



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
MONROE CORRECTIONAL COMPLEX
P.O. Box 777 • Monroe, Washington 98272-0777 • (360) 794-2600
FAX (360) 794-2569

October 12, 2011

Jose Briones
[REDACTED]

RE: Letter of Reprimand

Mr. Briones:

Notification of Disciplinary Action This letter is to officially reprimand you for your misconduct on January 29, 2011. This disciplinary action is in accordance with Washington Administrative Code (WAC) 357-40, Discipline.

Misconduct This disciplinary action is for the following misconduct while performing your duties as a Correctional Lieutenant at the Washington State Reformatory Unit (WSRU) of Monroe Correctional Complex:

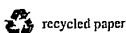
- On January 29, 2011, you inaccurately documented that staff and visitors were accounted for during a missing offender emergency.
- On January 29, 2011, you inaccurately documented that notification was made to perimeter staff, and that the perimeter had been reinforced, during a missing offender emergency.

Investigation Workplace Investigator Cindy Greenslitt completed a fair and thorough investigation into this matter. A copy of the report, which describes these charges in detail, was provided to you on July 25, 2011.

Pre-disciplinary Meeting I held a pre-disciplinary meeting with you on July 27, 2011. Also present was James Bennett, Human Resources Consultant. At this meeting, we discussed the investigation and the allegations brought against you. During the meeting, you admitted the following:

- 1) The investigative report submitted by Investigator Greenslitt dated July 13, 2011, was accurate; however, you said that you did not intentionally falsify any documents indicating that staff and visitors

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were accounted for, nor did you purposefully fail to notify perimeter staff to reinforce the perimeter on January 29, 2011.

- 2) The Initial Emergency Checklist dated January 29, 2011, signed and initialed by you, states that the required action under "Isolate and Contain," *Account for staff and visitors,* " was completed at 2120 hours.
- 3) Prior to you taking command from Lieutenant Rodney Shimogawa on January 29, 2011, you were under the impression that the initial phase, to account for staff, perimeter notification and perimeter reinforcement, had been completed.
- 4) When you took command from Lieutenant Rodney Shimogawa on January 29, 2011, you were under the impression that Office Jayme Biendl had departed the facility because her assigned shift ended at 2100 hours.

Awareness of Standards

Your behavior was in violation of your WSRU Shift Lieutenant Post Orders (Attachment 1), which state in part:

Zone of Control: The Shift Lieutenant is responsible for all security functions, buildings, and structures of the Washington State Reformatory Unit. The Shift Lieutenant is the WSRU Initial Incident Commander during emergency situations/incidents.

Additionally, as Incident Commander, when you did not ensure and verify information prior to signing off on it, you violated DOC Policy 410.050 Emergency Management Plan, which states in part:

DIRECTIVE:

VIII. Phases of Response

- A. The Incident commander will manage the incident from a remote, secure location. The Incident Commander will use the attached Emergency Checklists to ensure the following phases of response are implemented during an emergency:
 1. Detect and Notify
 - c. Using available resources, the Incident Commander will ensure verification of the situation if there is any question about the nature, extent, or validity of the emergency.

Your actions were also in violation of the Department Expectations and CORE Competencies outlined in the Department of Corrections **Employee Handbook**, specifically, Safety, Accountability, Judgment and Problem Solving, and Communication. These policies, post orders, and expectations communicate the importance of safety, accountability, and proper emergency management. By your actions, you failed to adhere to these requirements and expectations.

You were aware of these policies and expectations. On January 8, 2003, you signed an Acknowledgement of Receipt of the Employee Handbook and agreed to become familiar with and have thorough knowledge and understanding of its contents. (Attachment 2)

**Determination
of Sanction**

When determining that this discipline was appropriate, I reviewed your previous work history, length of service, training provided, and previous disciplinary actions.

As Incident Commander on January 29, 2011, your failure to properly account for staff is very concerning and was a contributing factor in the extended time period between when Offender Byron S. was located in the Chapel and when it was discovered that Correctional Officer Jayme Biendl was unaccounted for. Your failure to verify your admitted "impressions" and "assumptions" of what had occurred prior to your shift affected the safety and security of the institution and will not be tolerated. In addition, the fact that you signed off on documents, that you did not personally have knowledge of, is irresponsible and unacceptable, especially for one in your position of leadership.

When you assumed the duties of a Washington Management Service (WMS) employee, with it came the expectations of the Department that as a WMS manager you would demonstrate the highest standards of behavior, integrity, ethics, character, judgment, professionalism and leadership in carrying out your extremely significant duties and responsibilities. Also with that appointment came the expectation that you would perform your duties within the scope of agency policy and that you would demonstrate and model appropriate behavior for your subordinates to emulate.

Washington Administrative Code 357-58-005, "**What is the key role and accountability for Washington management service in state government?**" states, in part:

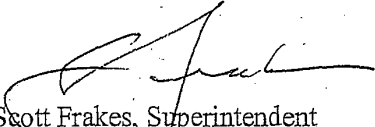
State managers are expected to personally commit to demonstrating excellent leadership competencies....Also, it is essential that agency leaders hold their managers accountable for properly leading and managing their human resources – their employees.

Accordingly, I have determined that this Letter of Reprimand is the appropriate level of discipline. This disciplinary action is intended to impress upon you the gravity of your misconduct and provide you with sufficient incentive to correct your behavior.

**Future
Expectations**

In the future, it is my expectation that you will seek to meet and/or exceed the expectations of a Washington Management Service employee. You are to be the role model for others to emulate and model. It is also my expectation that you embrace the Department's Core Competencies for all staff and use them as a road-map in your day to day performance as a leader and corrections professional at the Monroe Correctional Complex and the Department of Corrections. As Correctional Lieutenant and Incident Commander, you are to ensure that all emergency management plans are followed entirely and properly.

I expect that you will henceforth adhere to policies, directives, and direction given to you by the Department of Corrections. Any further misconduct on your part may result in further disciplinary action, up to and including discharge.



Scott Frakes, Superintendent
Monroe Correctional Complex

SF/sl

cc: Donna Haley, Human Resources Director
Labor Relations

Personnel File (including investigation)

Washington State Department of Corrections – Division of Prisons

Post Orders for WSRU Shift Lieutenant

Your Radio Call Sign: King 201

Direct Chain of Command: - Captain (Phone# 2754, Radio K 03)

Indirect Chain of Command: - Associate Superintendent (Phone# 2605, Radio - King 02)

EMERGENCY: Telephone - 2333, Radio - WSRU Base

Read and be knowledgeable of your Post Manual

Zone of Control: The Shift Lieutenant is responsible for all security functions, buildings, and structures of the Washington State Reformatory Unit. The Shift Lieutenant is the WSRU Initial Incident Commander during emergency situations/incidents. During a facility-wide emergency serves as the MCC Initial Incident Commander. QRST response to MSU will be from WSRU. Be familiar with the DOC 410 series of policies covering Emergency Response. Be knowledgeable of National Incident Management System (NIMS) and the Incident Command System (ICS).

Key Control: Check out key ring [redacted] from [redacted]. Be knowledgeable of MCC 420.250, *Key Control*. Review and sign the restricted and emergency key logs in [redacted] daily.

Use of Firearms, Chemical Agents, Restraints and/or Physical Force: One set of handcuffs is assigned to this post. Ensure only qualified personnel are assigned to armed posts, ensure only qualified personnel use chemical agents (i.e. OC), the E.I.D., and specialty impact weapons/munitions. Ensure staff assigned to the Quick Response Strike Team are trained in the use of force. Be familiar with DOC 410.200 *Use of Force*, 410.230 *Use of Deadly Force*, 420.250 *Use of Restraints*, and 420.255 *Emergency Restraint Chair*.

Movement Procedures: Offender movement is controlled by the institution movement schedule, and will be announced by main control. The Shift Lieutenant must authorize other group offender movement. Any movement at other times will be done through the pass system. Ensure that movement is halted for any significant event, and that the unit is locked down in the event that a [redacted] Response is activated. Direct the Sergeants to ensure that sufficient staff are available to supervise movement. Be familiar with proper offender escort methods.

Search Procedures: You will routinely monitor and ensure that random searches are conducted of offenders, packages, closets, and any or all other items within, entering or leaving your zone of control. Weekly checks of oncoming shifts will be conducted to monitor staff allowable items. You are responsible for monthly common area searches utilizing the following designation: **Shift One Lt.** (Shop Building 4, EFV compound, Yard - electronic search); **Shift One RDO Lt.** (Education Bldg. 1, Ed. Bldg. 2, Chapel); **Shift Two Lt.** (Hobby Shop, Fieldhouse, Shop Bldg. 2); **Shift Two RDO Lt.** (Inmate Kitchen, Basement); **Shift Three Lt.** (PAB, Shop Bldg. 3, Steam Tunnel); **Shift Three RDO Lt.** (Shop Bldg. 1)

Count Procedures: The Shift Lieutenant will observe officer count procedures on their assigned shift at least once per month and document in area logbook. Initiate formal counts at [redacted] and [redacted] hours. Informal Counts may be conducted at your discretion to ensure strict accounting of all offenders assigned to WSRU. Direct Sergeants to observe count on a regular basis. The Shift Lieutenant will formally clear all WSRU formal counts. The Shift Lieutenant will ensure compliance with all aspects of MCC 420.150, *Counts*.

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Post Operations: You are responsible for direct supervision of the Shift Sgt, Zone Sgt, Hospital Sgt, Kitchen Sgt. and the Main Control Sgt. The Shift Lieutenant will monitor and ensure compliance with all DOC policies and MCC Operational Memorandums. Routinely tour all posts in your zone of control, and ensure staff is knowledgeable in their duties and responsibilities. Each Lieutenant is responsible to complete the following tasks monthly: Review and sign ERP manual one; Conduct a tabletop emergency response drill and submit documentation to the Captain; Conduct a functional emergency response drill, same topic as tabletop, and submit documentation to the Captain; Conduct a perimeter security inspection and submit documentation to the Captain; Ensure QRST training, and readiness. Each Lieutenant is responsible as needed to complete the following tasks daily: Roster/Shift Summary

WSRU Shift Lieutenant

Jose Briones

Employee Name (Please Print)

ACKNOWLEDGEMENT OF RECEIPT OF DOC EMPLOYEE HANDBOOK

I acknowledge receipt of the June 2002 Washington State Department of Corrections Employee Handbook and agree to become familiar with and have thorough knowledge and understanding of the contents.

J.A. Briones

Employee Signature

01-08-2003

Date

Original – Personnel File

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STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
MONROE CORRECTIONAL COMPLEX
P.O. Box 777 • Monroe, Washington 98272-0777 • (360) 794-2600
FAX (360) 794-2569

October 12, 2011

Rodney Shimogawa
[REDACTED]

RE: Letter of Reprimand

Mr. Shimogawa:

Notification of Disciplinary Action This letter is to officially reprimand you for your misconduct on January 29, 2011. This disciplinary action is in accordance with Washington Administrative Code (WAC) 357-40, Discipline.

Misconduct This disciplinary action is for the following misconduct while performing your duties as a Correctional Lieutenant at the Washington State Reformatory Unit (WSRU) of Monroe Correctional Complex:

- On January 29, 2011, you failed to account for staff and visitors during a missing offender emergency.
- On January 29, 2011, you failed to notify perimeter staff and/or reinforce the perimeter during a missing offender emergency.

Investigation Workplace Investigator Cindy Greenslitt completed a fair and thorough investigation into this matter. A copy of the report, which describes these charges in detail, was provided to you on July 25, 2011.

Pre-disciplinary Meeting I held a pre-disciplinary meeting with you on August 8, 2011. Also present was James Bennett, Human Resources Consultant. At this meeting, we discussed the investigation and the allegations brought against you. During the meeting, you admitted the following:

- 1) That on January 29, 2011, you failed to account for staff, visitors, and offenders.
- 2) That on January 29, 2011, you failed to notify perimeter staff and/or reinforce the perimeter during a missing offender emergency.

"Working Together for SAFE Communities"

Awareness of Standards Your behavior was in violation of your WSRU Shift Lieutenant Post Orders (Attachment 1), which state in part:

Zone of Control: The Shift Lieutenant is responsible for all security functions, buildings, and structures of the Washington State Reformatory Unit. The Shift Lieutenant is the WSRU Initial Incident Commander during emergency situations/incidents.

Additionally, as Incident Commander, when you failed to follow the Emergency Checklists, you violated DOC Policy 410.050 Emergency Management Plan, which states in part:

DIRECTIVE:

VIII. Phases of Response

- A. The Incident commander will manage the incident from a remote, secure location. The Incident Commander will use the attached Emergency Checklists to ensure the following phases of response are implemented during an emergency:

Your actions were also in violation of the Department Expectations and CORE Competencies outlined in the Department of Corrections **Employee Handbook**, specifically, Safety, Accountability, Judgment and Problem Solving, and Communication. These policies, post orders, and expectations communicate the importance of safety, accountability, and proper emergency management. By your actions, you failed to adhere to these requirements and expectations.

You were aware of these policies and expectations. On January 10, 2006, you signed an Acknowledgement of Receipt of the Employee Handbook and agreed to become familiar with and have thorough knowledge and understanding of its contents. (Attachment 2)

Determination of Sanction When determining that this discipline was appropriate, I reviewed your previous work history, length of service, training provided, and previous disciplinary actions.

As Incident Commander on January 29, 2011, your failure to properly account for staff is very concerning and was a contributing factor in the extended time period between when Offender Byron S. was located in the Chapel and when it was discovered that Correctional Officer Jayme Biendl was unaccounted for. Your failure to notify the perimeter staff and/or reinforce the perimeter when an offender was missing negatively impacted the safety and security of the institution and will not be tolerated.

When you assumed the duties of a Washington Management Service (WMS) employee, with it came the expectations of the Department that as a WMS manager you would demonstrate the highest standards of behavior, integrity, ethics, character, judgment, professionalism and leadership in carrying out your extremely significant duties and responsibilities. Also with that appointment came the expectation that you would perform your duties within the scope of agency policy and that you would demonstrate and model appropriate behavior for your subordinates to emulate.

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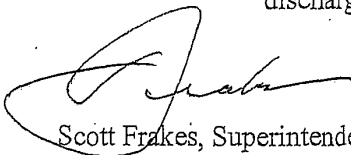
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I expect that you will henceforth adhere to policies, directives, and direction given to you by the Department of Corrections. Any further misconduct on your part may result in further disciplinary action, up to and including discharge.



Scott Frakes, Superintendent
Monroe Correctional Complex

SF/sl

cc: Donna Haley, Human Resources Director
Labor Relations

Personnel File (including investigation)

Washington State Department of Corrections – Division of Prisons

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Your Radio Call Sign: King 201

Direct Chain of Command: - Captain (Phone# 2754, Radio K 03)

Indirect Chain of Command: - Associate Superintendent (Phone# 2605, Radio - King 02)

EMERGENCY: Telephone - 2333, Radio – WSRU Base

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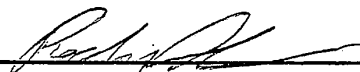
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WSRU Shift Lieutenant

Rodney Shimogawa
Employee Name (Please Print)

ACKNOWLEDGEMENT OF RECEIPT OF DOC EMPLOYEE HANDBOOK

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 1/10/06
Employee
Signature

Original--Personnel File

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9/18/02



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
MONROE CORRECTIONAL COMPLEX
P.O. Box 777 • Monroe, Washington 98272-0777 • (360) 794-2600
FAX (360) 794-2569

PERSONAL AND CONFIDENTIAL DELIVERY

October 25, 2011

Christopher Johnson
[REDACTED]

Mr. Johnson:

Notification of Disciplinary Action This is official notification that I am demoting you from your Corrections and Custody Officer 3 (Sergeant) position #BM79 to a Corrections and Custody Officer 2 position, effective October 26, 2011. This disciplinary action is being taken pursuant to Article 8 of the Collective Bargaining Agreement between the State of Washington and Teamsters Local Union 117.

Misconduct This disciplinary action is for the following misconduct:

For the period of November 2010, through July 9, 2011, you failed to take appropriate action, or to take action as directed by your chain of command, when you became aware that Corrections and Custody Officer 2 David Young was habitually outside of his assigned zone of control, Zone 3, including during offender movement. Specifically:

- As the Shift Sergeant for Third (3rd) shift at WSR, you received multiple reports from other Correctional Officers regarding Officer Young repeatedly not being in his zone of control and standing for movement. Additionally, you received multiple reports from Lieutenant Rodney Shimogawa regarding the R&M's, including Officer Young, not being in their assigned zone and post during movements. You failed to address this behavior or take appropriate action.
- Since December on 2010, you received multiple reports from Sergeant Jimmy Fletcher surrounding Officer Young repeatedly not being in his assigned zone and post for movement. Sergeant Fletcher also notified you about other situations surrounding Officer Young's poor security practices. Again, you failed to address this behavior or take appropriate action.

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