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CASE TOPIC: Staff Sexual Misconduct
CASE#: HQ 01-04-06-F01
DATE OPENED: 0//07/06
DATE CLOSED: 11/07/2606
SIGN AND DATE AT TIME OF REVIEW OR RECEIPT

IN OFFICE REVIEW	CASE OUT REVIEW	COPY AUTHORAZATION
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CONFIDENTIAL

State of Washington Department of Corrections Prisons Division



Special Investigations Unit Case File HQ 01-04-06-FO1

CONFIDENTIAL



Washington State Department of Corrections Investigative Report

Case Number:

HQ 01-04-06-F01 (Washington Corrections Center for

Women)

Date Opened:

01/19/2006

Date Closed:

11/07/2006

Staff Involved:

Henry Torres

Correctional Officer 2

Offenders Involved:

DC

Type of Investigation:

Custodial Sexual Misconduct

Origin of Complaint:

Washington Corrections Center for Women

Gig Harbor, WA / Pierce County

Locations of Occurrences:

Washington Corrections Center for Women

Gig Harbor, WA / Pierce County

Dates of Occurrences:

Late 2004 until Present

Investigated By:

Investigator / Correctional Specialist 4 Steven Baxter

#142 (HQ SIU)

Revised Code of Washington (RCW) Alleged Violations:

RCW 9A.44.160 - Custodial Sexual Misconduct in the

First Degree

Department of Corrections

DOC 800.010 Ethics

Policy:

DOC 850.030 Employee Relationships / Contact with

Offenders

Case Number: HQ 01-01-06-101

Washington State Department of Corrections

Special Investigations Unit (SIU)

Report Submitted by: Investigator Steven Baxter #142

Page 1

Synopsis:

On 1/19/06 WCCW I&I Investigator Kelly Kelly informed HQ DOC SIU that she had received information from a confidential informant that CO Torres was still in a relationship with offender to the CO Torres and offender had been caught in a compromising position in 2003 (see attached report). Information stated that CO Torres and offender were meeting in the yard, gym and her living unit. Notes were supposedly being passed between the two facilitated by other offenders.

Summary:

Based upon the information received and individuals interviewed, there is no information available to substantiate any of the allegations that were made against CO Torres and offender and CO Torres, offender and numerous informants were questioned with negative results. Offender are room was search for notes or other contraband without success. This case is closed pending further developments.

Attachments:

- 1. Investigation on CO Torres dated 25 June 2003
- 2. Picture and face sheet on offender
- 3. Picture of CO Torres

Washington Corrections Center for Women Intelligence & Investigations Investigative Case #06-039-03-FO1

25 June 2003 TO: Belinda D. Stewart Superintendent, WCCW FROM: Steven B. Baxter Investigator, WCCW SUBJECT: POSSIBLE STAFF MISCONDUCT RE: CO HENRY TORRES SYNOPSIS: On 17 June 2003 L&I was notified of possible staff misconduct between Correctional Officer Henry Torres and Inmate Roster Manager Joseph Cooper reported to Shift Lt. Baker that he had walked into the staff break room in A Bldg. and observed CO Torres and CO in an embrace. Lt. Baker notified WCCW I&I. INVESTIGATIVE INTERVIEWS: Roster Manager Joseph Cooper: Mr. Cooper was interviewed on 17 June 2003 and submitted a written statement (see attachment 1). Mr. Cooper stated that he had left his office RM A-11 in A Bldg, and went to the staff break room Rm. A-17. Mr. Cooper reports that the lights were off in the breakroom and as he entered he observed Officer Torres and I/M in the middle of an embrace. Mr. Cooper related that as soon as they saw him they broke the embrace and did not appear to have been kissing but had each other's arms fully wrapped around each other. Mr. Cooper stated that as he began to speak to CO Torres that I/M rushed past him and entered the women's restroom across the hall. When asked by Mr. Cooper what was going on Officer Torres is reported to have said: "this was the first time this has happened", "please don't report this", and "this won't happen again." Mr. Cooper then escorted CO Torres to the Shift Lt.'s office. While in the Shift office with CO Torres he heard CO Torres tell Lt. Baker that "we just kind of accidentally knocked into each other and then grabbed onto each other." Shift Lt. Robert Baker: Lt. Baker was interviewed on 6/25/03 and stated that on the time of the incident CO Torres and Mr. Cooper entered the shift office together and CO Torres stated "I screwed up boss." Mr. Cooper then explained that he had observed CO Torres and I/M hugging in the breakroom. Lt. Baker removed I/M from the Bldg. and instructed CO Torres and Mr. Cooper to write statements. After returning to the office CO Torres told Lt. Baker that they were not hugging rather he had been leaving the breakroom and the inmate entering and he had grabbed her to keep her from falling. Lt. Baker reported the incident to WCCW I&I. Inmate was interviewed and made a written statement (see attachment 2) on 6/17/03. I/M stated that she was in the ladies room in A-bldg, and saw CO Torres walking down the hall towards the breakroom, she finished cleaning the restroom and went into the breakroom to relax a bit. I/M states that CO Torres was standing in the breakroom looking in the refrigerator. I/M related that she walked in and started talking to CO Torres saying "Henry, I talked to my Mom today and

she's coming tomorrow." I/M stated that CO Torres just stood there and she told him that they were

he reached out his arms and they hugged. I/M tales that she felt stunned and as she was pulling

moving her to minimum soon and that she was scared and what was she going to do. I/M

Page 2 Case #06-039-03-FO1 REF; Staff Misconduct RE: CO Torres

06/25/03

away she saw Mr. Cooper walking to the refrigerator and she quickly released her arms from CO Torres. I/M states that she quickly left the room as she left she heard Mr. Cooper say "Henry". I/M related that she went back to the ladies room and stayed there until called out by Tony Smith and taken to Z. bldg. During her interview I/M added that he pulled her to him by her arms said "it's going to be OK" while hugging her. 1/M was administered a Polygraph Exam on 6/23/03 with the following questions and results:

- 1. Prior to the hug on 6/17/03 has CO Torres ever hugged you? Answer: No Results of the polygraph showed she was being deceptive in her answer.
- 2. Has CO Torres ever had any conversations of a sexual nature with her? Answer: No Results of the polygraph showed she was being deceptive in her answer.

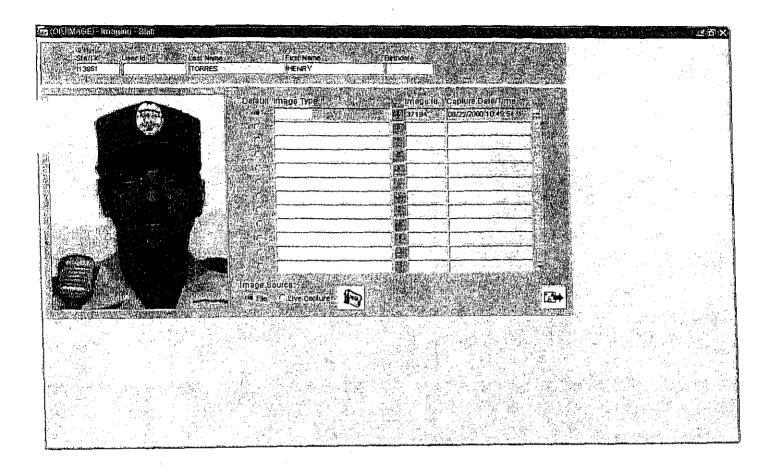
Inmate stated during the pre-polygraph interview that CO Torres had held his arm out to her and she might have misconstrued what he wanted and went into his arms.

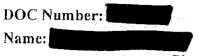
Correctional Officer 2 Henry Torres: was interviewed and made a written statement on 6/17/03. In his written statement CO Torres stated that he had entered the breakroom in A Bldg, to wash and dry his hands, after completing this task he turned around to leave and ran into I/M as she entered the room. CO Torres stated that he tried to hold the immate to keep from knocking her over. At that time Roster Manager Cooper entered the room and saw him holding the inmate. CO Torres stated that nothing happened between him and any inmate. During the interview CO Torres denied that he had been talking to Immate but she had told him her worries in the dinning hall at lunch. When first questioned CO Torres stated that he had grabbed her by the arms but later stated that he had grabbed her around the waist. When questioned about his statements to Mr. Cooper, CO Torres explained he was trying to tell Mr. Cooper that it was all innocent and doesn't recall saying all that Mr. Cooper wrote. CO Torres was reinterviewed in light of the polygraph results and again denied any wrongdoing in this incident or anytime previous.

CONCLUSIONS: Both Mr. Cooper and I/M state that what happened was a hug, CO Torres states he was simply catching her after running into her. CO Torres's account changed during questioning from grabbing her arms to grabbing her waist. Mr. Cooper is firm on his observation that they were in a full hug with arms around each other. Inmate stated that their chests touched during the contact. The results of the polygraph came back that Inmate was being deceptive in her negative answers if they had ever hugged before or if CO Torres had ever talked to her in a sexual nature. No further information was uncovered in this investigation to prove or disprove a relationship between CO Torres and Inmate

3 Attachments

- 1. Written statement by Joseph Cooper dated 6/17/03
- 2. Written statement by Inmate dated 6/17/03
- 3. Written statement by CO Henry Torres dated 6/17/03





Please click on the picture to enlarge it.





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IISO100 LEGAL FACE SHEET

TIME 09:13

DOC NO:

NAME:

("AA") STATUS: ACTIVE

BED NO: F03KC14

COUNSELOR: GD04 DOMINOWSKI, IRA

MANSLAUGHTER 1

CURRENT LOCATION: WCCW MINIMUM

SEX: F AGE: 27 FBI NO:

RACE : WHITE

SID NO:

HISP ORIG : NO

HEALTH RECORD REVIEW : NOT REQUIRED

NAMES:

P. PREL: SUPT REFR DIRECT 709

P. MFED: SUPT APP-REFER MFSC PULHESDXT DATE

2 1 1 1 1 2 1 2 1 05/04/2006

MXED: 09/23/2008 MNED: 03/25/2002

ERD : 10/03/2007 ADJ.: 11/13/2007

NRD: 05/04/2007 SCORE: 62

CUS.: MIP

MFED: 11/13/2003

COMM. CONCERN: N

RMI: RMC

VICTIM WRAP AROUND:

VW ELIGIBLE: YES COMM. PLACEMENT: YES

LSI-R: 26 AND LSI LEVEL : MODERATE

BIRTH:

P. WTR: ACCEPTED 700 WR

P. REL: N/A

Y 20 1C 8Y 6M 0D

REGISTERABLE OFFENDER : N

GTL TIME START RECEIVED OC MIN.TERM CC CS REL.DATE STATUS COM. COUNTY *AA*Y SNOHOMISH 15 04/27/2000 04/27/00 20 8Y 6M 0D 11/13/2007 AC

CMP. CO./CAUSE OFFENSE DESC. V OC CNTS MIN.TERM CC CS MANDATORY JAIL

2Y OM OD

TOTAL MONETARY OBLIGATION: ORDERED \$****710.00 ; AS OF 05/25/04 PAID \$****994.85 SCHEDULE: 0 SET BY: SPECIAL CONDITIONS: YES

STAT MAX:

COMMENTS: SNOH CTY J&S 99-1-01098-6 WITH FILE MATERIAL TO WCC WOMEN'S 4-4-01 KS

11285 69 09/24/04 F01

PSYCH RPT REQ ON 4/24/02 APP HBR WR 6/8/06 LWF

MOVEMENT	DATE & TYPE	DESTINATION	REASON FOR	ORIGIN
04/27/00	NEW COMMITMENT	W.C.C.WOMEN	INITIAL CLASSI.	SNOHOMISH
02/19/03	OUT ON FURLOUGH	SNOHOMISH	FUNERAL	W.C.C.WOMEN
02/19/03	RET.FM.FURLOUGH	SNOHOMISH	FUNERAL	W.C.C.WOMEN
10/22/03	TRANSFERRED TO	WCCW MINIMUM	PROGRAM CHANGE	W.C.C.WOMEN
10/26/03	TRANSFERRED TO	W.C.C.WOMEN	INITIAL CLASSI.	WCCW MINIMUM
05/12/06	TRANSFERRED TO	MISSION CRK CC	PROGRAM CHANGE	W.C.C.WOMEN
05/12/06	IN TRANSIT AT	W.C.C.WOMEN	PROGRAM CHANGE	WCCW MINIMUM

HOUSING	DATE & LOCATION	COUNSELOR	WORK ASSIGN.	SUPERVISOR
04/27/00	F01-R110A	POSITION GD40		
06/02/00	F01-MA113U	POSITION 0014	UNASSIGNED-WAIT	POSITION 9999
			UNASSIGNED	POSITION 9999
06/08/00	F01-MA113U	POSITION 0014	CUSTODIAN I	POSITION GE36
			UNASSIGNED	POSITION 9999
10/23/00	F01-MA206U	POSITION 0014	CUSTODIAN I	POSITION GE36
		*	UNASSIGNED	POSITION 9999

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06/23/03	F01-C210A	POSITION 1131		
07/02/03	F01-MB141U	POSITION 1131		
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10/20/03	F01-MB146L	POSITION 0057		
10/22/03	F03-LA21			
10/26/03	F01-SB231B	POSITION 0057		
11/02/03	F01-C227F	POSITION 0057		
11/12/03	F01-C112A	POSITION 0057		
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06/12/03 554 DESTROY PROP													SUSPEND	WC	CW
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^{*} WROTE ON A STATE ISSUE JACKET "SAD GIRL NIKE"

IISO100

LEGAL FACE SHEET

TIME 09:13

DOC NO: NAME: ("AA") STATUS: ACTIVE

INFRACTION DATE & TYPE CELL DOC ISRB STATUS SANCTIONS LOCATION
10/26/03 509 REFUSE TO LEAVE N 0 0 APPLIED MAX SECUR. WCCW

* REFUSED TO CELL UP FOR COUNT.
12/19/03 714 POSSESSING > \$10 N 0 0 APPLIED REPRIMAND WCCW

* DID ATTEMPT TO GIVE ANOTHER INMATE CANTEEN ITEMS THAT TOTALED OVER TEN

* DOLLARS
01/17/04 509 REFUSE TO LEAVE N 0 0 APPLIED MAX SECUR. WCCW

* REFUSED TO DISPERSE FROM DINING HALL WHEN TOLD TO DO SO BY STAFF
10/10/04 714 POSSESSING > \$10 N 0 0 APPLIED WKEND CONF WCCW

* DID ADMIT TO LOANING ANOTHER INMATE HER WATCH 10/20/04 554 DESTROY PROPERTY N 0 0 APPLIED 21 SUSPEND WCCW 05

* DID ADMIT TO WRITING "SAD GIRL" ON HER STATE ISSUE JACKET.

10/20/04 554 DESTROY PROPERTY N 0 0 APPLIED EXTRA DUTY WCCW

* WAS OBSERVED WRITING ON A STATE ISSUE JACKET
03/03/05 714 POSSESSING > \$10 N 0 0 APPLIED WKEND CONF WCCW

* DID ADMIT TO POSSESSION OF A WATCH THAT DID NOT BELONG TO HER 05/06/05 710 TATTOO/PARA. N 0 0 APPLIED MAX SECUR. WCCW 07

* DID ADMIT TO TATTOOING HERSELF."MAMA" ON HER OUTER LEFT ANKLE
05/06/05 714 POSSESSING > \$10 N 0 0 APPLIED 2I SUSPEND WCCW
05

* DID GIBE SEVERAL ITEMS OF MAKE UP TO ANOTHER INMATE TO HOLD FOR HER 05/12/05 724 REF. CELL ASSIGN N 0 0 APPLIED MAX SECUR. WCCW 10

* REFUSED TO LEAVE THE SEGREGATION UNIT AND REPORT TO CCU
08/13/05 657 4 GENERAL INFRA. N 0 0 APPLIED WKEND CONF WCCW
02

* WAS FOUND GUILTY OF FOUR MINOR INFRACTIONS BETWEEN 3/1/05 AND 7/29/05

HOLDS: DATE REASON FOR HOLD TRANSFER LOC STAFF UNTIL 05/10/06 MI1 - MINUMUM 1 TARGETED N F01 BT79 05/14/07 05/16/06 MEN - MENTAL HOLD F03 BU28 10/02/07

 CUSTODY DATE
 SCORE
 TYPE
 ASSIGNED
 CUSTODY
 OVERRIDE
 LOCATION

 04/28/2000
 41
 INITIAL
 05/17/2000
 MEDIUM
 W.C.C.WOMEN

 03/19/2001
 62
 REVIEW
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 MINIMUM
 W.C.C.WOMEN

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11/08/06

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LEGAL FACE SHEET

TIME 09:13

DOC NO:

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("AA")

STATUS: ACTIVE

CUSTODY DATE SCORE TYPE ASSIGNED CUSTODY OVERRIDE LOCATION 04/16/2002 67 REVIEW 05/01/2002 MINIMUM W.C.C.WOMEN 05/22/2003 62 PLAN RVW 06/12/2003 MINIMUM W.C.C.WOMEN

I CC-MAINTAIN MI3, TARGET MIP/TPR AND MI1/HBR WHEN ELIGIBLE.

10/21/2003 57 PLC ELIG 10/21/2003 MINIMUM W.C.C.WOMEN P HAS REACHED HER MI2 TARGET DATE AND RETAINS 57 POINTS AND MINIMUM CUSTODY EL I GIBILITY. PROMOTED TO MI2 CUSTODY AND WILL REQUEST A T.O. FOR WCCW/MSC.

00 PLC ELIG 11/03/2003 MEDIUM 11/03/2003 W.C.C.WOMEN PLAN RVW 03/09/2005 MEDIUM 03/01/2005 52 W.C.C.WOMEN

I CC ACTION: CONCUR WITH FRMT.

05/04/2006 62 PLAN RVW 05/12/2006 MINIMUM W.C.C.WOMEN

IISUI012 NO WARRANTS OR DETAINERS FOUND

IISUI005 NO OUT TIME FOUND

IISUI009 NO ISR BOARD INFO FOUND

