



STATE OF WASHINGTON

DEPARTMENT OF CORRECTIONS

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INTELLIGENCE & INVESTIGATIONS OFFICE

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WITHOUT SPECIFIC AUTHORIZATION OF THE SUPERINTENDENT.

CASE TOPIC: POSSIBLE STAFF MISCONDUCT/BREACH OF SECURITY Mr. HALFORD

CASE #: 06-041-03-F01

DATE OPENED: 6/10/03

DATE CLOSED: 6/25/03

sign and date at time of review or receipt

IN OFFICE REVIEW	CASE OUT REVIEW	COPY AUTHORIZATION
		<i>Copy for S. S. ...</i> <i>See v. Clark 9/10/03</i> <i>K. Kelly</i>

CONFIDENTIAL

**Washington State Correction
Center for Women**



**Intelligence & Investigations
Case File
06-041-03-F01**

CONFIDENTIAL

**Washington Corrections Center for Women
Intelligence & Investigations
Investigative Case
#06-041-03-FO1**

25 June 2003

TO: Belinda D. Stewart
Superintendent, WCCW

FROM: Steven B. Baxter
Investigator, WCCW

SUBJECT: POSSIBLE STAFF/SECURITY COMPROMISE: MR. PATRICK HALFORD
DNR

SYNOPSIS: WCCW I&I was notified on 6/10/03 of a possible staff compromise by CO Bobby Greene. CO Greene stated that while processing crews at P Bldg. That she had heard Mr. Halford stating that he was upset that he had been to recently release inmate [REDACTED] DOC# [REDACTED] house several times and she had not been home. Acting Superintendent Dianne Doonan was notified and a case was opened.

Inmate [REDACTED] DOC# [REDACTED] Inmate [REDACTED] last cellmate and friend was interviewed on 6/11/03 at 0730 hrs. and questioned if Inmate [REDACTED] had any problems with staff while at WCCW. I/M [REDACTED] stated that she had no knowledge of any problems and became defensive at further questioning. I/M [REDACTED] was instructed to not talk about this with anyone and the interview was terminated.

At 1000 hrs. 6/11/03, Pat Halford called the I&I office and stated that he had talked with I/M [REDACTED] and heard I was asking about I/M [REDACTED]. Mr. Halford stated that he wanted to clear the air and that he had been at I/M [REDACTED] house about two weeks before, gave her a DNR hat, had lunch and talked, but didn't want anyone to get the wrong idea. I informed Mr. Halford that I was looking into the matter and requested that he write me a memo which he stated he would do but never delivered the document to this date.

On 6/12/03 Mr. Halford left a message on my phone stating that he had been thinking about the [REDACTED] incident and had talked with his supervisors. They had decided that no further contact would be made with ex-inmates except in helping them get jobs with DNR and to let me know they had been talking with 2 to 3 inmates that have release to help them get on with DNR. Mr. Halford went on to say that he would tell the rest of the DNR crew supervisors this information.

On 6/12/03 at 1520 hrs. contact was made with Inmate [REDACTED] who stated that Mr. Halford had indeed been at her house and had brought her the DNR hat and recommendations. I/M [REDACTED] stated that he had asked her if she would like to have lunch and had taken her to a restaurant. I/M [REDACTED] stated that the talk had been about her working for DNR and was not personal in any way.

Conclusion: Mr. Halford has admitted to contacting Inmate [REDACTED] after her release and talking to at least two others about DNR jobs after their release. Mr. Halford also stated that he has notified his supervisors about the situation and that new rules will be implemented on contacting inmates after release. Prior to this investigation another DNR crew supervisor was found driving on the perimeter road (see attachment 1) with his private car. When approached Richard Dunn stated that he had information to pass to DNR inmates and said "I guess I can't talk to them through the fence." This information is passed to you for your information/action.

1 ATTACHMENT

1. IR dated 6/7/03



INCIDENT REPORT

PLACE / AREA OCCURRED WCCW SOUTH PERIMETER RD E. OF MSC GATE
DATE / TIME OF INCIDENT 6.7.03 / 1800
USE OF FORCE INCIDENT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
WITNESSES E.268 c/o J. AKE

OFFENDERS INVOLVED	DOC NUMBER	LIVING UNIT

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 ABOUT 1800, 6.7.03 I WAS EASTBOUND ON THE SOUTH PERIMETER ROAD. I OBSERVED A BLACK PICK UP TRUCK ENTER THE PERIMETER ROAD. I NOTIFIED E.268, WHO RESPONDED TO THE SCENE. THE DRIVER STOPPED HIS TRUCK NEAR THE MSC VEHICLE GATE. I DID NOT SEE A BADGE ON HIS SHIRT, BUT AS HE APPROACHED ME I SAW HE HAD A BLUE BADGE IN HIS HAND. HE WAS IDENTIFIED AS RICHARD DUKIN, A NEW DNR CROW SUPERVISOR. HE SAID HE HAD INFORMATION TO PASS ON TO THE DNR INMATES ABOUT CREWS GOING OUT ON SUNDAY. HE SAID "I GUESS I CAN'T TALK TO THEM THROUGH THE FENCE, CAN I?" I TOLD HIM NO AND DIRECTED HIM TO PUBLIC ACCESS TO RELAY HIS INFORMATION TO STAFF, NOT INMATES. I ALSO TOLD HIM NOT TO DRIVE HIS PRIVATE VEHICLE ON THE PERIMETER ROAD.

IMMEDIATE ACTION TAKEN:

REQUESTED BACK-UP
IDENTIFIED SUBJECT
DIRECTED SUBJECT TO PUBLIC ACCESS
NOTIFIED CONTROL SGT.

REPORTING STAFF SIGNATURE NOELLE R. GUVENETTE <i>Noelle R. Guvenette</i>	TITLE SHIFT III PERIMETER OFFICER	DATE 6.7.03
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ORIGINAL REPORT TO ASSOCIATE SUPERINTENDENT'S OFFICE

DATE / TIME RECEIVED	INCIDENT NUMBER
INVESTIGATION ASSIGNED TO	BY
	DATE

Distribution by Associate Superintendent:

- | | | |
|--|---|--------------------------------|
| <input type="checkbox"/> Superintendent | <input type="checkbox"/> Intelligence Officer | <input type="checkbox"/> Other |
| <input type="checkbox"/> Shift Commander | <input type="checkbox"/> Clinical Director | <input type="checkbox"/> Other |
| <input type="checkbox"/> Safety Officer | <input type="checkbox"/> Other | <input type="checkbox"/> Other |

Attachment (|)



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

July 14, 2003

TO: Patrick Halford, Department of Natural Resources
FROM: Michael Green, Correctional Captain *mg*
SUBJECT: MEMORANDUM OF CONCERN

Specifically, you admitted that you had visited the home of recently released inmate [REDACTED] (DOC # [REDACTED]) gave her a Department of Natural Resources (DNR) hat, and had taken her to lunch. You stated that this interaction was strictly for recruitment purposes and you wished to help her get a job with DNR, and that your contact with her was by no means personal. You further revealed that two or three other recently released inmates were also contacted in a similar fashion to recruit them for future DNR employment.

I have attached a copy of Department of Corrections (DOC) Policy 801.005 Employee Relationships with Offenders. It is imperative that you familiarize yourself with the contents of this policy. Of particular note are the definitions contained within the policy which state in pertinent part:

Employee: When used in this policy, includes any contract, volunteer or employed person of the department.

Offender: An individual who: 1) is currently under the jurisdiction of the Department or 2) has been discharged from the jurisdiction of the Department within the past six months."

Also, I wish to draw your attention to paragraph II B of the policy. This section requires employees to report unofficial contacts with known offenders, their family members, or close personal associates to the appointing authority on DOC form 3-039, Report of Contact with an Offender.

I wish to emphasize that you must use caution when dealing with offenders and be mindful of the appearance of improper association. Please be aware that future incidents which do not adhere to department and facility guidelines may jeopardize your authorization to facility grounds and programs. Regarding your recruitment efforts for DNR vacancies, I recommend that you direct inquiries to the Department of Personnel or your appropriate Human Resources office.



TITLE **EMPLOYEE RELATIONSHIPS WITH OFFENDERS**

Page 1 of 3

EFFECTIVE DATE:

March 1, 1998

SUPERSESSION:

DOC Policy 854.075 dated July 1, 1983.

AUTHORITY:

The General authority of the Secretary of Corrections to manage and direct the Department, RCW 72.09.050.

PURPOSE:

To provide guidelines to ensure that employee relationships with offenders, their family members, and/or close personal associates are maintained in a professional manner.

APPLICABILITY:

All employees, volunteers, and contract staff of the Department.

DEFINITIONS:

Employee: When used in this policy, includes any contract, volunteer or employed person of the department.

Offender: An individual who: 1) is currently under the jurisdiction of the Department; or 2) has been discharged from the jurisdiction of the Department within the past six months.

Sexual Abuse: Any act of a sexual nature that takes advantage of or exploits an offender, or sexual contact obtained by persuasion, inducement, enticement, compulsion, influence, encouragement, intimidation, seduction, uses of authority, threats of harm or loss of privileges, promises, favoritism, coercion, force, etc.

Sexual Assault: An assault that is sexual in nature.

Sexual Contact: Any behavior that includes, but is not limited to, hugging, fondling, kissing, intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thighs, or buttocks of another individual or any other physical contact except handshakes or that allowed by policy for purposes of life saving or maintaining security. Examples of prohibited contact include neck rubs, back rubs, hair touching, massages and caresses.

Sexual Harassment of an Offender: Sexually offensive comments and gestures, sexual advances, requests for sexual favors or other verbal or physical contact of a sexual nature.

POLICY:

Professional relationships with offenders, their family members, and close personal associates must be conducted in a manner consistent with state law, prudent correctional practice, and Department policies. Employees shall use caution when dealing with offenders and/or their family members or associates and shall be mindful of the appearance of improper association. Employees are expected to manage their interactions with these individuals in a professional manner at all times and to treat



TITLE **EMPLOYEE RELATIONSHIPS WITH OFFENDERS**

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them with dignity and respect. Personal and/or unofficial business relationships with offenders, their family members, or close personal associates are prohibited.

I. Favoritism/Professionalism

- A. While employees must recognize the individuality of offenders, they must do so without showing favoritism. Conversely, grudge holding, bias, or negativism toward or regarding an offender is prohibited. Reactions to offenders must always be professional and not affected by personal or other subjective issues, biases, or stereotypes.

II. Association with Offenders

- A. Association with offenders, beyond that which is required in the performance of official duties with the Department, is prohibited in the interest of professional unbiased service. Personal communications and/or relationships between employees and offenders, their family members, or close personal associates are not appropriate and are prohibited.
- B. Unofficial contacts (those not authorized within an employee's official duties) with known offenders, their family members, or close personal associates shall be reported by employees to the appointing authority through their immediate supervisor on DOC form 3-039, Report of Contact with an Offender (see attachment). This does not include casual contacts or unintentional contacts, i.e., greeting an offender when passing on the street. A completed DOC form 3-039 will be maintained in the employee's personnel file.
- C. Employees are cautioned that personal relationships by their immediate family members with offenders, offender's family members, or close personal associates of offenders have the potential to pose conflicts for employees at work.
- D. Employees who have a preexisting family or personal relationship with an individual who comes under the jurisdiction of the Department must report this relationship on a DOC form 3-039 immediately upon their initial employment with the Department (or upon becoming aware of the individual's status as an offender). If necessary, an employee or an offender may be reassigned at the discretion of the appointing authority, on a case-by-case basis, to avoid potential conflicts. Efforts will be made to reassign the offender before reassigning the employee. Employees may be reassigned to another position, work station, or alternate job responsibilities if their professional responsibilities would otherwise require direct contact with the offender.
- E. Physical contact or communication of a sexual nature directed toward an offender that establishes an inappropriate relationship including, but not limited to, sexual abuse, sexual assault, sexual contact, or sexual harassment is prohibited.

III. Gratuities

- A. No employee may give or accept gifts, gratuities or favors, barter, or have any financial dealings with or for an offender, their family members, or close personal associates without the written approval of the appointing authority. Gratuities include any form of property or service regardless of financial value. The purchase of offender curios is allowed only under the established purchasing guidelines of each institution/facility.



TITLE **EMPLOYEE RELATIONSHIPS WITH OFFENDERS**

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IV. Messages and Articles of Property

- A. Employees may not engage in the transmission of messages, mail, or articles of property for or to offenders, their family members, or close personal associates, except as part of their official duties.

V. Writs, Petitions, and Legal Concerns

- A. Employees are not to assist, advise, or counsel offenders in their preparation of writs, appeals, or petitions for executive clemency or other legal concerns, nor should they support such actions in any way. Employees may refer offenders to the appropriate legal service agency or persons for assistance in these matters.

VI. Offender Sponsorship

- A. Employees shall not serve as parole, furlough, or personal outing sponsors for offenders.

VII. Sanctions

- A. Violations of the prohibitions stated in this policy may result in corrective or disciplinary action up to and including dismissal. Exceptions to this policy require the written permission of the Secretary or designee and must be routed through the employee's appointing authority.

REVIEW:

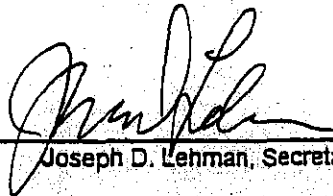
The Policy Coordination Committee shall coordinate the review of Department policies at least every two years and update as needed.

REFERENCES:

DOC Policy 801.001, Ethics

ATTACHMENTS:

Attachment 1 - DOC form 3-039, Report of Contact with an Offender.



Joseph D. Lehman, Secretary

2.6.98



Date



REPORT OF CONTACT WITH AN OFFENDER

NAME		OFFICE	
INSTITUTION		JOB TITLE (WITH DOC)	
PURSUANT TO THE REQUIREMENTS OF POLICY 801-005 REGARDING EMPLOYEE RELATIONSHIPS WITH OFFENDER, THIS IS TO REPORT THAT I HAD THE FOLLOWING PRIOR/RECENT CONTACT:			
NAME OF OFFENDER, OFFENDER'S FAMILY MEMBER, OR CLOSE PERSONAL ASSOCIATE OF THE OFFENDER		LOCATION OF CONTACT	
DESCRIPTION OF CONTACT			
LENGTH OF CONTACT	DATE OF CONTACT	DATE OF REPORT	
EMPLOYEE'S SIGNATURE			
REPORT REVIEWED BY:			
SUPERVISOR	TITLE	DATE	CONTACT WAS <input type="checkbox"/> SIGNIFICANT <input type="checkbox"/> NONSIGNIFICANT
COMMENTS:			
SUPERINTENDENT/OCO OR ASSISTANT DIRECTOR			
SIGNATURE	TITLE	DATE	
COMMENTS:			

Distribution: **WHITE**-Personnel File **Yellow**-Supervisor **PINK**-Employee

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY DIRECTIVE</p> <p><input type="checkbox"/> Offender Manual <input type="checkbox"/> Spanish</p>	<p>DEPARTMENT WIDE</p>	<p>NUMBER</p> <p>DOC 800.010</p>
	<p>SIGNATURE</p>  <p>JOSEPH D. LEHMAN, SECRETARY</p>	<p>EFFECTIVE DATE</p> <p>2/26/01</p>
	<p>TITLE</p> <p>ETHICS</p>	<p>PAGE NUMBER</p> <p>1 of 4</p>

SUPERSESSON:

DOC 800.010 effective 8/7/00

REFERENCES:

DOC 100.100 is hereby incorporated into this Policy Directive; RCW 42.52; WAC 292-110-010, 060; ACA 3-4024; ACA 3-4067; ACA 3A-07; ACA 7E-13; DOC 190.300 Reporting State Employee Misconduct (Whistleblower); DOC 806.005 Memberships in Professional & Non-Profit Organizations; DOC 816.010 Employment/Volunteering of Relatives/Household Members; DOC 850.025 Outside Employment/Volunteer Activities; DOC 850.450 Employee Participation as Board Members or Consultants to Boards; Employee Handbook

POLICY:

- I. The Department shall provide direction to employees to assist them in making appropriate choices, acting in a manner that demonstrates high ethical standards, and complying with provisions of RCW 42.52, WAC 292-110-010, and WAC 292-110-060. [7E-13]
- II. Employees are to avoid actions that use, or create the appearance of using their position for personal gain or private advantage for themselves or another person. [3-4067]
- III. [3-4067] [3A-07] The Department has adopted a Code of Ethics and statement of values that exemplify standards and principles that serve to guide individual behavior. The Employee Handbook contains information on these and other areas of responsibility and expectations.
- IV. The Department and its employees are prohibited from using state resources for private benefit or gain. Department employees are expected to maintain high professional and ethical standards at all times, in keeping with the Department's role and responsibility to serve the people of the state of Washington.

DIRECTIVE:

- I. General Expectations

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A. Employees are responsible for knowing and adhering to applicable ethics laws, policies, and Policy Directives and for making choices that exemplify an adherence to high ethical standards. Information on issues related to state ethics, including interpretations and clarifying examples of RCW and WAC, is available at <http://www.wa.gov/ethics>.

1. Employees shall not:

- a. Have a financial or other interest or engage in any business or professional activity that is in conflict with their official duties. [3-4067]
- b. Use their official position to secure special privileges for themselves or any other person. [3-4067]
- c. Receive any compensation from a source, except the state, for performing or deferring the performance of any official duty.
- d. Accept any gifts. The following items are excluded from the gift restriction:
 - 1) Items from family, friends, or other employees not intended to influence the employee's performance or non-performance of their official duties.
 - 2) Unsolicited plaques and awards of appreciation.
 - 3) Items of nominal value, regularly and normally offered by an organization to customers, potential customers, or the general public as samples or for public relations or advertising purposes.
 - 4) Food and beverages on infrequent occasions in the ordinary course of meals, when related to official duties.
 - 5) Awards, prizes, scholarships or other items provided in recognition of academic or scientific achievement.
- e. Disclose confidential information to an unauthorized person or use confidential information for personal benefit or to benefit another.
- f. Use state resources for personal benefit or to benefit another, except as required during the execution of their official duties.
- g. Use state resources for political campaigns. [3-4024] [7E-13]
- h. Assist another person in a transaction involving the state if they participated in that transaction or the transaction was part of their

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job responsibilities anytime within the past 2 years, except as required during the execution of their official duties.

2. Former employees shall not:

- a. Within one year of leaving state employment, accept employment or compensation from an employer contracting with the Department if, during the 2 years immediately preceding termination of state employment they:
 - 1) Negotiated or administered a contract with the new employer in excess of \$10,000; and
 - 2) Their duties with the new employer would include fulfilling or implementing that contract.
- b. Within 2 years following the termination of state employment, have a beneficial interest in a contract or grant which was expressly authorized or funded by executive action in which the employee participated.

B. The occasional and limited use of state resources that supports the organizational effectiveness, enhances job related skills, is reasonable and of negligible cost, does not violate an ethics law, and does not undermine public trust and confidence.

1. Employees may make occasional but limited use of state resources with prior Supervisor approval, only if:
 - a. There is no cost to the state;
 - b. It does not interfere with the performance of the employee's official duties;
 - c. It does not disrupt or distract from the conduct of state business due to volume or frequency; and
 - d. It does not compromise the security or integrity of state information or software.
2. Occasional and limited use of state resources does not include use for:
 - a. The purpose of conducting an outside business;
 - b. The purpose of supporting, promoting, or soliciting for an outside organization or group unless provided by law or authorized by the Secretary/designee;

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- c. Campaigning or other political activity; [7E-13]
- d. Advertising, selling, or other commercial uses; or
- e. Illegal activity.
- f. The appropriate use of state resources ultimately rests with the employee who uses or authorizes use.

II. Reporting Violations

- A. Employees shall inform their Supervisor of any actual or potential violations of this Policy Directive.
 - 1. When in doubt, employees shall consult with their Supervisor and/or local or Regional Human Resources Manager.
 - 2. Alleged violation(s) of RCW 42.52 may also be filed directly with the Executive Ethics Board at the following address:

1125 Washington Street SE
Post Office Box 40100
Olympia, Washington 98504-0100
 - 3. The Executive Ethics Board has the authority and responsibility for investigating complaints and may take punitive action against the employee and/or agency if violations occur.
- B. The Appointing Authority/designee will be a single point of contact within their area to respond to questions and/or complaints about this Policy Directive and other ethics related issues.
- C. The local or Regional Human Resources Manager will assist in the identification and resolution of potential problems related to ethics laws and Policy Directives.
- D. Violations may lead to corrective or disciplinary action up to and including dismissal.

DEFINITIONS:

Words/terms appearing in this Policy Directive may be defined in the Glossary section of the Policy Directive Manual.

ATTACHMENTS:

None

DOC FORMS (See Appendix):

None