



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
OFFICE OF CORRECTIONAL OPERATIONS
WASHINGTON CORRECTIONS CENTER FOR WOMEN
P.O. Box 17, MS WP-04 · 9601 Bujacich Rd. N.W · Gig Harbor WA 98335-0017

April 26, 2005

TO: Jane Parnell
Associate Superintendent

FROM: Kelly Kelly *Kelly Kelly*
Correctional Investigator

SUBJECT: Possible Staff Misconduct RE: Correctional Counselor 1 Horticulture Program Melissa Titus CASE WCCW 04-043-05

Synopsis

On March 22, 2005, Intelligence and Investigation Unit was contacted by Lieutenant Alex Simmons who said that Offender [REDACTED], had written a letter that stated Correctional Counselor 1 (CC1) Melissa Titus had pushed her twice in the hallway of the MI School.

Offender [REDACTED]

I conducted an interview with [REDACTED], on April 20, 2005, she stated that on April 20, 2005. She was standing in the hallway of the Education Bldg. talking with another offender when CC1 Titus was walking by and said, "move", then pushed her left arm. Offender [REDACTED] said, she told her "Don't touch me." Offender [REDACTED] said that CC1 Titus then told her "then get out of my way," and pushed her upper left shoulder. Offender [REDACTED] stated that she then told CC1 Titus "man I asked you not to touch me." She said that CC1 Titus said, "I bet you'll move next time."

Offender [REDACTED] said that she has never interacted with CC1 Titus before. Upon returning to her unit she told Sergeant Richard Smith what had occurred with CC1 Titus. I asked her if she would take a polygraph and she said, "Yes." (See attachment #1)

Offender [REDACTED]

I conducted an interview with Offender [REDACTED], on April 20, 2005. Offender [REDACTED] said that she was coming out of the computer class in the Education building when she heard Offender [REDACTED] say "Don't touch me."

I said don't put your hands on me." She then heard someone say, "next time you'll move out of my way."

Offender [REDACTED] said that she did not see the incident only heard what was said.

Correctional Counselor 1 Horticulture Program Melissa Titus

On April 26, 2005, I conducted an interview with Correctional Counselor 1 Melissa Titus. She said she was walking down the hall to the Horticulture Classroom the halls filled with offenders returning to the unit for the 1600 count.

She said that an offender she did not know had stopped directly in front of her. She said, "Excuse me, please move," then again repeated "Excuse me, please move."

She said that the offender [REDACTED] was talking very loud to another offender who was a little ways down the hall. CC1 Titus said she had to direct the offender to continue to move. CC1 Titus said that Offender [REDACTED] did not comply but simply continued to stand blocking her and talking to another offender. She said she then lightly touched Offender Rutter with a diskette to gain her attention and that the offender then turned around and faced her and CC1 Titus advised her to disperse.

I asked CC1 Titus if she had pushed the offender's left arm. She said, "Absolutely not." Then I asked if she had pushed her upper left shoulder. CC1 Titus said, "Absolutely not." She said that if necessary what she should have done was to have her stand for a pat search and notify the Shift Lt. that Offender refused to disperse, however she did not. (See Attachment #2)

Conclusion:

On April 24, 2005, Polygraph Examiner William Tuff GSR Polygraph Service administers a polygraph examination on Offender [REDACTED] to verify or refute the subject's allegation of the situation, which occurred on Wednesday, April 20, 2005, involving Correctional Counselor 1 Melissa Titus.

The polygraph Examiner asked the following question:

1. Did Correctional Counselor Titus push you twice in the hall of the school on April 20, 2005. Offender [REDACTED] was not attempting deception when she answered "yes" to the following relevant question.
2. While you were standing in the hall of the school did Correctional Counselor Titus use her hand to push you. Offender [REDACTED] was not attempting deception when she answered "yes" to the following relevant question.

Based on the above information CC1 Titus did admit that she lightly touched Offender [REDACTED] with a diskette to gain her attention. In the Employee Handbook page 8 & 9, it

states that you are not allowed to engage in verbal assaults, threatening behavior, or physical assaults against staff, offenders, or the public.


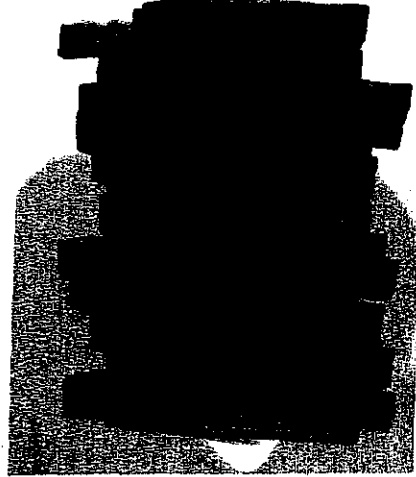




Attachment:

- Letter Offender [REDACTED] dated 4-20-05
- Incident Report Correctional Counselor 1 Melissa Titus dated 4-20-05
- Letter Offender [REDACTED]

DOC Number: [REDACTED]

Name: [REDACTED]

Please click on the picture to enlarge it.

PHOTO	DATE OF PHOTO	SOURCE OF PHOTO
	9/26/2003 12:30:45 PM	TAS
	9/26/2003 12:30:30 PM	TAS
	5/10/2002 12:49:53 PM	TAS
	5/10/2002 12:48:20 PM	TAS
	3/20/2000 1:23:27 PM	TAS
	3/20/2000 1:23:17 PM	TAS

To Whom it May 4-20-05
Concern: 1082

As I was leaving the school
at Recall on 4-20-05 (3:50 p.m.)

I stopped and was talking
w/ another inmate re class.

Mrs. Titus came up the
hall and as she went to go
by said "move" and pushed
me. I then said, "Don't touch
me." And she said "then get
out of my way." and pushed
me again. I said, "Man, I
asked you not to touch me,
and she said, "I bet you'll
move next time."

If I'm clear, Doc
policy states there is no
physical contact between
officers and inmates unless
standing for search, being

2 of 2

physically restrained, or
for the safety of other
inmates, guards, and the
institution.

[REDACTED]

[REDACTED] was a
witness also [REDACTED]
[REDACTED]

There were a lot of people
coming out of class also



Confidential

DATE/TIME OF INCIDENT 04/20/05 - 1552	OFFENDERS INVOLVED [REDACTED]	DOC NUMBER [REDACTED]	LIVING UNIT [REDACTED]
LOCATION C-Building Hallway	WITNESSES N/A		
USE OF FORCE INCIDENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

DETAILS: Who was involved, what took place, how did it happen, description of any injuries, damage, use of force, etc. Attach additional sheet, if necessary.

At recall I was walking down C-Building (MI School) hallway to the Horticulture Classroom #10. The hallways were filled with offenders leaving their classrooms enroute to their units for the 1600 count.

Stopped directly in front of me was an offender [REDACTED] with her back turned to me. I stated, "Excuse me - please move" twice. She was talking very loudly to another offender farther down the school hallway. I then directed her to continue to move as it was recall. She did not comply and continued talking with her back to me.

I then lightly touched her shoulder with the diskette in my right hand to gain her attention. The offender then whirled around and faced me.

I advised the offender to disperse. At that time she began walking down the hallway to the exit door.

End of report.

IMMEDIATE ACTION TAKEN:

Finished escorting visitor to Public Access: On the way out spoke to MI School Officer D. Gordon about the inmate.

Determined the inmates identity as [REDACTED]

Spoke to MSU Sergeant Richard Smith about the interaction with the inmate.

Wrote written report.

	04/20/05	CC1- Horticulture Counselor	
STAFF SIGNATURE	DATE	TITLE	STAFF SIGNATURE (Please Print)

TO BE COMPLETED BY CHIEF INVESTIGATOR

DATE/TIME RECEIVED		INCIDENT NUMBER
INVESTIGATION ASSIGNED TO	BY	DATE

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.17, and RCW 40.14.

ATTACHMENT (2) Page 2 of 2

To whom it may concern:

As we were coming out of class yesterday 4.20.05 at 3:50 pm I was talking to inmate [REDACTED] regarding class being cancelled on 4.21.05 and as we were talking officer Titus walked by [REDACTED], said move, and pushed her. [REDACTED] asked Titus not to push her and the lady pushed her again and responded with get out of her way. Then as I walked away inmate [REDACTED] asked her once again not to touch her.

in regards to my discussion



**GSR
POLYGRAPH SERVICES**

William D. Tufts
1409 18th Ave CT. SW
Puyallup, WA 98371

POLYGRAPH EXAMINATION REPORT

TO: Investigator Kelly Kelly
Department of Corrections
Washington Corrections Center for Women
9601 Bujacich Road NW
Gig Harbor, WA 98335

Subject: [REDACTED] Examination Date: 04/24/05
DOB: [REDACTED] 1977 Offense: Statement Verification
Requested by: Investigator Kelly Kelly

Purpose of Examination: To verify or refute the subject's allegation Officer Titus used her hand and pushed the subject [REDACTED] twice.

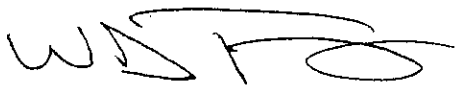
Prior to the polygraph examination, the subject was advised of her Polygraph Rights and waived these rights by signing the attached form.

CONCLUSIONS

A polygraph examination was administered to the subject on the above issues.

Based on the physiological responses produced by the subject on three (3) polygraph charts, in the opinion of this examiner, **she was not** attempting deception when she answered "yes" to the following relevant questions:

1. Did Officer Titus push you twice in the hallway of the school on April 20, 2005?
2. While you were standing in the hallway of the school, did Officer Titus use her hand to push you?



Examiner: William D. Tufts

April 24, 2005
Date of Report

POLYGRAPH EXAMINATION STATEMENT OF CONSENT

Date 4-24-05 Time 0900 Place WCCW

Examination of [REDACTED]

I, [REDACTED] understand a polygraph examination administered by **GSR** polygraph services for the WCCW is being conducted concerning Statement Verification. I also understand that I cannot be required to submit to a polygraph examination without my consent. Additionally that if the answers during the examination show deception, I may be asked to explain.

I hold **GSR** polygraph services and William Tufis harmless and free from any liability for any acts or omission by any other parties or agencies and release and hold harmless any persons or agencies from any and all claims or liabilities alleged to result from or arise out of this examination.

Understanding that I have the unqualified right to refuse, [REDACTED] do hereby, this date, voluntarily and without duress, coercion, unlawful inducement, or promise of reward, agree to submit to a polygraph examination. I further understand that the information obtained during this process will not be released to me.

Witness [Signature] Signature [REDACTED]

Date 4-24-05

GSR

POLYGRAPH SERVICES

INVOICE # 05-017

Federal ID 532626194

William D. Tufts
1409 18th Ave Court SW
Puyallup, WA 98371

04/24/05

Department of Corrections
Office of Correctional Operations
Attn: Kelly Kelly
9601 Bujacich Road NW
Gig Harbor, WA 98335-0017

Attn: Investigator Kelly

A polygraph examination was administered to the following subjects:

04-24-05		\$200.00
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Total Examination Fee	\$200.00
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We appreciate your business!

Vendor Name and Address

GSR Polygraph Services
William D. Tufts
1409 18th Ave CT. SW
Puyallup, WA 98371

AGENCY NUMBER

310A

LOCATION CODE

LTO

AGENCY P.R. OR AUTHORIZATION NUMBER

G2

AGENCY NAME AND LOCATION

WA CORR CENTER FOR WOMEN
PO BOX 17
GIG HARBOR, WA 98335-0017

FEDERAL I.D. NO. OR SOCIAL SECURITY NO. (For Reporting Personal Services Contract Payments to I.R.S.)

RECEIVED BY

Investigator Kelly

DATE RECEIVED

5-4-05

USE SPACE BELOW AS A WORKSHEET TO DEVELOP OR EXPLAIN THE GOODS OR SERVICES PURCHASED

STAPLE INVOICES ON BACK

PREPARED BY Kelly Kelly			TELEPHONE NUMBER 253 858-4689			DATE			AGENCY APPROVAL			DATE			
DOC. DATE		PMT DUE DATE		CURRENT DOC. NO. 72401		REF. DOC. NO.		VENDOR NUMBER			VENDOR MESSAGE		UBI NUMBER		
REF DOC BUF	TRANS CODE	M D	FUND INDEX	MASTER INDEX APPN INDEX PROGRAM INDEX		SUB INDEX	ORG INDEX	WORK CLASS ALLOC	COUNTY BUDGET UNIT	CITY/TOWN MOS	AMOUNT	INVOICE NUMBER			
	↓		↓	↓	↓	↓			↓		200.00	05-017			
ACCOUNTING APPROVAL FOR PAYMENT									DATE			WARRANT TOTAL		WARRANT NUMBER	
												200.00			