 – Population Statistics, Confinement**

	9/30/1991	9/30/1996	9/30/2001	9/30/2006	9/30/2011
<b>OFFENDER POPULATION</b>	7,757	12,525	15,274	17,753	17,867
<b>LENGTH OF SENTENCE</b>					
LESS THAN TWO YEARS	21.8%	15.6%	18.4%	23.1%	15.4%
TWO TO FIVE YEARS	34.5%	28.3%	24.3%	22.7%	24.2%
FIVE TO TEN YEARS	19.8%	28.1%	25.5%	19.4%	20.5%
OVER TEN YEARS	23.9%	26.0%	29.0%	31.8%	24.9%
LIFE WITH POSSIBILITY OF PAROLE OR RELEASE	N/A	N/A	N/A	N/A	11.4%
LIFE WITHOUT RELEASE	*	2.0%	2.8%	3.0%	3.6%
<b>TYPE OF OFFENSE</b>					
MURDER 1 AND 2	13.6%	12.8%	12.6%	11.1%	13.1%
MANSLAUGHTER	2.8%	1.7%	1.7%	2.1%	2.0%
SEX CRIMES	22.9%	24.1%	19.8%	18.5%	21.2%
ROBBERY	15.1%	10.2%	10.0%	9.3%	10.8%
ASSAULT	9.0%	11.6%	17.6%	21.1%	23.4%
PROPERTY CRIMES	17.2%	13.9%	15.0%	17.2%	17.5%
DRUG CRIMES	17.6%	24.7%	20.5%	16.1%	9.0%
OTHER/UNKNOWN	1.8%	1.0%	2.8%	4.6%	3.0%
*Data not available. Life without release included in “over ten years”					

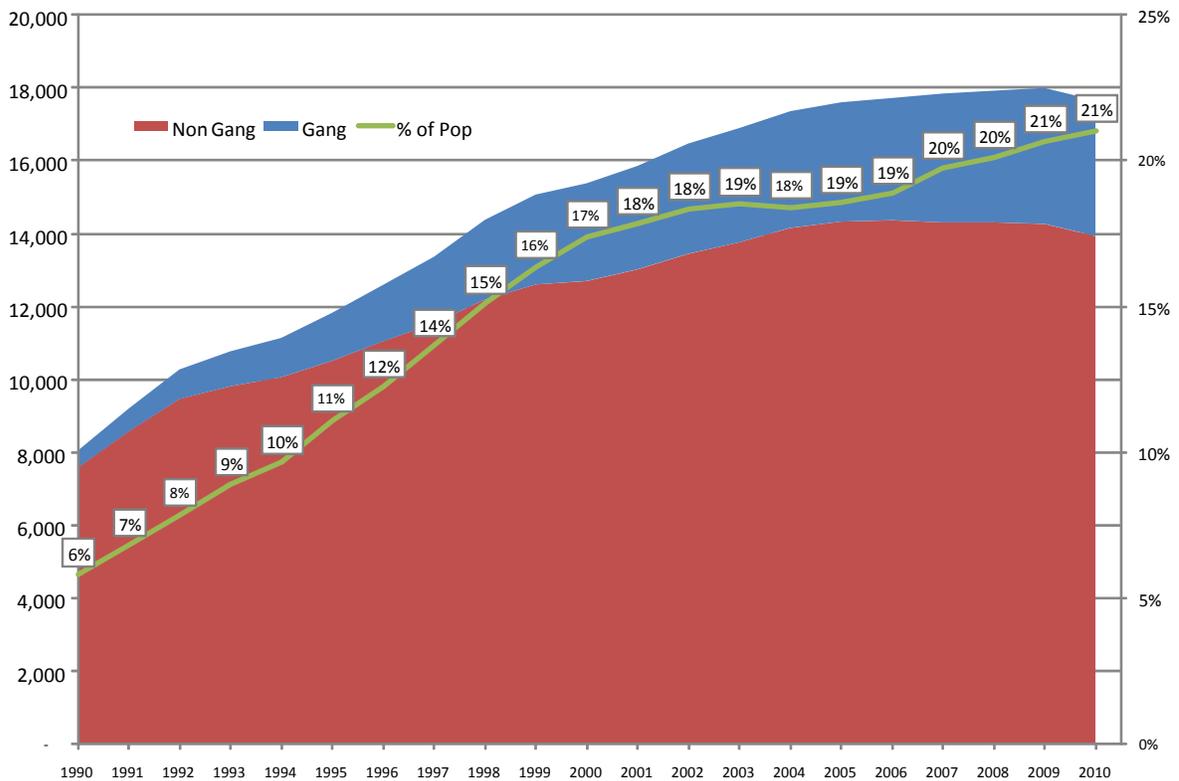
Despite these significant increases in the potential for violence in prison, the rate of violent infractions by offenders has dropped from 1.21 per 100 offenders twenty years ago to the current rate of .84 per 100 offenders today. Violent infractions occur when an offender commits one of the following actions: aggravated assault against a staff member or another offender, fighting, possession

of a weapon, sexual assault against a staff member or another offender, or assault against a staff member or another offender.

Members of the Statewide Security Advisory Committee stated that, while the rates of violence are lower, the incidents that do occur seem to be more severe. In order to develop the data to measure this, the committee met with a research analyst at the October 2011 meeting to explore ways to implement new measures to track severity of violent infractions. The committee members also felt that there are several other factors that may contribute to violence within prisons: the increase of the population with mental health needs, many of whom have serious mental illness diagnoses; and the increase of the offender population that are involved in security threat groups (gangs).

Currently, approximately one in six offenders is considered seriously mentally ill and the prison population that is identified as being involved with a gang has risen from approximately 6 percent in 1990, to 21 percent in 2010 (Graph 1 below). While the gang-affiliated offenders comprise about 21 percent of the offender population, they account for about 48 percent of all violent infractions. In recent years, while the Prisons Division has implemented strategies that have reduced gang-related violence, this will continue to be an issue as law enforcement agencies focus on arresting violent gang members in the community, which will likely result in a higher percentage of admissions to prisons of gang-affiliated offenders. Over the last three years, DOC has closed three prisons, reducing excess capacity that was spread throughout the state. This has resulted in a greater concentration of offenders with gang ties in the remaining prisons and a reduced ability to quickly move gang-affiliated offenders to a different prison when conditions warrant.

**Graph 1 – Identified Gang Population in DOC Prisons  
1990-2010**



Though the prison population has increased significantly, Washington has steadily decreased its rate of incarceration through research-driven legislation such as 1999's Offender Accountability Act, which has controlled corrections costs while ensuring that dangerous or repeat offenders serve time in prison. Washington State has a relatively low incarceration rate compared to other states. Based on 2009 national data, Washington State ranked 42<sup>nd</sup> for incarceration rate<sup>1</sup>. The state's sentencing laws result in prison confinement only for the most serious crimes and as a result, the prison population has a concentration of higher-risk and higher-need offenders, of whom 63 percent are assessed to have a greater likelihood to recidivate. The same is true of community corrections, with 67 percent of the offender caseload assessed to be more likely to recidivate.

Less than five months after the murder of Officer Biendl, the state was again reminded of the inherent risks staff members working in prison face when a violent escape attempt occurred at the Clallam Bay Corrections Center. A correctional officer was taken hostage by an offender serving a 163-year sentence for shooting multiple people, along with another offender serving a 45-year sentence for first-degree murder. The offender serving the murder sentence was fatally shot as he attempted to break through the perimeter fence with a forklift.

Protecting victims, community, staff, and offenders is the central objective to DOC's 2011-2017 Strategic Plan. The plan identifies the operation of safe and secure work locations as a strategy to fulfill this objective. In addition to the existing and ongoing safety and security protocols, DOC is implementing the recommendations from the internal review on the murder of Officer Biendl and the NIC Review Team's report, as detailed in this Staff Safety Initiative Report. Though the rate of violent infractions in prisons continues to decrease, prisons are still a dangerous place to work and the murder of Officer Biendl and the escape attempt at Clallam Bay underscore the need for constant vigilance, as well as ongoing collaboration, idea-sharing, equipment and facility improvements and upgrades, offender programming, staff training, and policy and procedure development.

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<sup>1</sup> Bureau of Justice Statistics, *Prisoners in 2009*, December 2010

## **PRISON SAFETY**

### **Statewide and Local Security Committees**

The first meeting of the Statewide Security Advisory Committee took place June 1, 2011, in Tumwater. Attendees included line staff representatives from each prison selected from a list of names provided by the Teamsters Local Union 117 (Teamsters), Captains, Lieutenants, program and management staff, representatives from the Teamsters and Washington Federation of State Employees unions, and invited guests. The meeting was chaired by then-Director of Prisons Bernard Warner.

During the first meeting, the committee members discussed and approved a process for forming local security advisory committees as required by ESB 5907. They accepted a Local Security Advisory Committee Charter and a standard form for staff to use for submissions of security suggestions or concerns (Appendix E). The members also approved SharePoint as the designated system for communicating, tracking, and following-up on local security concerns and suggestions.

The Statewide Security Advisory Committee has met monthly since June 2011. Additional processes have been established to seek the committee members' input on security initiatives, policies, practices, and proposed security enhancements. These processes include seeking feedback from Local Security Advisory Committees, surveying committee members, and reviewing staff suggestions and concerns (Appendix F). Members of the Statewide Security Advisory Committee said that the statewide meetings are such a valuable resource because they are a forum for sharing new security practices and procedures that representatives of the local committees reviewed and/or implemented.

Local Security Advisory Committees have been established at all 12 prisons. As of August 31, 2011, a total of 170 security concerns or suggestions had been submitted from all the prisons (Appendix G). All of the 170 concerns/suggestions submitted by staff were reviewed by the local committees, and 32 were referred to the Statewide Security Advisory Committee. During the two-day meeting held in Olympia on September 14 and 15, the Statewide Security Advisory Committee reviewed each of the forwarded suggestions. The committee arranged the ideas into several groups: those that could be implemented without legislation or new funding; those that would require new funding; and those that could be referred back to the local committee for further work.

At the conclusion of the meeting, there were several security suggestions for which there was consensus to forward to the Secretary of DOC, Bernard Warner. A letter was sent to the Secretary on October 10 with the Statewide Security Advisory Committee's recommendations as listed below (Appendix H).

1. Communication/Safety Concern – This concern addressed the need for additional staffing at the stand-alone minimum prisons. Currently, on graveyard shift, there are no dedicated positions to monitor radio communications and emergency calls from staff. There was consensus from the Superintendents of Cedar Creek Corrections Center, Larch Corrections Center, Mission Creek Corrections Center for Women, and Olympic Corrections Center to request a new custody position for each facility for graveyard shift. The majority of the statewide committee members felt this was the most important request.
2. Staff the Operations Booths – This request came from Coyote Ridge Corrections Center, but would apply to all medium custody level units in DOC prisons. Currently, on day shift, the

raised booths in the center of the living units are not staffed. By adding an additional officer on day shift to each unit, officers would have the high ground to oversee the unit and monitor both sides of the living unit more effectively. This also gives the unit faster control of the doors in the living units and would prevent crossing between opposite sides of the living unit.

3. Movement Control Officer – Coyote Ridge Corrections Center requests a movement control officer to coordinate all movements of offenders between units and work locations, programs areas, and education areas within the prison. This added position would take the burden off master control (the position that monitors all the cameras and doors of the facility) and make it safer for everyone in the institution. This request includes construction of an elevated structure with line-of-sight for areas of offender movement.
4. Extra Staff in the Hospital – This request is for an additional custody officer to be placed in the out-patient clinic of the Washington State Penitentiary hospital. The current officers have to rotate out of the unit regularly to escort seriously mentally ill offenders to other appointments. This creates a lack of custody presence on the mental health tier.
5. Yard Tower – Airway Heights Corrections Center (AHCC) does not have a permanent structure (tower) that has a view of the outdoor exercise yard, and currently has a mobile lift that is used as an elevated point for this purpose (see picture below). This suggestion is to replace the current lift with a permanent structure with communication capabilities (the lift does not have any communication capabilities). Even in moderate winds, the lift shakes vigorously. The southwest and southeast corners of the yard cannot be seen, even when the lift is at its maximized height.



Funding details for these requests are detailed in the Chart 2 below.

**Chart 2 – Prison Funding Request**

Prison Estimate, Concern/Suggestion	Facility	FTEs	Staffing (biennial)	Capital or one-time costs	Total
Communication/Safety Concern	CCCC, LCC, MCCCW, OCC	6.8	\$ 779,734		\$ 779,734
Staff the Operation Booths	AHCC, CRCC, SCCC, WCC, WCCW, MCC-TRU	22.1	\$ 2,699,899		\$ 2,699,899
Movement control officer & structure	CRCC	3.4	\$ 430,006	\$ 84,000	\$ 514,006
Extra staff in hospital	WSP	1.7	\$ 203,648		\$ 203,648
Yard Structure & position	AHCC	3.4	\$ 412,553	\$ 84,000	\$ 496,553
<b>Total</b>		<b>37.4</b>	<b>\$ 4,525,840</b>	<b>\$ 168,000</b>	<b>\$ 4,693,840</b>

Other ideas for improved security recommended for approval that did not require funding include:

- Escorted Leave Policy – Amend policy 340.000 (Escorted Leave and Furlough for Offenders) by removing the ability for deathbed or funeral attendance that take place in a private residence. Currently, while escorting an offender to a private residence, the staff does not know who else is in the residence, if there are weapons in the residence, the location of the residence, etc. These situations could place our staff at greater risk.
- Curfew for Offenders – Establish a policy that sets standards for when offenders are to be in their bunks at minimum (lowest custody level) units. Late nights are in effect during times when the living units are the least staffed, i.e., graveyard shift. This policy would discontinue the practice of allowing offenders “late nights” on holidays or weekends.

The members discussed security suggestions raised around the issues that were scheduled for pilots, which includes a system to account for staff which may be comprised of body alarms and/or proximity cards, the increased usage of video monitoring cameras, and statewide usage of oleoresin capsicum (pepper) spray. It was the consensus of the committee that, while these measures are expected to be of great importance in increasing staff safety, it would be best to delay making recommendations on these measures until the pilots are completed.

Members of the Statewide Security Advisory Committee have expressed their support of the local and statewide security committees. Each local security committee has had many suggestions for enhancements to increase staff safety and many have been implemented or are in the process of further investigation at the local level. Below are examples of some suggestions that are specific to a particular prison that have been implemented:

- A rock wall was removed. The suggestion submitted stated that the rock wall on the walkway in front of Evergreen Hall was starting to crumble and fall apart and it was a safety issue as there were many large, loose rocks (*Washington Corrections Center*).
- Replaced wire ties on fencing that was accessible to offenders. The old ties were made of metal and could be removed without tools and fashioned into a weapon. New ties are steel wire and cannot be removed without tools (*Clallam Bay Corrections Center*).
- To prevent a potential escape, a fence that separates the main compound from the loading area behind the old clinic building was reinforced (*Washington Corrections Center for Women*).

- Forklifts, gators, and mowers are having tamper-proof devices installed to significantly reduce the speed at which they can operate (*Airway Heights Corrections Center*).

Below are examples of suggestions that are being considered at the local level and discussed at the statewide meeting as a possible best practice for other prisons:

- To eliminate contraband being concealed in pant legs, a proposal regarding the way offender sweatpants are made is being reviewed. The suggestion is to make the legs without an elastic band (*Washington State Penitentiary*).
- In order to increase safety of the staff who do not carry radios (non-custody staff such as educational staff and medical staff), a pilot has been started to test personal body alarms. These alarms are an inexpensive way to alert nearby custody staff that assistance may be needed. These alarms are worn on the body and emit a very loud noise when activated (*Stafford Creek Corrections Center*).
- To allow a better flow for movements, there was a suggestion to have lines painted on the breezeway (main traffic area of offender movement) to direct the flow of foot traffic. Painting a yellow line down the center of the sidewalks and requiring offender to stay on the right side of the line would help staff responding to an incident to move more quickly and would help prevent offenders from walking up behind staff (*Coyote Ridge Corrections Center*).

### **Labor and Industries Safety Committees**

Even prior to the passage of ESB 5907, DOC had safety committees in place at each prison. These safety committees are primarily focused on traditional safety issues that range from slippery or uneven walkways to faulty or inoperable equipment. The safety committees review safety concerns brought forward by staff through reported hazards and accidents. ESB 5907 contained a requirement to improve the ability of nonsupervisory classified employees to provide input on safety concerns related to accident prevention, including hazards best addressed by the safety committees mandated by the Department of Labor and Industries (L&I). The Statewide Security Advisory Committee did this by modifying the SharePoint Security Concern form to include a checkbox to route suggestions and concerns related to industrial safety hazards directly to the L&I-mandated Local Safety Committees. In order to improve communication and provide staff conduits for reporting safety concerns, DOC implemented a number of other changes. First, the prison safety officer at each facility has been appointed to the Local Security Advisory Committee. Second, the DOC Director of Risk Management has been appointed to the Statewide Security Advisory Committee. Third, to ensure the opportunity for inclusion of safety and security issues in collective bargaining, representatives from the Teamsters Local Union 117 and the Washington Federation of State Employees are included as members of the Statewide Security Advisory Committee.

## **Use of Multidisciplinary Review Teams**

ESB 5907 requires DOC to establish multidisciplinary teams at each prison that will screen offenders for placement in offender jobs and for any movement to a less restrictive custody level. The multidisciplinary teams will be comprised of staff most familiar with the offender being screened, and may include staff from Medical, Mental Health, Education, and Correctional Industries, as well as staff involved in custody, classification, security, and intelligence. The teams will meet and collaboratively discuss any concerns around job assignments or custody placements for the offender. DOC policy 300.380 Classification and Custody Facility Plan Review was modified to define multidisciplinary teams, provide guidelines for team composition, and to direct staff when the teams are required. This policy went into effect on October 17, 2011. DOC Policy 490.100 Offender Volunteers defines the process for utilizing offenders in volunteer positions. Changes were also made to DOC policy 630.500 Mental Health Service, which defines roles and responsibilities of mental health staff in the multidisciplinary process and transitioning of mental health offenders. Policy briefings for Correctional Program Managers, Health Care Authorities, Health Care Managers, Education Directors and members of the Indeterminate Sentence Review Board were completed in October 2011. These briefings provided facility leadership with an overview of the legislative and policy changes. In addition, changes to the classification review process have been requested, to allow staff to electronically document when those multidisciplinary team meetings occur. Changes to the electronic documentation are anticipated to go into effect in spring of 2012. Additional policy changes were made for offender work programs; these changes are reflected in Appendix I and include:

- Ensuring that any offender placed in an offender job must first be screened and approved;
- Limiting the number of jobs for offenders serving a life without the possibility of parole to a number that correlates to the overall population of that prison; and
- Limiting the number of years an offender can work in any particular job assignment.

## **Programs**

The Prisons Division will pilot violence-reduction programs at two facilities. These programs will address offenders who pose a higher risk to re-offend and are assessed as higher need in the areas of aggression, coping skills, criminal attitudes, values and beliefs. Training will be provided to staff to increase the accuracy of needs assessments, and specific staff will be identified to ensure compliance with evidence-based practices. One program will be implemented at Airway Heights Corrections Center and the other will be implemented at Coyote Ridge Corrections Center. Each program will have the capacity to serve 130 offenders at a given time. Each program will incorporate cognitive-behavioral skills training for offenders to address the skill deficits most closely related to aggressive/violent behaviors, while addressing criminal thinking and anti-social attitudes. Staff will be trained in motivational interviewing to help evoke the offenders' intrinsic motivators and resources for change. Program staff will work closely with researchers to establish both intermediate and long-term outcomes and processes for measuring change. DOC plans to begin implementation of these programs by January 2012. The length of the pilot will depend on the length of the specific programs selected. However, intermediate outcomes will be identified, and preliminary results should be available by July 2012. Consistent with evidence-based practices, DOC will establish and implement fidelity measures to ensure the programs are delivered as intended to achieve the maximum benefits.

## **Staff Training**

In Fiscal Year 2012, prison staff annual training will include several new required courses: Physical Plant Safety (2 hours), Offender Movement as a Security Strategy (2 hours), Tactical Verbal Skills (3 hours), in addition to the existing curriculum (Appendix J). Among the courses required for all custody staff, DOC has increased the duration of the courses on Control Tactics (7.5 hours) and Defensive Tactics (8 hours) and added a course on oleoresin capsicum aerosol products (“pepper spray”, 30 minutes). The Statewide Security Advisory Committee reviewed this curriculum on September 15, 2011, and the members were asked to share the training plan with their local committees. Initial feedback on the new training plan was very positive. A staff that conducted annual training on the new course on Movement and Physical Plant Security reported: “I was inspired by the enthusiasm staff showed in regards to wanting to think about staff safety here at work and wanting to be a part of the change being brought to prisons throughout the state” (Appendix K). Several members of the Statewide Security Advisory Committee reported that the added training was appropriate, but more training tools given to staff on how to deal with offenders with mental health and/or drug issues would be very useful.

DOC has also developed a 20-hour training targeted to all first-level supervisors in prisons throughout the state, called “Security Forums”. There are approximately 800 first-level supervisors across multiple disciplines, such as Classification, Food Services, Health Services, Correctional Industries, and Custody. To date, DOC has held the forum at the majority of the prisons, reaching more than 300 staff. The forum draws upon the knowledge and experience of staff leaders to develop constructive problem-solving skills to manage the unexpected and to detect small failures and make changes within the scope of their job duties. The forum focuses on the development of practices that address granular security challenges that cannot be adequately addressed through policy. Feedback from training participants has been very positive.

## **Communication and Alarms**

**Radio Microphones** – Enhanced radio microphones that have easier-to-reach emergency call buttons have been purchased, distributed, and are required for use by all custody staff members. The new microphones attach to a uniform lapel (as did the previous microphones) but the new version includes emergency call buttons for easier access. Prior to having enhanced radio microphones, the emergency call button was accessed from a unit worn on the duty belt, which was not as easy to trigger as the one on the uniform lapel. The new microphone provides staff an additional emergency call button. The 3,100 new microphones were purchased by DOC for \$265,000. In addition to the enhanced microphones, radios have been reprogrammed with a soft power off feature, which increases staff safety by not allowing the radio to be turned off with just the on/off switch.



**Proximity Cards** – A consultant, KMB Design Groups Inc., has been retained by DOC to collaborate with DOC stakeholders to establish the goals and requirements for a proximity card-based system to provide automated accountability for all persons other than offenders and offender visitors (who will continue to be tracked by other methods) who enter a facility's perimeter. The system will provide on-demand reporting of personnel who have entered but not yet exited the facility, and can be extended in the future to provide location reporting within the facility.

Prototypical system design has been completed and DOC will install a pilot installation at the Washington State Penitentiary. Each facility entry/exit portal will receive physical construction consisting of guide railings, turnstiles, gates, and proximity readers managed by a central access control system. The consultant has recommended changes to operational procedures to achieve the intended 100 percent accountability. The pilot installation began in October 2011 and will run for approximately one year. The consultant's report on proximity cards will be completed by July 2012. The State and Local Security Advisory Committees will be surveyed in December 2011 regarding the most appropriate use of proximity cards.

**Body Alarms** – In February 2011, DOC solicited informational responses from entities that might be able to provide a system to monitor correctional staff locations within a facility, and provide a means for creating an alarm when emergency assistance is needed. Responses were received from 17 entities, proposing 12 unique systems, one of which was not yet on the market. A consultant, KMB Design Groups, Inc., assisted DOC in analyzing the submissions, resulting in six systems being identified for further consideration.

On August 9 and 10, the Monroe Correctional Complex (MCC) hosted an opportunity for the six body alarm system vendors to present their products to staff from MCC, the Statewide Security Advisory Committee, Information Technology staff, and leadership staff. Eighty visitors and 24 members of the Committee took the opportunity to provide their feedback through an exit questionnaire after they had a chance to visit with the vendors. An overwhelming majority of the evaluations indicated that having a body alarm device would enhance staff safety and they would be willing to carry such a device if it were made available to them (Appendix L).

DOC will pilot a body alarm system at MCC. The vendor will be determined by a combination of factors including feedback received at the demonstration, systems used by other states, technical factors, costs, vendor references and the state technology acquisition process. The pilot would not include all of MCC, but would be set up at a location within MCC where the technology could be evaluated. MCC's Local Security Advisory Committee will also be asked to give input as to which location they would prefer to pilot the body alarms. Installation at the selected location is expected to begin in January 2012 and be operational in May 2012. The consultant's report on body alarms will be completed by July 2012.

**Video Monitoring Cameras** – A consultant, KMB Design Groups, Inc., has issued a first draft of their analysis of DOC's video systems, Security Video System Standards for Correctional Facilities (Standards), to DOC for review. The Standards address camera locations based on intended purpose, differences of custody level and gender of the offender population, video acuity requirements, and locations where live video is viewable and when it is expected to be viewed, standards for video recording and access to archived video. A final draft will address the information technology and infrastructure requirements, and the estimated costs for upgrading existing facilities to meet the Standards, will be completed by January 2012.

### **Remove Building to Increase Visibility**

Per the NIC recommendations, DOC tore down a building (picture below) at MCC located immediately to the side to the chapel. It was noted the tower had limited visibility, even with the camera system, and that the building was not used for staff, programs, or any activities.



View from tower during construction



View from tower after construction

### **Oleoresin Capsicum (Pepper) Spray**

As instructed in Section 7 of ESB 5907, DOC has developed a comprehensive plan for the use of oleoresin capsicum spray (pepper spray) as a security measure available to staff in prisons. The Use of Force Policy has been updated to include pepper spray as a force option for self defense and defense of another. The policy allows pepper spray to be placed in predestinated secure location points throughout the facility and authorizes staff to carry it while on post. The policy identifies training, security, storage, and documentation requirements.

All Correctional Sergeants, Response and Movement Officers, and Specialty Team members are authorized to carry pepper spray on post. Custody staff have previously received training on the use and effects; however, enhanced training has been developed specifically for staff authorized to carry pepper spray on post. A two-hour initial training for affected staff will be completed at each pilot facility. Annual training will be completed in 2012 that includes both the current training curriculum plus the enhanced curriculum developed for pepper spray use. In addition, the increased defensive tactics training hours mentioned in the Staff Training section above includes increased training in self defense, ground survival, and pepper spray use.

Costs associated with the implementation of pepper spray use in prisons (security seals, canisters, carry pouches, training, etc.) have totaled just over \$50,000.

On August 9, 2011, the newly implemented use of pepper spray was utilized at Clallam Bay Corrections Center when a fight involving five offenders broke out in the main courtyard. The sergeant on duty retrieved a canister of pepper spray from the control booth and after giving multiple directives to the offenders to stop fighting, disseminated the spray. When additional responders arrived, the offenders were restrained with no injuries to staff and after a brief restriction in

movement for an investigation, operations returned to normal – less than two and a half hours after the fight began.

DOC will track and review the use of force and types of force to monitor changes noted from before and after the implementation of pepper spray, with input from the Statewide and Local Security Committees. A new code to assist in tracking use of force trends was developed for the Incident Management Reporting System, the web-based system for collection and reporting of data for the management of significant incidents.

### **Staff-Based Danger Mitigation**

**Security Specialists** – DOC is in the process of hiring 18 Security Specialists. These positions will work closely with the locally designated Chief of Security and support all safety and security practices in the work location. The incumbents will take a lead role with the Local Security Advisory Committees by attending committee meetings, drafting or revising applicable policy language, updating post order procedures, and communicating with both the Local and Statewide Security Advisory Committees. Specialists will develop, implement, and monitor a system to account for staff, which must include regular communication with staff assigned to isolated or single-person posts and a notification if staff do not exit the facility at the end of shift. As part of implementation, these positions may also assist in evaluating the effectiveness of an electronic system designed to account for staff or determine location in an emergency (Appendix M).

**Eight-Hour Shifts** – Per NIC recommendation, the Monroe Correctional Complex (MCC) has implemented “straight eights” work schedules for day and swing shifts. The Washington Corrections Center for Women, Stafford Creek Corrections Center, and Clallam Bay Corrections Center are targeted as the next prisons to pilot these shifts. This eliminates the mandatory 30-minute lunch break that creates a staffing shortage during high activity times. Staff can eat on their shift and may still take 10-minute breaks as needed throughout their shift. At MCC, switching to straight eights schedules has resulted in 35 to 40 more staff on duty during periods of increased offender movement. DOC has received a Demand to Bargain (Appendix N) on this issue and will be meeting with union representatives in the upcoming months.

**Isolated Person Post Safety** – Policies and practices related to single-person posts, such as the one staffed by Officer Biendl on the night she was murdered, have been reviewed and revised to reinforce peer-to-peer accountability techniques. These techniques include “one plus”, in which staff members in single-person posts never walk to or from an area alone and make arrangements for regular walk-bys or check-ins from another staff member and “Two to Open-Two to Close”, in which single-person post areas are always opened and closed with a second staff member. Job aids, including pocket pamphlets and laminated cards, have been developed to encourage vigilant adherence to these practices (Appendix O).

**Offender Movement** – All prisons utilize an offender movement process, referred to as the statewide callout system, which identifies the periods of time that offenders are authorized to move from one location to another. Any time an offender moves from one area to another (other than meals or recreation time) those “movements” are accounted for using an on-line system. Across the state, there are over 430,000 offender movements in prisons logged into the system each month.

Policies related to offender movement have been revised requiring that two staff members are present during the opening and closing of program and work areas. Additionally, in areas with single-person posts, if the ratio is three or less offenders to the isolated staff member, the area will be closed to offenders, as single-person posts are less safe when there are fewer offenders to intervene in the event that another offender commits a violent act.

**Staff Counselors** – The work of Correctional Officers is dangerous and stressful. Staff Counselors give critical support, helping staff members deal with these stressors and cope with traumatic events. In the past, DOC has had five staff counselor positions; budget cuts had reduced this to just one counselor in early 2011, but two additional positions have since been restored. Those appointments were effective July 1, 2011.

**Management by Walking Around (MBWA)** – Based on a recommendation by NIC, Policy 110.100 titled “Prison Management Expectations” has been revised to clarify the expectation that managers and supervisors spend time away from their desks, interacting with staff members, hearing concerns and addressing issues in-person (Appendix P).

## COMMUNITY CORRECTIONS SAFETY

While the Prison Division is reviewing ways to make staff safer in an institutional setting, staff safety encompasses more than prison facilities. The issue of staff safety facing Community Corrections must also be examined. Community supervision in Washington State has evolved dramatically over the last ten years. A greater emphasis has been placed on face-to-face contact between Community Corrections Officers and offenders, including a 2005 policy change mandating and standardizing field contacts. Contact with offenders outside of a DOC office (field contacts), while a best practice for community safety, places Community Corrections Officers in unpredictable and sometimes volatile environments in which there exists many and varied risk factors. Additionally, the unique relationship between a Community Corrections Officer and an offender creates the perception from the offender that interventions, including incarceration, are personal decisions made by the officer rather than the Department. This creates a personalization of hostilities toward these officers by offenders, increasing the likelihood of threats and assaults. Based on data compiled from January through August 2011, there were at least 38 serious threats to Community Corrections staff and two serious assaults. One assault occurred in February 2011 when Community Corrections Officers were shot at by an offender while they were engaged in field work. The other assault occurred in October 2011 when a Community Corrections Officer was attacked and slashed by an offender with a razor blade while he and his partner were taking the offender into custody.



Expanded community and law enforcement partnerships have also increased the hazardous exposure for Community Corrections personnel. Community Corrections staff participate in dangerous warrant services and fugitive recovery efforts. Additionally, the Legislature has narrowed the classification of offenders supervised, creating caseloads dense in higher-risk offenders, many of whom have significant violence in their criminal history. In 1991, 8 percent of offenders were on supervision for assault. Today, almost 22 percent of offenders are on supervision for assault (see Chart 3 below).

**Chart 3 – Population Statistics, Community Custody**

	9/30/1991	9/30/1996	9/30/2001	9/30/2006	9/30/2011
<b>SUPERVISED POPULATION</b>	36,173*	51,575*	59,795*	25,636	16,531
<b>TYPE OF OFFENSE</b>					
Murder 1 and 2	0.4%	0.3%	0.3%	0.6%	1.1%
Manslaughter	1.0%	0.8%	0.6%	0.8%	0.6%
Sex Crimes	7.4%	5.7%	6.0%	10.7%	18.5%
Robbery	3.4%	2.3%	2.3%	4.0%	4.3%
Assault	8.3%	10.5%	14.4%	18.0%	21.8%
Property Crimes	44.0%	42.2%	36.7%	11.0%	15.5%
Drug Crimes	19.2%	22.2%	26.1%	33.1%	28.3%
Other	16.3%	16.0%	13.6%	21.8%	9.9%
*Includes offenders supervised for monetary purposes only					

It is important to note that supervising this higher-risk population of offenders is often done in the very communities within which these officers and their families reside. This creates situations where potential interactions between officer, offender, and/or their families can occur off-duty when the officer’s ability to control the situation is limited. Based on the previous note that many offenders feel their arrests and subsequent incarcerations as based on the personal decisions of officers, these interactions have the real potential for danger.

In recent years, the economic climate has impacted the safety of Community Corrections staff. Community resources for offenders such as mental health counseling, housing, and chemical dependency treatment have shrunk, leaving officers with fewer options to manage high-need caseloads.

**Community Corrections Security Committee**

In 2010, as a result of supplemental negotiations, the Washington Federation of State Employees (Federation) and DOC’s Community Corrections Division formed a committee to evaluate statewide safety issues facing Community Corrections staff. Unlike other existing committees that focus on accident hazards and emergency procedures, this committee specifically focuses on the risks associated with supervising offenders, both in DOC offices and in the field. Committee members are comprised of five employee representatives selected by the Federation and five representatives appointed by the Secretary of the Department (Appendix Q).

To gain a comprehensive account of the issues statewide, committee members met with staff in Toppenish, Yakima, Walla Walla, Kennewick, Pasco, Port Angeles, Port Hadlock, Everett, Vancouver, Seattle, Tacoma, Spokane, and Wenatchee. Staff members included Administrative Support, Community Corrections Officers, Community Corrections Supervisors, Field Administrators, Community Corrections Specialists, and Correctional Officers.

At the conclusion of the meetings, the committee completed a set of recommendations that included common and re-occurring observations, comments and concerns among the staff members they contacted. Topics were organized into three main categories: policy, training and equipment. The committee submitted these recommendations to DOC Administration for review and in July 2011, DOC management and the Federation came to agreement on a broad range of topics related to the safety and security of community correction staff. These agreements serve as a commitment between Administration and the Federation to develop plans to address these topics.

A tracking document has been created to track progress on all of the agreements (Appendix R) and annual training is in the process of being developed for Fiscal Year 2012 (Appendix S). Work release has also moved forward on several safety measures, including purchasing several new transport vans to replace older, unreliable vans and updating surveillance cameras in several facilities.

### **Training**

To address issues related to training, the annual training plan for 2012 has been developed to include training targeted at each individual office level. This plan includes some additional information regarding risk and the detection of danger, evaluation of use of force (to include individual and team tactics), identification of best practices to reduce training injuries, and implementation of a formal mentorship for new staff. Arrest, Search and Seizure training curriculum has been rewritten to be more specific to community corrections operations. Pilot training sessions have been completed and the new curriculum will begin statewide in January 2012.

### **Equipment**

There have been several improvements made in the area of equipment. Multiple sets of restraints have been made available to field offices and Community Justice Centers throughout the state. All supervisors have been briefed on the use of multiple sets of restraints. Personal alarms have been purchased and are being deployed as planning occurs. These alarms are available for all staff to ensure that should they become distressed, they can signal to other staff in the area. To ensure that Community Corrections Officers have the best plan for the best coverage possible in their region of the state, all cell phones and phone coverage have been reviewed and updated. Defibrillators are being requested for every field office for staff and offender safety.

The fleet of vehicles available for Community Corrections staff has a large percentage of vehicles that are outside of policy either in mileage or in years. A plan has been developed for updating the vehicle fleet (including a replacement plan) for vehicles across the state. The Security Committee has a subgroup focused on deployment of vehicles and on developing a replacement schedule.

There is much debate and interest in the use of electronic controlled devices (i.e., Tasers) in community corrections. The Community Corrections Division, in collaboration with the Community Corrections Security Committee (Security Committee), is developing a pilot program to test the effectiveness of using these devices in community corrections. The pilots will occur at selected offices across the state and data will be gathered and evaluated on the incidents where these devices were utilized, the number of times the threat of using these devices was employed, and the results of these actions. This review will help guide decisions and policies regarding the situations in which the use of electronic controlled devices would increase the safety of staff.

### **Policy and Procedures**

In order to improve the ability of staff to check and control potential threats in field offices and Community Justice Centers (CJCs), DOC is requesting funding for electronic wands (hand-held metal detectors) to begin a process of increased surveillance of field offices and CJCs. There are a number of policy changes already made and the Security Committee continues to work on improved planning for emergencies at the field office locations. This includes personal protection plans. Community Corrections staff are often at risk during work hours, but can be more so after work hours, so it is vital that there are individual plans developed for their personal safety planning. Steps have been taken to ensure that personal safety plans are not only initiated, but also involve follow-up. This initial work has generated interest in the future development of a new electronic form for personal protection plans that can be individualized for each staff member.

Additional changes currently being implemented include: allowing a condition of supervision to address dangerous animals in offenders' home to be imposed; developing a plan for local office emergency situations; revising the internal incident review process; allowing staff the discretion to determine whether or not to carry a concealed weapon while on duty; developing an improved process to account for the whereabouts of staff while out of the office contacting offenders; developing office protocols for public access to field offices; and implementing a zero tolerance policy on threats, threatening behavior or assaults against DOC employees.

### **Funding Requests**

While there are several initiatives in place utilizing existing funds, the electronic controlled devices (Taser) pilot program and the additional equipment, staff training, and policy items listed below, will require additional funding.

- Defibrillators – To ensure the welfare of the staff and offenders, DOC is requesting electronic defibrillators for all offices in case such a medical emergency occurs that requires such a device. Each defibrillator costs \$1,200 per unit and there are 127 field offices. There will also be a cost associated with initial training on the use of these devices.
- Hand-held metal detectors – To assist/aid in the identification of weapons and dangerous objects offenders may have on their person, each field office needs to be equipped with a hand-held metal detector. Hand-held metal detectors cost \$200 per device and can assist/aid in the identification of weapons and dangerous objects that offenders or third parties may

have on their person. The presence and use of these devices will also discourage others from entering a DOC office with weapons.

- **Motivational Interviewing Technique Training** – To increase staff safety, DOC is requesting a training application and use of motivational interviewing to assist staff in managing their higher-risk caseloads in the most effective and safest way possible. Motivational interviewing is an evidence-based framework for increased collaboration with higher-risk offenders which will strengthen their motivation for – and commitment to – change. Motivational interviewing supports a “readiness” to change in an offender. This is necessary to manage the higher-risk population and assist in lower recidivism of this population in the community.
- **Personal Protection Plans** – To improve staff safety by increasing responsiveness to an increasing array of potential violence, DOC is requesting funds to update the Offender Management Network Information (OMNI) system to provide the availability of narrative that would better indicate the Personal Protection Plans being developed for individual situations. The upgrade would be done internally by DOC IT staff and would require approximately 40 hours to complete the necessary changes.

Funding details for these initiatives are reflected in Chart 4 below.

**Chart 4 – Community Corrections Funding Request**

<b>Community Corrections Estimate, Concern/Suggestion</b>	<b>FTEs</b>	<b>biennial</b>	<b>Capital or one-time costs</b>	<b>Total</b>
TaserPilot			\$ 18,600	18,600
Defibrillators for each office and CJC (127) at \$1,200 each	0		\$ 152,400	\$ 152,400
Electronic Wands (hand held metal detectors) (127 @ \$200)	0		\$ 25,400	\$ 25,400
Personal Protection Plans – OMNI Changes	0		\$ 5,000	\$ 5,000
Staff Training - Motivational interviewing	0	\$ 50,000	\$ 50,000	\$ 100,000
<b>Total</b>		<b>\$ 50,000</b>	<b>\$ 251,400</b>	<b>\$ 301,400</b>