

FILED
Court of Appeals
Division II
State of Washington
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NO. 54265-0

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

In re the Personal Restraint Petition of:

CANDICE BAUGHMAN,

Petitioner.

RESPONSE OF
DEPARTMENT OF
CORRECTIONS

Respondent, the Department of Corrections (Department or DOC), responds to Baughman's personal restraint petition pursuant to RAP 16.9. Following several violations, the Department placed Baughman on Behavioral Contract/Clinical Intervention (CI). Almost immediately, Baughman committed another violation involving the same conduct. During the Department hearing, Baughman admitted engaging in the conduct after placement on the CI. The Department terminated her treatment and returned her to prison. Baughman now challenges the revocation of her DOSA sentence by alleging due process violations, namely claiming a preponderance of the evidence did not support the violations. Her claims fail because the Department followed its policies in the revocation process for Baughman's case and Baughman admitted the conduct, which led to revocation of her DOSA.

I. BASIS FOR CUSTODY

Baughman is in the Department's custody pursuant to two Lewis County judgment and sentences. In one, Baughman pleaded guilty to two counts residential burglary, two counts second-degree burglary, possession of methamphetamine and unlawful possession of a firearm. Exhibit (Ex.) 1, Judgment and Sentence, *State v. Baughman*, Lewis County Cause No. 16-1-00395-21. The trial court (the Honorable J. Andrew Toynbee) imposed concurrent terms amongst the six counts, with the longest running counts receiving a sentence of 36.75 months confinement and 36.75 months community custody pursuant to a prison-based DOSA sentence. *Id.* at 3-4. In the second cause, Baughman pleaded guilty to three counts delivery of a controlled substance – methamphetamine. Ex. 2, Judgment and Sentence, *State v. Baughman*, Lewis County Cause No. 17-1-00243-21. The trial court sentenced Baughman to 45 months confinement and 45 months community custody on all counts pursuant to a prison-based DOSA sentence. Ex. 2, at 3. The trial court ordered both causes to run concurrently. Ex. 1, at 3; Ex. 2, at 3.

Prior to releasing to community custody, Baughman violated the terms of her DOSA and the Department revoked it. Ex. 3, at 4, Hearing and Decision Summary Report. Baughman's earned early release date (ERD) is

March 9, 2023. Ex. 4, at 1, Offender Management Information System (OMNI) Legal Face Sheet.

II. STATEMENT OF THE CASE

Following Baughman's guilty pleas on a 2016 cause and a 2017 cause, the sentencing court imposed DOSA sentences on each cause. Ex. 1; Ex. 2. Baughman arrived at the Monroe Corrections Center and the Department admitted her into the Therapeutic Community Treatment Program on November 27, 2018. Ex. 5, at 4, Notice of Allegations (Initial Serious Infraction Report). After she arrived at prison, Baughman signed the Chemical Dependency DOSA Agreement as well as the Chemical Dependency Treatment Participation Requirements Form. Ex. 6, DOSA Agreement; Ex. 7, Chemical Dependency Treatment Participation Requirements. The DOSA agreement form notified her that a violation of the prison's chemical dependency treatment program rules, including a pattern of behavior issues wherein interventions have not been successful, lack of progress towards the goals of treatment, or major infractions resulting in a change of custody level, could result in revocation of his DOSA. Ex. 6. That participation requirements form informed Baughman failure to abide by program expectations, including failure to participate or make progress in treatment, may result in termination from the program. Ex. 7.

Per Classification Counselor (CC) Valerie Gagnier, she discussed the treatment participation requirements with Baughman and discussed how her actions could result in termination from the program. Ex. 5, at 4 (Initial Serious Infraction Report). Immediately following Ms. Gagnier's meeting with Baughman, she received an infraction. *Id.* On January 4, 2019, Baughman signed a Behavior Contract Level 4 Clinical Intervention. Ex. 8, Behavior Contract. At the time Baughman signed the contract, she was pending three serious infractions. Ex. 5, at 5. The contract signed by Baughman informs her that she is required to follow all DOC and Chemical dependency polices and procedures for the duration of the contract and failure to do so will be considered a failure to program and she "could be discharged from the Infinity Therapeutic Community" program. Ex. 8, at 1. Baughman agreed to remain infraction free and told receiving an infraction will lead to a determination of her continuance in the program via a FRMT. *Id.* at 2. The Department awarded Baughman a custody override in an attempt to maintain her in the treatment community. Ex. 5, at 5, 7.

Following the CI, Baughman received several infractions, some of which pertained to conduct occurring prior to the CI. Ex. 5, at 5. Unfortunately, Baughman received additional infractions for conduct occurring within days of signing the CI. *Id.* Baughman pleaded guilty to two infractions – (725) telephoning or sending written or electronic

communication to another offender with approval and (889) using facility phones without authorization. Ex. 5, at 19–20. Baughman maintained the unauthorized notes were written prior to her CI. Ex. 5, at 19. Baughman’s last infractions resulted in a custody demotion to medium custody. Ex. 5, at 18. Baughman did not receive a second custody override. *Id.* at 5. The treatment team discharged Baughman from treatment on January 31, 2019. *Id.* at 11.

On March 20, 2019, the Department held a hearing regarding Baughman’s 762 infraction (WAC 137-25-030: 762) failing to complete, or administrative termination from, DOSA substance abuse treatment program.” Ex. 3. Witnesses from the treatment team testified as well as Baughman. *Id.* The hearing officer had evidence of the serious infraction reports, treatment progress notes, forms signed by Baughman, the CI as well as custody reviews and a note from Baughman. *Id.*; Ex. 9, at 4–5. CC Gagnier testified regarding Baughman’s infractions and her prior discussions with Baughman as well as security implications in violating the Department’s phone policy. *Id.* at 9–14, 24–25, 28, 30–31. The Department monitors phone calls for the safety and security of offenders, staff and the community. Ex. 9, at 28. Where safety and security are involved, violations are considered major infractions. *Id.* Chemical Dependency Professional (CDP) Walcott also testified regarding Baughman’s participation in

treatment and the previous custody override. *Id.* at 15–19.

Ms. Baughman also testified regarding the various infractions, acknowledging that when she was placed on the CI, she disclosed there was a lot of communication between her and another offender and the treatment team said, “ok so as long as everybody stops it from here and you stop that behavior right . . . so just from here on out as long as anything doesn’t happen.” Ex. 9, at 22–23. Baughman testified in the affirmative that the conversation in question with the other offender occurred on the 7th or 8th and was reported on the 10th. Ex. 9, at 31. This conduct occurred three to four days after she signed the CI. *See* Ex. 8. Baughman testified, “I’m not disputing the fact that I came forward and said I made a phone call after the 4th.” *Id.* at 32 (*see also* pp. 34–35).

Correctional Unit Supervisor (CUS) Thrush also testified regarding Baughman’s infractions incurred following the CI. Ex. 9, at 66–67, 72. Thrush testified regarding the contents of one of the notes indicating she personally saw the note Baughman wrote which states, “I’m on a CI now I’m not supposed to talk to you.” *Id.* at 74. Thrush testified regarding a conversation with Baughman in which she informed her that if she incurred anymore infractions while on the CI, the team could not guarantee they would be able to keep her in the program. Thrush testified she asked Baughman if there is anything else she was doing or needed to tell her about

and Baughman indicated she did not. *Id.* at 75. Baughman testified, “And I did. OK.” *Id.* at 76

Ultimately, the hearing officer revoked Baughman’s DOSA, finding Baughman went straight to a CI due to the seriousness of her violations. Ex. 9, at 84. The hearing officer found by a preponderance that Baughman violated the terms of the CI and the conduct occurred after she signed the CI, proven in part based on Baughman’s own admission to the conduct. Ex. 9, at 84–85, 87–88.

III. STANDARD OF REVIEW

A petitioner who challenges a decision from which she has had “no previous or alternative avenue for obtaining state judicial review” must show that she is under restraint and the restraint is unlawful. *In re Pers. Restraint Petition of Cashaw*, 123 Wn.2d 138, 148–49, 866 P.2d 8 (1994); RAP 16.4(a), (c). Under RAP 16.4, a petitioner may obtain relief by showing either a constitutional violation or a violation of state law. RAP 16.4(c)(2), (6); *see Cashaw*, 123 Wn.2d at 148. This review standard applies to petitions challenging the results of DOC community custody hearings. *See In re Pers. Restraint Petition of Dalluge*, 162 Wn.2d 814, 817, 177 P.3d 675 (2008).

A petitioner must set forth a statement of “the facts upon which the claim of unlawful restraint of petitioner is based and the evidence available to support the factual allegations, . . . [and] why the petitioner’s restraint is

unlawful for one or more of the reasons specified in rule 16.4(c).” RAP 16.7(a)(2). However, bare assertions and conclusory allegations of constitutional violations are insufficient to support a personal restraint petition. *In re Pers. Restraint Petition of Rice*, 118 Wn.2d 876, 886, 828 P.2d 1086, *cert. denied*, 113 S. Ct. 421 (1992).

IV. ISSUES PRESENTED

1. Whether the Department complied with due process when it revoked Baughman’s DOSA sentence.

V. ARGUMENT

A. The Department Provided Baughman With Due Process Prior To Revoking Her DOSA Sentence

The DOSA statute expressly authorizes the Department to hold a hearing and to revoke the DOSA sentence for an offender’s violation of a condition of the sentence. The statute provides: “If the department finds that conditions of community custody have been willfully violated, the offender may be reclassified to serve the remaining balance of the original sentence.” RCW 9.94A.662(3). “[U]nder the current version of the statute, the legislature has granted DOC the power to revoke a DOSA sentence and determine penalties for noncompliance.” *State v. Roy*, 126 Wn. App. 124, 128, 107 P.3d 750 (2005).

This Court has specifically determined that the Department has statutory authority to hold a DOSA violation hearing, to revoke the DOSA sentence, and to reclassify and return the offender to prison. *In re Pers. Restraint Petition of Price*, 157 Wn. App. 889, 907–09, 240 P.3d 188 (2010). The Washington Supreme Court and the other Divisions of this Court have also recognized that the Department has statutory authority to conduct community custody violation hearings, and to return offenders to prison for violations. *See e.g., In re Pers. Restraint Petition of Blackburn*, 168 Wn.2d 881, 232 P.3d 1091, 1093 (2010) (the Department’s reclassification of a DOSA offender on community custody must comply with minimal due process); *In re Pers. Restraint Petition of McKay*, 127 Wn. App. 165, 170, 110 P.3d 856, 858 (2005) (the Department should apply a preponderance of the evidence standard when conducting a DOSA revocation hearing); *Roy*, 126 Wn. App. at 128 (Legislature gave to the Department the authority to revoke DOSA sentence).

Here, the Department provided the process due for a DOSA revocation hearing. These minimum requirements of due process are: (1) written notice of the claimed violations; (2) disclosure of the evidence against the offender; (3) an opportunity to be heard in person and to present witnesses and evidence; (4) the right to confront and cross-examine witnesses; (5) a ‘neutral and detached’ hearings officer; and (6) a written

statement by the hearings officer as to the evidence relied on and reasons for the revocation. *Morrissey v. Brewer*, 408 U.S. 471, 489, 92 S. Ct. 2593 (1972); *Price*, 157 Wn. App. at 900. The Department provided this process and Baughman does not claim the Department failed to do so.

Baughman's claims focus on the evidence presented, contending all infractions incurred prior to her CI and the Department failed to prove the infractions by a preponderance of the evidence. Petition at 6–10. Baughman also argues she was terminated for prior behaviors occurring before the CI, which were not proven by a preponderance. *Id.* at 7–10. These claims are incorrect.

It was Baughman's final infraction, committed after she signed the CI agreeing not to incur any further infractions that resulted in her termination from treatment. Ex. 9, at 55–56. The hearing officer specifically stated those behaviors (the prior infractions) did not get her terminated, that the team “decided to put this all together and put on the CI contract and give you another chance.” *Id.* at 56. The Department gave Baughman a “pass” and granted an override for the prior infractions to allow her to remain in the program and placed her on a CI. Ex. 9, at 65–66, 78–79. The pending infractions were all part of the CI, but Ms. Gagnier testified, “should you receive any further major infractions it could jeopardize your continued placement in the TC program.” *Id.* at 23, 57. Ms. Geiger testified that

following the CI, Baughman did not have the necessary points to remain at Mission Creek and the severity of the sanction incurred following the CI “was not one we could mitigate . . . because DOC’s rule is to keep staff, offenders and the community safe.” *Id.* at 37. Immediately following this testimony, Baughman confirmed for the hearing officer she made third party phone calls, the first time using her husband, Mike, and the second one using a friend to make the call. *Id.* at 37–38. Baughman further testified she communicated with the other offender every day, sent notes and were having constant communication and even meeting. *Id.* at 26–27. Regarding the final three way phone call, Baughman testified, “[T]his was after the CI, it was actually, I want to say 3 or 4 days. . . .” *Id.* at 31.

Due to the seriousness of Baughman’s infraction following the CI, the Department did not provide her a second override of her custody level to allow her to remain in the treatment program. Baughman admitted she made the phone call, admitted she knew she was not supposed to contact the other offender or make three way phone calls, but she chose to do so regardless. The CI signed by Baughman notified her that any major infraction would put her DOSA in jeopardy. By ignoring the rules and violating the CI, Baughman received a major infraction which resulted in a change in custody level.

The Department provided Baughman with the process to which she was entitled and her termination from DOSA program, including the underlying infraction leading to the termination, were proven by a preponderance of the evidence.

VI. CONCLUSION

The Department acted in compliance with due process when it revoked Baughman's DOSA sentence. The Department respectfully requests that this Court dismiss Baughman's petition.

RESPECTFULLY SUBMITTED this 9th day of March 2020.

ROBERT W. FERGUSON
Attorney General

s/ Mandy L. Rose

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CERTIFICATE OF SERVICE

I certify that on the date below I electronically filed the RESPONSE OF DEPARTMENT OF CORRECTIONS with the Clerk of the Court using the electronic filing system which will serve by email the document to the following electronic filing participant:

Corey Parker
Attorney At Law
1275 12th Avenue NW, Suite 1B
Issaquah, WA 98027

corey@coreyevanparkerlaw.com

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED this 9th day of March 2020, at Olympia, WA.

s/ Beverly Cox
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EXHIBIT 1

CERTIFIED COPY

16-1-00395-21
FJS 113
Felony Judgment and Sentence
2922889



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FILED
Lewis County Superior Court
Clerk's Office

APR 13 2018

Scott Tinney, Clerk

By _____, Deputy

SUPERIOR COURT OF WASHINGTON
IN AND FOR LEWIS COUNTY

STATE OF WASHINGTON, Plaintiff,

No. 16-1-00395-21

vs.

FELONY JUDGMENT AND SENTENCE --

DOSA - Drug Offender Sentencing Alternative

CANDICE REBECCA BAUGHMAN,
Defendant.

DOB: [REDACTED]

PCN: 905403001

SID: WA23648508

Clerk's Action Required, 2.1, 4.1, 4.3, 5.2,
5.3, 5.5, 5.7

Defendant Used Motor Vehicle

Juvenile Decline Mandatory Discretionary

I. Hearing

1.1 The court conducted a sentencing hearing this date; the defendant, the defendant's lawyer, and the (deputy) prosecuting attorney were present.

II. Findings

2.1 Current Offenses: The defendant is guilty of the following offenses, based upon

guilty plea (date) 02/21/18 jury-verdict (date) bench trial (date)

Count	Crime	RCW (w/subsection)	Class	Date of Crime
I	Residential Burglary	9A.52.025(1)	FB	07/20/16
II	Unlawful Possession of a Firearm in the Second Degree	9.41.040(2)(a)(i)	FC	07/20/16
III	Possession of a Controlled Substance - Methamphetamine	69.50.4013 & 69.50.206(d)(2)	FC	07/20/16
IV	Burglary in the Second Degree	9A.52.030(1)	FB	07/19/16
V	Burglary in the Second Degree	9A.52.030(1)	FB	07/14/16
VI	Residential Burglary	9A.52.025(1)	FB	07/08/16

Class: FA (Felony-A), FB (Felony-B), FC (Felony-C)

(If the crime is a drug offense, include the type of drug in the second column.)

Additional current offenses are attached in Appendix 2.1a.

The defendant is a drug offender who is eligible for the drug offender sentencing alternative and the court determines that the sentencing alternative is appropriate. RCW 9.94A.660.

The jury returned a special verdict or the court made a special finding with regard to the following:

For the crime(s) charged in Count _____, domestic violence - intimate partner as defined in RCW 9A.36.041(4) was pled and proved.

For the crime(s) charged in Count _____, domestic violence (other) was pled and proved. RCW 10.99.020.

Felony Judgment and Sentence (FJS)
(Drug Offender Sentencing Alternative)
(RCW 9.94A.500, .505)(WPF CR 84.0400
(11/2017))

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- Count _____, Violation of the Uniform Controlled Substances Act (VUCSA), RCW 69.50.401 and RCW 69.50.435, took place in a school, school bus, within 1000 feet of the perimeter of a school grounds or within 1000 feet of a school bus route stop designated by the school district; or in a public park, public transit vehicle, or public transit stop shelter; or in, or within 1000 feet of the perimeter of a civic center designated as a drug-free zone by a local government authority, or in a public housing project designated by a local governing authority as a drug-free zone.
- In count _____ the defendant committed a robbery of a pharmacy as defined in RCW 18.64.011(21), RCW 9.94A._____.
- The defendant committed a crime involving the manufacture of methamphetamine, including its salts, isomers, and salts of isomers, when a juvenile was present in or upon the premises of manufacture in Count _____, RCW 9.94A.605, RCW 69.50.401, RCW 69.50.440.
- The defendant has a **chemical dependency** that has contributed to the offense(s). RCW 9.94A.607.
- Reasonable grounds exist to believe the defendant is a mentally ill person as defined in RCW 71.24.025, and that this condition is likely to have influenced the offense. RCW 9.94B.080
- Count _____ is a **criminal street gang**-related felony offense in which the defendant compensated, threatened, or solicited a minor in order to involve that minor in the commission of the offense. RCW 9.94A.833.
- Count _____ is the crime of **unlawful possession of a firearm** and the defendant was a **criminal street gang** member or associate when the defendant committed the crime. RCW 9.94A.702, 9.94A.829.
- Count _____ is a felony in the commission of which the defendant used a **motor vehicle**. RCW 46.20.285.
- Count _____ involves **attempting to elude** a police vehicle and during the commission of the crime the defendant endangered one or more persons other than the defendant or the pursuing law enforcement officer. RCW 9.94A.834.
- Counts _____ encompass the same criminal conduct and count as one crime in determining the offender score (RCW 9.94A.589).
- Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):**

Crime		Cause Number	Court (county & state)	DV* Yes
1	Delivery of Methamphetamine x 3	17-1-00243-21	Lewis, WA	
2	Possession of Methamphetamine	17-1-00849-21	Lewis, WA	

*DV: Domestic Violence was pled and proved. —

2.2 Criminal History (RCW 9.94A.525):

Crime	Date of Crime	Date of Sentence	Sentencing Court (County & State)	A or J Adult, Juv.	Type of Crime	DV* Yes
1 Possession of Controlled Substance	12/15/13	03/31/14	Thurston, WA	A	NV / FC	

*DV: Domestic Violence was pled and proved.

- The defendant committed a current offense while on community placement/community custody (adds one point to score). RCW 9.94A.525.
- The prior convictions listed as numbers(s) _____, above, are one offense for purposes of determining the offender score (RCW 9.94A.525)
- The prior convictions listed as numbers(s) _____, above, are not counted as points but as enhancements pursuant to RCW 46.61.520

2.3 Sentencing Data:

Count No.	Offender Score	Serious-ness Level	Standard Range (not including enhancements)	Plus Enhancements*	Total Standard Range (including enhancements)	Maximum Term
I	13	IV	63 – 84 mos	N/A	63 – 84 mos	120 mos
II	10	III	51 – 60 mos	N/A	51 – 60 mos	60 mos
III	10	I	12+ - 24 mos	N/A	12+ - 24 mos	60 mos

Felony Judgment and Sentence (FJS)
(Drug Offender Sentencing Alternative)
(RCW 9.94A.500, .505)(WPF CR 84.0400
(11/2017))

IV	13	III	51 – 68 mos	N/A	51 – 68 mos	120 mos
V	13	III	51 – 68 mos	N/A	51 – 68 mos	120 mos
VI	13	IV	63 – 84 mos	N/A	63 – 84 mos	120 mos

* (V) VUCSA in a protected zone, (RPh) Robbery of a pharmacy, (JP) Juvenile present, (CSG) criminal street gang involving minor, (AE) endangerment while attempting to elude.

2.4 **Exceptional Sentence.** The court finds substantial and compelling reasons that justify an exceptional sentence:

- below the standard range for Count(s) _____.
 - above the standard range for Count(s) _____.
 - The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.
 - Aggravating factors were stipulated by the defendant, found by the court after the defendant waived jury trial, found by jury, by special interrogatory.
 - within the standard range for Count(s) _____, but served consecutively to Count(s) _____.
- Findings of fact and conclusions of law are attached in Appendix 2.4. Jury's special interrogatory is attached. The Prosecuting Attorney did did not recommend a similar sentence.

2.5 **Legal Financial Obligations/Restitution.** The court has considered the total amount owing, the defendant's present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. (RCW 10.01.160). The court makes the following specific findings: *COURT KNOWS DEFENDANT CAN PAY THESE LFO'S.*

The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753): _____

The defendant has the present means to pay costs of incarceration. RCW 9.94A.760.

2.6 **Felony Firearm Offender Registration.** The defendant committed a felony firearm offense as defined in RCW 9.41.010, and:

- The defendant should register as a felony firearm offender. The court considered the following factors in making this determination:
 - the defendant's criminal history.
 - whether the defendant has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.
 - evidence of the defendant's propensity for violence that would likely endanger persons.
 - other: _____.

The defendant must register as a felony firearm offender because the offense was committed in conjunction with an offense committed against a person under the age of 18, or a serious violent offense or offense involving sexual motivation as defined in RCW 9.94A.030.

III. Judgment

3.1 The defendant is **guilty** of the Counts and Charges listed in Paragraph 2.1 and Appendix 2.1.

3.2 The court **dismisses** Counts _____ in the charging document.

IV. Sentence and Order

It is ordered:

4.1 **Confinement.** The court waives imposition of a sentence within the standard range and imposes the following sentence:

(a) **Prison-Based Alternative** (effective for sentences imposed on or after October 1, 2005).

(1) **Confinement.** A term of total confinement in the custody of the Department of Corrections (DOC) (half of the midpoint of the standard range, or 12 months, whichever is greater):

36.75 months of total confinement in the custody of DOC on Count I.

27.75 months of total confinement in the custody of DOC on Count II.

24 months of total confinement in the custody of DOC on Count III.

29.75 months of total confinement in the custody of DOC on Count IV.

29.25 months of total confinement in the custody of DOC on Count V.

36.75 months of total confinement in the custody of DOC on Count VI.

Confinement shall commence immediately unless otherwise set forth here: _____

ALL COUNTS CONCURRENT & CONCURRENT W/ LEWIS CO, OKS.

Work release is authorized, if eligible and approved.

Credit for Time Served. The defendant shall receive credit for eligible time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The jail shall compute time served.

(2) **Community Custody.** The defendant shall serve:

36.75 months in community custody on Count I.

27.75 months in community custody on Count II.

24 months in community custody on Count III.

29.75 months in community custody on Count IV.

29.75 months in community custody on Count V.

36.75 months in community custody on Count VI.

(One half the midpoint of the standard range.) The defendant shall comply with the community custody conditions in paragraph 4.2.

(3) **Additional Term of Community Custody.** If the defendant fails to complete, or is administratively terminated from, the drug offender sentencing alternative program, the court imposes a term of 12 months community custody under RCW 9.94A.701 unless community custody is not authorized for the crime.

4.2 Community Custody Conditions. RCW 9.94A.660. The defendant shall report to DOC not later than 72 hours after sentencing or release from custody at the address provided in open court or by separate document. The defendant shall comply with the instructions, rules and regulations of DOC for the conduct of the defendant during the period of community custody. The defendant shall perform affirmative acts as required by DOC to confirm compliance with the orders of the court. The defendant shall not use illegal controlled substances. The defendant shall comply with any other conditions of community custody stated in this Judgment and Sentence or imposed by DOC under RCW 9.94A.704 and .706 during community custody. While under supervision the defendant shall not own, use, or possess firearms or ammunition. The court orders that during the period of supervision the defendant shall:

- (a) Undergo and successfully complete a substance use disorder treatment program approved by the Department of Social and Health Services.
- (b) Undergo urinalysis or other testing to monitor drug-free status. The defendant shall pay the statutory rate to DOC, while on community custody, to offset the cost of urinalysis.
- (c) Additional conditions (choose at least three):

- pay all court-ordered legal financial obligations.
- report as directed to a community corrections officer.
- notify the court or community corrections officer in advance of any change in defendant's address or employment.
- remain within or outside of prescribed geographical boundaries.
- perform community restitution (service) work.
- devote time to specific employment or training.
- stay out of areas designated by the judge.
- not possess or consume alcohol.
- obtain a mental health evaluation and comply with recommended treatment.
- not possess or consume controlled substances, including marijuana, without a valid prescription.

Court Ordered Treatment: If any court orders mental health or substance use disorder treatment, the defendant must notify DOC and the defendant must release treatment information to DOC for the duration of incarceration and supervision. RCW 9.94A.562.

Other Conditions: _____

4.3 Legal Financial Obligations: The defendant shall pay to the clerk of this court:

<u>JASS CODE</u>			
PCV	\$ 500.00	Victim assessment	RCW 7.68.035
PDV	\$ _____	Domestic Violence (DV) assessment	RCW 10.99.080
	\$ _____	Violation of a DV protection order (\$15 mandatory fine)	RCW 26.50.110
CRC	\$ 200.00	Court costs, including RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190	
		Criminal filing fee \$200.00	FRC
		Witness costs \$ _____	WFR
		Sheriff service fees \$ _____	SFR/SFS/SFW/WRF
		Jury demand fee \$ _____	JFR

Felony Judgment and Sentence (FJS)
(Drug Offender Sentencing Alternative)
(RCW 9.94A.500, .505)(WPF CR 84.0400
(11/2017))

LEWIS COUNTY
PROSECUTING ATTORNEY
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Extradition costs \$ _____ EXT
 Other \$ _____

PUB \$ _____ Fees for court appointed attorney RCW 9.94A.760
 WFR \$ _____ Court appointed defense expert and other defense costs RCW 9.94A.760
 FCM/MTH \$ _____ Fine RCW 9A.20.021; [X] VUCSA chapter 69.50 RCW, [] VUCSA additional
 fine deferred due to indigency RCW 69.50.430
 CDF/LDI/FCF \$ _____ Drug enforcement fund of _____ RCW 9.94A.760
 NTF/SAD/SDI

CLF \$ 100.00 Crime lab fee [] suspended due to indigency RCW 43.43.690
 \$ 100.00 DNA collection fee RCW 43.43.7541
 FPV \$ _____ Specialized forest products RCW 76.48.171
 \$ _____ Other fines or costs for: _____
 \$ _____ Restitution to: _____
 RTN/RJN \$ _____ Restitution to: _____
 \$ _____ Restitution to: _____

(Name and Address--address may be withheld and provided confidentially to Clerk of the Court's office.)

\$ _____ Total RCW 9.94A.760

The above total does not include all restitution or other legal financial obligations, which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing:

shall be set by the prosecutor.

is scheduled for _____ (Date).

The defendant waives any right to be present at any restitution hearing (sign initials): CB

Restitution Schedule attached.

The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

All payments shall be made in accordance with the policies of the clerk of the court and on a schedule established by DOC or the clerk of the court, commencing immediately, unless the court specifically sets forth the rate here: Not less than \$ _____ per month commencing _____ RCW 9.94A.760.

The defendant shall report to the clerk of the court or as directed by the clerk of the court to provide financial and other information as requested. RCW 9.94A.760(7)(b).

The court orders the defendant to pay costs of incarceration at the rate of \$ _____ per day (actual costs not to exceed \$100 per day). (JLR) RCW 9.94A.760. (This provision does not apply to costs of incarceration collected by DOC under RCW 72.09.111 and 72.09.480.)

The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090. An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160.

4.4 **DNA Testing.** The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency shall be responsible for obtaining the sample prior to the defendant's release from confinement. This paragraph does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from the defendant for a qualifying offense. RCW 43.43.754.

HIV Testing. The defendant shall submit to HIV testing. RCW 70.24.340.

4.5 **No Contact:**

The defendant shall not have contact with _____ (name) including, but not limited to, personal, verbal, telephonic, written or contact through a third party until _____ (which does not exceed the maximum statutory sentence).

The defendant is excluded or prohibited from coming within _____ (distance) of: _____ (name of protected person(s))'s home/ residence work place school (other location(s)) _____, or

other location _____, or until _____ (which does not exceed the maximum statutory sentence).

A separate Domestic Violence No-Contact Order, Antiharassment No-Contact Order, Stalking No-Contact Order, or Sexual Assault Protection Order is filed concurrent with this Judgment and Sentence.

4.6 **Other:** _____

- 4.7 **Exoneration:** The Court hereby exonerates any bail, bond and/or personal recognizance conditions.

V. Notices and Signatures

- 5.1 **Collateral Attack on Judgment.** If you wish to petition or move for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, you must do so within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.
- 5.2 **Length of Supervision.** If you committed your offense prior to July 1, 2000, you shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. If you committed your offense on or after July 1, 2000, the court shall retain jurisdiction over you, for the purpose of your compliance with payment of the legal financial obligations, until you have completely satisfied your obligation, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505(5). The clerk of the court has authority to collect unpaid legal financial obligations at any time while you remain under the jurisdiction of the court for purposes of your legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).
- 5.3 **Notice of Income-Withholding Action.** If the court has not ordered an immediate notice of payroll deduction in Section 4.1, you are notified that the Department of Corrections (DOC) or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.
- 5.4 **Community Custody Violation.**
(a) **Prison-based alternative:** If DOC finds that you willfully violated the conditions of the drug offender sentencing alternative program, DOC may reclassify you to serve the remaining balance of the original sentence.
(b) **Residential chemical dependency treatment-based alternative:** If the court finds that you willfully violated the conditions of the drug offender sentencing alternative, the court may order you to serve a term of total confinement equal to one-half the midpoint of the standard range or a term of total confinement up to the top of the standard range. The court may also impose a term of community custody.
(c) In any case, if you are subject to a violation hearing and DOC finds that you committed the violation, you may receive a sanction of up to 30 days of confinement. RCW 9.94A.633(1).
(d) In any case, if you have not completed your maximum term of total confinement and you are subject to a violation hearing and DOC finds that you committed the violation, DOC may return you to a state correctional facility to serve up to the remaining portion of your sentence. RCW 9.94A.633(2)(a).
- 5.5a **Firearms.** You may not own, use or possess any firearm, and under federal law any firearm or ammunition, unless your right to do so is restored by the court in which you are convicted or the superior court of Washington State where you live, and by a federal court if required. You must immediately surrender any concealed pistol license. (The clerk of the court shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047.
- 5.5b **Felony Firearm Offender Registration.** The defendant is required to register as a felony firearm offender. The specific registration requirements are in the "Felony Firearm Offender Registration" attachment.
- 5.6 Reserved.
- 5.7 **Department of Licensing Notice:** The court finds that Count _____ is a felony in the commission of which a motor vehicle was used. **Clerk's Action**—The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which must revoke the Defendant's driver's license. RCW 46.20.285.
- 5.8 **Department of Licensing Notice – Defendant under age 21 only.**
Count _____ is (a) a violation of RCW chapter 69.41 [Legend drug], 69.50 [VUCSA], or 69.52 [Imitation drugs], and the defendant was under 21 years of age at the time of the offense **OR** (b) a violation under RCW 9.41.040 [unlawful possession of firearm], and the defendant was under the age of 18 at the time of the offense **OR** (c) a violation under RCW chapter 66.44 [Alcohol], and the defendant was under the age of 18 at the time of the offense, **AND** the court finds that the defendant previously committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW.

Clerk's Action -The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which must revoke the Defendant's driver's license. RCW 46.20.265.

5.9 Other: THIS JUDGMENT SHALL RUN CONCURRENT WITH
LEWIS COUNTY DISTRICT COURT OUI.

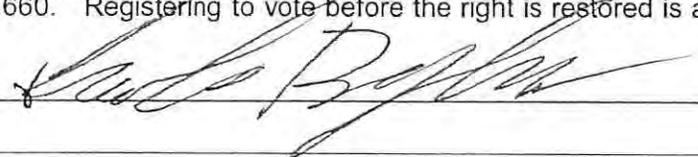
Done in Open Court and in the presence of the defendant this date: 4-13-18

	
Deputy Prosecuting Attorney	Judge/Print Name: J. ANDREW TOYNEE
WSBA No. 18685	Attorney for Defendant
Print Name: J. BRADLEY WEATHER	WSBA No. 18680
	Defendant
	Print Name: Candice Baughman

Voting Rights Statement: I acknowledge that I have lost my right to vote because of this felony conviction. If I am registered to vote, my voter registration will be cancelled.

My right to vote is provisionally restored as long as I am not under the authority of DOC (not serving a sentence of confinement in the custody of DOC and not subject to community custody as defined in RCW 9.94A.030). I must re-register before voting. The provisional right to vote may be revoked if I fail to comply with all the terms of my legal financial obligations or an agreement for the payment of legal financial obligations

My right to vote may be permanently restored by one of the following for each felony conviction: a) a certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) a court order issued by the sentencing court restoring the right, RCW 9.92.066; c) a final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) a certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 29A.84.660. Registering to vote before the right is restored is a class C felony, RCW 29A.84.140.

Defendant's signature: 

VI. Identification of the Defendant

SID No. WA23648508
(If no SID complete a separate Applicant card
(form FD-258) for State Patrol)

Date of Birth [REDACTED]

FBI No. 872239NC7

Local ID No. _____

PCN No. 905403001

Other _____

Alias name, DOB: _____

Race:

Asian/Pacific
Islander

Black/African-
American

Caucasian

Ethnicity:

Hispanic

Sex:

Male

Native American

Other: _____

Non-
Hispanic

Female

Fingerprints: I attest that I saw the defendant who appeared in court affix his or her fingerprints and signature on this document.

Clerk of the Court, Deputy Clerk, D. Brady Dated: 4/13/18

The defendant's signature: [Signature]

Left four fingers taken
simultaneously

Left
Thumb

Right
Thumb

Right four fingers taken
simultaneously



WOC

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
WASHINGTON
IN AND FOR THE COUNTY OF LEWIS

STATE OF WASHINGTON

NO. 16-1-00395-21

VS

WARRANT OF COMMITMENT TO THE
DEPARTMENT OF CORRECTIONS

CANDICE REBECCA BAUGHMAN,

TO: THE SHERIFF OF LEWIS COUNTY

The DEFENDANT, Candice Rebecca Baughman has been convicted in the LEWIS COUNTY SUPERIOR Court of the STATE OF WASHINGTON of the following crime:

COUNT	I	RESIDENTIAL BURGLARY UNLAWFUL
	II	FIREARM POSSESSION UNLAWFUL 2
	III	CONTROLLED SUBSTANCE POSSESS NO PRESCRIPTION
	IV	BURGLARY 2ND DEGREE
	V	BURGLARY 2ND DEGREE
	VI	RESIDENTIAL BURGLARY UNLAWFUL

And, the court has ordered that the defendant be punished by serving the determined sentence of:

COUNT	I	36.75 MONTHS
	II	27.75 MONTHS
	III	24.00 MONTHS
	IV	29.75 MONTHS
	V	29.75 MONTHS
	VI	36.75 MONTHS

Comments: ACTUAL NUMBER OF MONTHS OF TOTAL CONFINEMENT ORDERED IS:

The DEFENDANT shall receive credit for time served prior to this date, as follows: TO BE CALCULATED.

YOU, THE SHERIFF, ARE COMMANDED to receive the DEFENDANT for classification, confinement and placement as ORDERED in the Committing Document, and to take and deliver the DEFENDANT to the proper OFFICERS OF THE DEPARTMENT OF CORRECTIONS; and YOU, THE OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the DEFENDANT for classification, confinement and placement as ORDERED in the Committing Document.

BY DIRECTION OF THE HONORABLE
J. ANDREW TOYNBEE
JUDGE

SCOTT TINNEY
CLERK

DATE: 4/13/2018

BY: 
DEPUTY CLERK

EXHIBIT 2

CERTIFIED COPY

17-1-00243-21
FJS 52
Felony Judgment and Sentence
2922666



FILED
Lewis County Superior Court
Clerk's Office

APR 13 2018

Scott Tinney, Clerk

By _____, Deputy

SUPERIOR COURT OF WASHINGTON
IN AND FOR LEWIS COUNTY

STATE OF WASHINGTON, Plaintiff,

No. 17-1-00243-21

vs.

FELONY JUDGMENT AND SENTENCE --
DOSA – Drug Offender Sentencing Alternative

CANDICE REBECCA BAUGHMAN,
Defendant.

[X] Clerk's Action Required, 2.1, 4.1, 4.3, 5.2,
5.3, 5.5, 5.7

DOB: [REDACTED]

PCN: 905431480

SID: WA23648508

[] Defendant Used Motor Vehicle
[] Juvenile Decline [] Mandatory [] Discretionary

I. Hearing

1.1 The court conducted a sentencing hearing this date; the defendant, the defendant's lawyer, and the (deputy) prosecuting attorney were present.

II. Findings

2.1 Current Offenses: The defendant is guilty of the following offenses, based upon

guilty plea (date) 03/06/18 jury-verdict (date) _____ bench trial (date) _____

Count	Crime	RCW (w/subsection)	Class	Date of Crime
I	Delivery of a Controlled Substance – Methamphetamine	69.50.401(1) & 69.50.401(2)(b)	FB	01/15/17 - 04/13/17
II	Delivery of a Controlled Substance – Methamphetamine	69.50.401(1) & 69.50.401(2)(b)	FB	01/15/17 - 04/13/17
	Delivery of a Controlled Substance – Methamphetamine	69.50.401(1) & 69.50.401(2)(b)	FB	01/15/17 - 04/13/17

Class: FA (Felony-A), FB (Felony-B), FC (Felony-C)

(If the crime is a drug offense, include the type of drug in the second column.)

Additional current offenses are attached in Appendix 2.1a.

The defendant is a drug offender who is eligible for the drug offender sentencing alternative and the court determines that the sentencing alternative is appropriate. RCW 9.94A.660.

The jury returned a special verdict or the court made a special finding with regard to the following:

For the crime(s) charged in Count _____, domestic violence – intimate partner as defined in RCW 9A.36.041(4) was pled and proved.

For the crime(s) charged in Count _____, domestic violence (other) was pled and proved. RCW 10.99.020.

Count _____, Violation of the Uniform Controlled Substances Act (VUCSA), RCW 69.50.401 and RCW 69.50.435, took place in a school, school bus, within 1000 feet of the perimeter of a school grounds or within 1000 feet of a school bus route stop designated by the school district; or in a public park, public transit vehicle, or public transit stop shelter; or in, or within 1000 feet of the perimeter of a civic center designated as a drug-free zone by a local government authority, or in a public housing project designated by a local governing authority as a drug-free zone.

In count _____ the defendant committed a robbery of a pharmacy as defined in RCW 18.64.011(21), RCW 9.94A._____.

Dec
Jail
Pros
△

Felony Judgment and Sentence (FJS)
(Drug Offender Sentencing Alternative)
(RCW 9.94A.500, .505)(WPF CR 84.0400
(11/2017))

Page 1 of 8

Prison Packs
TO JAIL

LEWIS COUNTY
PROSECUTING ATTORNEY
345 W. Main Street, 2nd Floor
Chehalis, WA 98532
360-740-1240 (Voice) 360-740-1497 (Fax)

- The defendant committed a crime involving the manufacture of methamphetamine, including its salts, isomers, and salts of isomers, when a juvenile was present in or upon the premises of manufacture in Count _____, RCW 9.94A.605, RCW 69.50.401, RCW 69.50.440.
- The defendant has a **chemical dependency** that has contributed to the offense(s). RCW 9.94A.607.
- Reasonable grounds exist to believe the defendant is a mentally ill person as defined in RCW 71.24.025, and that this condition is likely to have influenced the offense. RCW 9.94B.080
- Count _____ is a **criminal street gang**-related felony offense in which the defendant compensated, threatened, or solicited a minor in order to involve that minor in the commission of the offense. RCW 9.94A.833.
- Count _____ is the crime of **unlawful possession of a firearm** and the defendant was a **criminal street gang** member or associate when the defendant committed the crime. RCW 9.94A.702, 9.94A.829.
- Count _____ is a felony in the commission of which the defendant used a **motor vehicle**. RCW 46.20.285.
- Count _____ involves **attempting to elude** a police vehicle and during the commission of the crime the defendant endangered one or more persons other than the defendant or the pursuing law enforcement officer. RCW 9.94A.834.
- Counts _____ encompass the same criminal conduct and count as one crime in determining the offender score (RCW 9.94A.589).
- Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

	Crime	Cause Number	Court (county & state)	DV* Yes
1	Residential Burglary	16-1-00395-21	Lewis, WA	
2	Burglary – 2	16-1-00395-21	Lewis, WA	
3	Burglary – 2	16-1-00395-21	Lewis, WA	
4	Residential Burglary	16-1-00395-21	Lewis, WA	
5	Possession of Methamphetamine	16-1-00395-21	Lewis, WA	
6	UPF – 2	16-1-00395-21	Lewis, WA	
7	Possession of Methamphetamine	17-1-00849-21	Lewis, WA	

*DV: Domestic Violence was pled and proved.

2.2 Criminal History (RCW 9.94A.525):

	Crime	Date of Crime	Date of Sentence	Sentencing Court (County & State)	A or J Adult, Juv.	Type of Crime	DV* Yes
1	Possession of a Controlled Substance	12/15/13	03/31/14	Lewis, WA	A	NV/ FC	

*DV: Domestic Violence was pled and proved.

- The defendant committed a current offense while on community placement/community custody (adds one point to score). RCW 9.94A.525.
- The prior convictions listed as numbers(s) _____, above, are one offense for purposes of determining the offender score (RCW 9.94A.525)
- The prior convictions listed as numbers(s) _____, above, are not counted as points but as enhancements pursuant to RCW 46.61.520

2.3 Sentencing Data:

Count No.	Offender Score	Serious-ness Level	Standard Range (not including enhancements)	Plus Enhancements*	Total Standard Range (including enhancements)	Maximum Term
I	10	II	60+ - 120 mos	N/A	60+ - 120 mos	240 mos
II	10	II	60+ - 120 mos	N/A	60+ - 120 mos	240 mos
III	10	II	60+ - 120 mos	N/A	60+ - 120 mos	240 mos

* (V) VUCSA in a protected zone, (RPh) Robbery of a pharmacy, (JP) Juvenile present, (CSG) criminal street gang involving minor, (AE) endangerment while attempting to elude.

2.4 **Exceptional Sentence.** The court finds substantial and compelling reasons that justify an exceptional sentence:

- below the standard range for Count(s) _____.
 - above the standard range for Count(s) _____.
 - The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.
 - Aggravating factors were stipulated by the defendant, found by the court after the defendant waived jury trial, found by jury, by special interrogatory.
 - within the standard range for Count(s) _____, but served consecutively to Count(s) _____.
- Findings of fact and conclusions of law are attached in Appendix 2.4. Jury's special interrogatory is attached. The Prosecuting Attorney did did not recommend a similar sentence.

2.5 **Legal Financial Obligations/Restitution.** The court has considered the total amount owing, the defendant's present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. (RCW 10.01.160). The court makes the following specific findings: *THE COURT FINDS THE DEFENDANT CAN PAY HER LFE'S.*

The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

The defendant has the present means to pay costs of incarceration. RCW 9.94A.760.

2.6 **Felony Firearm Offender Registration.** The defendant committed a felony firearm offense as defined in RCW 9.41.010, and:

- The defendant should register as a felony firearm offender. The court considered the following factors in making this determination:
 - the defendant's criminal history.
 - whether the defendant has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.
 - evidence of the defendant's propensity for violence that would likely endanger persons.
 - other: _____.

The defendant must register as a felony firearm offender because the offense was committed in conjunction with an offense committed against a person under the age of 18, or a serious violent offense or offense involving sexual motivation as defined in RCW 9.94A.030.

III. Judgment

3.1 The defendant is **guilty** of the Counts and Charges listed in Paragraph 2.1 and Appendix 2.1.

3.2 The court **dismisses** Counts _____ in the charging document.

IV. Sentence and Order

It is ordered:

4.1 **Confinement.** The court waives imposition of a sentence within the standard range and imposes the following sentence:

(a) **Prison-Based Alternative** (effective for sentences imposed on or after October 1, 2005).

(1) **Confinement.** A term of total confinement in the custody of the Department of Corrections (DOC) (half of the midpoint of the standard range, or 12 months, whichever is greater):

45 months of total confinement in the custody of DOC on Count I.

45 months of total confinement in the custody of DOC on Count II.

45 months of total confinement in the custody of DOC on Count III.

Confinement shall commence immediately unless otherwise set forth here:

ALL COUNTS RUN CONCURRENT AND CONCURRENT WITH LEWIS CO.

Work release is authorized, if eligible and approved.

CASES: 17-1-849-21 & 16-1-395-21.

Credit for Time Served. The defendant shall receive credit for eligible time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The jail shall compute time served.

(2) **Community Custody.** The defendant shall serve:

45 months in community custody on Count I.

45 months in community custody on Count II.

45 months in community custody on Count III.

and L.C.D.C. DWI

(One half the midpoint of the standard range.) The defendant shall comply with the community custody conditions in paragraph 4.2.

(3) **Additional Term of Community Custody.** If the defendant fails to complete, or is administratively terminated from, the drug offender sentencing alternative program, the court imposes a term of 12 months community custody under RCW 9.94A.701 unless community custody is not authorized for the crime.

4.2 Community Custody Conditions. RCW 9.94A.660. The defendant shall report to DOC not later than 72 hours after sentencing or release from custody at the address provided in open court or by separate document. The defendant shall comply with the instructions, rules and regulations of DOC for the conduct of the defendant during the period of community custody. The defendant shall perform affirmative acts as required by DOC to confirm compliance with the orders of the court. The defendant shall not use illegal controlled substances. The defendant shall comply with any other conditions of community custody stated in this Judgment and Sentence or imposed by DOC under RCW 9.94A.704 and .706 during community custody. While under supervision the defendant shall not own, use, or possess firearms or ammunition. The court orders that during the period of supervision the defendant shall:

- (a) Undergo and successfully complete a substance use disorder treatment program approved by the Department of Social and Health Services.
- (b) Undergo urinalysis or other testing to monitor drug-free status. The defendant shall pay the statutory rate to DOC, while on community custody, to offset the cost of urinalysis.
- (c) Additional conditions (choose at least three):
 - pay all court-ordered legal financial obligations.
 - notify the court or community corrections officer in advance of any change in defendant's address or employment.
 - perform community restitution (service) work.
 - not possess or consume alcohol.
 - not possess or consume controlled substances, including marijuana, without a valid prescription.
 - report as directed to a community corrections officer.
 - remain within or outside of prescribed geographical boundaries.
 - devote time to specific employment or training
 - stay out of areas designated by the judge.
 - obtain a mental health evaluation and comply with recommended treatment.

Court Ordered Treatment: If any court orders mental health or substance use disorder treatment, the defendant must notify DOC and the defendant must release treatment information to DOC for the duration of incarceration and supervision. RCW 9.94A.562.

Other Conditions: _____

4.3 Legal Financial Obligations: The defendant shall pay to the clerk of this court:

<u>JASS CODE</u>			
PCV	\$ 500.00	Victim assessment	RCW 7.68.035
PDV	\$ _____	Domestic Violence (DV) assessment	RCW 10.99.080
	\$ _____	Violation of a DV protection order (\$15 mandatory fine)	RCW 26.50.110
CRC	\$ 200.00	Court costs, including RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190	
		Criminal filing fee \$200.00 FRC	
		Witness costs \$ _____ WFR	
		Sheriff service fees \$ _____ SFR/SFS/SFW/WRF	
		Jury demand fee \$ _____ JFR	
		Extradition costs \$ _____ EXT	
		Other \$ _____	
PUB	\$ 700.00	Fees for court appointed attorney	RCW 9.94A.760
WFR	\$ _____	Court appointed defense expert and other defense costs	RCW 9.94A.760
FCM/MTH	\$ _____	Fine RCW 9A.20.021; [X] VUCSA chapter 69.50 RCW, [] VUCSA additional fine deferred due to indigency RCW 69.50.430	
CDF/LDI/FCD	\$ _____	Drug enforcement fund of _____	RCW 9.94A.760
NTF/SAD/SDI			
CLF	\$ 100.00	Crime lab fee [] suspended due to indigency	RCW 43.43.690
	\$ 100.00	DNA collection fee	RCW 43.43.7541
FPV	\$ _____	Specialized forest products	RCW 76.48.171
	\$ _____	Other fines or costs for: _____	
RTN/RJN	\$ _____	Restitution to: _____	
	\$ _____	Restitution to: _____	

(Name and Address--address may be withheld and provided confidentially to Clerk of the Court's office.)

\$ _____ **Total** RCW 9.94A.760

The above total does not include all restitution or other legal financial obligations, which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing:

shall be set by the prosecutor.

is scheduled for _____ (Date).

The defendant waives any right to be present at any restitution hearing (sign initials): _____.

Restitution Schedule attached.

The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

All payments shall be made in accordance with the policies of the clerk of the court and on a schedule established by DOC or the clerk of the court, commencing immediately, unless the court specifically sets forth the rate here: Not less than \$ _____ per month commencing _____.
RCW 9.94A.760.

The defendant shall report to the clerk of the court or as directed by the clerk of the court to provide financial and other information as requested. RCW 9.94A.760(7)(b).

The court orders the defendant to pay costs of incarceration at the rate of \$ _____ per day (actual costs not to exceed \$100 per day). (JLR) RCW 9.94A.760. (This provision does not apply to costs of incarceration collected by DOC under RCW 72.09.111 and 72.09.480.)

The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090. An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160.

4.4 **DNA Testing.** The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency shall be responsible for obtaining the sample prior to the defendant's release from confinement. This paragraph does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from the defendant for a qualifying offense. RCW 43.43.754.

HIV Testing. The defendant shall submit to HIV testing. RCW 70.24.340.

4.5 **No Contact:**

The defendant shall not have contact with _____ (name) including, but not limited to, personal, verbal, telephonic, written or contact through a third party until _____ (which does not exceed the maximum statutory sentence).

The defendant is excluded or prohibited from coming within _____ (distance) of:

_____ (name of protected person(s))'s home/ residence

work place school (other location(s)) _____, or

other location _____, or

until _____ (which does not exceed the maximum statutory sentence).

A separate Domestic Violence No-Contact Order, Antiharassment No-Contact Order, Stalking No-Contact Order, or Sexual Assault Protection Order is filed concurrent with this Judgment and Sentence.

4.6 **Other:** _____

4.7 **Exoneration:** The Court hereby exonerates any bail, bond and/or personal recognizance conditions.

V. Notices and Signatures

5.1 **Collateral Attack on Judgment.** If you wish to petition or move for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, you must do so within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.

5.2 **Length of Supervision.** If you committed your offense prior to July 1, 2000, you shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. If you committed your offense on or after July 1, 2000, the court shall retain jurisdiction over you, for the purpose of your compliance with payment of the legal financial obligations, until you have completely satisfied your obligation, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505(5). The clerk of the court has authority to collect unpaid legal financial obligations at any time while you remain under the jurisdiction of the court for purposes of your legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).

5.3 **Notice of Income-Withholding Action.** If the court has not ordered an immediate notice of payroll deduction in Section 4.1, you are notified that the Department of Corrections (DOC) or the clerk of the court may issue a

notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

5.4 Community Custody Violation.

(a) Prison-based alternative: If DOC finds that you willfully violated the conditions of the drug offender sentencing alternative program, DOC may reclassify you to serve the remaining balance of the original sentence.

(b) Residential chemical dependency treatment-based alternative: If the court finds that you willfully violated the conditions of the drug offender sentencing alternative, the court may order you to serve a term of total confinement equal to one-half the midpoint of the standard range or a term of total confinement up to the top of the standard range. The court may also impose a term of community custody.

(c) In any case, if you are subject to a violation hearing and DOC finds that you committed the violation, you may receive a sanction of up to 30 days of confinement. RCW 9.94A.633(1).

(d) In any case, if you have not completed your maximum term of total confinement and you are subject to a violation hearing and DOC finds that you committed the violation, DOC may return you to a state correctional facility to serve up to the remaining portion of your sentence. RCW 9.94A.633(2)(a).

5.5a Firearms. You may not own, use or possess any firearm, and under federal law any firearm or ammunition, unless your right to do so is restored by the court in which you are convicted or the superior court of Washington State where you live, and by a federal court if required. You must immediately surrender any concealed pistol license. (The clerk of the court shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047.

5.5b Felony Firearm Offender Registration. The defendant is required to register as a felony firearm offender. The specific registration requirements are in the "Felony Firearm Offender Registration" attachment.

5.6 Reserved.

5.7 Department of Licensing Notice: The court finds that Count _____ is a felony in the commission of which a motor vehicle was used. Clerk's Action--The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which must revoke the Defendant's driver's license. RCW 46.20.285.

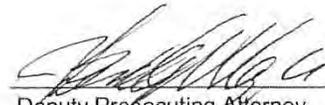
5.8 Department of Licensing Notice - Defendant under age 21 only.

Count _____ is (a) a violation of RCW chapter 69.41 [Legend drug], 69.50 [VUCSA], or 69.52 [Imitation drugs], and the defendant was under 21 years of age at the time of the offense OR (b) a violation under RCW 9.41.040 [unlawful possession of firearm], and the defendant was under the age of 18 at the time of the offense OR (c) a violation under RCW chapter 66.44 [Alcohol], and the defendant was under the age of 18 at the time of the offense, AND the court finds that the defendant previously committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW.

Clerk's Action -The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which must revoke the Defendant's driver's license. RCW 46.20.265.

5.9 Other: THIS JUDGMENT SHALL RUN CONCURRENT WITH LEWIS CO. DISTRICT COURT LIFE'S.

Done in Open Court and in the presence of the defendant this date: 4-13-18


Deputy Prosecuting Attorney
WSBA No. 18685
Print Name:
J. BRADLEY MEAGHER

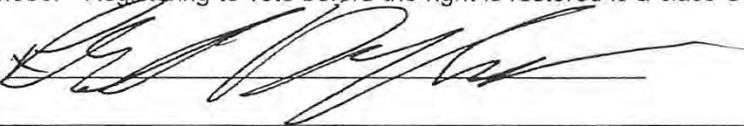

Attorney for Defendant
WSBA No. 39924
Print Name: Shane O'Rourke


Judge/Print Name: J. ANDREW TOYNBEE
Defendant
Print Name: Candice Baughman

Voting Rights Statement: I acknowledge that I have lost my right to vote because of this felony conviction. If I am registered to vote, my voter registration will be cancelled.

My right to vote is provisionally restored as long as I am not under the authority of DOC (not serving a sentence of confinement in the custody of DOC and not subject to community custody as defined in RCW 9.94A.030). I must re-register before voting. The provisional right to vote may be revoked if I fail to comply with all the terms of my legal financial obligations or an agreement for the payment of legal financial obligations

My right to vote may be permanently restored by one of the following for each felony conviction: a) a certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) a court order issued by the sentencing court restoring the right, RCW 9.92.066; c) a final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) a certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 29A.84.660. Registering to vote before the right is restored is a class C felony, RCW 29A.84.140.

Defendant's signature: 

VI. Identification of the Defendant

SID No. **WA23648508**
 (If no SID complete a separate Applicant card
 (form FD-258) for State Patrol)

Date of Birth [REDACTED]

FBI No. **872239NC7**

Local ID No. _____

PCN No. **905431480**

Other _____

Alias name, DOB: _____

Race:

Asian/Pacific
Islander

Black/African-
American

Caucasian

Ethnicity:

Hispanic

Sex:

Male

Native American

Other: _____

Non-
Hispanic

Female

Fingerprints: I attest that I saw the defendant who appeared in court affix his or her fingerprints and signature on this document.

Clerk of the Court, Deputy Clerk, D. Brady Dated: 4/13/18

The defendant's signature: _____

Left four fingers taken
simultaneously

Left
Thumb

Right
Thumb

Right four fingers taken
simultaneously



IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON
IN AND FOR THE COUNTY OF LEWIS

APR 13 PM 4:53

STATE OF WASHINGTON

NO. 17-1-00243-21

VS

WARRANT OF COMMITMENT TO THE
DEPARTMENT OF CORRECTIONS

CANDICE REBECCA BAUGHMAN,

TO: THE SHERIFF OF LEWIS COUNTY

The DEFENDANT, Candice Rebecca Baughman has been convicted in the LEWIS COUNTY SUPERIOR Court of the STATE OF WASHINGTON of the following crime:

- | | | |
|-------|-----|---|
| COUNT | I | CONTROLLED SUBSTANCE AMPHETAMINE OR METH - MANUFACTURE, DELIVER, POSSESS INTENT MANU/DELV |
| | II | CONTROLLED SUBSTANCE AMPHETAMINE OR METH - MANUFACTURE, DELIVER, POSSESS INTENT MANU/DELV |
| | III | CONTROLLED SUBSTANCE AMPHETAMINE OR METH - MANUFACTURE, DELIVER, POSSESS INTENT MANU/DELV |

And, the court has ordered that the defendant be punished by serving the determined sentence of:

- | | | |
|-------|-----|-----------|
| COUNT | I | 45 MONTHS |
| | II | 45 MONTHS |
| | III | 45 MONTHS |

Comments: ACTUAL NUMBER OF MONTHS OF TOTAL CONFINEMENT ORDERED IS: 45 MONTHS.

The DEFENDANT shall receive credit for time served prior to this date, as follows: TO BE CALCULATED.

YOU, THE SHERIFF, ARE COMMANDED to receive the DEFENDANT for classification, confinement and placement as ORDERED in the Committing Document, and to take and deliver the DEFENDANT to the proper OFFICERS OF THE DEPARTMENT OF CORRECTIONS; and YOU, THE OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the DEFENDANT for classification, confinement and placement as ORDERED in the Committing Document.

BY DIRECTION OF THE HONORABLE
J. ANDREW TOYNBEE
JUDGE

SCOTT TINNEY
CLERK

DATE: 4/13/2018

BY: 
DEPUTY CLERK

EXHIBIT 3



HEARING AND DECISION SUMMARY REPORT

Release from DOC Custody/Confinement: Yes No (See DOC 09-238 Confinement Order)

Offender Name (Last, First) <u>Baughman, Candice</u>	DOC # <u>373374</u>	RLC <u>HN</u>	Date of Birth [REDACTED]
Cause Number(s) <u>AC-16/0039521, AD-16/0039521, AF-17/0024321, AF-17/0084921</u>			

Offender Status CCI CCP CCJ CCM CPA DOSA W/R FOS
 Misdemeanor/Gross Misdemeanor

Date of Hearing 3/20/19 Location of Hearing WCCW

CCO Name CC - Valerie Gagnier Waived Appearance Yes No

Other Participants CDD - Avis, Walcott Competency Concern Yes No

CC - Obseam - Johnson, Kim

Interpreter/Department Assistant Yes No

Jurisdiction Confirmed Yes No

Appeal Form Provided Yes No

Preliminary Matters: _____

ALLEGATIONS	PLEA	FINDING Guilty/Not Guilty Probable Cause Found
<u>762- FTC on administrative termination from DOSA CD program on 1-31-19</u>	<u>WGO</u>	<u>G</u>

EVIDENCE RELIED UPON (LIST):

J&S Notice of Allegation, Hearing, Rights and Waiver form Report of Alleged Violations
 Conditions, Requirements, and Instructions form Chronological Reports CCO Testimony
 Offender Testimony Negotiated Sanction Other (listed below):

serious infractions Report read on record - D was terminated DOSA tx program 1-31-19, lack progress tx, infractions started TC 11-27-18 on 12-7-18 received infractions tag - out demands 1-4-19 put on CI, pending 3 serious infractions

Distribution: ORIGINAL - Hearing File COPY - Offender, Field File, Receiving/Detaining Facility, Imaging File



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HEARING AND DECISION SUMMARY REPORT

SUMMARY OF FACTS PRESENTED/REASONS FOR FINDINGS:

1-8-19 657- , 889- , communitas anoter inmate wait permis
 725 ~~725~~, 889, 889 infractions violated CI Contract
 CD TX Program read record, did not complete assignment
 Jan 2019 CI 1-4-19 give infractions overide
 D had several infractions while at TC continue communicate
 offender wait permissions, did not make progress
 after TX unexcused Absences
 Serious infraction report - 889- observed on phone at WCCW
 offender Deutsch 3 wait phone call agreed admitted
 Called wait permission, 1-10-19, several notes passed
 Deutsch behavior 1-8 3 wait phone call 725,
 889 notes admitted infraction 725, notes, 889 phone

SANCTION(S):

See page 3

- **Obey All Court/Department Imposed Conditions and Facility Rules and Regulations
- **Comply with CCO, CCS, and Hearing Officer Directives
- **Report in Person to CCO Within One Business Day of Release

REASONS FOR SANCTION(S):

attend 2 groups after pcr on CI, attend classes, doing
 assignments, CI appeal letter, work on phase of
 Self help meetings, provided documents.
 ISP, had CI parole other inmates program

Offender Name (Last, First): Bausman, Candice	DOC # 373374
--	-----------------

 Offender Signature	3-20-19 Date
---	-----------------

 Hearing Officer Signature	Spent Ray Hearing Officer Name (Print)
--	---

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 42.56, and RCW 40.14.

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HEARING AND DECISION SUMMARY REPORT

1000

SUMMARY OF FACTS PRESENTED/REASONS FOR FINDINGS:

10 letters program had reason start was
Warrin in program not gotten trouble push
up. other recognized doing something well
letter - CP TX written communit how well she
done in program letter

witness -

CSU - michelle thruosh - testified witness
behavior at TC program put CI ask anything pending
given director can not speak to MS. Proetsch, passing
letters second phone call, cell confinement verbal removal
comming out room
W - Diana Johnson - Dr Y Mission Creek, Yes

SANCTION(S):

See pg 4

- **Obey All Court/Department Imposed Conditions and Facility Rules and Regulations
- **Comply with CCO, CCS, and Hearing Officer Directives
- **Report in Person to CCO Within One Business Day of Release

REASONS FOR SANCTION(S):

meet with her CI part CI ~~cause~~ M/A causing
W - Judy Patten CPM testified telephone; CI
Centre interaction other inmates, lack progress, in fractions

Offender Name (Last, First):

Bausman, Candice

DOC #

373374

Offender Signature

Date

3-20-19

Hearing Officer Signature

Hearing Officer Name (Print)

Shawn RAY

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 42.56, and RCW 40.14.

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HEARING AND DECISION SUMMARY REPORT

SUMMARY OF FACTS PRESENTED/REASONS FOR FINDINGS:

I found D Guilty based CC, CDP, witness CD TX report D placed on CI 1-4-19 then received another infraction- 725, 889 Violated contact because terminated meet prepobrace

Adjustment - did well program did not succeed program, dom's program

SANCTION(S):

DOSA Revoke cause (AC, AD, AE, AF) Credit for two semi TB/D DOC records

- **Obey All Court/Department Imposed Conditions and Facility Rules and Regulations
**Comply with CCO, CCS, and Hearing Officer Directives
**Report in Person to CCO Within One Business Day of Release

REASONS FOR SANCTION(S):

ROC- dc- ROSA D another choice

Reason for Sanction - D was found guilty terminated from TX CD per RCW 9A.06.020(3) Mandatory revoke

Offender Name (Last, First):

Baughman, Candice

DOC #

873374

[Handwritten signature]

Offender Signature

3-20-19

Date

[Handwritten signature]

Hearing Officer Signature

Shenoy RA

Hearing Officer Name (Print)

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 42.56, and RCW 40.14.

Distribution: ORIGINAL - Hearing File COPY - Offender, Field File, Receiving/Detaining Facility, Imaging File



CONFINEMENT ORDER
 ORIGINAL AMENDED
 OAA OFFENDER YES NO

DOC SANCTION TIME IS NOT ELIGIBLE FOR GOOD TIME

In the matter of:

NAME Baushman, Candice 1710084921
 CAUSE NUMBER(S) 16/0039521, 16/0039521, 17/0024321
 DOC NUMBER 373374 DOB [REDACTED]

On 3-20-19, a hearing was conducted in accordance with WAC 137-104. The above captioned offender was found guilty of violating the conditions or requirements of community custody. Pursuant to RCW 9.94A, the undersigned Hearing Officer finds that it is in the public interest to sanction the offender to a term of total confinement as follows:

- The offender is serving a term of community custody for a sex offense committed on or after 6/6/96, and before 7/1/00, and having completed the maximum (CCM) term of total confinement, is therefore sanctioned to a term of confinement in a local correctional facility/jail as follows:

LOCATION _____
 START DATE _____
 END DATE _____

This end date does not apply to the DOC New Criminal Activity Hold. Check for other DOC holds before releasing the offender.

- The offender (CC) is sanctioned to a term of confinement in a county jail or equivalent correctional facility as stated below or, if confinement in such a facility is not available, the offender may be confined in a state correctional facility as follows:

LOCATION WCCW
 START DATE TBD
 END DATE DOSA Revoke cause (AC, AD, AFAF)

This end date does not apply to the DOC New Criminal Activity Hold. Check for other DOC holds before releasing the offender.

The Department of Corrections sanction imposed is consecutive to any other sentence.

*** Failure to abide by facility rules and regulations may be addressed through additional violation hearings and sanctions.**

Ordered this 20 day of 3, 2019

Signed [Signature]
 HEARING OFFICER, DEPARTMENT OF CORRECTIONS

Distribution: ORIGINAL - Detaining Agency/Facility via CCO COPY - CCO, Offender, Hearing File, Imaging File (All White)

EXHIBIT 4

Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 33	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Minimum 2 - Camp	Location: WCCW-MSC — K / KB23U
ERD: 03/09/2023				CC/CCO: McColl, Alishia J

Offender Information (Inmate)

Prison Max Expiration Date: 09/07/2025	Last Static Risk Assessment Date: 09/19/2019	DOSA:
Planned Release Date:	Last Offender Need Assessment Date:	ISRB? No
Earned Release Date: 03/09/2023	Offender Release Plan:	Investigation CCB? No
ESR Sex Offender Level:	Victim Witness Eligible?	Yes SOSSA? No
ESR Sex Offender Level Date:	County Of First Felony Conviction:	Thurston WEP? No
Registration Required?	P U L H E S D X T R	[REDACTED]
ORCS?	Unknown	
IDCNF?	No	
SMICNF?	No	

Sentence Structure (Inmate)

Cause: AC – 1610039521 – Lewis

State: Washington	Convicted Name: Candice Baughman	Date Of Sentence: 04/13/2018	Consecutive Cause:
Time Start Date: 04/16/2018	Confinement Length: 0Y, 73M, 12D	Earned Release Date: 05/11/2022	

Count: 1 – RCW 9A.52.025 – Residential Burglary

Anticipatory: Modifier: Enhancement: Mandatory:	Confinement Length: 0Y, 73M, 12D	ERT %: 33.33%	ERD: 05/11/2022	MaxEx: 05/24/2024	Stat Max: 08/10/2031	Violent Offense? No
Supervision Type: MON	Supervision Length: 0Y, 0M, 0D	Consecutive Count:	Hold To Stat Max Expiration:			

Count: 2 – RCW 9.41.040(2)(a)(i) – Unlawful Possession of a Firearm 2 prior conviction or not guilty by reason of Insanity

Anticipatory: Modifier: Enhancement: Mandatory:	Confinement Length: 0Y, 55M, 12D	ERT %: 33.33%	ERD: 05/10/2021	MaxEx: 11/23/2022	Stat Max: 08/10/2027	Violent Offense? No
Supervision Type:	Supervision Length:	Consecutive Count:	Hold To Stat Max Expiration:			

MON 0Y, 0M, 0D

Count: 4 – RCW 9A.52.030 – Burglary 2

Anticipatory:	Modifier:	Enhancement:	Mandatory:	Confinement Length:	ERT %:	ERD:	MaxEx:	Stat Max:	Violent Offense?
				0Y, 59M, 12D	33.33%	07/30/2021	03/24/2023	05/21/2032	No

Supervision Type: MON 0Y, 0M, 0D
 Supervision Length: Consecutive Count: Hold To Stat Max Expiration:

Count: 5 – RCW 9A.52.030 – Burglary 2

Anticipatory:	Modifier:	Enhancement:	Mandatory:	Confinement Length:	ERT %:	ERD:	MaxEx:	Stat Max:	Violent Offense?
				0Y, 59M, 12D	33.33%	07/30/2021	03/24/2023	05/21/2032	No

Supervision Type: MON 0Y, 0M, 0D
 Supervision Length: Consecutive Count: Hold To Stat Max Expiration:

Count: 6 – RCW 9A.52.025 – Residential Burglary

Anticipatory:	Modifier:	Enhancement:	Mandatory:	Confinement Length:	ERT %:	ERD:	MaxEx:	Stat Max:	Violent Offense?
				0Y, 73M, 12D	33.33%	05/11/2022	05/24/2024	08/10/2031	No

Supervision Type: MON 0Y, 0M, 0D
 Supervision Length: Consecutive Count: Hold To Stat Max Expiration:

Cause: AD – 1610039521 – Lewis

State:	Convicted Name:	Date Of Sentence:	Consecutive Cause:
Washington	Candice Baughman	04/13/2018	
Time Start Date:	Confinement Length:	Earned Release Date:	
04/16/2018	0Y, 48M, 0D	12/11/2020	

Count: 3 – RCW 69.50.4013 – Possession of Controlled Substance

Anticipatory:	Modifier:	Enhancement:	Mandatory:	Confinement Length:	ERT %:	ERD:	MaxEx:	Stat Max:	Violent Offense?
				0Y, 48M, 0D	33.33%	12/11/2020	04/12/2022	09/07/2026	No

Supervision Type: CCP 0Y, 12M, 0D
 Supervision Length: Consecutive Count: Hold To Stat Max Expiration:

Cause: AE – 1710024321 – Lewis

State:	Convicted Name:	Date Of Sentence:	Consecutive Cause:
Washington	Candice Baughman	04/13/2018	
Time Start Date:	Confinement Length:	Earned Release Date:	
04/16/2018	0Y, 90M, 0D	03/09/2023	

Count: 1 – RCW 69.50.401(2)(b) – Delivery or Possession with Intent to Deliver Amphetamine, including its

salts, isomers, and salts of isomers, or methamphetamine, including its salts, isomers, and salts of isomers

Anticipatory: Modifier: Enhancement: Mandatory: Confinement Length: ERT %: ERD: MaxEx: Stat Max: Violent Offense?
 OY, 90M, OD 33.33% 03/09/2023 09/07/2025 03/09/2028 No

Supervision Type: Supervision Length: Consecutive Count: Hold To Stat Max Expiration:
 CCP 0Y, 12M, OD

Count: 2 – RCW 69.50.401(2)(b) – Delivery or Possession with Intent to Deliver Amphetamine, including its salts, isomers, and salts of isomers, or methamphetamine, including its salts, isomers, and salts of isomers

Anticipatory: Modifier: Enhancement: Mandatory: Confinement Length: ERT %: ERD: MaxEx: Stat Max: Violent Offense?
 OY, 90M, OD 33.33% 03/09/2023 09/07/2025 03/09/2028 No

Supervision Type: Supervision Length: Consecutive Count: Hold To Stat Max Expiration:
 CCP 0Y, 12M, OD

Count: 3 – RCW 69.50.401(2)(b) – Delivery or Possession with Intent to Deliver Amphetamine, including its salts, isomers, and salts of isomers, or methamphetamine, including its salts, isomers, and salts of isomers

Anticipatory: Modifier: Enhancement: Mandatory: Confinement Length: ERT %: ERD: MaxEx: Stat Max: Violent Offense?
 OY, 90M, OD 33.33% 03/09/2023 09/07/2025 03/09/2028 No

Supervision Type: Supervision Length: Consecutive Count: Hold To Stat Max Expiration:
 CCP 0Y, 12M, OD

Cause: AF – 1710084921 – Lewis

State: Convicted Name: Date Of Sentence: Consecutive Cause:
 Washington Candice Baughman 04/13/2018
 Time Start Date: Confinement Length: Earned Release Date:
 04/16/2018 0Y, 24M, OD 04/11/2019

Count: 1 – RCW 69.50.4013 – Possession of Controlled Substance

Anticipatory: Modifier: Enhancement: Mandatory: Confinement Length: ERT %: ERD: MaxEx: Stat Max: Violent Offense?
 OY, 24M, OD 33.33% 04/11/2019 12/10/2019 09/06/2028 No

Supervision Type: Supervision Length: Consecutive Count: Hold To Stat Max Expiration:
 CCP 0Y, 12M, OD

Infraction Summary

Offender Infraction	Infraction Group Number	Overall Infraction Report Status	Hearing Type	Infraction Data Indicator	Incident Date	Violation Codes
	3	Hearing Complete	Full Hearing	General	On 07/19/2018	303
	5	Hearing Complete	Full Hearing	General	On 09/15/2018	103 , 303
	7	Hearing Complete	Full Hearing	Serious	On 09/24/2018	710
	8	Hearing Complete	Full Hearing	General	On 11/21/2018	355
	9	Hearing Complete	Full Hearing	General	On 11/26/2018	355

10	Hearing Complete	Full Hearing	Serious	On 12/07/2018	709
11	Complete	Full Hearing	General	On 12/04/2018	244
12	Complete	Full Hearing	General	On 12/06/2018	244
13	Hearing Complete	Full Hearing	Serious	On 12/14/2018	657
14	Hearing Complete	Full Hearing	Serious	On 12/30/2018	103
16	Hearing Complete	Full Hearing	General	On 01/01/2019	351
17	Hearing Complete	Full Hearing	Serious	On 12/21/2018	889
18	Hearing Complete	Full Hearing	Serious	On 12/24/2018	658
19	Hearing Complete	Full Hearing	Serious	On 01/10/2019	725 , 889
20	Hearing Complete	Full Hearing	General	On 01/21/2019	103
21	Complete	Full Hearing	Serious	On 01/31/2019	762
23	Hearing Complete	Full Hearing	General	On 01/06/2020	210

EXHIBIT 5



**NOTICE OF ALLEGATIONS
HEARING, RIGHTS, AND WAIVER**

Offender Name Baughman, Candice	DOC Number 373374	Date 2/25/19	Present Location WCCW/RA204A
---	-----------------------------	------------------------	--

Type of Hearing: (Check all that apply)

- Community Custody
- Community Custody Maximum (CCM)
- DOSA Reclassification
- Drug Offender Sentencing Alternative (DOSA)
- DOSA Deportation Dispositional
- From Out-of-State
- Misdemeanor/Gross Misdemeanor
- Negotiated Sanction

Hearing Date: 3/20/19 Time: 01:30 a.m. p.m. Location: WCCW

Cause(s), include number and date:

Type of Allegation: (Check one, write the allegation, include infraction number for infraction hearings.)

- Violation of Community Custody conditions.
- Violation of DOSA sentence. Failing to complete or administrative termination from a DOSA substance abuse treatment program on 1/31/19
- A valid Immigrations and Custody Enforcement (ICE) deportation order was issued on _____, thereby making you ineligible for the DOSA previously granted.

The Department intends to present the following documents/reports and/or call the following witnesses during the hearing:

Witnesses:

- 1-CUS Michele Thrush
- 2-CDP Avis Walcott
- 3-TC Program Manager Judy Patton

Documents/Reports:

- Initial Serious Infraction Report
- Judgement and Sentence 16-1-00395-21 & 17-1-00243-21
- Substance Use Disorder Termination Packet from SARU:
- Drug Offender Sentencing Alternative (DOSA) Treatment Termination Report DOC 14-197
- Substance Use Disorder Discharge Summary and Continued Care Plan DOC 14-044
- Substance Abuse Recovery Unit Treatment Termination Notice/Appeal Request DOC 14-188
- Prison Drug Offender Sentencing Alternative Agreement DOC 14-042
- Substance Use Disorder Group Progress Note DOC 14-191
- Substance Use Disorder Treatment Participation Requirements DOC 14-039
- Substance Use Disorder Individual Service Plan DOC 14-173
- OMNI Behavior Observation Log
- Therapeutic Community Behavior contract Level 4 Clinical Intervention
- Substance Use Disorder Clinical Staffing DOC 14-143
- Custody Review Full Version for 1/2/19; 1/24/19
- Classification Appeal DOC 07-037
- OMNI Chronological enteris
- OMNI Infraction Summary
- Serious Infraction Report Packet for IGN 10
- Serious Infraction Report Packet for IGN 13
- Serious Infraction Report Packet for IGN 14

Serious Infraction Report Packet for IGN 17

Serious Infraction Report Packet for IGN 18

Serious Infraction Report Packet for IGN 19

If you are found guilty at the hearing, the Department may:

- ◆ Place you in total confinement in a jail or prison, as well as impose the existing supervision and any additional reporting or program enhancement.
- ◆ Recommend that the sentencing court, if appropriate and/or applicable, take further action.
- ◆ Reclassify the sentence structure to require that the remaining balance of the original sentence be served in a jail or prison and/or recommend transfer to another facility (Prison DOSA only).
- ◆ Impose up to the remaining return time to be served in a jail or prison (CCP/CCI only).

You have the following rights:

- ◆ To receive written notice of the alleged violations or ICE deportation order.
- ◆ To have an electronically recorded hearing, conducted within 5 business days of service of this notice. However, if you have not been placed in confinement, the hearing will be conducted within 15 business days of service of this notice.
- ◆ To have a neutral Hearing Officer conduct your hearing.
- ◆ To examine, no later than 24 hours before the hearing, all supporting documentary evidence the Department intends to present during the hearing.
- ◆ To admit to any or all of the allegations. This may limit the scope of the hearing.
- ◆ To testify during the hearing or remain silent. Your silence will not be held against you.
- ◆ To be present during all phases of the hearing. If you waive your right to be present at the hearing, the Department will conduct the hearing in your absence and may impose sanctions that could include loss of liberty.
- ◆ To present your case to the Hearing Officer. If there is a language or communication barrier, the Hearing Officer will ensure that someone is appointed to interpret or otherwise assist you.
- ◆ To request attorney representation if you do not agree to a Negotiated Sanction and your hearing is regarding a Prison Drug Offender Sentencing Alternative (DOSA), Community Custody Prison (CCP), or Community Custody Inmate (CCI) cause and you have more than 30 days reclassification or return time remaining. Attorney representation will be authorized if the Hearing Officer determines that representation is necessary due to the complexity of your case or your ability to represent yourself. If representation is authorized, you may be able to provide your own attorney in lieu of a Department-appointed attorney at your own cost. If you would like to provide your own attorney, you must provide your attorney's name and contact information (name and phone number or email) to the Hearing Officer at the hearing, otherwise the Department will appoint an attorney free of charge. If an attorney is authorized, the hearing will be continued to a later date.
- ◆ To have witnesses provide written or oral testimony on your behalf. The Hearing Officer may exclude individuals from the hearing for specifically stated reasons, and the facility may exclude the public for safety, security, or capacity concerns. The Hearing Officer may require a witness to testify outside of your presence when there is a substantial likelihood that the witness will not be able to give effective, truthful testimony or would suffer significant psychological or emotional trauma if required to testify in your presence. In either event, you may submit a list of questions to ask the witness(es). Testimony may be limited to evidence relevant to the issues under consideration.
- ◆ To request a continuance of the hearing for good cause.
- ◆ To confront and cross-examine witnesses testifying at the hearing.
- ◆ To receive a written Hearing and Decision Summary Report specifying the evidence presented, a finding of guilty or not guilty, and the reasons supporting findings of guilt, and the sanction imposed, immediately following the hearing or, in the event of a deferred decision, within 2 business days unless you waive this timeframe.
- ◆ To obtain a copy of the electronic recording of the hearing by sending a written request to: Department of Corrections, P.O. Box 41103, Olympia, WA 98504-1103.
- ◆ To appeal a sanction to the Appeals Panel, in writing, within 7 calendar days of your receipt of the Hearing and Decision Summary. You may also file a personal restraint petition to appeal the Department's final decision through the Court of Appeals.
- ◆ To waive any or all of the rights listed.

DEPARTMENT OF CORRECTIONS APPEALS PANEL - P.O. Box 41103 - Olympia, WA 98504-1103

Eligible:

- I request attorney representation at my hearing. I understand that if representation is authorized, I may be able to provide my own attorney in lieu of a Department-provided attorney at my own cost, and that I must provide my attorney's name and contact information to the Hearing Officer at the hearing, otherwise the Department will appoint an attorney free of charge. If an attorney is authorized, the hearing will be continued to a later date.
- I do not want attorney representation at my hearing

I have read and understand the allegation(s), the hearing notice, and my rights as described.



INITIAL SERIOUS INFRACTION REPORT

Baughman, Candice 373374 WCCW/RA204A
Offender name DOC number Facility/housing assignment
2/14/19 1/31/19 MCCCW
Infraction date Incident date Incident time Incident place
WAC 762-Falling to complete or administrative termination from a DOSA substance abuse treatment program
Rule violations
CDP Avis Walcott; TC Program Manager Judy Patton; CUS Michele Thrush
Witnesses

NARRATIVE

State a concise description of the rule violations, (e.g., injuries, property damage, use of force) and answering the questions of When? Where? Who? What? Why? and How? Attach all related reports.
(Work Release offenders may submit written comments to their case manager)
On 1/31/19, offender Baughman, Candice DOC #373374 was terminated from DOSA required substance abuse treatment program which is a WAC 762 violation. Offender Baughman demonstrated a continual pattern of behavior issues after unsuccessful interventions and failed to make progress toward her treatment goals that were determined by her primary Chemical Dependency Professional (CDP) Avis Walcott and were staffed with their supervisor, Therapeutic Community Program manager Judy Patton. These expectations are identified in Policy 580.655 Special Drug Offender Sentencing Alternative, DOC 14-042 Prison Drug Sentencing Alternative Agreement and DOC 14-039 Substance Use Disorder Treatment participation Requirements.
Offender Baughman is in violation of the following treatment participation requirements: Refrain from any and all criminal activity, including behaviors that may result in an infraction; Attend all regularly scheduled individual and group treatment sessions; failure to abide by the expectations outlined.
Offender Baughman has violated her DOSA agreement in the following ways: A lack of progression towards the goals of a treatment plan and any major infraction that causes a change in custody level or the violation of conditions per the DOSA agreement or DOC 14-039, Substance Use Disorder Treatment Participation Requirements.
Offender Baughman arrived at MCCCW on 6/25/18. On 11/27/18, she was admitted in to the Therapeutic Community Treatment Program 3.3 LOC. Offender Baughman signed DOC 14-039 Substance Use Disorder Treatment Participation Requirements and DOC 14-042 Prison Drug Sentencing Alternative Agreement upon admission to the Therapeutic Community Treatment Program. Offender Baughman signed that she agreed to complete her individual service plans and actively participate in treatment.
On 12/7/18, offender Baughman was placed in the Secured Housing Unit pending investigation in to the events that took place in the Multi-Purpose room earlier that evening between offender Baughman and several other offenders.
When I spoke with offender Baughman in the Secured Housing unit on 12/11/18 as part of my collateral duties as Administrative Segregation Hearings Officer, we discussed the treatment participation requirements she signed when she was admitted to TC and how her actions could result in termination from the program if she were found to be in violation.
Upon conclusion of the investigation, on 12/11/18, offender Baughman received serious infraction WAC 709 (out of bounds: Being in another offender's cell or being in an area in the facility with one or more offenders without authorization) for an incident regarding her entering in to the Multi-Purpose room while a class was being conducted that she was not on the callout for.
Offender Baughman's hearing took place on 12/14/18 and she was released from the Secured Housing Unit back to Mission Unit where the Therapeutic Community Treatment participants are housed.
From 12/19/18 until 12/24/18, offender Baughman was at WCCW due to medical needs which postponed staff's ability to address her behaviors.
On 1/4/19, offender Baughman began a Clinical intervention to help address her self-defeating behaviors. The Clinical Intervention is the highest level of therapeutic intervention. Referral to a clinical intervention is the result of failure to demonstrate progress through the PAG process or through a violation of TC Rules. A learning contract was written and signed by offender Baughman. The Clinical Intervention identified the
DOC 17-076 (Rev. 06/08/18) Page 1 of 3 DOC 320.200, DOC 460.000,
Scan Code IF01 DOC 580.655, DOC 780.200

following self-destructive and self-defeating behaviors: Criminal Code, Attention Seeking and impulsive. The contract states that offender Baughman is to follow all DOC and Chemical Dependency policies and procedures for the duration of the clinical intervention contract and that failure to do so will be perceived as failure to program or refusal to participate and could result in discharge. At the time of the CI's initiation, it was known that offender Baughman was pending three serious infractions (WAC 658 Failing to comply with any administrative or post-hearing sanction imposed for committing any violation; WAC 657 Being found guilty of four or more general violations arising out of separate incidents within a 90-day period and WAC 893 Damaging, altering or destroying any item that results in the concealment of contraband or demonstrates the ability to conceal contraband). These were the only infractions offender Baughman reported to staff.

On 1/7/19, MDFRMT met with offender Baughman to discuss her continued placement at MCCCW as she had lost custody points and now scored 52, Medium Custody. Offender Baughman was awarded an override in an attempt to retain her at Mission Creek Corrections Center for Women so that she may continue to participate in DOSA required treatment through the Therapeutic Community. At the time of MDFRMT, it was told to offender Baughman that any further infraction behavior could result in termination and that she was expected to remain infraction free.

On 1/8/19, offender Baughman had a disciplinary hearing for WAC 657 and WAC 893. She was found guilty of WAC 657. She was found not guilty of WAC 893.

On 1/10/19, offender Baughman received a serious infraction for WAC 889 (using facility phones, information technology resources/systems, or related equipment without authorization.) This infraction stemmed from an incident that occurred on 12/21/18 while offender Baughman was at WCCW for medical needs. The infraction reports that offender Baughman was overheard in a conversation on the phone with offender Deutsch who was currently housed at MCCCW. Both offenders had arranged to have the person they called put their cellphones close to each other and on speaker so that both offenders can conduct an unauthorized offender to offender communication through a 3 way call. While the incident happened prior to the CI's initiation, offender Baughman had not disclosed this behavior to staff despite being given the opportunity both during her CI process and the FRMT held on 1/7/19.

On 1/15/19, offender Baughman received a serious infraction for WAC 725 (telephoning or sending written or electronic communication to any offender in a correctional facility, directly or indirectly, without prior written approval of the superintendent/community corrections supervisor/designee) and WAC 889 (using facility phones, information technology resources/systems, or related equipment without authorization.) In this instance, offender Baughman had admitted to staff to making unauthorized offender to offender communication through a 3 way phone call with offender Deutsch on 1/7/19 while both were housed at MCCCW. She had also admitted that she and Deutsch were passing notes to each other.

Additionally, when I spoke with offender Baughman on 1/25/19 while she was housed in the Secured Housing Unit, she admitted to me and Correctional Program Manager Beth Rietema that she had made an unauthorized 3 way phone call while she and offender Deutsch were both housed at MCCCW after the start of her Clinical Intervention contract.

On 1/23/19, offender Baughman had a disciplinary hearing for WAC 658 and was found guilty.

Offender Baughman was found guilty of WAC 725 and WAC 889 on 1/24/19.

No appeals have been recorded for any of her infractions.

The accumulation of her serious infractions (WAC 709; WAC 889 and a second WAC 889) resulted in a total loss of custody points and a custody score of 10, Medium custody. Offender Baughman was not awarded a second override to maintain her at Mission Creek Correction Center for Women. There were safety and security concerns regarding her infractions as well as a repeated pattern of non-compliance, despite multiple intervention strategies.

On 1/31/19, the Substance Abuse Recovery Unit served offender Baughman a notice of termination as she had been administratively terminated from treatment. SARU advised there is no appeal due to demotion in custody.

Offender Baughman's pattern of behavior led her to receive multiple minor and serious infractions as well as two Secured Housing Placements. These infractions hindered her ability to participate in TC Programming, causing a failure to make progress in treatment. Finally, offender Baughman's repeated infraction behavior caused her to lose custody points, demote to medium custody and transfer to Washington Corrections Center for Women.

Evidence: Yes No Photo(s)/video: Yes No Evidence locker number: _____

Evidence case number: _____ Description of evidence: _____

Related reports attached: Supplemental Medical Witness statements Other: Specify _____

Offender placed in: Pre-Hearing Confinement Administrative Segregation Date: _____

Recommended sanctions: Revocation of the unexpired portion of her DOSA sentence

ALLEGED VICTIMS

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

APPROVALS

Valerie Gagnier, CC3
Reporting employee/contract staff
CPM Beth Riekena
Infraction Reviewer

Valerie Gagnier
Signature
CPM B. Riekena
Signature

Days/Sat/Sun off
Shift/days off
2. 21. 19
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 42.56, and RCW 40.14.

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T.C. Program. Ms. Baughman was given another override to remain in the T.C. program to allow her to fulfill her DOSA requirement.

On 1 Dec 2018 she was seen by another offender talking to G.P. she was confronted and informed as part of the T.C. program one of the stipulations is not to talk to G.P. The following day she did the same thing, talked to G.P., within four days of being in T.C. she received infraction 244. (Displaying sexual affection with another offender.)

On 6 Dec 2018 she received another infraction 244 and the following day she received infraction 709. (Out of bounds: being in another offender's cell or being in an area in the facility with one or more offenders without authorization) 2 days later (9 Dec 2018) she was placed in the SHU (Segregated Housing Unit). Ms. Baughman was in the SHU from 9 Dec - 16 Dec 2018. This interfered with her participation in the T.C. programming which hindered her from gaining and making any progress. 17 Dec - 24 Dec 2018 she was in the Inpatient Unit (IPU) at WCCW, again hindering her progress.

30 Dec 2018 she received infraction 103, two days later (1 Jan 2019) she received infraction 351. (Giving, selling, purchasing, borrowing, lending, trading or accepting money or anything of value, except through approved channels, the value of which is less than ten dollars.) On 10 Jan 2019 she received two infractions 725 (Telephoning or sending written or electronic communication to any offender in a correctional facility, directly or indirectly, without prior written approval of the superintendent/community corrections supervisor/designee) and 889. (Using facility phones, information technology resources/systems, or related equipment without authorization.)

While on cell confinement as well as when she was off cell confinement she would have offenders take notes to another offender, she would have offenders microwave food for her and bring her hot water. Ms. Baughman manipulated offenders in the community to get what she wanted using her canteen as payment.

Ms. Baughman's self-defeating behaviors identified through her C.I. were: gossip, self-sabotage, disrespect, talking to General Population, unable to set healthy boundaries, codependency, sneakiness, impulsiveness, criminal code, lack of responsibility, and defiance.

Ms. Baughman's failure to demonstrate progress, loss of custody level and her continued use of self-defeating behaviors justified the infractions she received. Despite the various therapeutic interactions with staff, Ms. Baughman verbalized her desire to be in treatment however her action depicted reluctance and her determination to intentionally sabotage her treatment.

Violations of DOC 14-039 Substance Use Disorder Treatment Participation Requirements and/or DOC 14-042 Prison Drug Offender Sentencing Alternative Agreement

Explain: Program Participation Requirement and DOSA Agreement violations:

Facility Risk Management Team (FMRT) meeting and a Clinical Intervention. Her difficulties with her behaviors, which led her to being placed in the SHU (Segregated Housing Unit) hindered her from making progress to change her self-defeating behaviors. Ms. Baughman's failure to demonstrate progress, loss of custody level and her continued use of self-defeating behaviors justified the infractions she received.

Part of the Therapeutic Community (T.C.) model is to provide participants with the education, tools and skills to be able to live within a community while incarcerated, maintaining the structure they have agreed to upon entering the program. Ms. Baughman signed the participation requirements as well as the DOSA Agreement upon admission. Ms. Baughman demonstrated her unwillingness to gain these skills because of her behaviors which lead her to miss most of the education offered to her.

Ms. Baughman is in violation of the following:

Treatment Participation Requirements (signed by Ms. Baughman on 27 Nov 2018.)

- 3. Refrain from any and all criminal activity, including behaviors that may result in an infraction.
- 5. Attend all regularly scheduled individual and group treatment sessions. Unexcused absences will result in an infraction and may result in termination from treatment.

Protocol for Administrative termination from the treatment:

- 1. Failure to abide by the expectations outlined above.

DOSA Agreement (signed by Ms. Baughman 27 Nov 2018) has the following violations:

7. After alternative to retain you in the program have been addressed and it has been concluded that termination is appropriate, you may be administratively terminated from the DOSA substance use disorder treatment program as determined and documented by the primary Chemical Dependency Professional (CDP) and based on:

- a. A continual pattern of behavioral issues and unsuccessful responses to interventions.
- b. A lack of progression towards the goals of a treatment plan as determined by the primary CDP and staffed with her supervisor.
- c. Any major infraction that causes a change in custody level or the violation of conditions per this agreement or DOC 14-039 Substance Use Disorder Treatment Participation Requirements.

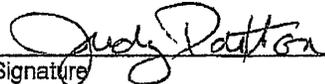
Documented evidence provided.

Attached documents

- Explain: Discharge Summary
- DOSA Agreement
- Progress Notes
- Treatment Participation Agreement
- Individual Service Plan
- Infraction History
- Clinical Intervention
- Substance Abuse Clinical Staffing

Reasons for termination

- Explain: Failure to progress in treatment.
- Violation of Prison Drug Offender Sentencing Alternative Agreement
- Loss of Custody Level

Avis C. Walcott BA CDP		31 Jan 2019
Treatment Professional	Signature	Date
Judy Patton CS3 CDP		1-3-19
DOSA Treatment Compliance Manager/designee	Signature	Date

The records contained herein are protected by the Federal Confidentiality Regulations 42 CFR Part 2. The Federal rules prohibit further disclosure of this information to parties outside of the Department of Corrections unless such disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2.

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SUBSTANCE USE DISORDER DISCHARGE SUMMARY AND CONTINUED CARE PLAN

Offender Name (Last, Middle, First) Ms. Baughman, Candice		DOC Number 373374	Date of Admission 27 Nov 2018
Chemical Dependency Professional/Trainee Name Ms. A.C. Walcott BA CDP		Location MCCCW	Date of Discharge 31 Jan 2019
Current Level of Care Level 3.3 TC	Level of Care Now Needed (Regardless of type of discharge) Level 3		Reason for Discharge Terminated

At the time of discharge, complete a **summary statement** of the individual's progress, or lack of progress, on each **open individual service plan** for all American Society of Addiction Medicine (ASAM) dimensions.

ASAM Dimension 1 - Acute Intoxication/Withdrawal Potential

Summary of Progress: No needs identified.

Continued Care Plan: (Include ASAM risk rating, recommended level of care, and any current referrals) Ms. Baughman denies any signs or symptoms of withdrawal are present, no referral given.

ASAM Risk Rating : 0 LOC: 0

ASAM Dimension 2 - Biomedical Conditions and Complications

Summary of Progress: Ms. Baughman was being seen by medical.

Continued Care Plan: (Include ASAM risk rating, recommended level of care, and any current referrals) Ms. Baughman will need to see medical when needed and for follow ups as needed.

ASAM Risk Rating:1.0 LOC: 1.0

ASAM Dimension 3 - Emotional, Behavioral, or Cognitive Conditions and Complications

Summary of Progress: No needs identified.

Continued Care Plan: (Include ASAM risk rating, recommended level of care, and any current referrals) Ms. Baughman would benefit from engaging in mental health therapy to address mental health issues.

ASAM Risk Rating: 1.0 LOC: 1.0

ASAM Dimension 4 - Readiness To Change

Summary of Progress: Ms. Baughman was given one ISP (Individual Service Plan) in this dimension: About Codependency and Recovery From Addictions, Understanding Codependent Behaviors and Healing From Codependency. She reported her codependency hinders her from making positive changes in her recovery. She was able to identify her self-defeating behaviors: gossip, self-sabotage, disrespect, codependency, talking to General Population, unable to set healthy behaviors, sneakiness, impulsiveness, criminal code, lack of respect and defiance. Ms. Baughman was given Individual Service Plans (ISP) assignments, a clinical intervention, to assist her with making positive changes for her self-defeating behaviors. Ms. Baughman struggle with gaining compliance in her behaviors, thus leading her to verbal reprimands, infractions, Facility Risk Management Team (FMRT) meeting and a Clinical Intervention. Her difficulties with her behaviors led her to being placed in the SHU (Segregated Housing Unit) hindering her from making progress to change her self-defeating behaviors. Ms. Baughman's failure to demonstrate progress, loss of custody level and her continued use of self-defeating behaviors justified the infractions she received. Despite the various therapeutic interactions with staff, Ms. Baughman verbalized her desire to be in treatment however her action depicted reluctance and her determination to intentionally sabotage her treatment.

Continued Care Plan: (Include ASAM risk rating, recommended level of care, and any current referrals) Ms. Baughman will need to gain insight, knowledge and the understanding of the addiction process to assist her in gaining the importance of utilizing positive healthy coping skills. Ms. Baughman needs to develop positive changes to assist her in decreasing the use of her self-defeating behaviors and increase the use positive behaviors and changes.

ASAM Risk Rating: 3.3 LOC: 3.3

ASAM Dimension 5 - Relapse, Continued Use, or Continued Problem Potential

Summary of Progress: Ms. Baughman had one ISP for this dimension, grief and loss, she disclosed she does not know how to handle grief and loss nor has she dealt with the death of her father and her s/o. Because she missed a lot of time in T.C. due to repercussions of her behaviors and her reluctance to address this issue was not fully addressed. Ms. Baughman did acknowledge grief and loss was a relapse cue for her however she superficially worked around the issue.

Continued Care Plan: (Include ASAM risk rating, recommended level of care, and any current referrals) Ms. Baughman will need to gain insight and knowledge of what her relapse cues and trigger are to assist and enable her to gain coping skills to devise her personal relapse prevention plan and ensure a strong recovery lifestyle.

ASAM Risk Rating: 3.3 LOC: 3.3

ASAM Dimension 6 - Recovery Environment

Summary of Progress: Ms. Baughman did not have any individual service plans opened in this dimension. Ms. Baughman did attend sober support meetings and she was also attending school.

Continued Care Plan: (Include ASAM risk rating, recommended level of care, and any current referrals) Ms. Baughman will need to establish a sober support network, she will need to continue to attend sober support meetings and continue with her education.

ASAM Risk Rating: 3.3 LOC: 3.3

Summary of Discharge Interview

D: Ms. Baughman entered MCCCW on 16 Apr 2018, she was admitted to the T.C. program on 27 Nov 2018. All UA's submitted were negative for all substances. On 24 Jan 2019 Ms. Baughman was placed in the SHU (Segregated Housing Unit) because of receiving several infractions whilst on a Clinical Intervention, she was terminated from the Therapeutic Community (T.C.) Program.

A: Ms. Baughman is in the "Precontemplation" Stage of change, her behaviors depict her struggles with owning her self-defeating behaviors, she struggles with making and committing to change. She verbalizes her desire and her need to be in treatment however her behaviors display she does not want to be in treatment. Ms. Baughman's failure to demonstrate progress, her struggles with commitment to change, negative infractions and the loss of custody level due to infractions caused her to be terminated from the T.C. program.

P: She will need to enter into and complete ASAM Level 3.3. Therapeutic Community with individual therapy and continued participation in twelve-step support groups and mental health counseling. Continue to explore strategies that will further her recovery by building a sober support system and participation in prosocial activities.

CONTINUING CARE RE-ENTRY PLAN

- No use of non-prescribed mind/mood-altering substances, including alcohol and marijuana
- No employment in any retail alcohol or marijuana industry unless therapeutically cleared by treating agency
- Self-help support groups (three per week) and support group sponsor
- Enroll in and complete recommended treatment: Level 3.3 TC

Mental Health Counseling Vocational Rehabilitation GED Anger Management
 -Other: _____

Ms. Avis C. Walcott BA CDP
Chemical Dependency Professional/Trainee

Avis C. Walcott
Signature

31 Jan 2019
Date

Judy Patton CS3 CDP
Supervisor

Judy Patton
Signature

1-31-19
Date

Offender Signature

Date

CLINICAL TERMINATION REVIEW

Reviewed by: _____ Date submitted: _____

Date of review: _____ Approved Not approved

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**State of Washington
Department of Corrections**

**Custody Review
Full Version**

Assigned Counselor: Gagnier, Valerie A

Printed By: Gagnier, Valerie A
Print Date: 02/14/2019

Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Minimum 2 - Camp	Location: MCCCW — SHU / SHU04
ERD: 09/08/2020				CC/CCO: Gagnier, Valerie A

Offender Information

Time Start: 04/16/2018	Expiration Date Mandatory: Maximum: 12/08/2021	Eligibility Date Camp: 04/16/2018 Work Release: 03/08/2020	Supervision Ordered Yes	Mental Health SMI: No ORCS: Unknown
Offender Release Plan: Investigation	Ten Day Release: Eligible	Commitment Type: DOSA	End Of Sentence Review Status: N	
Next Review Date: 03/08/2019				

Purpose of Review

Purpose Of Review	Date Initiated
Plan Change	01/24/2019
DOSA Compliance	01/24/2019

Detainers

Type	Narrative
MI - NA	FTA - VIO NCPO DV

Holds

Hold	Staff Name	Hold Until
Substance Abuse Treatment	Hegberg, Ashley M	05/27/2020

Community Support

County Of First Felony Conviction, WA: Thurston

Residence Sponsor				Anticipated Release Address	
Last, First Name: MADORE, CATHERINE	Date Of Birth:	Age:	Relationship: Mother	14144 TILLEY RD Tenino, Washington United States 98589	
Phone No.: (360) 352-5228	Type: Cell				

Individuals In Home					
Last, First Name:	Gender:	Date Of Birth:	Age:	Relationship:	
Baughman, Robert	Male		11	Son	
Baughman, Joeseeph	Male		8	Son	



02/14/2019

Program Needs

Education				Grade Point Equivalency	
GED/HSD:	Date Obtained:	Location:	Verified?	Math:	Reading:
GED	09/03/2004	Washington State		11th	11th

Personality Assessment Inventory		
Suicide:	Violence:	Victimization:

Offender Needs (Needs Assessment Tool)

Program Narrative

Narrative:
 Ms. Baughman Does Not Need A Restoration Plan As She Has Not Lost Any GCT Or ET. She Is Currently 1st Phase Of The TC Program And Would Need An Override To Maintain Compliance With Her DOSA Required Treatment Program. Ms. Baughman Has Been Made Aware That If She Falls To Complete Or Is Administratively Terminated From A Treatment Program, She Will Be Subject To Mandatory Revocation Of Her DOSA Sentence Per RCW 9.94A.662(3). See Case Plan For Additional Information.

Education/Employment Needs

Education/Employment Need
 Needs Basic Skills Preparation

Narrative:
 Offender Baughman Has A Verified GED Which She Received In 2004.

Programs

Custody Score

Current Custody		Current Custody Score:	10
Medium			

Infraction Behavior			Infraction Behavior Score:	0
			All Infractions Addressed In Previous Plan?	No
DOC Infractions:	Category	Violation Description	Date Occurred	
	B3	889 - UNAUTH USE PHONE/IT RESOURCES/SYSTEMS	12/21/2018	
	B3	889 - UNAUTH USE PHONE/IT RESOURCES/SYSTEMS	01/10/2019	
	B3	709 - OUT OF BOUNDS	12/07/2018	

Program Behavior				Program Behavior Score:	0
Month	Year	Points	Non-Award Reason		
August	2018	0			



2/14/2019

September 2018	0
October 2018	0
November 2018	0
December 2018	0
January 2019	0

Detainers			Detainer Score:	0
	Felony	ICE		
Current	No	No		
Potential	No	No		

Escape History			Escape History Score:	0
DOC				
Escape Description	Month	Year		

Calculated Custody		Custody Score:	10
		Calculated Custody:	Medium

Expectations

Condition

- Treatment-Substance Abuse
- Treatment-Substance Abuse
- Evaluation/Substance Abuse
- Treatment-Substance Abuse Outpatient
- No Marijuana Use Or Possession
- Release Substance Abuse Treatment Info

Expectation

Expectation	Frequency	Due Date	Complete
Comply With TC Written Rules, Guidelines And Phase Up Requirements	As Required	09/08/2020	No
Follow All Facility Written Rules And Guidelines	As Required	09/08/2020	No
Attend All Programs Or Appointments Per Callout	On-Going	09/08/2020	No
Full Program Participation While Working Toward Completion	On-Going	09/08/2020	No

LFO (Legal Financial Obligations)

Cause	Amount
131018521	\$1,251.51
1610039521	\$440.80
1710024321	\$919.35
Total:	\$2,611.66

Targeted Custody

Targeted Date	Targeted Custody	Targeted Placement	Inmate Preferred Location
09/08/2020	Minimum 1 - Work Release	Per Initial CFP MI1 Is Not Recommended	

Disciplines

Discipline	Other Discipline	Staff
Custody		Chaney, Trina B

2/14/2019

Discipline	Other Discipline	Staff
Other	CUS	Thrush, Michele L
Programming Supervisor		Patton, Judy E

Comments/Recommendations

Submit/Review Name Date	Comments	Concur
01/24/2019 Gagnier, Valerie A	(Offender) provided with classification appeal form 07-037 (Counselor) Baughman, Candice #373374 arrived WCCW 4/16/18 and MCCCW 6/25/18. She has received the following infractions since her last review: WAC 657 on 12/14/18; WAC 889 on 12/21/18; WAC 658 on 12/24/18; WAC 103 on 12/30/18; WAC 351 on 1/1/19; WAC 725 and WAC 889 on 1/10/19. Programming points reviewed, CRS is 10 (MED). She is a DOSA offender with an ERD of 9/8/2020. She has no current separations or prohibited placements. No active NCOs or J&S Prohibited contacts. She has 2 open warrants out of Thurston County District, one with \$10,000.00 bail and the other no bail. She is being recommended for termination from the Therapeutic Community Treatment Program. She has demonstrated a continual pattern of problematic behavior and is no longer appropriate for MCCCW as she no longer scores minimum custody. Recommend demote to Medium and transfer to be housed appropriately.	
01/25/2019 Thrush, Michele L	(FRMT) MD Facility Risk Management Team consisting of CUS Thrush, CC3 Gagnier, CC2 Johnson, Sgt. Chaney and CS3 Patton, for a plan change review. Offender is expected to Follow DOC Rules, Remain Infraction Free, Comply with Court Orders, and Program, she is not in compliance. Due to Custody score of 10 points as a result of offender's recent infractions clearly demonstrates her behavior is currently not appropriate to be in a camp setting. The MDFRMT concurred with the Counselor's recommendation to demote from Minimum 2 to Medium custody and transfer to be housed appropriately.	Yes
01/25/2019 Rietema, Beth R	CPM concurs with MDFRMT: she is no longer eligible for Mission population as she has demonstrated her repeated pattern of non-compliance, despite multiple intervention strategies, Demote to Medium, Review for Yakima Co. Jail housing and Transfer to WCCW - current review for potential termination from TC.	Yes

Assigned Custody

Calculated Custody: Medium	Assigned Custody: Medium	Override Reason:	Override Narrative:
	Classification Status: In-Effect	Completion Date: 01/25/2019	Custody Assigned By: Beth Rietema, Correctional Program Manager
DOC: 373374		Name: BAUGHMAN, Candice Rebecca	



DISCIPLINARY HEARING MINUTES AND FINDINGS

Infraction Group Number: 19

Offender Name (Last, First) BAUGHMAN, Candice R.			DOC Number 373374	
Date of Hearing 1/24/2019	Time of Hearing 0930	Violation Date 1/10/2019	Waived 24 Hours Notice <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Waived Appearance <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Offender's Plea: Guilty #725, #889 Not Guilty _____

Hearing Impaired: Yes No
 Interpreter: Sign/Language Yes No Name: _____
 Competency Concerns: Yes No
 Department Advisor: Yes No Name: _____
 Confidential Information: Yes No
 Witness Statement Returned: Yes No N/A
 Witness Statement Denied: Yes No N/A
 Reason: _____

Hearing Summary List Witnesses Testifying, Evidence Used, Reasons for Continuances, Video Review Summary and any other Relevant information:

G: #725, Green Folder is not TC Folder it is for transition
 G: #889, to Life Folder, the notes were written before the date of
 before I was put on my CI, I didn't write any notes
 when (Notes)

LIST EACH WAC 137-28 RULE VIOLATION SEPARATELY					
VIOLATION NO.	FINDING				REASON
	Guilty	Not Guilty	Dismissed	Reduced	
# 725	X				OFFENDER'S Plea of Guilty
# 889	X				OFFENDER'S Plea of Guilty

Sanction(s): 60 days loss of store privileges, 60 days loss of phone
privileges, 45 days loss of bond time, suspended in 180 days providing
 Reason for sanction(s): 2nd #889 with in No services for #889
2nd Category B-3 12 months

Recommendations (Non-Sanction): _____

I Have Received a Copy of this Form:

<u>X Candice Baughman</u>	<u>X [Signature]</u>	<u>1-24-19</u>	<u>1105</u>
Offender or Employee Witness (Print)	Offender or Employee Witness Signature	Date	Time
<u>CWS W. Z. Anderson</u>	<u>CWS W. Z. Anderson</u>	<u>1-24-19</u>	<u>1105</u>
Hearing Officer (Print)	Hearing Officer Signature	Date	Time

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DISCIPLINARY HEARING NOTICE/APPEARANCE WAIVER

Infraction Group Number: 19

Offender Name BAUGHMAN, Candice R.	DOC Number 373374	Facility MCCGW	Date 1/18/2019
Type of Review	Hearing Scheduled Date 1/24/2019	Location MCCGW	Time 0930
<input type="checkbox"/> Disciplinary			

Reason For Hearing (Include all Allegations of Misconduct, if Appropriate)

725 - Telephoning or sending written or electronic communication to any offender in a correctional facility, directly or indirectly, without prior written approval of the superintendent/community corrections supervisor/designee

889 - Using facility phones, information technology resources/systems, or related equipment without authorization

Offender Rights:

- You have the right to remain silent at the hearing. If you choose to remain silent, your silence may be used against you and the decision will be based on the evidence presented.
- You may waive your appearance at the hearing.
- You do not have a right to cross examine witnesses, have the infracting staff present at the hearing, have access to video, have access to audio from the offender phone system, or have a polygraph or other supplemental test(s).
- You may request witness statements and/or that staff, offenders, or other persons be present as witnesses, unless it is determined by the hearing officer that doing so would be unduly hazardous to facility safety or security: (list witnesses below)

EMPLOYEE NAME	STATEMENT	WITNESS	POSITION	OFFENDER NAME	STATEMENT	WITNESS	DOC NUMBER
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	

Criminal charges may be pending. Anything you say henceforth may be used against you in a court of law.

Status Of Criminal Charges: None Unknown Pending in _____ County _____ Charges

You have the right to review all related reports and a summary of any confidential information.

You may request a Department advisor. Requested Waived

You may request an interpreter if you are unable to read, speak, or understand English. Requested Waived

You may request a certified sign language interpreter if you are hearing impaired. Requested Waived

You may appeal the decision and/or sanctions to the superintendent/facility supervisor within 15 working days.

If you are an indeterminate sentence case and within 60 days of an established release date, a guilty finding could result in the cancellation of your release date.

I, _____, DOC# _____ waive my right to the required 24 hours notice prior to being seen by the Disciplinary Hearing Officer and authorize the Disciplinary Hearing Officer to make a disposition regarding the information and evidence presented to the Disciplinary Hearing Officer as pertains to my particular situation.

I, _____, DOC# _____ waive my right to attend this scheduled hearing. I understand that the hearing will be held in my absence.

Copy of this form and infraction, with attachments received.

Offender/Witness Signature Date Time Employee Signature Date Time

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Distribution: ORIGINAL - Imaging System/Central File
DOC 05-093 (Rev. 10/26/16) E-Form
Scan Code: Packet (IF01), Individual (SD07)

COPY- Hearing Officer, Offender

DOC 450.500, DOC 460.000
[4-4236]



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JAN 31 2019

BY RECORDS

SERIOUS INFRACTION REPORT

Facility: MCCCW

Infraction Group Number: 19

EMPLOYEE REPORT

Name: BAUGHMAN, Candice R. DOC #: 373374 Date: 1/10/2019
Number of rule(s) violated: 725 - PHONE/Written/ELECTRONIC COMMUN MISUSE Time: 16:55
889 - UNAUTH USE PHONE/IT RESOURCES/SYSTEMS
Place: Living Unit

Details in full: On January 10, 2019 at approximately 1655 hours I officer Owens, Rebecca had a conversation with Offender Baughman, Candice #373374 regarding her placing phone calls to offender Deutsch, Tarah #310701 via 3rd party. Offender Baughman was upset hearing that offender Deutsch had received an infraction. Offender Baughman asked to speak with me and Offender Christopher, Susan #379334 in private. Offender Baughman said she wanted to be honest with me. Offender Baughman admitted to having a 3rd party phone call with Offender Deutsch on January 7, 2019 or January 8, 2019 using "Mike" her husband to help with the 3rd party. At approximately 1900 hours I was told by Officer Ross, Paula that Offender Deutsch wanted to talk to me. At approximately 1933 hours, myself and Offender Ross went into the counselor's office in Bear unit with offender Deutsch. Offender Deutsch gave me a green folder that has offender Baughman's name on it and a TC sticker that says "TTL" Phase 1 Self-Enrichment". Inside the folder are offender to offender notes. Offender Deutsch stated that these notes are from this week from offender Baughman. Offender Deutsch also stated that they were using offender Rico, Ivett #337495 who released 10/29/18 to place 3rd party phone calls. Deutsch said that they talked to each other on the 7th around 7pm using phone number 360-348-6648. Both offenders admitted to me throughout the conversation that they had use the phones to be able to talk to each other via 3rd parties and that they are passing notes through the kitchen and the gym. After reading through some of the notes I was able to determine most of them were written after January 4th. Offender Baughman refers to being put on a CI in TC and that took place on the 4th. Offender Deutsch also admitted to having offender Baughman's wedding ring which had been taken by an officer. The wedding ring is in bear unit contraband locker.

Witnesses:

REBECCA T. OWENS

REBECCA T. OWENS

Reporting Employee (Print)

Reporting Employee Signature

FACT FINDING DURING HEARING

Was offender informed of right to remain silent? [X] Yes [] No Date of Hearing: 1/24/2019

PLEA: GUILTY 725, 889
NOT GUILTY
NO PLEA

Did the offender make statement after being informed of his/her rights? [X] Yes [] No

If so, what? Green folder is not TC Folder it is for Transition to Life folder, the notes were written before the 4th when I was put on my CI, I didn't write any other (notes)

DECISION

FINDING: GUILTY 725, 889
NOT GUILTY
DISMISSED
REDUCED

Facts and evidence found: Offender's plea of guilt

Sanction(s): 45 days loss of good conduct time, 45 days suspended for 180 days
60 days loss or limitation of store privileges applied
60 days inter/restrict/term corresp/tele/elect communication applied

Reason for sanction(s): 60 days loss of store privileges starting on 1/31/19 and ending on 4/1/19, 60 days loss of phone privileges, 45 days loss of good time, suspended for 180 days pending no further major infractions. 2nd 889 category B-3 within 12 months.

Recommendations (Non-Sanction):

Distribution: ORIGINAL - Imaging System/Central File
DOC 20-051 (Rev. 09/16/13) E-Form
Scan Code IF01

COPY - Offender, Board, Hearing Officer

DOC 480.000

William Anderson, CUS
Hearing Officer (Print)

William Anderson, CUS
Hearing Officer Signature

1/24/19
Date

Dennis Tabb
Superintendent/designee (Print)



Superintendent/designee Signature

1.29.19
Date

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Received

JAN 18 2019

INITIAL SERIOUS INFRACTION REPORT

<u>Baughman, Candice</u>	<u>373374</u>	<u>MCCCW A-C-174-1</u>
Offender name	DOC number	Facility/housing assignment
<u>1-15-19</u>	<u>1655</u>	<u>Mission unit and Bear unit</u>
Infraction date	Incident time	Incident place
<u>1-10-19</u>		
Incident date		

725-Telephoning or sending written or electronic communication to any offender in a correctional facility, directly or indirectly without prior written approval of the superintendent

889 - Using Facility Phones, Information technology resources/systems, or related equipment without authorization.

Rule violations

Witnesses

NARRATIVE

State a concise description of the rule violations, (e.g., injuries, property damage, use of force) and answering the questions of When? Where? Who? What? Why? and How? Attach all related reports. (Work Release offenders may submit written comments to their case manager)

On January 10, 2019 at approximately 1655 hours I Officer Owens, Rebecca had a conversation with offender Baughman, Candice #373374 regarding her placing phone calls to offender Deutsch, Tarah #310701 via 3rd party. Offender Baughman was upset hearing that offender Deutsch had received an infraction. Offender Baughman asked to speak with me and offender Christopher, Susan #379334 in private. Offender Baughman said she wanted to be honest with me. Offender Baughman admitted to having a 3rd party phone call with offender Deutsch on January 7, 2019 or January 8, 2019 using "Mike" her husband to help with the 3rd party. At approximately 1900 hours I was told by Officer Ross, Paula that offender Deutsch wanted to talk to me. At approximately 1933 hours, myself and Officer Ross went into the counselor's office in Bear unit with offender Deutsch. Offender Deutsch gave me a green folder that has offender Baughman's name on it and a TC sticker that says "TTL Phase 1 self-Enrichment". Inside the folder are offender to offender notes. Offender Deutsch stated that these notes are from this week from offender Baughman. Offender Deutsch also stated that they were using offender Rico, IVETE #337495 who released 10/29/18 to place 3rd party phone calls. Deutsch said that they talked to each other on the 7th around 7pm using phone number 360-348-6648. Both offenders admitted to me throughout the conversation that they had use the phones to be able to talk to each other via 3rd parties and that they are passing notes through the kitchen and the gym. After reading through some of the notes I was able to determine most of them were written after January 4th. Offender Baughman refers to being put on a CI in TC and that took place on the 4th. Offender Deutsch also admitted to having offender Baughman's wedding ring which had been taken by an officer. The wedding ring is in bear unit contraband locker.

Evidence: Yes No Photo(s)/video: Yes No Evidence locker number: 7

Evidence case number: Q01-001-19 Description of evidence: Offender to offender notes

Related reports attached: Supplemental Medical Witness statements Other: Specify

Offender placed in: Pre-Hearing Confinement Administrative Segregation Date: _____

Recommended sanctions: _____

ALLEGED VICTIMS

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

APPROVALS

Owens, Rebecca
Reporting employee/contract staff
Michele Trush
Infraction Reviewer

[Signature]
Signature
[Signature]
Signature

3rd F/S
Shift/days off
1/17/19
Date

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Distribution: **ORIGINAL** - Imaging System/Central File
COPY - Hearing Officer, Offender, Indeterminate Sentence Review Board



SEARCH REPORT

Location (Unit, Cell, Or Activity Area) BRAB Unit Counselor's office	Date 1-10-19	Time 1933
PRINTED NAME OF SEARCH OFFICER(S) Quens		REASON FOR SEARCH Case
ROSS		

Please Print

DESCRIPTION OF CONFISCATED PROPERTY							
OFFENDER NAME	DOC NUMBER	DESCRIPTION OF ITEM (INCLUDE QUANTITY, TYPE, SERIAL NUMBER, CONDITION)	DISPOSITION (YES/NO)	INFRACTION WRITTEN (YES/NO)	WAC VIOLATION		
Deetsch	310701	1 Note Book	Evidence	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
		Green with Note locker		<input type="checkbox"/>	<input type="checkbox"/>		
		from another	#7	<input type="checkbox"/>	<input type="checkbox"/>		
		offe locker	(201-00)	<input type="checkbox"/>	<input type="checkbox"/>		
		with offe locker	19	<input type="checkbox"/>	<input type="checkbox"/>		
		Bausman's #373374		<input type="checkbox"/>	<input type="checkbox"/>		
		Name		<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		

Signature of Search Staff

1.	2.
----	----

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Distribution: ORIGINAL - Evidence
WHITE - Evidence

COPY - CUS, Offender
CANARY - CUS

PINK - Offender

DOC 05-384 (Rev. 10/10/16)
Scan Code: Packet (IF01), Individual (AD11)

DOC 420.320, DOC-420.360, DOC 420.375



INCIDENT REPORT

Confidential

Date/time of incident 01/10/19 1930	Incarcerated individual involved Baughman, Candice Deutsch, Tara	DOC number 373374 310701
Use of force incident? <input type="checkbox"/> Yes <input type="checkbox"/> No	Witnesses involved C/O Owens	
Incident description Unauthorized Communication	Employees/contract staff/volunteers involved	

DETAILED DESCRIPTION OF INCIDENT

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

On 01/10/19 at 1930 I (C/O Ross) sat in on a conversation between C/O Owens and Deutsch, Tara #373374 in the Bear Creek counselors' office. Deutsch was extremely nervous and experiencing an anxiety attack. Deutsch handed C/O Owens a green folder with notes enclosed from Baughman, Candice #373374. Deutsch had stated they have both been passing notes to each other through other offenders in the gym and the kitchen. Deutsch said she wanted the note passing to stop, and that she didn't want anymore contact with Baughman.

IMMEDIATE ACTION TAKEN

Ross, Paula		01/16/19	0820
Name	Signature	Date	Time
Facility activity occurred	Unit	Tier	

SUPERINTENDENT/DESIGNEE COMPLETE

Date/time received	Incident number		
Assigned to	By	Date	

Comments: _____

Name	Signature	Date
------	-----------	------

State law and/or federal regulations prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law.

Distribution: **ORIGINAL** - Superintendent **COPY** - Chief Investigator



23 Spts
DISCIPLINARY HEARING MINUTES AND FINDINGS

Infraction Group Number: 13

Offender Name (Last, First) BAUGHMAN, Candice R.			DOC Number 373374	
Date of Hearing 1/8/2019	Time of Hearing 0830	Violation Date 12/14/2018	Waived 24 Hours Notice <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Waived Appearance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Offender's Plea: GUILTY 657 Not Guilty

Hearing Impaired: Yes No
 Interpreter: Sign/Language Yes No Name: _____
 Competency Concerns: Yes No Name: _____
 Department Advisor: Yes No Name: _____
 Confidential Information: Yes No
 Witness Statement Returned: Yes No N/A
 Witness Statement Denied: Yes No N/A

Reason:

Hearing Summary List Witnesses Testifying, Evidence Used, Reasons for Continuances, Video Review Summary and any other Relevant Information:

557 - Been much working hard to stay out of trouble, please
 lesser sanction

LIST EACH WAC 137-28 RULE VIOLATION SEPARATELY					
VIOLATION NO.	FINDING				REASON
	Guilty	Not Guilty	Dismissed	Reduced	
657	X				Plea of guilt, and evidence presented

Sanction(s): 15 days loss of commissary

Reason for sanction(s): Sanction guidelines, instructor history

Recommendations (Non-Sanction):

I Have Received a Copy of this Form:

	<u>Candice Baughman</u>	<u>1-8-19</u>	<u>2:56</u>
Offender or Employee Witness (Print)	Offender or Employee Witness Signature	Date	Time
	<u>Dawn Smith</u>	<u>1-8-19</u>	<u>2:58</u>
Hearing Officer (Print)	Hearing Officer Signature	Date	Time

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PAGE 1 OF 1



DISCIPLINARY HEARING NOTICE/APPEARANCE WAIVER

Infraction Group Number: 10

Offender Name BAUGHMAN, Candice R.	DOC Number 373374	Facility MCCCW	Date 12/12/2018
Type of Review <input type="checkbox"/> Disciplinary	Hearing Scheduled Date 12/14/2018	Location MCCCW	Time 1000

Reason For Hearing (Include all Allegations of Misconduct, if Appropriate)

709 - Out-of-bounds: Being in another offender's cell or being in an area in the facility with one or more offenders without authorization

Offender Rights:

- You have the right to remain silent at the hearing. If you choose to remain silent, your silence may be used against you and the decision will be based on the evidence presented.
- You may waive your appearance at the hearing.
- You do not have a right to cross examine witnesses, have the infracting staff present at the hearing, have access to video, have access to audio from the offender phone system, or have a polygraph or other supplemental test(s).
- You may request witness statements and/or that staff, offenders, or other persons be present as witnesses, unless it is determined by the hearing officer that doing so would be unduly hazardous to facility safety or security: (list witnesses below)

EMPLOYEE NAME	STATEMENT	WITNESS	POSITION	OFFENDER NAME	STATEMENT	WITNESS	DOC NUMBER
_____	<input type="checkbox"/>	<input type="checkbox"/>		_____	<input type="checkbox"/>	<input type="checkbox"/>	
_____	<input type="checkbox"/>	<input type="checkbox"/>		_____	<input type="checkbox"/>	<input type="checkbox"/>	
_____	<input type="checkbox"/>	<input type="checkbox"/>		_____	<input type="checkbox"/>	<input type="checkbox"/>	
_____	<input type="checkbox"/>	<input type="checkbox"/>		_____	<input type="checkbox"/>	<input type="checkbox"/>	

Criminal charges may be pending. Anything you say henceforth may be used against you in a court of law.

Status Of Criminal Charges: None Unknown Pending in _____ County _____ Charges

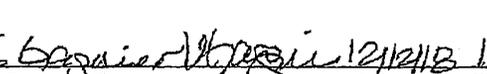
- You have the right to review all related reports and a summary of any confidential information.
- You may request a Department advisor. Requested Waived
- You may request an interpreter if you are unable to read, speak, or understand English. Requested Waived
- You may request a certified sign language interpreter if you are hearing impaired. Requested Waived
- You may appeal the decision and/or sanctions to the superintendent/facility supervisor within 15 working days.

If you are an indeterminate sentence case and within 60 days of an established release date, a guilty finding could result in the cancellation of your release date.

I, Candice Baughman, DOC # 373374 waive my right to the required 24 hours notice prior to being seen by the Disciplinary Hearing Officer and authorize the Disciplinary Hearing Officer to make a disposition regarding the information and evidence presented to the Disciplinary Hearing Officer as pertains to my particular situation.

I, _____, DOC # _____ waive my right to attend this scheduled hearing. I understand that the hearing will be held in my absence.

Copy of this form and infraction, with attachments received.



 Offender/Witness Signature Date Time Employee Signature Date Time

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10 pts

DISCIPLINARY HEARING MINUTES AND FINDINGS

Infraction Group Number: 10

Offender Name (Last, First) BAUGHMAN, Candice R.		DOC Number 373374	
Date of Hearing 12/14/2018	Time of Hearing 1000	Violation Date 12/7/2018	Waived 24 Hours Notice <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Waived Appearance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Offender's Plea: GUILTY _____ Not Guilty 709

Hearing Impaired: Yes No

Interpreter: Sign/Language Yes No Name: _____

Competency Concerns: Yes No

Department Advisor: Yes No Name: _____

Confidential Information: Yes No

Witness Statement Returned: Yes No N/A

Witness Statement Denied: Yes No N/A

Reason: _____

Hearing Summary List Witnesses Testifying, Evidence Used, Reasons for Continuances, Video Review Summary and any other Relevant Information:

709 - I am authorized to be in that room at all times
I am in mission unit. I read this should be a 210 not
709. People are allowed to attend legacy classes without being
on the call out. Deutsch was yelling at me to be come in the

LIST EACH WAC 137-28 RULE VIOLATION SEPARATELY					
VIOLATION NO.	FINDING				REASON
	Guilty	Not Guilty	Dismissed	Reduced	
709	X				Evidence presented, Baughman admitted to going in the multipurpose room for Deutsch work the class, Confidential Information

Sanction(s): 10 days cell confinement

Reason for sanction(s): _____

Recommendations (Non-Sanction): _____

I Have Received a Copy of this Form:

	<u>Candice Baughman</u>	<u>12-13-18</u>	<u>16:30</u>
Offender or Employee Witness (Print)	Offender or Employee Witness Signature	Date	Time
<u>Dawn Rusk</u>		<u>12-13-18</u>	<u>16:30</u>
Hearing Officer (Print)	Hearing Officer Signature	Date	Time

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DISCIPLINARY HEARING MINUTES AND FINDINGS
CONTINUATION SHEET

Offender name _____ DOC number _____ Date of hearing _____

HEARING SUMMARY

List testifying witnesses, evidence used, continuance reason(s), video review summary, any other relevant information

rooms, officers told me if you go into a room it's a 210
out of bounds

[Lined area for additional notes or information]

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 42.56, and RCW 40.14.

Distribution: ORIGINAL - Imaging System/Central File COPY - Hearing Officer, Offender

Page 2 of 2



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DEC 19 2018

BY RECORDS

SERIOUS INFRACTION REPORT

Facility: MCCGW

Infraction Group Number: 10

EMPLOYEE REPORT

Name: BAUGHMAN, Candice R. DOC #: 373374 Date: 12/7/2018
Number of rule(s) violated: 709 - OUT OF BOUNDS Time: 18:00
Place: Other

Details in full: This is a Summary of Confidential Information: On 12/7/18 @ 18:00 hrs. Offender Baughman, Candice #373374 was in the Multi-Purpose-Room, where the Legacy Class was being taught from 18:00 to 19:00 hrs., as you can see by the Legacy Class Call-out (Attachment), she was not on the call-out for this class, therefore she is in Violation of a #709 Initial Serious Infraction, Being in an area in the Facility with one or more offenders without authorization, During the time she was in the Multi-Purpose Room offender Deutsch, Tarah #310701 met Offender Baughman, Candice #373374 in the Multi-Purpose Room, when Deutsch #310701 confronted offender Baughman #373374, Offender Baughman wanted nothing to do with her, and asked her to leave her alone, so offender Baughman tried to leave the Multi-Purpose Room; and Offender Deutsch #310701 grabbed offender Baughman #373374 by the shirt and tried to pull her back into the Multi-Purpose Room, and the force of her pulling offender Baughman into the room was so much force that they both lost their balance and fell to the floor, offender Baughman instantly tried to get away from offender Deutsch #310701 at that time, and offender Deutsch wrapped her arms around offender Baughman's legs, to stop her from getting away, offender Baughman kept crawling away from offender Deutsch until she got her legs free, while this was going on offender Morgan, Candese #860474 got on the floor to secure the legs of offender Deutsch #310701 to stop her from holding offenders Baughman's #373374 legs, and to try too separate the two offenders, and offender Morgan, Candese #860474 also got on the floor to grab the legs of offender Deutsch #310701, also to stop offender Deutsch from pulling on the legs of offender Baughman, and also to separate them. By offender Morgan, Candese # 860474 securing the legs of offender Deutsch #310701 while on the floor, and trying to separate them (Deutsch and Baughman) in the Multi-Purpose Room, and securing her legs (Deutsch) on the floor and keeping offender Deutsch from leaving the Multi-Purpose Room.

Witnesses:

WILLIAM L. ANDERSON

WILLIAM L. ANDERSON

Reporting Employee (Print)

Reporting Employee Signature

FACT FINDING DURING HEARING

Was offender informed of right to remain silent? [X] Yes [] No Date of Hearing: 12/14/2018

PLEA: GUILTY
NOT GUILTY 709
NO PLEA

Did the offender make statement after being informed of his/her rights? [X] Yes [] No

If so, what? I am authorized to be in that room at all times. I am in mission unit. I read this should be a 210 not 709. People are allowed to attend legacy classes without being on the callout. Deutsch was yelling at me to come in the room. Officers told me if you go into a room it's a 210 out of bounds.

DECISION

FINDING: GUILTY 709
NOT GUILTY
DISMISSED
REDUCED

Facts and evidence found: Evidence presented, Other - list specific reason(s): Baughmen admitted to going into the multipurpose room for Deutch not the class. Continual infraction.

Sanction(s): 10 days confinement to cell/room applied

Reason for sanction(s): 10 days cell confinement.

Recommendations (Non-Sanction):

Distribution: ORIGINAL -- Imaging System/Central File
DOC 20-051 (Rev. 09/18/13) E-Form
Scan Code IFD1

COPY -- Offender, Board, Hearing Officer

DOC 480.000

Darron Everitt, CUS
Hearing Officer (Print)

Darron Everitt, CUS
Hearing Officer Signature

12/13/18
Date

Dennis Tabb
Superintendent/designee (Print)

C.M.B. Reima for
Superintendent/designee Signature

12/17/18
Date

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RECEIVED

DEC 12 2018

INITIAL SERIOUS INFRACTION REPORT

Baughman, Candice	373374	MCCCW/ SHU
Offender name	DOC number	Facility/housing assignment
12/11/18	12/7/18	18:00
Incraction date	Incident date	Incident time
#709 Out-of-bounds: Being in another offender's cell or being in an area in the facility with one or more offenders without authorization		
Rule violations		
N/A		
Witnesses		

NARRATIVE

State a concise description of the rule violations, (e.g., injuries, property damage, use of force) and answering the questions of When? Where? Who? What? Why? and How? Attach all related reports.

(Work Release offenders may submit written comments to their case manager)

This is a Summary of Confidential Information: On 12/7/18 @ 18:00 hrs. Offender Baughman, Candice #373374 was in the MultiPurpose-Room, where the Legacy Class was being taught from 18:00 to 19:00 hrs., as you can see by the Legacy Class Call-out (Attachment), she was not on the call-out for this class, therefore she is in Violation of a #709 Initial Serious Infraction, Being in an area in the Facility with one or more offenders without authorization. During the time she was in the Multi-Purpose Room offender Deutsch, Tarah #310701 met Offender Baughman, Candice #373374 in the Multi-Purpose Room, when Deutsch #310701 confronted offender Baughman #373374, Offender Baughman wanted nothing to do with her, and asked her to leave her alone, so offender Baughman tried to leave the Multi-Purpose Room, and Offender Deutsch #310701 grabbed offender Baughman #373374 by the shirt and tried to pull her back into the Multi-Purpose Room, and the force of her pulling offender Baughman into the room was so much force that they both lost their balance and fell to the floor, offender Baughman instantly tried to get away from offender Deutsch #310701 at that time, and offender Deutsch wrapped her arms around offender Baughman's legs, to stop her from getting away, offender Baughman kept crawling away from offender Deutsch until she got her legs free, while this was going on offender Morgan, Candese #860474 got on the floor to secure the legs of offender Deutsch #310701 to stop her from holding offenders Baughman's #373374 legs, and to try too separate the two offenders, and offender Morgan, Candese #860474 also got on the floor to grab the legs of offender Deutsch #310701, also to stop offender Deutsch from pulling on the legs of offender Baughman, and also to separate them. By offender Morgan, Candese # 860474 securing the legs of offender Deutsch #310701 while on the floor, and trying to separate them (Deutsch and Baughman) in the Multi-Purpose Room, and securing her legs (Deutsch) on the floor and keeping offender Deutsch from leaving the Multi-Purpose Room.

Evidence: Yes No Photo(s)/video: Yes No Evidence locker number: N/A

Evidence case number: N/A Description of evidence: N/A

Related reports attached: Supplemental Medical Witness statements Other: Specify

Offender placed in: Pre-Hearing Confinement Administrative Segregation Date: 12/4/18 12/7/18

Recommended sanctions: _____

ALLEGED VICTIMS

Name: Baughman, Candice Employee/contract staff Volunteer/visitor/other Offender DOC
#373374

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

APPROVALS

<u>CUS William L Anderson</u>	<u><i>William L Anderson</i></u>	<u>12/11/18</u>
Reporting employee/contract staff	Signature	Shift/days off
<u><i>Sgt. Clausen, Deanna</i></u>	<u><i>[Signature]</i></u>	<u>12/12/18</u>
Infraction Reviewer	Signature	Date

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Distribution: **ORIGINAL** - Imaging System/Central File
COPY - Hearing Officer, Offender, Indeterminate Sentence Review Board



DISCIPLINARY HEARING MINUTES AND FINDINGS

Infraction Group Number: 17

Offender Name (Last, First) BAUGHMAN, Candice R.		DOC Number 373374	
Date of Hearing 1/23/2019	Time of Hearing 0930	Violation Date 12/21/2018	Waived 24 Hours Notice <input type="checkbox"/> Yes <input type="checkbox"/> No Waived Appearance <input type="checkbox"/> Yes <input type="checkbox"/> No

Offender's Plea: GUILTY _____ Not Guilty #889

Hearing Impaired: Yes No

Interpreter: Sign/Language Yes No Name: _____

Competency Concerns: Yes No

Department Advisor: Yes No Name: _____

Confidential Information: Yes No

Witness Statement Returned: Yes No N/A

Witness Statement Denied: Yes No N/A

Reason: _____

Hearing Summary List Witnesses Testifying, Evidence Used, Reasons for Continuances, Video Review Summary and any other Relevant Information:

NG: #889, I admit to making the phone call, why is it a #889, instead of a #303. I am not denying that I didn't make the call. And can it be brought down to a #303.

LIST EACH WAC 137-28 RULE VIOLATION SEPARATELY					
VIOLATION NO.	FINDING				REASON
	GUILTY	NOT GUILTY	DISMISSED	REDUCED	
#889	X				Initial Serious Infractions Report Narrative, Incident Report, Confidential Information, Offender Admit Making Call in Statement.

Sanction(s): *15 days cell confinement, 30 days loss of phone, J-Pass, visit privileges, 30 days loss of Day Room Privileges*

Reason for sanction(s): *1st #889 7 within 1st Category B3 12 months*

Recommendations (Non-Sanction): _____

I Have Received a Copy of this Form:

<i>X</i>	<i>Candice Baughman</i>	<i>1-23-19</i>	<i>1420</i>
Offender or Employee Witness (Print)	Offender or Employee Witness Signature	Date	Time
<i>CWS W Z Anderson</i>	<i>CWS W Z Anderson</i>	<i>1-23-19</i>	<i>1420</i>
Hearing Officer (Print)	Hearing Officer Signature	Date	Time

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DISCIPLINARY HEARINGS REVIEW OF CONFIDENTIAL INFORMATION CHECKLIST

To be Completed by the Hearing Officer

I have reviewed the confidential information and the circumstances surrounding its receipt concerning:

Offender Name: Baughman, Candice R. DOC Number: 373374 IGN#: 17

- The above offender was not present during my review of the confidential information.
The offender was provided a summary of the confidential information at least 24 hours before the hearing.

I have determined the confidential information was/was not reliable and credible based on the following criteria:

- The confidential source(s) had no apparent motive to fabricate the information.
The confidential source(s) received no benefit from providing the information.
The confidential source(s) provided first-hand information.
The confidential information is internally consistent and is consistent with other known facts, and
Other evidence corroborates the confidential information.
Other:

The informant is subject to risk of harm if his/her identity were disclosed. Yes No

If Yes, describe safety concerns: Safety/Security

Safety concerns justify non-disclosure of the source(s) of confidential information. Yes No

- The confidential information will be relied upon when determining hearing outcome.
After review of the confidential information, I am unable to make an independent determination of reliability and/or credibility of the confidential information.

Hearing Officer Signature: CWS L.S.Z. Anderson Hearing Officer Name (Print): CWS L.S.Z. Anderson Date: 1-23-19

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DISCIPLINARY HEARING NOTICE/APPEARANCE WAIVER

Infraction Group Number: 17

Offender Name BAUGHMAN, Candice R.	DOC Number 373374	Facility MCCCW	Date 1/18/2019
Type of Review <input type="checkbox"/> Disciplinary	Hearing Scheduled Date 1/23/2019	Location MCCCW	Time 0930

Reason For Hearing (Include all Allegations of Misconduct, if Appropriate)

889 - Using facility phones, information technology resources/systems, or related equipment without authorization

Offender Rights:

- You have the right to remain silent at the hearing. If you choose to remain silent, your silence may be used against you and the decision will be based on the evidence presented.
- You may waive your appearance at the hearing.
- You do not have a right to cross examine witnesses, have the infracting staff present at the hearing, have access to video, have access to audio from the offender phone system, or have a polygraph or other supplemental test(s).
- You may request witness statements and/or that staff, offenders, or other persons be present as witnesses, unless it is determined by the hearing officer that doing so would be unduly hazardous to facility safety or security: (list witnesses below)

EMPLOYEE NAME	STATEMENT	WITNESS	POSITION	OFFENDER NAME	STATEMENT	WITNESS	DOC NUMBER
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	

Criminal charges may be pending. Anything you say henceforth may be used against you in a court of law.

Status Of Criminal Charges: None Unknown Pending in _____ County _____ Charges

- You have the right to review all related reports and a summary of any confidential information.
- You may request a Department advisor. Requested Waived
- You may request an interpreter if you are unable to read, speak, or understand English. Requested Waived
- You may request a certified sign language interpreter if you are hearing impaired. Requested Waived
- You may appeal the decision and/or sanctions to the superintendent/facility supervisor within 15 working days.
- If you are an indeterminate sentence case and within 60 days of an established release date, a guilty finding could result in the cancellation of your release date.

I, _____, DOC # _____ waive my right to the required 24 hours notice prior to being seen by the Disciplinary Hearing Officer and authorize the Disciplinary Hearing Officer to make a disposition regarding the information and evidence presented to the Disciplinary Hearing Officer as pertains to my particular situation.

I, _____, DOC # _____ waive my right to attend this scheduled hearing. I Understand that the hearing will be held in my absence.

Copy of this form and infraction, with attachments received.

Offender/Witness Signature

 1/18/19 17:40
 Date Time

 Employee Signature

 1-18-19 17:40
 Date Time

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 42.56, and RCW 40.14.

Distribution: ORIGINAL - Imaging System/Central File
 DOC 05-093 (Rev. 10/26/16) E-Form
 Scan Code: Packet (IF01), Individual (SD07)

COPY- Hearing Officer, Offender

DOC 450.500, DOC 460.000
 [4-4236]



Received

JAN 11 2019

INITIAL SERIOUS INFRACTION REPORT

Baughman, Candace		373374	
Offender name		DOC number	Facility/housing assignment
1.10.19	12.21.18	1858	Offender Phone
Infraction date	Incident date	Incident time	Incident place
889 Using facility phones, information technology resources/systems, or related equipment without authorization			
Rule violations			
Officer Lopez			
Witnesses			

NARRATIVE

State a concise description of the rule violations, (e.g., injuries, property damage, use of force) and answering the questions of When? Where? Who? What? Why? and How? Attach all related reports.
 (Work Release offenders may submit written comments to their case manager)
 I was assigned to conduct a fact finding in regards to Offender Deutsch, T. #310701 who was overheard in a conversation with another person who appeared to be Offender Baughman, C. #373374 while housed at WCCW on 12.21.18.

On January 7, 2019 at approximately 1200 hours while conducting my investigation, I overheard Offender Deutsch in a conversation with Offender Baughman through a phone number 360-388-8707 on 12.21.18 at 1900 hours. I also overheard Offender Baughman in a conversation with Offender Deutsch through a phone number 360-463-4677 on 12.21.18 at 1858 hours. Both offenders arranged to have the person they called put their cellphones close to each other and on speaker so that both offenders can conduct an unauthorized offender to offender communication through a 3-way call. It is confirmed that both offenders were having a conversation about getting into the same class when Baughman comes back to MCCCW, Baughman's bed being saved, Duetsch planning on getting demoted if Baughman doesn't come back, etc. This serves as a summary of the confidential information.

Evidence: Yes No Photo(s)/video: Yes No Evidence locker number: _____
 Evidence case number: _____ Description of evidence: _____
 Related reports attached: Supplemental Medical Witness statements Other: Confidential Information
 Offender placed in: Pre-Hearing Confinement Administrative Segregation Date: _____
 Recommended sanctions: _____

ALLEGED VICTIMS

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____
 Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

APPROVALS

Maria Hall		Sat/Sun
Reporting employee/contract staff	Signature	Shift/days off
Michele Thresh		11/11/19
Infraction Reviewer	Signature	Date

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 COPY - Hearing Officer, Offender, Indeterminate Sentence Review Board



INCIDENT REPORT

Confidential

Date/time of Incident 12/21/2018 1900	Incarcerated individual involved Deutsch, Tarah Lynn	DOC number 310701	Living unit Bear
Location Bear Unit Phones	Witnesses involved		
Use of force incident? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Incident description Possible Offender to Offender Communication	Employees/contract staff/volunteers involved		

DETAILED DESCRIPTION OF INCIDENT

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

While I, Corrections Officer, Lopez, Alicia was monitoring yard during movement at approximately 1900. I observed a phone conversation from Offender (I/M) Deutsch, Tara DOC # 310701. I/M Deutsch made statements such as "I got into school so we can go to school together" "Elicia said your bunk is still open and your property is still in the unit" and "If you don't come back here I will come there, because I am already on an override" I then approached I/M Deutsch and asked who she was speaking with I/M Deutsch replied she was speaking to someone at ABHS (American Behavioral Health System). Based on relative facts I believe I/M Deutsch was speaking to I/M Baughman, Candice DOC# 373374.

IMMEDIATE ACTION TAKEN

Lopez, Alicia _____ 12/21/2018 2100
 Name Signature Date Time

SUPERINTENDENT/DESIGNEE COMPLETE

Date/time received 1.2.19 0820	Incident number 18-12-21-235
Assigned to M. Hall	By M. Hall
	Date 1.10.19

Comments: check offender phone for 3rd party

Hall, Maria _____ 1.2.18
 Name Signature Date



RECEIVED

JAN 8 1 2019

BY RECORDS

SERIOUS INFRACTION REPORT

Facility: MCCOW

Infraction Group Number: 17

EMPLOYEE REPORT

Name: BAUGHMAN, Candice R. DOC #: 373374 Date: 12/21/2018
Number of rule(s) violated: 889 - UNAUTH USE PHONE/IT RESOURCES/SYSTEMS Time: 18:58
Place: Living Unit

Details in full: I was assigned to conduct a fact finding in regards to Offender Deutsch, T #310701 who was overheard in a conversation with another person who appeared to be Offender Baughman, C #373374 while housed at WCCW on 12/21/18. On January 7, 2019 at approximately 1200 hours while conducting my investigation, I overheard Offender Deutsch in a conversation with Offender Baughman through a phone number 360-388-8707 on 12/21/18 at 1900 hours. I also overheard Offender Baughman in a conversation with Offender Deutsch through a phone number 360-463-4677 on 12/21/18 at 1955 hours. Both offenders arranged to have the person they called put their cellphones close to each other and on speaker so that both offenders can conduct an unauthorized offender to offender communication through a 3 way call. It was confirmed that both offenders were having a conversation about getting into the same class when Baughman comes back to MCCOW, Baughman's bed being saved, Deutsch planning on getting demoted if Baughman doesn't come back, Etc. This serves at a summary of the confidential information.

Witnesses: Lopez, Alicia D.

MARIA R. HALL

MARIA R. HALL

Reporting Employee (Print)

Reporting Employee Signature

FACT FINDING DURING HEARING

Was offender informed of right to remain silent? [X] Yes [] No Date of Hearing: 1/23/2019

PLEA: GUILTY
NOT GUILTY 889
NO PLEA

Did the offender make statement after being informed of his/her rights? [X] Yes [] No

If so, what? I admit to making the phone call, why is it a 889, instead of a 303, I am not denying that I didn't make the call. and can it be brought down to a 303.

DECISION

FINDING: GUILTY 889
NOT GUILTY
DISMISSED
REDUCED

Facts and evidence found: Staff's written testimony, Other - list specific reason(s): Incident Report, Confidential information, and Offender's admission of guilt of making call in statement.

Sanction(s): 15 days confinement to cell/room applied
30 days inter/restrict/term corresp/tele/elect communication applied
30 days loss of dayroom access applied

Reason for sanction(s): 15 days cell confinement, 30 days loss of telephone, Jpay, kiosk privileges, 30 days loss of dayroom. 1st 889 category B-3 within 12 months.

Recommendations (Non-Sanction):

William Anderson, CUS

William Anderson, CUS

1/23/19

Hearing Officer (Print)

Hearing Officer Signature

Date

Dennis Tabb

Superintendent/designee Signature

1.29.19
Date

Distribution: ORIGINAL - Imaging System/Central File
DOC 20-061 (Rev. 09/18/18) E-Form
Scan Code 1F01

COPY - Offender, Board, Hearing Officer

DOC 460.000



DISCIPLINARY HEARING MINUTES AND FINDINGS

Infraction Group Number: 18

Offender Name (Last, First) BAUGHMAN, Candice R.		DOC Number 373374	
Date of Hearing 1/23/2019	Time of Hearing 1000	Violation Date 12/24/2018	Waived 24 Hours Notice <input type="checkbox"/> Yes <input type="checkbox"/> No Waived Appearance <input type="checkbox"/> Yes <input type="checkbox"/> No

Offender's Plea: GUILTY #658 _____ Not Guilty _____

Hearing Impaired: Yes No
 Interpreter: Sign/Language Yes No Name: _____
 Competency Concerns: Yes No
 Department Advisor: Yes No Name: _____
 Confidential Information: Yes No
 Witness Statement Returned: Yes No N/A
 Witness Statement Denied: Yes No N/A

Reason:

Hearing Summary List Witnesses Testifying, Evidence Used, Reasons for Continuances, Video Review Summary and any other Relevant Information:

On #658, Incident happened before my CI, asking for understanding and leniency, that's why I plead guilty. Really hard working on changing behaviors on CI, really hard trying to be honest.

LIST EACH WAC 137-28 RULE VIOLATION SEPARATELY

VIOLATION NO.	FINDING				REASON
	GUILTY	NOT GUILTY	DISMISSED	REDUCED	
#658	X				Offenders Plea of Guilty

Sanction(s): *5 days cell confinement, 7 days loss of store privileges*

Reason for sanction(s): *1st #658 7 within 1st category C-3 12 months*

Recommendations (Non-Sanction):

I Have Received a Copy of this Form:

<i>Candice R. Baughman</i> Offender or Employee Witness (Print)	<i>[Signature]</i> Offender or Employee Witness Signature	<u>1-23-19</u> Date	<u>1545</u> Time
<i>CUS WJ Anderson</i> Hearing Officer (Print)	<i>CUS WJ Anderson</i> Hearing Officer Signature	<u>1-23-19</u> Date	<u>1545</u> Time

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 42.56, and RCW 40.14.



DISCIPLINARY HEARING NOTICE/APPEARANCE WAIVER

Infraction Group Number: 18

Offender Name BAUGHMAN, Candice R.	DOC Number 373374	Facility MCCCW	Date 1/18/2019
Type of Review <input type="checkbox"/> Disciplinary	Hearing Scheduled Date 1/23/2019	Location MCCCW	Time 1000

Reason For Hearing (Include all Allegations of Misconduct, if Appropriate)

658 - Failing to comply with any administrative or posthearing sanction imposed for committing any violation

Offender Rights:

[Handwritten initials]

You have the right to remain silent at the hearing. If you choose to remain silent, your silence may be used against you and the decision will be based on the evidence presented.

You may waive your appearance at the hearing.

You do not have a right to cross examine witnesses, have the infracting staff present at the hearing, have access to video, have access to audio from the offender phone system, or have a polygraph or other supplemental test(s).

You may request witness statements and/or that staff, offenders, or other persons be present as witnesses, unless it is determined by the hearing officer that doing so would be unduly hazardous to facility safety or security: (list witnesses below)

EMPLOYEE NAME	STATEMENT	WITNESS	POSITION	OFFENDER NAME	STATEMENT	WITNESS	DOC NUMBER
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	

Criminal charges may be pending. Anything you say henceforth may be used against you in a court of law.

Status Of Criminal Charges: None Unknown Pending in _____ County _____ Charges

You have the right to review all related reports and a summary of any confidential information.

You may request a Department advisor.

You may request an interpreter if you are unable to read, speak, or understand English.

You may request a certified sign language interpreter if you are hearing impaired.

You may appeal the decision and/or sanctions to the superintendent/facility supervisor within 15 working days.

If you are an indeterminate sentence case and within 60 days of an established release date, a guilty finding could result in the cancellation of your release date.

Requested Waived
 Requested Waived
 Requested Waived

_____, DOC # _____ waive my right to the required 24 hours notice prior to being seen by the Disciplinary Hearing Officer and authorize the Disciplinary Hearing Officer to make a disposition regarding the information and evidence presented to the Disciplinary Hearing Officer as pertains to my particular situation.

_____, DOC # _____ waive my right to attend this scheduled hearing. I understand that the hearing will be held in my absence.

This form and infraction, with attachments, received.

[Signature] 1/18/19 1747 Employee Signature Date Time
[Signature] 1-18-19 1747 Employee Signature Date Time

This document may be eligible for public disclosure. Social Security Numbers are considered confidential information and in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.



RECEIVED

JAN 31 2019

BY RECORDS

SERIOUS INFRACTION REPORT

Facility: MCCOW

Infraction Group Number: 18

EMPLOYEE REPORT

Name: BAUGHMAN, Candice R. DOC #: 373374 Date: 12/24/2018
Number of rule(s) violated: 658 - FAIL TO COMPLY Time: 16:45
Place: Living Unit

Details in full: On 12/24/18 at 1645, I officer Tran, Nga observed (Camera 215) offender Baughman, Candice #373374 loitering outside her room. It appears that she is waiting in line to use the bathroom but she allowed other offenders to go in front of her to use the bathroom and she did not use the bathroom at all before going back into her room. Per offender handbook, "Offenders will not hang out or loiter in the unit rest room or tier hallways" Shortly after at 1649 (Camera 216), I observe the offender at the Jpay without authorization. Officer Sexton, Kathryn did allow the offender to use the Jpay once already and I observed her at the Jpay multiple times after that. She was sitting at Jpay and was not utilizing the Jpay machine. She was instead having conversations with another offender. She did not receive any permission after the first time to utilize the Jpay. Offender Baughman was currently on Dayroom loss and she is not complying with her sanctions.

Witnesses:

NGA B. TRAN

NGA B. TRAN

Reporting Employee (Print)

Reporting Employee Signature

FACT FINDING DURING HEARING

Was offender informed of right to remain silent? [X] Yes [] No Date of Hearing: 1/23/2019

PLEA: GUILTY 658
NOT GUILTY
NO PLEA

Did the offender make statement after being informed of his/her rights? [X] Yes [] No

If so, what? Incident happened before my CI, Asking for understanding and leniency, that is why I plead guilty. Really hard working on changing behaviors on CI, Really hard, Trying to be honest.

DECISION

FINDING: GUILTY 658
NOT GUILTY
DISMISSED
REDUCED

Facts and evidence found: Offender's plea of guilt
Sanction(s): 5 days confinement to cell/room applied
7 days loss of privileges - (s)erious applied

Reason for sanction(s): 5 days cell confinement and 7 days loss of canteen privileges starting on 1/24/19 and ending on 1/31/19. 1st 658 Category C-3 within 12 months.

Recommendations (Non-Sanction):

William Anderson, CUS
Hearing Officer (Print)

William Anderson, CUS
Hearing Officer Signature

1/23/19
Date

Dennis Tabb
Superintendent/designee (Print)

Superintendent/designee Signature

1/29/19
Date

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20-051 (Rev. 09/16/13) E-Form Code IF01

DOC 460.000



Received
JAN 14 2019

INITIAL SERIOUS INFRACTION REPORT

Baughman, Candice _____ 373374 _____ A-C-174-1 _____
 Offender name _____ DOC number _____ Facility/housing assignment _____
 12/24/2018 _____ 12/24/2018 _____ 1645 _____ Mission Unit _____
 Infraction date _____ Incident date _____ Incident time _____ Incident place _____
 658- Falling to comply with any administrative or post-hearing sanction imposed for committing any violation
 Rule violations _____

Witnesses _____

NARRATIVE

State a concise description of the rule violations, (e.g., injuries, property damage, use of force) and answering the questions of When? Where? Who? What? Why? and How? Attach all related reports.
(Work Release offenders may submit written comments to their case manager)
 On 12/24/2018 at 1645, I Officer Tran, Nga-observed (camera 215) offender Baughman, Candice #373374 loitering outside her room. It appears that she is waiting in line to use the bathroom but she allowed other offenders to go in front of her to use the bathroom and she did not use the bathroom at all before going back into her room. Per offender handbook "Offenders will not hang out or loiter in the unit rest room or tier hallways" Shortly after at 1649 (camera 216), I observed the offender at the J-Pay without authorization. Officer Sexton, Kathryn did allow the offender to use the J-pay once already and I observed her at the J-Pay multiples time after that. She was sitting at J-Pay and was not utilizing the J-Pay machine. She was instead having conversations with another offender. She did not receive any permission after the first time to utilize the J-Pay. Offender Baughman was currently on dayroom loss and she is not complying with her sanctions.

Evidence: Yes No Photo(s)/video: Yes No Evidence locker number: _____
 Evidence case number: _____ Description of evidence: _____
 Related reports attached: Supplemental Medical Witness statements Other: Specify _____
 Offender placed in: Pre-Hearing Confinement Administrative Segregation Date: _____
 Recommended sanctions: _____

ALLEGED VICTIMS

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____
 Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

APPROVALS

Tran, Nga _____ 3rd / Wed & Thurs _____
 Reporting employee/contract staff _____ Signature _____ Shift/days off _____
 McVally, Jonathan _____ _____
 Infraction Reviewer _____ Signature _____ Date 1-11-19 _____

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GENERAL INFRACTION REPORT

Baughman, Candice
Offender name
1/1/19
Infraction date
361-Giving, selling, purchasing, borrowing, lending, trading or accepting money or anything of value, except through approved channels, the value of which is less than ten dollars.
Rule violations

Witnesses

NARRATIVE - State a concise description of the rule violation(s)

On 1/1/19 at Approximately 1220 pm offender Price-Holmes, Jocquale DOC# 379385 walked by the officer's desk in Mission unit with a bowl that she was attempting to hide with the coat she was wearing. She handed the bowl over to offender Valley, Amy DOC# 888121, who then had taken the bowl to her cell. Offender Price sat down at the table closest to the hot shot room. A few minutes later offender Valley brought the bowl back out and walked straight to the hot shot room with it to wash. At this time I, C/O Presley, Szilvia walked to the hot shot room and directed the offender to hand me the bowl. Offender Valley complied. I asked her for her DOC number and it did not match the DOC# 373374 that was on the bowl. I took the bowl and informed offender Valley that she will be receiving an infraction. The DOC# 373374 (that was on the bowl and the lid) belongs to offender Baughman, Candice, who came to me saying offender Price told her to come and ask for her bowl from the office as it was taken when she brought it out of the cell. Offender Baughman admitted that they share the bowl as offender Price does not own one.

Recommended sanctions: Loss of property

C/O Presley, Szilvia
Reporting employee/contract staff
Signature
Date
1/1/19

NOTICE TO OFFENDER

You are to appear at 8:00 am on 1/6/19 in the Mission Office.

- I, _____, DOC # _____ waive my right to the required 24 hour notice before the hearing and authorize the Disciplinary Hearing Officer to make a disposition/decision regarding the information and evidence presented as it pertains to my particular situation.
I, _____, DOC # _____ waive my right to attend the hearing. I understand the hearing will be held in my absence.

Interpreter
Department Advisor
Certified sign language interpreter
Requested
Waived

I have received a copy of this form and any attachments.

Offender signature
Date
1/5/19
Issuing employee
Signature
Date
1/5/19

ACTION

Hearing Date: 1/6/19 Hearing Time: 8:00 am Offender's plea(s) to violation(s): Guilty
Summary of offender's statement: I can bear you can share in your room and
Findings(s)/reason(s): Guilty
Sanction(s)/reason(s): 10 days loss of bowls

Appeals must be submitted to the primary Disciplinary Hearing Officer within 2 business days after receiving this notification using DOC 17-074 Disciplinary Hearing Appeal. Attach a copy of this form to the appeal.

Offender signature
Date
1/6/19
Time
0802

Serious Infraction Report Packet for IGN 17

Serious Infraction Report Packet for IGN 18

Serious Infraction Report Packet for IGN 19

If you are found guilty at the hearing, the Department may:

- ◆ Place you in total confinement in a jail or prison, as well as impose the existing supervision and any additional reporting or program enhancement.
- ◆ Recommend that the sentencing court, if appropriate and/or applicable, take further action.
- ◆ Reclassify the sentence structure to require that the remaining balance of the original sentence be served in a jail or prison and/or recommend transfer to another facility (Prison DOSA only).
- ◆ Impose up to the remaining return time to be served in a jail or prison (CCP/CCI only).

You have the following rights:

- ◆ To receive written notice of the alleged violations or ICE deportation order.
- ◆ To have an electronically recorded hearing, conducted within 5 business days of service of this notice. However, if you have not been placed in confinement, the hearing will be conducted within 15 business days of service of this notice.
- ◆ To have a neutral Hearing Officer conduct your hearing.
- ◆ To examine, no later than 24 hours before the hearing, all supporting documentary evidence the Department intends to present during the hearing.
- ◆ To admit to any or all of the allegations. This may limit the scope of the hearing.
- ◆ To testify during the hearing or remain silent. Your silence will not be held against you.
- ◆ To be present during all phases of the hearing. If you waive your right to be present at the hearing, the Department will conduct the hearing in your absence and may impose sanctions that could include loss of liberty.
- ◆ To present your case to the Hearing Officer. If there is a language or communication barrier, the Hearing Officer will ensure that someone is appointed to interpret or otherwise assist you.
- ◆ To request attorney representation if you do not agree to a Negotiated Sanction and your hearing is regarding a Prison Drug Offender Sentencing Alternative (DOSA), Community Custody Prison (CCP), or Community Custody Inmate (CCI) cause and you have more than 30 days reclassification or return time remaining. Attorney representation will be authorized if the Hearing Officer determines that representation is necessary due to the complexity of your case or your ability to represent yourself. If representation is authorized, you may be able to provide your own attorney in lieu of a Department-appointed attorney at your own cost. If you would like to provide your own attorney, you must provide your attorney's name and contact information (name and phone number or email) to the Hearing Officer at the hearing, otherwise the Department will appoint an attorney free of charge. If an attorney is authorized, the hearing will be continued to a later date.
- ◆ To have witnesses provide written or oral testimony on your behalf. The Hearing Officer may exclude individuals from the hearing for specifically stated reasons, and the facility may exclude the public for safety, security, or capacity concerns. The Hearing Officer may require a witness to testify outside of your presence when there is a substantial likelihood that the witness will not be able to give effective, truthful testimony or would suffer significant psychological or emotional trauma if required to testify in your presence. In either event, you may submit a list of questions to ask the witness(es). Testimony may be limited to evidence relevant to the issues under consideration.
- ◆ To request a continuance of the hearing for good cause.
- ◆ To confront and cross-examine witnesses testifying at the hearing.
- ◆ To receive a written Hearing and Decision Summary Report specifying the evidence presented, a finding of guilty or not guilty, and the reasons supporting findings of guilt, and the sanction imposed, immediately following the hearing or, in the event of a deferred decision, within 2 business days unless you waive this timeframe.
- ◆ To obtain a copy of the electronic recording of the hearing by sending a written request to: Department of Corrections, P.O. Box 41103, Olympia, WA 98504-1103.
- ◆ To appeal a sanction to the Appeals Panel, in writing, within 7 calendar days of your receipt of the Hearing and Decision Summary. You may also file a personal restraint petition to appeal the Department's final decision through the Court of Appeals.
- ◆ To waive any or all of the rights listed.

DEPARTMENT OF CORRECTIONS APPEALS PANEL - P.O. Box 41103 - Olympia, WA 98504-1103

If eligible:

- I request attorney representation at my hearing. I understand that if representation is authorized, I may be able to provide my own attorney in lieu of a Department-provided attorney at my own cost, and that I must provide my attorney's name and contact information to the Hearing Officer at the hearing, otherwise the Department will appoint an attorney free of charge. If an attorney is authorized, the hearing will be continued to a later date.
- I do not want attorney representation at my hearing

I have read and understand the allegation(s), the hearing notice, and my rights as described.



SERIOUS INFRACTION REPORT

Facility: MCCCW

Infraction Group Number: 14

EMPLOYEE REPORT

Name: BAUGHMAN, Candice R. DOC #: 373374 Date: 12/30/2018
Number of rule(s) violated: 103 - REFUSING ORDER 893 - ALTERING ITEMS TO STASH CONTRABAND Time: 17:00
Place: Visit Rm
Details in full: On 12/30/18 at approximately 1700, I Sgt. Colton, Brooke was assigned in visiting for the processing out of Offenders after visit. I Sgt. Colton, Brooke was processing out Offender Baughman, Candice 373374 when I asked her for her shoes. Offender Baughman took her shoes off and was pulling an extra sock out of each shoe. Socks were concealed in the toe of the shoes. I ask Baughman why she had socks stuffed in her shoes she said that her shoes were to big so she had to put the socks in there. I proceeded with the search of the shoes when I discovered something else concealed inside of the shoe. As I was pulling out some paper in the shoe, Offender Baughman said it's nothing but garbage. I pulled out two pieces of crumpled up notebook paper and what appeared to be a clear wrapper with unknown particles falling out of the wrapper. I immediately placed all items in a clean glove to place in the evidence locker.
Witnesses: Valley, Bryce

BROOKE L. COLTON

BROOKE L. COLTON

Reporting Employee (Print)

Reporting Employee Signature

FACT FINDING DURING HEARING

Was offender informed of right to remain silent? [X] Yes [] No Date of Hearing: 1/8/2019
PLEA: GUILTY 103
NOT GUILTY 893
NO PLEA
Did the offender make statement after being informed of his/her rights? [X] Yes [] No
If so, what? I didn't damage anything to conceal contraband, admits to having 2 socks in the shoes and paper in the front of the shoes, saying the shoes were to big. I was upfront with her told her everything, I agree it was a 103.

DECISION

FINDING: GUILTY 103
NOT GUILTY 893
DISMISSED
REDUCED
Facts and evidence found: Offender's plea of guilt Evidence presented for 103. Other - list specific reason(s): UA Negative, no items damaged or altered or destroying, Evidence presented. for 893.
Sanction(s): 40 hours extra work duty applied
Reason for sanction(s): 40 hours of extra work duties to be completed in one month. Sanction guidelines, infraction history.
Recommendations (Non-Sanction):

Darron Everitt, CUS

Darron Everitt, CUS

1/8/19

Hearing Officer (Print)

Hearing Officer Signature

Date

Dennis Tabb

[Signature]

1.14.19

Superintendent/designee (Print)

Superintendent/designee signature

Date

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SERIOUS INFRACTION REPORT

Facility: MCCCW

Infraction Group Number: 13

EMPLOYEE REPORT		
Name: BAUGHMAN, Candice R.	DOC #: 373374	Date: 12/14/2018
Number of rule(s) violated: 657 - 4 GENERAL INFRA:		Time: 11:10
		Place: Living Unit
Details in full: As of 12/14/18 at 1110 offender Candice Baughman has been found guilty of 5 minor infractions in a 90 day period. 9/15/18, 11/21/18, 11/26/18, 12/4/18 and 12/6/18.		
Witnesses:		

TRINA B. CHANEY

TRINA B. CHANEY

Reporting Employee (Print)

Reporting Employee Signature

FACT FINDING DURING HEARING	
Was offender informed of right to remain silent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date of Hearing: 1/8/2019
PLEA: GUILTY 657 NOT GUILTY NO PLEA	
Did the offender make statement after being informed of his/her rights? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, what? Been rough working hard to stay out of trouble, please lesson sanctions.	

DECISION
FINDING: GUILTY 657 NOT GUILTY DISMISSED REDUCED
Facts and evidence found: Offender's plea of guilt and Evidence presented. Sanction(s): 15 days loss of privileges - (s)erious applied
Reason for sanction(s): 15 days loss of Canteen starting 1/11/19 ending 01/26/19. Sanction Guidelines, infraction history. Recommendations (Non-Sanction):

<u>Darron Everitt, CUS</u> Hearing Officer (Print)	<u>Darron Everitt, CUS</u> Hearing Officer Signature	<u>1/8/19</u> Date
<u>Dennis Tabb</u> Superintendent/designee (Print)	<u>[Signature]</u> Superintendent/designee Signature	<u>1/4/19</u> Date

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DEC 17 2018

INITIAL SERIOUS INFRACTION REPORT

<u>Baughman, Candice</u>	<u>373374</u>	<u>Ac 174-1</u>
Offender name	DOC number	Facility/housing assignment
<u>12/14/18</u>	<u>1110</u>	<u>Mission Unit</u>
Infraction date	Incident date	Incident time
		Incident place

657 - Being found guilty of four or more general violations arising out of separate incidents within a 90 - day period

Rule violations

NA

Witnesses

NARRATIVE

State a concise description of the rule violations, (e.g., injuries, property damage, use of force) and answering the questions of When? Where? Who? What? Why? and How? Attach all related reports. (Work Release offenders may submit written comments to their case manager)

As of 12/14/18 at 1110 offender Candice Baughman has been found guilty of 5 minor infractions in a 90 day period. 9/15/18, 11/21/18, 11/26/18, 12/4/18 and 12/6/18.

Evidence: Yes No Photo(s)/video: Yes No Evidence locker number: _____

Evidence case number: _____ Description of evidence: _____

Related reports attached: Supplemental Medical Witness statements Other: Specify _____

Offender placed in: Pre-Hearing Confinement Administrative Segregation Date: _____

Recommended sanctions: _____

ALLEGED VICTIMS

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

Name: _____ Employee/contract staff Volunteer/visitor/other Offender DOC # _____

APPROVALS

Trina Chaney
Reporting employee/contract staff

Trina Chaney
Signature

Tues/Wed
Shift/days-off

Michele Thrush
Infraction Reviewer

Michele Thrush
Signature

12/17/18
Date

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GENERAL INFRACTION REPORT

Baughman, Candice 373374 Bear Unit
Offender name DOC number Facility/housing assignment
11/21/2018 1525 Yard
Infraction date Incident date Incident time Incident place
355 Roughhousing, or engaging in horseplay or any other unauthorized physical contact with another offender(s)
Rule violations

Witnesses

NARRATIVE - State a concise description of the rule violations

At approximately 1525 on 11/21/2018 I Corrections Officer (C/O) Lopez, Alicia was monitoring the yard during movement. While a large number of offenders were leaving Bingo in the gym I witnessed Offender (I/M) Deutsch, Tarah Lynn DOC# 310701 grab and pull I/M Baughman, Candice DOC# 373374 by her hair. I/M Baughman then turned and pulled I/M Deutsch by the hair. I instructed both offenders to stop and return to their units. Both offenders complied and returned to Bear Unit. I have spoken to both offenders previously for engaging in horseplay behavior (see OSA 11/13/2018) and notified both I/M Baughman and I/M Deutsch they would be receiving a general infraction.

Recommended sanctions:

C/O Lopez, Alicia 3rd Sat/Sun
Reporting employee/contract staff Signature Shift/days off
Infraction Reviewer Signature Date

NOTICE TO OFFENDER

You are to appear at 8:30 am on 12.1.18 in the Mission Unit
Time Date/day Where

- I, DOC # waive my right to the required 24 hour notice before the hearing and authorize the Disciplinary Hearing Officer to make a disposition/decision regarding the information and evidence presented as it pertains to my particular situation.
I, DOC # waive my right to attend the hearing. I understand the hearing will be held in my absence.

- Interpreter [] Requested [x] Waived
Department Advisor [x] Requested [] Waived
Certified sign language interpreter [] Requested [x] Waived

I have received a copy of this form and any attachments.

Offender signature Date 11/29/18 8:55am
Issuing employee Signature Date 11/29/18

ACTION

Hearing Date: 12.2.18 Hearing Time: 8:30 am pm Offender's plea(s) to violation(s): Guilty

Summary of offender's statement:
Findings(s)/reason(s): Guilty Offender plea Staff written statement
Sanction(s)/reason(s): 10 days loss of yard

Appeals must be submitted to the primary Disciplinary Hearing Officer within 2 business days after receiving this notification using DOC 17-074 Disciplinary Hearing Appeal. Attach a copy of this form to the appeal.

Offender signature Date 12.2.18 830
Employee Signature Date 12.2.18

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GENERAL INFRACTION REPORT

Baughman, Cadice 373374 A-C-174-1
Offender name DOC number Facility/housing assignment
12/06/18 12/06/18 2250 Mission Unit Day Room
Infraction date Incident date Incident time Incident place
WAC 244- Displaying sexual affection with another offender.
Rule violations

Witnesses

NARRATIVE - State a concise description of the rule violation

On 12/06/18 at approximately 2250, I Officer Moore, Ashli was watching the Mission Unit day room when i noticed Offender Baughman, Candice DOC # 373374 and Offender Morgan, Candese DOC#860474 watch Officer Palmer, Debra enter the FMRT room. Once Palmer couldn't see offender Morgan or offender Baughman anymore, Offender Morgan leaned in close and wrapped her arm around offender Baughmans lower leg and slid her arm all the way up her leg. When she heard Officer Palmer shut the FMRT room she quickly pulled away. Offender Baughman came up to talk to me and said she was sorry and has tried to talk to offender Mogan about this I told her that she was still going to be infraacted as well as offender Morgan because they have been spoken to already about doing things like this prior to this situation. That's when offender Baughman said, "I didn't touch her back." I told offender Baughman that I understood she didn't touch offender Morgan back but she was still involved and was in the wrong for letting it happen. Baughman is in violation of WAC 244- Displaying sexual affection with another offender.

Recommended sanctions:

C/O Moore, Ashli Tuesday/Wednesday
Reporting employee/contract staff Signature Shift/days off
12/06/18
Infraction Reviewer Michele Trush Signature Date

NOTICE TO OFFENDER

You are to appear at 12:10 am on 12/06/18 in the Mission Unit
Time Date/day Where

- I, _____, DOC # _____ waive my right to the required 24 hour notice before the hearing and authorize the Disciplinary Hearing Officer to make a disposition/decision regarding the information and evidence presented as it pertains to my particular situation.
I, _____, DOC # _____ waive my right to attend the hearing. I understand the hearing will be held in my absence.

- Interpreter [] Requested [X] Waived
Department Advisor [X] Requested [] Waived
Certified sign language interpreter [] Requested [X] Waived

I have received a copy of this form and any attachments.

Offender signature Date 12/9/18 12:17
Issuing employee Signature Date 12/9/18

ACTION

Hearing Date: 12/10/18 Hearing Time: 1455 am/pm Offender's plea(s) to violation(s): Not guilty

Summary of offender's statement: I wasn't part of it and didn't touch her
Findings(s)/reason(s): Guilty, Staff submitted statement
Sanction(s)/reason(s): 30 days cell confinement

Appeals must be submitted to the primary Disciplinary Hearing Officer within 2 business days after receiving this notification using DOC 17-074 Disciplinary Hearing Appeal. Attach a copy of this form to the appeal.

Offender signature Date 12/10/18 1455
Chavez, Trina Sgt T Chavez



GENERAL INFRACTION REPORT

Baughman, Candice 373374 MCCCW / A-C-174-1
 Offender name DOC number Facility/housing assignment
12-05-18 12-04-18 2302 hrs. C-Tier by cell 174
 Infraction date Incident date Incident time Incident place
244 - Displaying sexual affection with another Offender
 Rule violations

Witnesses

NARRATIVE - State a concise description of the rule violations.

On 12-04-18 at approximately 2302 hrs. I Officer Woodring, Cheryl observed Baughman, Candice #373374 and Offender Morgan, Candese #860474 proceed to C-Tier. I proceeded behind them to conduct Informal count. I observed Offender Baughman allowing Offender Morgan to caress her shoulder, stroke her hair, and kiss her.

Recommended sanctions: 10 loss of dayroom / Greatroom

Woodring, Cheryl Thur / Fri
 Reporting employee/contract staff Signature Shift/days off
Michele Thrush 12-05-18
 Infraction Reviewer Signature Date

NOTICE TO OFFENDER

You are to appear at 8:00 am pm on 12-9-18 in the Mission Unit
 Time Date/day Where

- I, _____, DOC # _____ waive my right to the required 24 hour notice before the hearing and authorize the Disciplinary Hearing Officer to make a disposition/decision regarding the information and evidence presented as it pertains to my particular situation.
- I, _____, DOC # _____ waive my right to attend the hearing. I understand the hearing will be held in my absence.

Interpreter Requested Waived
 Department Advisor Requested Waived
 Certified sign language interpreter Requested Waived

I have received a copy of this form and any attachments.

[Signature] 12/7/18 7:35
 Offender signature Date Time
[Signature] 12/7/18
 Issuing employee Signature Date

ACTION

Hearing Date: 12-9-18 Hearing Time: 12:15 am pm Offender's plea(s) to violation(s): Not guilty
 Summary of offender's statement: It says I allowed it, I didn't ask her to
 Findings(s)/reason(s): Guilty act
 Sanction(s)/reason(s): 10 days loss of dayroom

Appeals must be submitted to the primary Disciplinary Hearing Officer within 2 business days after receiving this notification using DOC 17-074 Disciplinary Hearing Appeal. Attach a copy of this form to the appeal.

[Signature] 12-9-18
 Offender signature Date Time
Chaney, Trina [Signature] 12-9-18
 Employee Signature Date

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GENERAL INFRACTION REPORT

Baughman, Candice 373374 MCCCW/B-C-113-1
 Offender name 11/26/18 0813 Facility/housing assignment
 Infraction date 11/26/18 Incident date 0813 Incident time Kitchen Area/Davroom
11/26/18 Incident place

Rule violations
 244-Displaying sexual affection with another offender, 355-Roughhousing, or engaging in horseplay or any other unauthorized physical contact with another offender.

Witnesses

NARRATIVE - State a concise description of the rule violations

On 11/26/18 at 0813 I saw Baughman, Candice #373374 resting her head on Deutsch, Tarah's #310701 shoulder. See attached negative behavioral observations.

Recommended sanctions: 20 days cell confinement

Ross, Paula 2nd Sat/Sun
 Reporting employee/contract staff Signature Shift/days off
Signature 11-29-18
 Infraction Reviewer Signature Date

NOTICE TO OFFENDER

You are to appear at 8:40 am pm on 12.1.18 in the Mission Unit
 Time Date/day Where

- I, _____, DOC.# _____ waive my right to the required **24 hour** notice before the hearing and authorize the Disciplinary Hearing Officer to make a disposition/decision regarding the information and evidence presented as it pertains to my particular situation.
- I, _____, DOC.# _____ waive my right to attend the hearing. I understand the hearing will be held in my absence.

Interpreter Requested Waived
 Department Advisor Requested Waived
 Certified sign language interpreter Requested Waived

I have received a copy of this form and any attachments.

Signature 11/29/18 9:55am
 Offender signature Date Time
Signature 11/29/18
 Issuing employee Signature Date

ACTION

Hearing Date: 12.2.18 Hearing Time: 835 am pm Offender's plea(s) to violation(s): 244 not guilty

Summary of offender's statement:
 Findings(s)/reason(s): 244-not guilty 355-guilty
 Sanction(s)/reason(s): 20 days of yard offender plea, Staff Station

Appeals must be submitted to the primary Disciplinary Hearing Officer within 2 business days after receiving this notification using DOC 17-074 Disciplinary Hearing Appeal. Attach a copy of this form to the appeal.

Signature 12.2.18 835
 Offender signature Date Time
Chaney, Tina Signature 12.2.18
 Employee Signature Date

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SANCTION NOTIFICATION

Baughman 373374 Mission
 Offender name DOC number Unit/cell

You have been found guilty of rule violation(s): 244

The following sanction(s) were imposed: 10 days loss of dayroom

Your sanction will begin on 12/15/18 at 0600 a.m. p.m. and end on 12/25/18 at 0600 a.m. p.m.

1. Cell confinement or confinement to quarters sanctions are required to remain in their cells/assigned area(s) except for attendance at work/school program(s), religious services, visits, meals, or law library if documented court deadline has been imposed.
 - a. You will be allowed the opportunity to shower, make telephone calls, use J-Pay/Kiosk, and room cleaning between the hours of ~~1900~~ and ~~1900~~ a.m. p.m. monitored by employees/contract staff.
 - b. If you are not involved with one of the above activities, you are to remain in your cell and the cell/room door must remain closed.
 - c. Law Library and legal telephone calls must be pre-approved. Any other activities must be requested in writing and approved by the Correctional Unit Supervisor or Unit Sergeant.
2. When going to/returning from an authorized activity, you are not to loiter, engage in other activities, make side trips, or stop to converse with anyone.
3. It is your responsibility to seek work assignments to ensure your extra duty sanction is completed by the above date. Extra work duty is to be performed as determined by employees/contract staff. Refusal and/or failure to perform or complete any extra work duty may result in an infraction.
4. Exceptions to any of the above conditions must be approved in advance by unit employees/contract staff.

SANCTION RECORD (Continue on back if needed)										
EXTRA WORK DUTY						CELL CONFINEMENT (Optional)				
Date and Time Started	Staff Initials	Time and Date Completed	Hours Completed	Hours Remaining	Staff Initials	Date and Time Cell Cleaned/Laundry	Phone		Shower	
							On	Off	In	Out

I have read and received a copy of this form and understand the sanction imposed. 1330
Baughman, Candree Time notice served 12/15/18
Morgan, Candese Signature [Signature] Date
Chaney, Trina Employee/contract staff name Signature [Signature] Date 12/15/18

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 42.56, and RCW 40.14.

Distribution: ORIGINAL - Offender COPY - Offender File



Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Minimum 2 - Camp	Location: MCCCW -- SHU / SHU03
ERD: 09/08/2020	CC/CCO: Gagnier, Valerie A			

View Full Hearing

Offender Infractions and Violations

Infraction Group Number: 5	Infraction Data Indicator: General	Report Date: 09/15/2018
Infraction Date: On 09/15/2018		Incident Time: 23:32

Violation Code	Violation Short Name	Violation Occurred Date	Violation Data Indicator	PREA
103	103 - REFUSING ORDER	On 09/15/2018	General	<input type="checkbox"/>
303	303 - UNAUTH USE MAIL/PHONE/ELECTRONIC COMMUN	On 09/15/2018	General	<input type="checkbox"/>

Hearing Information

Full
 Negotiated
 Notified Of Hearing Rights?
 Waived Appearance?

Scheduled Hearing Date: 09/23/2018	Scheduled Hearing Time: 14:52	Scheduled Hearing Officer: Behrens, Markus W	Disposition Facility: MCCCW	Overall Infraction Report Status: Hearing Complete
Hearing Status:	Hearing Overall Status Date:	Hearing Overall Status Text:	PPM? <input type="checkbox"/>	
NDA Status: Not Eligible	Interpreter Type:	Interpreter ID:	Interpreter Name:	Interpreter Language:
		Staff Advisor Name:		

Sanction Information

Date Of Sanction Disposition: 09/23/2018

Sanction Name	Sanction Status	Quantity Ordered	Quantity Ordered Indicator	Quantity Suspended	Quantity Suspended Indicator	Length (Days)	Weightlifting Restriction End Date	Authorizing Staff	Authorizing Date	Invoked by/from
Confinement to cell/room	Applied	Days	3							IGN

Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Minimum 2 - Camp	Location: MCCCW — SHU / SHU03
ERD: 09/08/2020	CC/CCO: Gagnier, Valerie A			

View Full Hearing

Offender Infractions and Violations

Infraction Group Number: 8	Infraction Data Indicator: General	Report Date: 11/21/2018
Infraction Date: On 11/21/2018		Incident Time: 15:25

Violation Code	Violation Short Name	Violation Occurred Date	Violation Data Indicator	PREA
355	355 - HORSEPLAY/UNAUTH CONTACT	On 11/21/2018	General	<input type="checkbox"/>

Hearing Information

Full
 Negotiated
 Notified Of Hearing Rights?
 Waived Appearance?

Scheduled Hearing Date:	Scheduled Hearing Time:	Scheduled Hearing Officers:	Disposition Facility:	Overall Infraction Report Status:
12/01/2018	0830	Chaney, Trina B	MCCCW	Hearing Complete

Hearing Status:
 Hearing Overall Status Date:
 Hearing Overall Status Text:
 PPM?

NDA Status: Not Eligible
 Interpreter Type:
 Interpreter ID:
 Interpreter Name:
 Interpreter Language:
 Staff Advisor Name:

Sanction Information

Date Of Sanction Disposition: 12/01/2018

Sanction Name	Sanction Status	Quantity Ordered	Quantity Ordered	Quantity Suspended	Quantity Suspended	Length (Days)	Weightlifting Restriction End Date	Authorizing Staff	Authorizing Date	Invoked by/from
Loss of privileges - (G) general	Applied	Days	10							IGN

Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Minimum 2 - Camp	Location: MCCCW -- SHU / SHU03
ERD: 09/08/2020	CC/CCO: Gagner, Valerie A			

View Full Hearing

Offender Infractions and Violations

Infraction Group Number: 9	Infraction Data Indicator: General	Report Date: 11/26/2018
Infraction Date: On 11/26/2018		Incident Time: 08:13

Violation Code	Violation Short Name	Violation Occurred Date	Violation Data Indicator	PREA
355	355 - HORSEPLAY/UNAUTH CONTACT	On 11/26/2018	General	<input type="checkbox"/>

Hearing Information

Full
 Negotiated
 Notified Of Hearing Rights?
 Waived Appearance?

Scheduled Hearing Date:	Scheduled Hearing Time:	Scheduled Hearing Officer:	Disposition Facility:	Overall Infraction Report Status:
12/02/2018	0835	Chaney, Trina B	MCCCW	Hearing Complete

Hearing Status:
 Hearing Overall Status Date:
 Hearing Overall Status Text:
 PPM?

NDA Status: Not Eligible
 Interpreter Type:
 Interpreter ID:
 Interpreter Name:
 Interpreter Language:
 Staff Advisor Name:

Sanction Information

Date Of Sanction Disposition: 12/02/2018

Sanction Name	Sanction Status	Quantity Ordered	Quantity Ordered	Quantity Suspended	Quantity Suspended	Length (Days)	Weightlifting Restriction End Date	Authorizing Staff	Authorizing Date	Invoked by/from
Loss of privileges - (G) eneral	Applied	Days	10							IGN

Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Minimum 2 - Camp	Location: MCCCW -- SHU / SHU03
ERD: 09/08/2020	CC/CCO: Gagnier, Valerie A			

View Full Hearing

Offender Infractions and Violations

Infraction Group Number: 11	Infraction Date Indicator: General	Report Date: 12/05/2018
Infraction Date: On 12/04/2018		Incident Time: 23:02

Violation Code	Violation Short Name	Violation Occurred Date	Violation Data Indicator	PREA
244	244 - UNAUTH DISPLAY AFFECTION	On 12/04/2018	General	<input type="checkbox"/>

Hearing Information

Full
 Negotiated
 Notified Of Hearing Rights?
 Waived Appearance?

Scheduled Hearing Date:	Scheduled Hearing Time:	Scheduled Hearing Officer:	Disposition Facility:	Overall Infraction Report Status:
12/09/2018	1215	Chaney, Trina B	MCCCW	Hearing Complete

Hearing Status:
 Hearing Overall Status Date:
 Hearing Overall Status Text:
 PPM?

NDA Status: Not Eligible
 Interpreter Type:
 Interpreter ID:
 Interpreter Name:
 Interpreter Language:
 Staff Advisor Name:

Sanction Information

Date Of Sanction Disposition: 12/09/2018

Sanction Name	Sanction Status	Quantity Ordered	Quantity Ordered Indicator	Quantity Suspended	Quantity Suspended Indicator	Length (Days)	Weightlifting Restriction End Date	Authorizing Staff	Authorizing Date	Invoked by/from
Loss of Dayroom Access	Applied	Days		10						IGN

Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Minimum 2 - Camp	Location: MCCCW - UNA / AC1741
ERD: 09/08/2020				CC/CCO: Gagnier, Valerie A

View Full Hearing

Offender Infractions and Violations

Infraction Group Number: 12	Infraction Data Indicator: General	Report Date: 12/06/2018
Infraction Date: On 12/06/2018		Incident Time: 22:50

Violation Code	Violation Short Name	Violation Occurred Date	Violation Data Indicator	PREA
244	244 - UNAUTH DISPLAY AFFECTION	On 12/06/2018	General	<input type="checkbox"/>

Hearing Information

Full
 Negotiated
 Notified Of Hearing Rights?
 Waived Appearance?

Scheduled Hearing Date:	Scheduled Hearing Time:	Scheduled Hearing Officer:	Disposition Facility:	Overall Infraction Report Status:
12/10/2018	1500	Chaney, Trina B	MCCCW	Hearing Complete

Hearing Status:
 Hearing Overall Status Date:
 Hearing Overall Status Text:
 PPM?

NDA Status: Not Eligible
 Interpreter Type:
 Interpreter ID:
 Interpreter Name:
 Interpreter Language:
 Staff Advisor Name:

Sanction Information

Date Of Sanction Disposition: 12/10/2018

Sanction Name	Sanction Status	Sanction Quantity Ordered	Quantity Ordered	Quantity Suspended	Quantity Suspended	Length (Days)	Weightlifting Restriction	Authorizing Staff	Authorizing Date	Invoked by/from
Confinement to cell/room	Applied	Days	5							IGN

Offender Attendance Roster

12/10/2018

Page 1 of 1

Facility: MCCCW

Callout Location : MULTI-PURPOSE RM

Reason: LEGACY

Callout Date: Dec 07, 2018 - Friday

Sort by : Location, Time, Name

Total number of appointments: 17			Total Number of Offenders: 17					
Start Time	End Time	DOC Number	Offender Name	Unit	Bed ID	Callout Reason	Attend Y/N	Notes
18:00	19:00	411122	AMARO, Yolanda M.	UNB	BB1374	LEGACY		
18:00	19:00	878389	ANDERS, Danna N.	UNB	BD1023	LEGACY		
18:00	19:00	824852	BOSARGE, Brandy N.	C	CD1081L	LEGACY		
18:00	19:00	379334	CHRISTOPHER, Susan A.	UNA	AB1783	LEGACY		
18:00	19:00	355686	DE SANTIAGO, Aubrey A.	UNB	BC1132	LEGACY		
18:00	19:00	408023	FLESNER, Christina L.	UNB	BD1024	LEGACY		
18:00	19:00	410135	HOLLINGSWORTH, Betsy R.	C	CA1461L	LEGACY		
18:00	19:00	777113	JUMP, Ladawn L.	C	CC1214U	LEGACY		
18:00	19:00	401228	MILNE, Kelli L.	UNA	AC1841	LEGACY		
18:00	19:00	410950	POSTLEWAIT, Dana L.	C	CC1192U	LEGACY		
18:00	19:00	830188	POUPART, Mary L.	C	CA1511L	LEGACY		
18:00	19:00	407553	REAGLE, Angela C.	UNA	AC1852	LEGACY		
18:00	19:00	393999	SANTIAGO, Donela A.	C	CC1193L	LEGACY		
18:00	19:00	884848	TIERCE, Christina A.	UNB	BC1134	LEGACY		
18:00	19:00	410789	VERNIER-FABIAN, Kate	C	CC1204U	LEGACY		
18:00	19:00	337377	WALKER, Raeshari T.	C		LEGACY		
18:00	19:00	394377	WILLIAMS, Lisa L.	C	CA1454U	LEGACY		

Offender_Attendance_Roster

DOC1\kmroede

12/10/2018 4:13:58 PM

**State of Washington
Department of Corrections**

**Custody Review
Full Version**

Assigned Counselor: Gagnier, Valerie A

Printed By: Gagnier, Valerie A
Print Date: 02/14/2019

Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Minimum 2 - Camp	Location: MCCCW -- UNA / AC1741
ERD: 09/08/2020				CC/CO: Gagnier, Valerie A

Offender Information

Time Start: 04/16/2018	Expiration Date Mandatory: Maximum: 12/08/2021	Eligibility Date Camp: 04/16/2018 Work Release: 03/08/2020	Supervision Ordered Yes	Mental Health SMI: No ORCS: Unknown
Offender Release Plan: Investigation	Ten Day Release: Eligible	Commitment Type: DOSA	End Of Sentence Review Status: N	
Next Review Date: 03/08/2019				

Purpose of Review

Purpose Of Review	Date Initiated
Plan Change	12/14/2018
Disciplinary/Suitability	12/14/2018
DOSA Compliance	12/14/2018

Detainers

Type	Narrative
MI - NA	FTA - VIO NCPO DV

Holds

Hold	Staff Name	Hold Until
Infraction Hold	Lewis, Jacqueline L	01/18/2019
Substance Abuse Treatment	Hegberg, Ashley M	05/27/2020

Community Support

County Of First Felony Conviction, WA: Thurston

Residence Sponsor				Anticipated Release Address	
Last, First Name: MADORE, CATHERINE	Date Of Birth:	Age:	Relationship: Mother	14144 TILLEY RD Tenino, Washington United States 98589	
Phone No.: (360) 352-5228	Type: Cell				

Individuals In Home					
Last, First Name: Baughman, Joeseeph	Gender: Male	Date Of Birth:	Age: 8	Relationship: Son	

Baughman, Robert	Male	11	Son
------------------	------	----	-----

Program Needs

Education				Grade Point Equivalency	
GED/HSD:	Date Obtained:	Location:	Verified?	Math:	Reading:
GED	09/03/2004	Washington State		11th	11th

Personality Assessment Inventory		
Suicide:	Violence:	Victimization:

Offender Needs (Needs Assessment Tool)
--

Program Narrative
<p>Narrative: Ms. Baughman Does Not Need A Restoration Plan As She Has Not Lost Any GCT Or ET. She Is Currently 1st Phase Of The TC Program And Will Need An Override To Maintain Compliance With Her DOSA Required Treatment Program. Ms. Baughman Has Been Made Aware That If She Falls To Complete Or Is Administratively Terminated From A Treatment Program, She Will Be Subject To Mandatory Revocation Of Her DOSA Sentence Per RCW 9.94A.662(3). See Case Plan For Additional Information.</p>

Education/Employment Needs
<p>Education/Employment Need Needs Basic Skills Preparation</p> <p>Narrative: Offender Baughman Has A Verified GED Which She Received In 2004.</p>

Programs		
Program Name	Program Date	Program Status
AAS Business Workforce	10/23/2018	Transfer
AAS Business Workforce	12/13/2018	Reschedule

Custody Score

Current Custody		Current Custody Score:	10
Medium			

Infraction Behavior			Infraction Behavior Score:	5
DOC Infractions:				
Category	Violation Description	Date Occurred		
B3	709 - OUT OF BOUNDS	12/07/2018		
C2	710 - TATTOO/PIERCE/SCAR/PARAPHERNALIA	09/24/2018		

Program Behavior				Program Behavior Score:	12
Month	Year	Points	Non-Award Reason		

August	2018	2
September	2018	2
October	2018	2
November	2018	2
December	2018	2
January	2019	2

Detainers			Detainer Score:	10
	Felony	ICE		
Current	No	No		
Potential	No	No		

Escape History			Escape History Score:	15
DOC				
Escape Description	Month	Year		

Calculated Custody			Custody Score:	52
			Calculated Custody:	Medium

Expectations

Condition

- Treatment-Substance Abuse
- Treatment-Substance Abuse
- Evaluation/Substance Abuse
- Treatment-Substance Abuse Outpatient
- Release Substance Abuse Treatment Info

Expectation

Expectation	Frequency	Due Date	Complete
Comply With TC Written Rules, Guidelines And Phase Up Requirements	As Required	09/08/2020	No
Follow All Facility Written Rules And Guidelines	As Required	09/08/2020	No
Attend All Programs Or Appointments Per Callout	On-Going	09/08/2020	No
Full Program Participation While Working Toward Completion	On-Going	09/08/2020	No

LFO (Legal Financial Obligations)

Cause	Amount
131018521	\$1,311.51
1710024321	\$1,619.35
1610039521	\$500.80
Total:	\$3,431.66

Targeted Custody

Targeted Date	Targeted Custody	Targeted Placement	Inmate Preferred Location
09/08/2020	Minimum 1 - Work Release	Per Initial CFP M11 Is Not Recommended	

Disciplines

Discipline	Other Discipline	Staff
Custody		Chaney, Trina B

Discipline	Other Discipline	Staff
Other	CUS	Thrush, Michele L
Programming Supervisor		Patton, Judy E

Comments/Recommendations

Submit/Review Name Date	Comments	Concur
01/02/2019 Gagnier, Valerie A	(Offender) Ms. Baughman signed classification hearing notice appearance waiver and will attend FRMT. (Counselor) Baughman, Candice #373374 arrived at WCCW 4/16/18 and MCCCW 6/25/18. She has received the following infractions since her last review: WAC 710 on 9/24/18; WAC 355 on 1/21/18; WAC 355 on 11/26/18; WAC 244 on 12/4/18; WAC 244 on 12/6/18 and WAC 709 on 12/7/18. Ms. Baughman's infraction behavior has caused her to lose points, resulting in a CRS of 52 (MED). County of origin Is Thurston. DOSA offender with an ERD of 9/8/2020, 45 months supervision, eligible for the 10 day unless using the housing voucher and has a 15 day notification period. Earned time updated, good time reviewed. Two open warrants both out of Thurston Co District court- One with \$10,000 bail, the other no bail. No separations, no prohibited placement, no active NCOs or J&S prohibited contacts. Due to DOSA sentencing, recommend maintain MI-2 with RM-1 override so she may continue chemical dependency programming through the TC Program. Consider for placement on a Clinical Intervention to help address problematic behavior. Any further infraction behavior could result in termination. No MI-1 targets at this time.	
01/07/2019 Thrush, Michele L	(FRMT) P met with the MD Facility Risk Management Team that consisted of CUS Thrush, CC3 Gagnier, CC2 Johnson, Sgt. Chaney and CS3 Patton, for a Regular review. The MDFRMT concurred with the Counselor's recommendation to maintain MI-2 custody with RM1 override. No MI-1 targets at this time. P is expected to maintain infraction free behavior and to comply with all recommended programming. Appropriate referrals have been completed for education and employment based on offender needs and job screening. P will be placed on a Clinical Intervention to help address problematic behavior. Any further infraction behavior could result in termination of TC program.	Yes
01/08/2019 Rietema, Beth R	CPM concurs with MDFRMT: Retain at MCCCW for now (unless WCCW is determined to be a better place for either medical or TC needs or both), Maintain MI-2 custody with RM1 override. No MI-1 targets at this time. Currently TC at Mission - needs program behavior compliance.	Yes

Assigned Custody

Calculated Custody:	Assigned Custody:	Override Reason:	Override Narrative:
Medium	Minimum 2 - Camp	Risk Management 1	TC At Mission
	Classification Status:	Completion Date:	Custody Assigned By:
	Archive	01/08/2019	Beth Rietema, Correctional Program Manager

DOC: 373374 **Name:** BAUGHMAN, Candice Rebecca



CLASSIFICATION APPEAL

Candice Baughman 373371 MCCCW 1/25/18
Offender Name DOC Number Facility Date

Per DOC 300.380 Classification and Custody Facility Plan Review and DOC 310.150 Reception, Initial Classification, and Custody Facility Plan, an offender may appeal their assigned custody level within 72 hours of being notified of the decision. Facility placement decisions cannot be appealed.

DECISION

- Classification decisions made at the facility
- Prison Compact transfer
- Headquarters Classification Unit
- MAX Custody Committee
- Headquarters Community Screening Committee

APPEAL TO

- Superintendent/Community Corrections Supervisor
- Secretary/designee
- Classification and Case Management Administrator/designee
- Assistant Secretary for Prisons/designee
- Assistant Secretary for Reentry and Correctional Industries/designee

I am appealing the custody assignment decision made by: Counselor / CPM

Reason(s): I want to stay in the TIC program at MCCCW. I feel that I have made progress on my CI in TIC in the last two weeks. I would like to be given a chance to prove I can succeed in this program.

Appeal Decision: Denied Reversed

Reason(s): I have reviewed your appeal and your request is denied.

DENNIS E THASB [Signature] 1.31.18
Reviewer Signature Date

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My major infraction I feel all
had to do with a relationship
that was unhealthy. Being away
from that person I have done
better and believe I will succeed.
I also have 2 sons 8 and 11
that come and see me every weekend
here at MCCW. I am asking for
one more chance so I can learn
how to be a better man in TC
and never come back to prison.
Thank you for your consideration

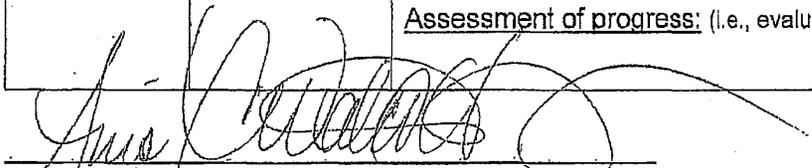
Candace Baughman




**SUBSTANCE USE DISORDER
GROUP PROGRESS NOTE**

CLIENT: Baughman, Candice		DOC#: 373374
DATE & DURATION	SESSION TYPE & TIME	TOPICS & PROGRESS NOTES
30 Nov 2018 2 Hours	Self-Discovery 9:00 AM - 11:00 AM	<p>Topic: Process</p> <p><u>Level of participation:</u> (i.e., what was observed) This is Ms. Baughman's first group attendance, she attended 2 hours of SD group as well as other treatment classes. (please see T-GAF). She attended 3 self- help meetings. Her level of participation was minimal, her response to treatment was " I miss my friends in G.P."</p> <p><u>Assessment of progress:</u> (i.e., evaluative statement for this session) Ms. Baughman's overall participation was justifying , she discussed her decision to come to T.C., firmly stating she needs treatment and how much she wants to change her life. However she stated she's not sure if she made the right choice and how she really misses G.P. especially her friends. She stated she knows she is on DOSA and has to complete treatment so she does not have to do her full sentence. Her explanation of her desire to be in treatment sounds as if she wants to convince herself and the community she made the right choice. Avis C. Walcott BA CDP <i>AW</i></p>
6 Dec 2018 2 Hours	Self-Discovery 9:00 AM - 11:00 AM	<p>Topic: Process</p> <p><u>Level of participation:</u> (i.e., what was observed) Ms. Baughman attended 2 hours of SD group, as well as other treatment classes, she attended 5 self-help meetings. Her overall participation is minimal, she continues to receive awareness for talking to G.P. Her response to treatment was "setting boundaries, I need to set them."</p> <p><u>Assessment of progress:</u> (i.e., evaluative statement for this session) Ms. Baughman's overall participation was justifying, she discussed how she was under the impression the infractions she received whilst she was in G.P would be wiped clean. She stated she thought she would be able to start off in T.C. with a clean slate. However she has been in T.C. for about a week and she has received an infraction as of yesterday (5 Dec). She stands firm in stating she wants to be in T.C. and how much she needs to be in treatment. She was tearful during her explanation, the tears may have been her way of trying to convince herself as well as manipulate the community of her desire to be in treatment. Avis C. Walcott BA CDP <i>AW</i></p>
	Self-Discovery 9:00 AM - 11:00 AM	<p>Topic: Process</p> <p><u>Level of participation:</u> (i.e., what was observed)</p> <p><u>Assessment of progress:</u> (i.e., evaluative statement for this session)</p>

CLIENT: Baughman, Candice		DOC#: 873374
DATE & DURATION	SESSION TYPE & TIME	TOPICS & PROGRESS NOTES
	Self-Discovery 9:00 AM - 11:00 AM	Topic: Process <u>Level of participation:</u> (i.e., what was observed) <u>Assessment of progress:</u> (i.e., evaluative statement for this session)



Chemical Dependency Professional/Trainee signature

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**SUBSTANCE USE DISORDER
GROUP PROGRESS NOTE**

CLIENT: Baughman, Candice		DOC#: 373374
DATE & DURATION	SESSION TYPE & TIME	TOPICS & PROGRESS NOTES
30 Nov 2018 2 Hours	Self-Discovery 9:00 AM - 11:00 AM	<p>Topic: Process</p> <p><u>Level of participation:</u> (i.e., what was observed) This is Ms. Baughman's first group attendance, she attended 2 hours of SD group as well as other treatment classes. (please see T-GAF). She attended 3 self- help meetings. Her level of participation was minimal, her response to treatment was " I miss my friends in G.P."</p> <p><u>Assessment of progress:</u> (i.e., evaluative statement for this session) Ms. Baughman's overall participation was justifying , she discussed her decision to come to T.C., firmly stating she needs treatment and how much she wants to change her life. However she stated she's not sure if she made the right choice and how she really misses G.P. especially her friends. She stated she knows she is on DOSA and has to complete treatment so she does not have to do her full sentence. Her explanation of her desire to be in treatment sounds as if she wants to convince herself and the community she made the right choice. Avis C. Walcott BA GDP <i>ACW</i></p>
6 Dec 2018 2 Hours	Self-Discovery 9:00 AM - 11:00 AM	<p>Topic: Process</p> <p><u>Level of participation:</u> (i.e., what was observed) Ms. Baughman attended 2 hours of SD group, as well as other treatment classes, she attended 5 self-help meetings. Her overall participation is minimal, she continues to receive awareness for talking to G.P. Her response to treatment was "setting boundaries, I need to set them."</p> <p><u>Assessment of progress:</u> (i.e., evaluative statement for this session) Ms. Baughman's overall participation was justifying, she discussed how she was under the impression the infractions she received whilst she was in G.P would be wiped clean. She stated she thought she would be able to start off in T.C. with a clean slate. However she has been in T.C. for about a week and she has received an infraction as of yesterday (5 Dec). She stands firm in stating she wants to be in T.C. and how much she needs to be in treatment. She may be trying to convince herself as well as manipulate the community of her desire to be in treatment. Avis C. Walcott BA CDP <i>ACW</i></p>
14 Dec 2018 2 Hours	Self-Discovery 9:00 AM - 11:00 AM	<p>Topic: Process</p> <p><u>Level of participation:</u> (i.e., what was observed) Ms. Baughman is currently in the SHUE. Avis C. Walcott BA CDP</p> <p><u>Assessment of progress:</u> (i.e., evaluative statement for this session) <i>ACW</i></p>

CLIENT: Baughman, Candice		DOC#: 373374
DATE & DURATION	SESSION TYPE & TIME	TOPICS & PROGRESS NOTES
	Self-Discovery 9:00 AM - 11:00 AM	<p>Topic: Process</p> <p><u>Level of participation:</u> (i.e., what was observed)</p> <p><u>Assessment of progress:</u> (i.e., evaluative statement for this session)</p>

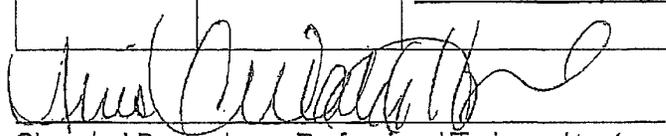


 Chemical Dependency Professional/Trainee signature

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CLIENT: Baughman, Candice		DOC#: 378874
DATE & DURATION	SESSION TYPE & TIME	TOPICS & PROGRESS NOTES
21 Dec 2018 2 Hours	Self-Discovery 9:00 AM - 11:00 AM	<p>Topic: Process</p> <p><u>Level of participation:</u> (i.e., what was observed) Ms. Baughman is currently at WCCW's IPU.</p> <p>Avis C. Walcott BA CDP</p> <p><u>Assessment of progress:</u> (i.e., evaluative statement for this session)</p>



Chemical Dependency Professional/Trainee signature

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SUBSTANCE USE DISORDER INDIVIDUAL SERVICE PLAN

Ms. C. Baughman
 Name
 Dim 5 3.3
 Dimension number Level of care

373374
 DOC number
 Avis C. Walcott BA CDP
 Chemical Dependency Professional/Trainee (CDP/T)

Problem statement: Ms. Baughman reported she does not know how to deal with grief and loss, she reported it has in the past caused a relapse which may cause her to relapse if someone close to her dies.

Goal/desired outcome: Ms. Baughman will gain insight and knowledge to assist her to deal with her grief and loss in a healthy way by gaining healthy coping skills to assist her with her grief and loss.

DATE OPENED	APPROACHES/INTERVENTIONS (Specific action steps to accomplish goal)	TARGET DATE (for each action step)	DATE ACCOMPLISHED	CDP/INITIALS AFTER ACCOMPLISHED
3 Dec 2018	Ms. Baughman will complete the handout "Moving ON With My Life" she will discuss with CDP during her Jan's ISPR.	Jan 2019	<i>ACCOMPLISHED</i>	
3 Dec 2018	Ms. Baughman will read the handout "What is Grief?" she will write a paper describing what stage of grief she is currently in, she will include in the paper how does she know that is the stage of grief she is currently in, what if any are the coping skills she has been using to assist her with her grieving. She will also complete the handout "My Stages of Grief". She will discuss with CDP during her Feb's ISPR	Feb 2019		
3 Dec 2018	Ms. Baughman will read the handout "Loss and Grief-Activities To Help You Grieve" She will create a list of what her top 5 choices are from the reading, she will write a paper describing why she has choose those activities, she will choose one from the list and complete that activity. She will discuss and share with CDP during her Mar's ISPR.	Mar 2019		

I acknowledge that I have participated in the writing of this Individual Service Plan (ISP), agree to this ISP, and have received a copy.

[Signature]
 Signature

12/4/18
 Date

[Signature]
 CDP/T signature

1/10/2018
 Date

CDP signature (co-authentication)

Date

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Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Medium	Location: MCCCW -- SHU / SHU04
ERD: 09/08/2020				CC/CCO: Gagnier, Valerie A

Details	Text	Behavior Indicator
<p>Date & Time Created: 01/21/2019 17:10 Offenders Assigned Location: MCCCW -- UNA / AC1741 Author: Owens, Rebecca T Location Of Occurrence: Living Unit Date & Time Occurred: 01/21/2019 17:05</p>	<p>I spoke with offender Baughman about a directive given to her from Sgt. Colton on 12-30-18 stating that she is not allowed to wear her black shoes to visit. On 12-30-18 offender Baughman admitted to stuffing her shoes with extra socks because her shoes were to big. Today offender Baughman tried wearing those shoes to visit. It was also brought to my attention that she wore them over the weekend. I reminder her tonight that she was directed not to wear them and she can and will receive an infraction is she does again.</p>	<p>Negative</p>
<p>Date & Time Created: 01/21/2019 03:22 Offenders Assigned Location: MCCCW -- UNA / AC1741 Author: Woodring, Cheryl A Location Of Occurrence: Living Unit Date & Time Occurred: 01/21/2019 02:30</p>	<p>put a pair of sweats in the in house laundry instead of sending out in the outhouse laundry. Infraction.</p>	<p>Negative</p>
<p>Date & Time Created: 01/09/2019 17:47 Offenders Assigned Location: MCCCW -- UNA / AC1741 Author: Owens, Rebecca T Location Of Occurrence: Living Unit Date & Time</p>	<p>Offender Baughman is on cell confinement. She continues to keep coming out of her cell tonight, I have talked to her many times about staying in her cell. Again at 1735 hours tonight she came out again. I told her next time she comes out I will infract her for breaking her sanctions.</p> <p>Appended Text: FRMT met with Ms. Baughman regarding compliance with her cell confinement sanctions. FRMT clarified with her what cell confinement entails and she voiced compliance/understanding. See chrono 1/10/19</p>	<p>Negative</p>



1/29/2019

Details	Text	Behavior Indicator
Occurred: 01/09/2019 17:35		
Date & Time Created: 12/05/2018 04:27 Offenders Assigned Location: MCCCW -- UNA / AC1741 Author: Woodring, Cheryl A Location Of Occurrence: Living Unit Date & Time Occurred: 12/04/2018 23:02	Touching another Offender "Infraction"	Negative





SUBSTANCE USE DISORDER CLINICAL STAFFING

ERD: 8 Sept 2020 (Court ordered) ISRB Other

Incarcerated Individual Name: Ms. C. Baughman DOC Number: 373374

Level of Care/Phase: 3.3/3 Date: 3 Jan 2019

Primary Drug: Methamphetamine, Marijuana Last Use: 10 Dec 2017

Facility: MCCCW Admitted: 27 Nov 2018

Purpose for Staffing:

Infraction TX Plan C/I Info Sharing Phase Up

Only Complete Dimensions with Clinical Concerns:

Dimension 1: Withdrawal:

Ms. Baughman denies any withdrawals symptoms.

Dimension 2: Biomedical Complications:

Ms. Baughman does have any medical complications that may interfere with treatment. However they are being addressed at this time.

Dimension 3: Emotional/Behavioral Complications:

Ms. Baughman

Dimension 4: Readiness for Change:

Ms. Baughman struggles with following directives, rules and regulations for the T.C. Program

Dimension 5: Relapse Potential:

Dimension 6: Recovery Environment (For transfer to community):

Action Plan:

Ms. Baughman will be placed on a Clinical Intervention to assist her with changing her negative behaviors to healthy positive behaviors.

Treatment Plan Written Yes No Problem #: _____ Dimension #: _____

Employee Name	Signature	Date
Avis C. Walcott BA CDP	<i>[Signature]</i>	3 Jan 2019
Chongy Tina	<i>[Signature]</i>	1-3-19
Valerie Baglier	<i>[Signature]</i>	1-2-19
Dawdy Gilles-Stevenson	<i>[Signature]</i>	1.03.2019
Judy Patton CS3 CDP	<i>[Signature]</i>	1-3-19
ROBIN NIELSEN CDP	<i>[Signature]</i>	1-3-19
Jobi Doss CDP	<i>[Signature]</i>	1-3-19
Lynn Quicarte BA CDP	<i>[Signature]</i>	1-3-19

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Inmate: BAUGHMAN, Candice Rebecca (373374)

Gender: Female	DOB: [REDACTED]	Age: 32	Category: Regular Inmate	Body Status: Active Inmate
RLC: HV	Wrap-Around: No	Comm. Concern: No	Custody Level: Medium	Location: WCCW-Receiving — REC / RA204A
ERD: 09/08/2020				CC/CCO: Ahmu, Dawnie L

Infraction Summary

Offender Infraction					
Infraction Group Number	Overall Infraction Report Status	Hearing Type	Infraction Data Indicator	Incident Date	Violation Codes
3	Hearing Complete	Full Hearing	General	On 07/19/2018	303
5	Hearing Complete	Full Hearing	General	On 09/15/2018	103 , 303
7	Hearing Complete	Full Hearing	Serious	On 09/24/2018	710
8	Hearing Complete	Full Hearing	General	On 11/21/2018	355
9	Hearing Complete	Full Hearing	General	On 11/26/2018	355
10	Hearing Complete	Full Hearing	Serious	On 12/07/2018	709
11	Complete	Full Hearing	General	On 12/04/2018	244
12	Complete	Full Hearing	General	On 12/06/2018	244
13	Hearing Complete	Full Hearing	Serious	On 12/14/2018	657
14	Hearing Complete	Full Hearing	Serious	On 12/30/2018	103
16	Hearing Complete	Full Hearing	General	On 01/01/2019	351
17	Hearing Complete	Full Hearing	Serious	On 12/21/2018	889
18	Hearing Complete	Full Hearing	Serious	On 12/24/2018	658
19	Hearing Complete	Full Hearing	Serious	On 01/10/2019	725 , 889



OFFENDER I.D. DATA: **BAUGHMAN, Candice R.**
 (Name, DOC#, DOB) **373374** [REDACTED]

HEALTH STATUS REPORT

FACILITY MCCCW	LIVING UNIT MCCCW-UNA	DATE 12/17/2018
-------------------	--------------------------	--------------------

HOUSING RESTRICTIONS/LIMITATIONS

ASSIGNMENT/WORK/TRANSPORTATION/ACTIVITY RESTRICTIONS/LIMITATIONS

DURABLE MEDICAL EQUIPMENT/SUPPLIES
 Dressing/Bandages (Specify) Remark: dressings and bandages for face.
 Expires: 12/21/2018

DIETARY NEEDS

ALLERGIES

OTHER
 to be able to hot pack four times daily.
 Expires: 12/21/2018

HEALTH SERVICES PROVIDER (Stamp/Print and Initial)	DATE	ALTERNATE HEALTH SERVICES STAFF (Stamp/Print and Initial)	DATE
MacDiarmid, Amber D	12/17/2018		

DISTRIBUTION: Original: Health Record
 Copy: Offender Control Correctional Industries Counselor/CUS Dietary
 Education Laundry/Clothing Nursing Recreation Shift Sergeant
 Supply Tech Unit Sergeant Other: Other: -

State law (RCW 70.02) and/or federal regulations (42 CFR Part 2) prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law.



PATIENT I.D. DATA: 373374
(Name, DOC#, DOB)

PATIENT INSTRUCTIONS

Instructions: To be completed at time discharge from the Infirmary or Extended Observation Unit, unless being discharged to housing only status or to a community hospital.
Must be written in layman's terms; no abbreviations or symbols.
Patient is to sign and receive a copy prior to leaving the unit.

Discharge Date (m/d/yy): 12/21/18 Time (24-hour): 0910 Facility: WCCW 1PU

Medications to be taken after discharge: No Yes (listed below)

Non-issuable medications:

Oxy butyrin 5mg #20
take 1 tab daily

Issuable medications:

Prilosec #37 take at bed time
Flagyl 500mg take 1 twice a day #14
Oxy Clindamycin 150mg
take 1 cap po every 6 hrs #20

Special Diet: No Yes: regular

Follow-up to be to: Sick call Outpatient Clinic Dietician Provider: _____
 Dental Mental Health Optometry Other: _____

Patient instructions on activities, treatments, medication, follow-up, etc. (explain in detail):

Take your medications as order; especially your
Flagyl + Clindamycin

B. MITCHELL RN2
NURSE SIGN and STAMP/PRINT NAME

12/21/18
DATE (m/d/yy)

I HAVE BEEN INFORMED OF AND UNDERSTAND MY DISCHARGE INSTRUCTIONS. IF I HAVE ANY QUESTIONS AFTER DISCHARGE, I WILL SIGN UP FOR SICK CALL OR ASK THE UNIT OFFICER IF NECESSARY.

PATIENT SIGNATURE

DATE (m/d/yy)

Interpreter present

INTERPRETER SIGN and PRINT NAME

DATE (m/d/yy)

State law (RCW 70.02) and/or federal regulations (42 CFR Part 2) prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law

Name: MS. Baughman
 Crew: Expiditor
 CDP: MS. WILCOTT
 Room #: 174-1

THERAPEUTIC COMMUNITY PROPOSAL

- Only one proposal per form
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 - Assure form is completely filled out prior to submission
 - Submit to your crew lead
 - Follow the proper line of communication
- MEETING AGENDA PROPOSAL
 - PHASE UP REQUIREMENTS
 - GENERAL PROPOSAL
 - LEARNING EXPERIENCE

Date Written: <u>12/24/18</u>	PROPOSAL # _____
Community Member: <u>MS. Baughman</u>	DOC #: <u>373774</u>
Current Phase: <u>1</u>	
Crew Leader Name: <u>MS. Williams</u>	
Assistant Coordinator Approval: <u>[Signature]</u>	
Senior Coordinator Approval: <u>[Signature]</u>	

PROPOSAL - Include: who - what - when - where - why and how.
 (Attach additional pages and examples as necessary)

I respectfully request to be excused from all TC programming from 12/17/18 through 12/21/18 due to being in IPU. To be CDP read and approved.

Thank You

Signature and date approved by Rational Authority: [Signature] 26 Dec 2018, ACU

Signature and date disapproved by Rational Authority: _____

Comments:

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DOC 14-173 (Rev. 09/27/18)

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DOC 580.000

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WOMEN'S INTENSIVE THERAPEUTIC COMMUNITY
TREATMENT GROUP ACTIVITIES FORM (TGAF)

Resident Name: Ms. Baughman

DOC #: 373374

I Believe In You

PHASE ONE CLINICAL SERVICES	Date	Staff Initials	Duration 2 Hours	Attendance		Participation		Significant Event
				Yes	No	Yes	No	
Friday Community Member Handbook Study (Staff Facilitated/Co-Facilitated by Residents)								
1. Handbook review, Pages 1-19	12/11	[initials]	2					
2. Handbook review, Pages 20-38	1/6	[initials]	2	Peer mentored				
3. Handbook review, Pages 39-52	1/11	[initials]	2					
4. Handbook review, Pages 53-72	1/18	[initials]	2	1				
5. Handbook review, Pages 73-94	12/7	[initials]	2					
6. Real Colors			2					

Thursday Recovery Basics (Staff Facilitated)								
1. Autobiography Prep & Recovery Overview			2					
2. Roots of Denial	1/1		2					
3. Post-Acute Withdrawal (PAWS)			2					
4. Communication, Feelings, Taking Control, & Self-Management	1/3	[initials]	2					
5. Anger	1/10	[initials]	2					
6. Self-Help	Welcome ☺	11/29 ACU	2	1/17	ASU			

Monday Core Skills (Staff Facilitated)								
1. Affirming/Asserting	12/31	[initials]	2					
2. Calming/Tension-Sensing/Self-Listening	1/7	[initials]	2					
3. Resourcing/Brainstorming	1/14	[initials]	2					
4. Danger-Spotting/Focusing	1/3	[initials]	2					
5. Handshaking/Humanizing/View Switching			2					
6. Forecasting/Prioritizing	12/17	[initials]	2					

Tuesday Sober Foundations (Staff Facilitated)								
1. Defining Addiction	12/4	[initials]	2					
2. "I" Statements	1/1	[initials]	2					
3. Inner Self & Habit Self	1/13	[initials]	2					
4. Behaviors & Consequences	1/8	[initials]	2					
5. Trust/Honesty, Healthy/Appropriate Relationships	1/15	[initials]	2					
6. Personal Strengths relationships	1/22	[initials]	2					



WOMEN'S INTENSIVE THERAPEUTIC COMMUNITY
TREATMENT GROUP ACTIVITIES FORM (TGAF)

Resident Name: MS. Baughman DOC #: 373374

PHASE TWO CLINICAL SERVICES	Date	Staff Initials	Duration 2 Hours	Attendance		Participation		Significant Event
				Yes	No	Yes	No	
Values (Staff Facilitated)								
1. Values, Attitudes, & Behaviors			2					
2. Personal Values			2					
3. Values for Recovery			2					
4. Criminogenic Lifestyle			2					
5. Responsibility & Trust			2					
6. Thoughts, Emotions, & Behaviors			2					

Substance Abuse Education & the Impact on Women's Health (Staff Facilitated)								
1. Addiction is a Disease & Cross Dependence DVD: Roots of Addiction			2					
2. Effect of Two Disorders DVD: Co-Occurring Disorders			2					
3. Stimulants DVD: Methamphetamine			2					
4. Heroin DVD: Beyond Opiates			2					
5. Marijuana DVD: Marijuana			2					
6. Prescription & OTC Drugs DVD: Prescription & OTC Drugs			2					

Life Skills (Staff Facilitated)								
1. Life Balance & Stress Management			2					
2. Life on Life's Terms			2					
3. Change, Planning, & Goal Setting			2					
4. Dealing with Authority			2					
5. Family Roles			2					
6. HIV/AIDS, BBP, and TB DVD: HIV/AIDS 101			2					



WOMEN'S INTENSIVE THERAPEUTIC COMMUNITY
TREATMENT GROUP ACTIVITIES FORM (TGAF)

Resident Name: ms. Baughman

DOC #: 373774

CLINICAL SERVICES	Date	Staff Initials	Duration 2 Hours	Attendance		Participation		Significant Event
				Yes	No	Yes	No	
Seeking Safety - Approximately 18 sessions at facilitator's discretion - closed group, mandatory but not a phase up requirement								
1. Safety			2					
2. PTSD: Taking Back Your Power			2					
3. Detaching from Emotional Pain (Grounding)			2					
4. When Substances Control You			2					
5. Asking for Help			2					
6. Taking Good Care of Yourself			2					
7. Compassion			2					
8. Red and Green Flags			2					
9. Honesty			2					
10. Recovery Thinking			2					
11. Integrating the Split Self			2					
12. Commitment			2					
13. Creating Meaning			2					
14. Community Resources			2					
15. Setting Boundaries in Relationships			2					
16. Discovery			2					
17. Getting Others to Support Your Recovery			2					
18. Coping with Triggers			2					
19. Respecting Your Time			2					
20. Healthy Relationships			2					
21. Self-Nurturing			2					
22. Healing from Anger			2					
23. The Life Choices Game (Review)			2					
24. Termination			2					



WOMEN'S INTENSIVE THERAPEUTIC COMMUNITY
TREATMENT GROUP ACTIVITIES FORM (TGAF)

Resident Name: ms. Baughman

DOC #: 373374

PHASE THREE CLINICAL SERVICES	Date	Staff Initials	Duration 2 Hours	Attendance		Participation		Significant Event
				Yes	No	Yes	No	
Partners in Parenting - closed group, mandatory but not a phase up requirement (Staff Facilitated)								
1. Building a Partnership			2					
2. Child Development			2					
3. Family Communication: Active Listening			2					
4. Family Communication: Building Understanding			2					
5. Helping Children Behave			2					
6. Sensible Discipline			2					
7. Self-Care for Parents			2					
8. Tomorrow and Beyond			2					

Relationships (Staff Facilitated)								
1. Relationships for Sobriety			2					
2. Boundaries			2					
3. Boundaries 2			2					
4. Important Personal Relationships			2					
5. Everyday Interactions			2					
6. Domestic Violence			2					



WOMEN'S INTENSIVE THERAPEUTIC COMMUNITY
TREATMENT GROUP ACTIVITIES FORM (TGAF)

Resident Name: MS. Baughman

DOC #: 373374

PHASE FOUR CLINICAL SERVICES	Date	Staff Initials	Duration 2 Hours	Attendance		Participation		Significant Event
				Yes	No	Yes	No	
Issues Specific to Female Addiction								
1. Tobacco/Nicotine Addiction			2					
2. Substance Use and Pregnancy			2					
3. Sexuality			2					
4. Body Image 1			2					
5. Body Image 2			2					
6. Body Image 3			2					

Relapse Prevention								
1. Resumes, Cover letters, & Interviewing Relapse Prevention session 1			2					
2. Relapse Prevention session 2 DVD: Medical Consequences of Addiction			2					
3. Relapse Prevention session 3 DVD: Neurochemistry of Relapse/Recovery			2					
4. Relapse Prevention session 4 Role-Play Relapse Scenarios DVD: Uppers, Downers, All Arounders			2					
5. FASTER Relapse Awareness Scale Four Questions About my Addiction			2					
6. Budgeting Review & discuss Re-entry Project, Personal RP Plan, & LifeRing RP Plan			2					
It is a phase-up requirement to complete your Re-entry Project, Personal RP Plan, and the LifeRing RP Plan.								

OR

Healing Trauma (closed group, mandatory but not a phase-up requirement)								
1. Welcome and Introduction to the Subject of Trauma								
2. Power and Abuse								
3. The Process of Trauma and Self-Care								
4. The ACE Questionnaire and Anger								
5. Healthy Relationships								
6. Love, Endings, and Certificates								

Name: MS. Baughman
Crew: Expediter
CDP: MS. Weingart
Room #: 174-1

THERAPEUTIC COMMUNITY PROPOSAL

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- MEETING AGENDA PROPOSAL
 - PHASE UP REQUIREMENTS
 - GENERAL PROPOSAL
 - LEARNING EXPERIENCE

Date Written: <u>1/7/19</u>	PROPOSAL # _____
Community Member: <u>MS. Baughman</u>	DOC #: <u>373374</u>
Current Phase: <u>1</u>	
Crew Leader Name: <u>MS. Stamen</u>	
Assistant Coordinator Approval: <u>MS. Weingart</u> <small>Signature</small>	
Senior Coordinator Approval: <u>MS. Adams</u> <small>Signature</small>	

PROPOSAL - Include: who - what - when - where - why and how.
(Attach additional pages and examples as necessary)

I respectfully request to have my CI
apology letter to the Community be
CDP read and approved.
Thank You

Signature and date approved by Rational Authority: Shmooir Adams

Signature and date disapproved by Rational Authority: _____

Comments:

MS. Baughman
Expediter
MS. Welcott
174-1

I would like to apologize to the TC Community for my self-destructive and self-defeating behaviors; Attention Seeking, Criminal Code and impulsive. In my addiction I learned a Criminal Code of behaviors that are not considered pro social and are not healthy to the Therapeutic Community. I will change these behaviors starting now which include being sneaky, denial and talking to GP. Also, my low self worth has fueled my fear of rejection and negative attitude. This attention seeking behavior is self-destructive and damaging to the TC Community as a whole. I sincerely apologize and give you my commitment to change for the future. Last but not least my impulsiveness and tendency to act on a whim have caused undesirable consequences to the TC community and have alienated the TC community members and have delayed everyone's recovery process. I again am very sorry for this and will change...

Ms. Baughman
Expectator
Ms. Walcott
174-1

behaviors from this moment
on to be a more productive
member of this community
and stop my negative
impact on the TC Community
as a whole.

Thank you for
your understanding and
compassion.

Candice Baughman

ms. Baughman
Exp. req. 1/12/18
ms. Weinman
1/12/18

THERAPEUTIC COMMUNITY PROPOSAL

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- MEETING AGENDA PROPOSAL
- PHASE UP REQUIREMENTS
- GENERAL PROPOSAL
- LEARNING EXPERIENCE

Date Written: 1/2/18

PROPOSAL # _____

Community Member: ms. Baughman DOC #: 373374

Current Phase 1

Crew Leader Name: MS BILAMANN

Assistant Coordinator Approval: Ms. Weinman
Signature

Senior Coordinator Approval: Ms. Holmes
Signature

PROPOSAL - Include: who - what - when - where - why and how.
(Attach additional pages and examples as necessary)

I respectfully request to have my 2 components and 2 concepts for phase 1 be peer mentored and CDP read and approved. To be presented in tool time or seminars by 1/12/19. Thank you

Signature and date approved by Rational Authority: [Signature]

Signature and date disapproved by Rational Authority: _____

Comments:

1/2/18 peer mentored

To be presented in tool time 1/17/19 JDC

Presented tool time 1/17/19 LN

Ms. Baughman
Expediter
Ms. Walcott
174-1

This is my 2 concepts and
2 components paper.

Community Separateness is
the idea that TC Program is
maintained away from general
population. This is important
because it allows our community to
be disconnected from the network
of drug users we are use to
and we can start to connect with
new drug free peers.

Structured Day is where each
day has a formal schedule of
activities with fixed times and
routine procedures. This order and
rigid schedule helps counter the
normal disorder of our lives
when we were using. Having this
structure stops negative thinking
and boredom-factors that lead
to relapse.

Role models is people trying to
be a good example everyday.
Its important in this community
to help new members be successful
and give feedback to others
as what they must change
in order to be successful
in the TC Program.

MS. Saughmoy
Expeditor
MS. Walcott
174-1

Relationships in TC are used to foster personal growth in various ways. Relationships developed in treatment often become the basis for the social network needed in recovery to sustain sobriety beyond treatment. Relationships in recovery give me a feeling of safety in my recovery.

EXHIBIT 6



PRISON DRUG OFFENDER SENTENCING ALTERNATIVE AGREEMENT

The Legislature passed a Special Drug Offender Sentencing Alternative – SHB 1006 effective on July 25, 1999 and applies to all offenders who committed their crime on or after that date.

1. Your Judgment and Sentence (J&S) indicates that the sentencing judge has granted you a Drug Offender Sentencing Alternative (DOSA).
2. A DOSA sentence requires that you participate in treatment offered by the Department or a contracted community residential program. You will undergo a comprehensive substance use disorder assessment and will receive treatment services based on custody level, capacity, length of total confinement, and treatment needs.
3. You will be required to maintain your current DOSA eligibility status per DOC 580.655 Special Drug Offender Sentencing Alternative.
4. As part of your DOSA sentence, the transferring facility will develop an appropriate transition plan. The plan may include transfer to a designated Work Release designed to accommodate your individual treatment needs.
5. You will be on supervision in the community after release from Prison or residential treatment. During this time, you will be required to continue outpatient substance use disorder treatment. The length of your outpatient treatment will be determined by your treatment needs and the treatment provider, based on progress, assessed need, and supervision issues, per the American Society of Addiction Medicine patient placement criteria.
6. If you refuse to abide by the terms and conditions imposed by the Judgment and Sentence or treatment program, you may be referred to the Department's Hearings Unit for administrative sanctions and/or possible revocation of your DOSA sentence.
7. After alternatives to retain you in the program have been addressed and it has been concluded that termination is appropriate, you may be "administratively" terminated from the DOSA substance use disorder treatment program as determined and documented by the primary Chemical Dependency Professional (CDP) and based on:
 - a) A continual pattern of behavioral issues and unsuccessful responses to interventions.
 - b) A lack of progression towards the goals of a treatment plan as determined by the primary CDP and staffed with his/her supervisor.
 - c) Any major infraction that causes a change in custody level or the violation of condition(s) per this agreement or DOC 14-039 Substance Use Disorder Treatment Participation Requirements.
 - d) Placement in Closed Custody for a length of time whereby you are unavailable to participate in substance use disorder treatment based on your Earned Release Date and the triage for admission to substance use disorder services.
8. If you fail to complete the program or are administratively terminated, you will be reclassified to serve the remaining original balance of your sentence imposed by the sentencing court.

I have read or have had read to me the terms and conditions of this agreement, and:

I agree that I will fully participate in all required substance use disorder treatment programs.

I am refusing participation in the DOSA treatment program. I understand that a Department administrative hearing will be held and I may be reclassified and serve the unexpired term of my original sentence or I may be referred back to the sentencing court for reconsideration of my sentence.

Candree Baughman
Offender Name

373374
DOC Number

[Signature]
Signature

11/27/18
Date

Arista C. Walcott BACP
Chemical Dependency Professional Name

[Signature]
Signature

27 Nov 2018
Date

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EXHIBIT 7



**SUBSTANCE USE DISORDER
TREATMENT PARTICIPATION REQUIREMENTS**

Program Branch Site:

Mission Creek Correctional Center for Women

Treatment Modality:

Therapeutic Community

Start Date:

27 NOV 2018

Treatment Days/Times: _____

TREATMENT PARTICIPATION EXPECTATIONS

In order to participate in the Department substance use disorder treatment program, I HEREBY AGREE TO:

1. Remain free of alcohol and other drug use and/or possession. I will provide documentation per DOC 420.380 Drug/Alcohol Testing for any prescribed medication.
2. Participate in urine analysis and other drug testing per DOC 420.380 Drug/Alcohol Testing.
3. Refrain from any and all criminal activity, including behaviors that may result in an infraction.
4. Refrain from any physical violence, threats of physical violence, abusive arguing, or inappropriate language.
5. Attend all regularly scheduled individual and group treatment sessions. Unexcused absences will result in an infraction and may result in termination from treatment.
6. Actively participate in counseling sessions; and in both planning and implementing my initial and continued care Individual Service Plans.
7. Respect and protect the privacy, rights, and confidentiality of other offenders. I will not discuss anything that was shared in group unless it is to report safety and security risk to the appropriate staff.
8. Ask my treatment counselor to explain any program expectations, rights, or responsibilities that I do not fully understand, and acknowledge any difficulty I may have in reading, writing, or comprehending English.
9. Sign and abide by DOC 14-042 Prison Drug Offender Sentencing Alternative Agreement, if I received a Drug Offender Sentencing Alternative (DOSA). Failure to do so will result in termination from treatment and revocation of DOSA.
10. Recognize that I am receiving treatment in a correctional setting. I understand that there may be situations in which, due to safety and security, I may be viewed by individuals not engaged in substance use disorder treatment. I further understand that the information discussed in my group and individual treatment sessions will be maintained in the strictest confidentiality.

In order to successfully complete treatment, I HEREBY AGREE TO:

1. Attend and participate in treatment and self-help groups as scheduled and recommended by my assessment and admission counselor(s), and as required per WAC 388-877B,
2. Complete my Individual Service Plan as agreed upon with my treatment counselor, and
3. Remain in treatment in accordance with my progress in treatment and the Individual Service Plan developed by my counselor, and until I receive a successful completion certificate.

PROTOCOL FOR ADMINISTRATIVE TERMINATION FROM TREATMENT:

The following behaviors MAY result in termination from the treatment program:

1. Failure to abide by the expectations outlined above.
2. Two unexcused treatment absences, including absences due to non-mandatory callouts, within the same modality.
3. Behavior that is harmful or disruptive to the treatment environment.
4. Gang related activities or harassment of employees/contract staff or another offender.

The following behaviors WILL result in termination from the treatment program:

1. Any threat or act of violence toward employees/contract staff or another offender.
2. Possession of a weapon in group.
3. Sexual misconduct toward employees/contract staff or another offender.
4. An infraction that results in a transfer and/or change in custody level.
5. Three absences within the same treatment modality. I understand that exceptions may be allowed in the event of a legitimate, verifiable reason for an absence (e.g., injury, illness, mandatory callout that cannot be rescheduled).
6. Violating another offender's privacy and confidentiality treatment rights.
7. Failure to follow the conditions of a behavioral or therapeutic intervention (e.g., behavioral contract).

The following behaviors may result in termination, transfer to a higher level of care, or other treatment plan revision:

1. Possession, introduction, or use of contraband.
2. Providing a positive urine/drug test. I understand that "positive" includes insufficient or tampered samples, failure to provide a sample, or positive tests for non-prescribed medications. Chemical Dependency Professionals have the authority to dismiss offenders from class, groups, or the program for violation of these rules or "just cause."
3. Possession of prescription medications not prescribed to the individual or misuse of prescribed medications.

NOTE: Any of the above violations may result in termination of an offender's DOSA, when applicable, per DOC 580.655 Special Drug Offender Sentencing Alternative and DOC 14-042 Prison Drug Offender Sentencing Alternative Agreement.

GRIEVANCE PROCEDURE: If I feel I am treated unfairly, I understand that the Offender Grievance Program is available per DOC 550.100 Offender Grievance Program.

I hereby agree to having read, or had read to me, all the above terms and conditions, and agree to abide by them.

Candice Baughman
Offender Name

373374
DOC Number

[Signature]
Signature

11/27/18
Date

Avis [Signature]
Chemical Dependency Professional Name

[Signature]
Signature

27 Nov 2018
Date

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Distribution: ORIGINAL - Clinical File COPY - Offender

EXHIBIT 8

**THERAPEUTIC COMMUNITY BEHAVIOR CONTRACT
LEVEL 4 CLINICAL INTERVENTION.**

I, **Baughman, Candice** DOC # 373374 understand that success in my recovery depends upon my willingness

to make ongoing progress and change to my physical, emotional, social, and spiritual balance.

I will work on the following behaviors to assist my recovery and help me to be a productive member in the Therapeutic Community and in society.

Self-destructive and self-defeating behaviors needing to be changed:

1) **Criminal Code:** Ms. Baughman exhibits behaviors such as sneaky, denial, talking to G.P, negative influence and defiant that are learned behaviors of long term involvement in substance abuse and the criminal lifestyle. These are not considered to be prosocial behaviors that are a part of the therapeutic community.

2) **Attention Seeking:** Ms. Baughman has minimal self-worth which in turn fuels her fear of rejection and failure. Ms. Baughman struggles with doubting herself and being able to see what she can accomplish in her life and in her recovery which intensifies her feelings of low self-worth. She fears the negative things that others see in her and reacts with a negative attitude which is perceived by others as defiant. This also prevents her from recognizing the positive things about herself. She seeks attention from others to validate her insecurities and lack of self-worth.

3) **Impulsive:** Ms. Baughman exhibits a tendency to act on a whim, displaying behavior characterized by little or no forethought, reflection, or consideration of the consequences. These impulsive behaviors are typically inappropriate to the situation that often result in undesirable consequences, which alienate the community members and delay the recovery process.

TIME FRAME for duration of contract: 4 Feb 2019

Corrective actions for my self-destructive and self-defeating behaviors:

1) **Follow all DOC and Chemical Dependency policies and procedures for the duration of this clinical intervention contract. Failure to do so will be perceived as failure to program or refusal to participate and you could be discharged from the Infinity Therapeutic Community long term treatment program. (Due to**

your DOSA sentence you understand that a department administrative hearing will be held and you may be reclassified and serve the unexpired term of your original sentence or you may be referred back to the sentencing court for reconsideration of your sentence.)

2) Write an apology letter to the TC community on your behavior (Criminal Code, Attention Seeking and Impulsiveness) with commitments to change each of these behaviors. Submit to CDP and Present in AM/PM Meeting. **Due 11 Jan 2019**

3) Ms. Baughman will read the handout "Criminal and Addictive Thinking Patterns" she will write a paper discussing what she has learned about her behaviors and the steps she will put into actions to ensure she will "think twice and act once" before she attempts to display those behaviors. Submit to CDP and Share with SD Group.

Due: 11 Jan 2019

4) Ms. Baughman will read and complete the workbook "The Con Game" she will create a list of 15 behaviors she has used in "her con game", she will create 15 healthy coping skills she will put into action in her daily life. She will get together with three people from her C.I. panel and share her list with them. She will ask them to hold her accountable and ensure she is using those newly gained coping skills as and when needed. **Due: 18 Jan 2019**

5) Ms. Baughman will visit and interview all family members. Ask each family member for a positive affirmation for herself and give one to each person. Take notes on each conversation and share in SD group. **Due: 25 Jan 2019**

6) Ms. Baughman will read and complete the following handout "A Different Approach and How to Overcome Instant Gratification" she will journal twice a day (from 25 Jan through 4 Feb). Once in the morning before leaving your room, then again in the evening before going to sleep, you will journal your feelings thoughts and insights. You will not read what you wrote the day prior, you will share with your CDP. **Due: 1 Feb 2019**

7) Continue to work on and submit open individual service plans and complete all phase up work.

8) Utilize your support person and support panel for daily decisions and behavior accountability

9) **Remain infraction free.** (If you receive an infraction your further participation in the program will be determined by an FRMT.)

Continuation of this self-destructive behavior which results in incompleteness of the requirements in this behavior contract, may result in infractions

I have read and understand this behavior contract:

 _____ Date 11/4/19

Community Member Signature
 _____ Date Jan 2019

Staff Signature
_____ Date _____

Classification Counselor or CUS Signature

EXHIBIT 9

Offender Name: Candice Baughman
DOC #373374
Wash. Admin. Code Violation: 762
Hearing Date: March 20, 2019

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4 Hearing Officer: Alright good afternoon, my name is Sherri Ray and I am the hearing
5 officer with the Department of Corrections, I am here today to conduct
6 this fair and partial administration hearing. For the record, could you tell
7 me your name?

8 Baughman Candice Baughman,

9 Hearing Officer And what is your date of birth?

10 Baughman [REDACTED]

11 Hearing Officer DOC number.

12 Baughman 373374

13 Hearing Officer Ok so I have looks like I have four causes, I have cause C 161003952,
14 one out of Lewis for burg 2, residential burg unlawful possession of
15 firearm 2 counts. I have Cause D 161003952 one out of Lewis
16 possession of a controlled substance. I have cause E 1710024321 one
17 out of Lewis, deliver possession with intention. And Cause F
18 1710084921 one out of Lewis for possession controlled substance.

19 As you can see our hearing has been tape recorded so I am handing you
20 an appeals form. There is an address at the bottom for a copy of the tape
21 you request at that address and that is also what we will talk about today.
22 As appeal form. After the hearing you got seven calendar days to fill
23 that out and send that in. OK.

24 Today's date is the 20th the time is about 1:33. We are here at the
25 Washington women's Corrections Center
26

1 For the record my name is Sherri Ray I'm the hearings officer. We have
2 our classification counselor and how do you say your name
3 CC Valerie Gagnier
4 Hearing Officer Gagnier, ok and we have our CD person. and its wal, wal
5 CD Walcott
6 Hearing Officer Walcott and then what is your position, I forgot.
7 Walcott I am a classification counselor.
8 Hearing Officer She is just observing today, ok. And then we have a specialist
9 [inaudible] who is also appearing today. OK. Alright, so everybody that
10 will be testifying today, please raise your right hand. Can you please
11 raise your right hand? Do you solemnly affirm to tell the truth?
12 Yes
13 Hearing Officer Do you solemnly affirm to tell the truth?
14 Gagnier Yes.
15 Hearing Officer And do you solemnly affirm to tell the truth?
16 Baughman Yes.
17 Hearing Officer Thank you, next I'm just going to look at your paperwork. Ok so.
18 Baughman This is what I got, right.
19 Hearing Officer I did not from you, when were you reserved? Because I know you got
20 continued, you asked for a continuance, right?
21 Baughman Yeah I got a reserved on Friday. And I thought I was supposed to be
22 five days before the hearing but they said it didn't really matter.
23 Hearing Officer I explained that rule to you. You have to be served within those five
24 days, so if you were, so as long as it's within five working days. Ok
25 Baughman Ok
26

1 Hearing Officer So as long as you have 24 hour notice that is when, so if you have less
2 than 24 notice then your rights weren't being met. But you have, you
3 were served on Friday today is Wednesday you had more than twenty
4 Baughman three days
5 Hearing Officer yeah. You are within the 5 day period and you were served before 24
6 hours, ok. So that what the rights were on that.
7 Baughman OK. That was explained to me on Friday, so.
8 Hearing Officer So you were served actually on Friday, what was Friday? I just want to
9 count. It was. He didn't give me the second signed copy.
10 Baughman The 15th
11 Hearing Officer Was it the 15th? OK.
12 Baughman Yeah
13 Hearing Officer March 15th ok. I'll go ahead and have you go ahead and sign that you
14 were served on that day. Thank you.
15 Baughman Umm.
16 Hearing Officer so you signed your hearing rights and waiver form, have you had a
17 chance to go through all your paperwork
18 Baughman Yeah.
19 Hearing Officer so I have your notice of hearing rights and waiver form you were served
20 in a timely manner, we went through that. And you were served the first
21 time on February 27th and that hearing was continued.
22 Baughman Yes ma'am.
23 Hearing Officer Ok. So what I have here are initial serious infraction report. And then I
24 have the warrant, a warrant of commitment to the Dep't of Corrections.
25 So now, what I have several judgments and sentences that I have to go
26 through these. So we have the 16521, ok so it looks like it's the same

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cause and two different counts. Ok so I've seen that. A deferred possession of sub and firearms. Resident ok, this is under one cause different counts. You can see in the different counts that have 36.75 and then 27.75, 24 so she is showing on all these counts that you did get a DOSA sentence on those and it says that right here community custody supervision.

Baughman On the next page, right.

Hearing Officer Right, you got that. Ok. Alright so let's look at the 17 cause. Base DOSA sentence also. Community custody and you got 45 months on that and do you understand right here it says you are supposed to undergo and complete substance abuse treatment program. Right.

I have the next part is your drug offender sentencing alternative treatment report. And that was signed on January 3, 2019. Ok, so and I get this drug offender sentencing alternative treatment termination report January 3, 2019. Then I have your substance abuse disorder summary and continuing care plan, signed on January 31, 2019. I have the substance abuse discovery unit treatment termination notice of referral request. Prison offender sentencing alternative agreement signed on 10 excuse me 11/27/18. Substance use disorder group progress notes. Substance abuse disorder treatment participation and requirements signed on 11/27/18. Substance use disorder individual service plan. I have Chronos. Therapeutic community behavior contract. This is the clinical intervention that was done. Signed on 1/4/19. Substance use disorder clinical staffing. Custody review full version. Custody review full version this one was dated 2/14/19. Classification appeal. Looks like this is a note from you.

1 | Baughman | The part of the appeal
2 | Hearing Officer | OK, more Chronos. Ok then we have the infraction summary report.
3 | | And the series of infraction report for that. Another series of infraction
4 | | report, is it the same one? Let's see 12/7 is that one. One for the 709.
5 | | 709 OK. And then offender attendance roster, disciplinary hearing
6 | | notice of appearance and waiver. This looks like the hearing 12/12/18.
7 | | Hearing minutes and findings. Serious infraction report and this is for
8 | | 5/7.
9 | | Sorry am I missing one, this is for 244, 103, 303, 355, 355, 244, 244.
10 | | General infraction report. 355, ok so these are the infraction reports. 244
11 | Baughman | And for the minors that added up.
12 | Hearing Officer | OK. 244, 657, hearing findings for these, 657. Series infraction report
13 | | 103893, 899. Disciplinary hearing confidential checklist, disciplinary
14 | | minutes and find 889, 658, 344, and these are all the infractions and
15 | | reports and the summary [inaudible] and the hearing. [Inaudible] report,
16 | | incident report, minutes and findings on that one, minutes and findings
17 | | on that one, and then general infractions. Ok, so did go through
18 | | everything for the hearing today? Ok, so you are a DOSA, so one of
19 | | your rights today is that you can be screened for an attorney.
20 | Baughman | OK.
21 | Hearing Officer | If you wanted me to do that, I'd ask you a series of questions, I would
22 | | make a determination if I think you are able to represent yourself or if
23 | | there's are any complex issues. Do you want me to screen you for an
24 | | attorney at this time?
25 | Baughman | Um maybe I think I can work with it myself.
26 | Hearing Officer | So you are ok with me proceeding without doing that.

1 | Baughman | Yes ma'am.

2 | Hearing Officer | OK, let me explain how the hearing is gonna go. There's one infraction

3 | | I am going to read to you out loud. At that time all I want you to do is

4 | | plead guilty or not-guilty.

5 | Baughman | The infractions each of them.

6 | Hearing Officer | Just one.

7 | Baughman | Oh the main.

8 | Hearing Officer | Just one the 762.

9 | Baughman | The 762.

10 | Hearing Officer | I'm only here for the 762.

11 | Baughman | Yes ma'am.

12 | Hearing Officer | You are either going to plead guilty or not guilty for it after that I have

13 | | both classification counselor and the CD person that's going to be

14 | | testifying. And they are going to give a statement throughout this

15 | | hearing after they go through their evidence you will have a chance to

16 | | go through your evidence. No there is do you get everything you needed.

17 | Baughman | Yep, I sure did.

18 | Hearing Officer | A bunch of paperwork you needed to go through.

19 | Baughman | Yeah and there is going to be a bunch, did you want to take it with you

20 | | after the hearing?

21 | Hearing Officer | I do have to make copies of everything, I do.

22 | Baughman | Alright.

23 | Hearing Officer | Because they are included in this. Ok so then you get a chance to present

24 | | your evidence. You have a right to question any of their evidence and

25 | | they have a right to question any of your evidence.

26 |

1 Baughman But you want them to go over their whole testimony and then ask
2 questions, right?

3 Hearing Officer They are gonna go through theirs first and then you are gonna go
4 through yours and then we'll have questions afterwards.

5 Baughman ok, got it

6 Hearing Officer you both have the right to call witnesses. So they have a right to call any
7 other witnesses they want to and you have a right to question any other
8 witnesses' testimony.

9 Baughman OK.

10 Hearing Officer And then you have a right to call your witnesses and they have a right
11 to question their testimony also. So both you guys get to question
12 anybody's witnesses. I have to consider what is called hearsay evidence.
13 Hearsay evidence is when someone may say something about you but
14 may not have witnessed what happened. So that's called second-hand
15 information. For me to find you guilty on that I have determine if that
16 information is reliable or credible. And then I make my findings on a
17 preponderance level 51 percent so it's just over half. In a court of law
18 they have to find you guilty beyond reasonable doubt. So you're up in
19 the 90s, DOC down to 51 so you are at the lower level. Ok so do you
20 understand what hearsay and a preponderance is? That I explained to
21 you.

22 Baughman Yes ma'am

23 Hearing Officer If I find you not guilty-to this infraction, I will stop this hearing. If I find
24 you guilty of the infraction we will move on to the dispositional part of
25 this hearing, which is the justment. And I am going to ask that both to
26 tell me how overall they think you adjusted in the program. Then you'll

1 get your opportunity also to tell me how you overall adjusted with the
2 program.

3 Baughman How well did in the program, how well I did, right.

4 Hearing Officer Yep, yep then the last part of the hearing I'm going to ask the
5 classification counselor for a recommendation, I'm going to ask you for
6 a recommendation and then I'll make a final decision. Now do you have
7 any questions about the process?

8 Baughman No. ma'am.

9 Hearing Officer So do you have any other witnesses you are going to call on today?

10 Gagnier we may call on CS Michelle thrush and she'll be available by phone.

11 Hearing Officer OK. You let me know if you want to call her

12 Gagnier and also um correction specialist 3 Judy Patton who is our TC program
13 manager, again by phone.

14 Hearing Officer OK. Any witnesses you want to call today

15 Baughman um, I saw a Dr. Johnson, Mental Health counselor at Mission Creek I
16 would like to talk to her or call her.

17 Hearing Officer Is that person available?

18 Gagnier I'm not sure but her name is Viola Johnson if you try to call her, she is
19 a clinical psychologist at Mission Creek. She was at the facility today at
20 least before we left down here.

21 Hearing Officer If you want me to do that we will attempt to do that, ok.

22 Baughman great, I also there is a in the medical part of mission creek there was a
23 couple of nurses and a doctor that saw me of an IPU visit. And I would
24 like to get someone from the medical staff there, if we could get
25 someone from there that would be great

26 Hearing Officer How long ago was that?

1 Baughman Um I have the dates, I could look, but it was right, it was in December,
2 so it would be the same. Um I want to say it was December 21st, around
3 there, it was about a week.

4 Hearing Officer Would they be able to talk to me? Do you know?

5 Gagnier I don't know because Mission Creek doesn't have an IPU unit, they have
6 a clinic but it's not an inpatient unit. And I'm sure we would be on staff
7 at the time she is talking. We recently got a new medical provider within
8 the last couple weeks.

9 Hearing Officer So they come to the facility, they don't work there?

10 Gagnier I'm not sure about the person she may be talking about. We now have
11 an assigned medical provider that does working at the facility and our
12 nurses are assigned to the facility.

13 Hearing Officer OK

14 Gagnier But I'm unsure who she would have seen cuz its.

15 Baughman It should have been every nurse that is there.

16 Hearing Officer We can call em and see if anybody is available.

17 Baughman OK.

18 Hearing Officer Alright, I'm going to go ahead and read the infraction. This is a 762, it
19 says a failure to complete or being administratively terminated from the
20 DOSA program on January 31. How do you plea on that?

21 Baughman Not guilty.

22 Hearing Officer So, qualification counselor do you want to take a start off.

23 Gagnier Yes.

24 Hearing Officer Do you want to read the series infraction report first?

25 Gagnier Yes. On 1/31/2019 offender Baughman, Candice DOC #373374 was
26 terminated from DOSA required substance abuse treatment program

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which is a WAC 762 violation. Offender Baughman demonstrated a continual pattern of behavior issues after unsuccessful interventions and failed to make progress toward her treatment goals that were determined by her primary chemical dependency professional Avis Walcott and were staffed with their supervisor therapeutic community program manager Judy Patton. These expectations are identified in policy 586.55, special drug offender sentencing alternative. DOC 14-042, prison drug sentencing alternative agreement and DOC 14039 substance use disorder treatment participation requirements. Offender Baughman is in violation of the following treatment participation requirements. Refrain from any and all criminal activity including behaviors that may result in infraction, attend all regularly scheduled and individual and group treatment sessions and failure to abide by the expectations outlined. Offender Baughman has violated her DOSA agreement in the following ways. A lack of progression toward the goals of the treatment plan and any major infraction that caused a change in custody level or the violation of conditions in the current DOSA agreement or doc 14039, substance use disorder treatment participation requirements. Offender Baughman arrived at Mission Creek Correction Center for women on 6/25/18. On 11/27/18 she was admitted into the therapeutic community treatment program 3.3 level of care. Offender Baughman signed 140.39 substance use disorder participation requirements and DOC 14042, prison drug sentencing alternative agreement upon admission to the therapeutic community treatment program. Offender Baughman signed that she agreed to complete her individual service plans and actively participate in treatment. On 12/7/18 Offender

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Baughman was placed in the secured housing unit pending investigation into the events that took place in the multipurpose room earlier that evening between Offender Baughman and several other offenders. When I spoke with Offender Baughman in the secured housing unit on 12/11/18 as part of my collateral duties as Segregation Hearings Officer. We discussed the treatment participation requirements she signed when she was admitted TC and how her actions could result in termination from the program if she were found to be in violation. Upon conclusion of the investigation on 12/11/18 offender Baughman received serious infraction of WAC 709, out of bounds of being in another offender's cell or being in an area of the facility with one or more offenders without authorization. For an incident of her entering into the multipurpose room while class was being conducted that she was not on the call out for. Offender Baughman's hearing took place on 12/ 14/18 and she was released from the secured housing unit back to mission unit where the therapeutic community treatment participants are housed. From 12/19/18 until 12/24/18 Offender Baughman was at WCCW due to medical needs which pose the staffs ability to address her behavior. On 1/4/19 offender Baughman began clinical intervention to help adjust her self-defeating behaviors. A clinic intervention is the highest level of therapeutic intervention. Referral to a clinical intervention is a result of failure to demonstrate progress through the PAG process or through a violation of TC rules. A learning contract was written and signed by Offender Baughman. A clinical intervention identified the following self-destructive self-defeating behaviors. Criminal code attention seeking and impulsive. The contract states that Offender Baughman is

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to follow all DOC and chemical dependency policies and procedures for the duration of the clinical intervention contract and that failure to do so would be perceived as failure to program or refusal to participate and could result in discharge. At the time of CI's initiation it was known that offender Baughman was pending 3 serious infractions. In WAC 658 for failing to comply with an administrative or post hearing sanction will pose committing any violation. WAC 657 being found guilty of four or more general violations arising out of separate incidents within a 90 day period and WAC 893, damaging or altering or destroying any item that results in the concealment of contraband or demonstrates the ability to conceal contraband. These are the only infractions Offender Baughman reported to staff. On 1/7/19 MDFRMT met with offender Baughman to discuss her continued placement at Mission Creek as she has lost custody points and now supports 52 which is medium custody. Offender Baughman was awarded an override in an attempt to retrain her admission Mission Creek Corrections Center For Women so that she may continue to participate in DOSA required treatment through the therapeutic community. At the time of MDFRMT it was told to Offender Baughman that any further infraction could result in termination and that she was expected to remain infraction free. On 1/8/19 Offender Baughman had a disciplinary for WAC 657 and WAC 893. She was found guilty of the 657 and not guilty of the 893. On 1/10/19 offender Baughman received a serious infraction for WAC 889, using facility phones and information technology resource systems or related equipment without authorization. This infractions stems from an incident that occurred on 12/21/18 while Offender

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Baughman was at WCCW for medical needs. The infraction reports that offender Baughman was overheard on the phone with Offender Deutsch who was currently housed at Mission Creek. Both offenders had arranged to have the person they called put their cell phones close to each and on speaker so that both offenders can conduct an unauthorized offender to offender communication doing a three way call. While the incident happened prior to the CIs initiation, Offender Baughman had not disclosed this behavior to staff despite being given the opportunity both during her CI process and the FRMT held on 1/7/19. On 1/15/19 Offender Baughman received a serious infraction for WAC 725, telephoning or sending written or electronic communication to any offender in the correctional facility, directly or indirectly without prior approval of the superintendent community correction supervisor or designee and WAC 889, using facility phones information technology based systems or related equipment without authorization. In this instance Offender Baughman had admitted to staff to making unauthorized offender to offender communication through a three-way phone call with Offender Deutsch on 1/7/19 while both were housed at Mission Creek. She had also admitted that she and Deutsch were passing notes to each other. Additionally, when I spoke with Offender Baughman on 1/25/19 while she was housed in the secure housing unit, she admitted to me and correctional program manager Beth Riddleman that she had made an unauthorized three way call while she and offender Deutsch were housed at Mission Creek after the start of her clinical intervention contract. On 1/23/19 Offender Baughman had a disciplinary hearing for WAC 658 and was found guilty. Offender

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Baughman was found guilty of WAC 752 and WAC 889, on 1/24/19. No appeals have been reported for any of her infractions. The accumulation of her serious infractions the 709 the 889 and the second 889 resulted in the total loss of custody points and a custody score of ten which is medium custody. Offender Baughman was not awarded a second override to maintain her at Mission Creek Correction Center for Women. There were safety and security concerns regarding her infractions as well as a repeated pattern of non-compliance despite multiple intervention strategies. On 1/31/19 the substance abuse recovery unit served Offender Baughman a notice of termination as she was administratively terminated from treatment. SARU advised is no appeal due to demotion in custody. Offender Baughman's pattern of behavior led her to receive multiple minor and serious infractions as well as two secured housing placements. These infractions hindered her ability to participate in TC programs causing a failure to make progress in treatment. Finally Offender Baughman's repeated infraction behavior caused her to loose custody points demote to medium and transfer to Washington Correction Center for Women.

Hearing Officer

OK. So would you say that the 709, the 889 and the second 889 would have violated her contract is what got her terminated, is that correct, or is there more to it than that?

Gagnier

So in anytime we are looking at custody points a serious infraction impacts your points for a total of six months. So realistically all the serious infractions contributed to the demotion. I would say that based on my professional experience it was the two 889 infractions in particular that caused us to not to recommend a second override because

1 of the safety and security implications of one inmate using a state
2 provided phone to conduct an unauthorized phone call with another
3 inmate. In the first instance, if you look at the infraction report there is
4 a an incident report where the officer overheard

5 Hearing Officer Wait, I'm going to take one step at a time. I was just curious why
6 [inaud]. Ok so, do you cuz we gotta get to the infractions and we'll get
7 into all that. But um, do you want to go next with the CD or do you want
8 to go straight to the infraction? Where do you guys want to go next?

9 Gagnier Let's go to the CD.

10 Hearing Officer So we are going to go ahead with the chemical dependency treatment
11 discharge report, is that where you want to go to?

12 Walcott Sure.

13 Hearing Officer OK. Let me get to that hold on. Ok

14 Walcott Miss Candice Baughman DOC #373374 Mission Creek. The date
15 admitted to treatment was on the date 27th day of November 2018.
16 Termination date was 31 January 2019, level of care was 3.3 group
17 participation throughout treatment was while participation was minimal.
18 She attended two self-discovery group sessions but a lack of attendance
19 was due to being an issue. Segregated housing unit from 9 December to
20 16 December 2018 and then being sent to WCCWs inpatient unit from
21 17 December to 24 December 2018. On 30 November 2018, this was
22 her first group attendance but participation was minimal. she shared that
23 she was not sure she made the right choice to come to therapeutic
24 community therapy, she discussed how she really missed her friends in
25 the general population and on 6 December 2018, Miss Baughman had
26 been in TC for about a week but participation in this group was minimal.

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She discussed her infractions indicating where the problem starts. On 4 January 2019 she missed therapy group due to [inaudible] intervention. Completion of group assignments and goals, objectives and individual service plan was proudly participated in creating two individual service plans and signed it, agreed to complete the assignments associated with the goals and objectives, two individual service plans attached with the assignments. She did not complete the assignments month of January 2019. Clinical interventions contract and outcome. Before January 2019 clinical staff discussed Ms. Baughman’s behavior about the community program the timeline attached [inaudible] violation related to her focus prequal to TC program and DOSA. Ms. Baughman was placed into clinical intervention on 4 January 2019 after a facility risk management team was called with custody’s unit sgt [inaud] with classification counselor and chemical dependency counselor, primary counselor. This contract is the highest level of intervention for self-defeating behaviors to date in the therapeutic community. Based on Ms. Baughman’s ability to demonstrate progress as an intervention to maintain her [inaud] due to her infraction. She entered the TC program from general population with pending infractions. She was given an override so she could enter the TC program. Ms. Baughman was informed she will need to ensure that she follows every rules and regulation so she doesn’t get an infraction that may jeopardize her DOSA as well as her treatment at the TC program. Ms. Baughman was given another override to remain in the TC program to allow her to fulfill the DOSA requirement. On 1 December 2018 she was seen by another offender talking to GP she was

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confronted and informed as part of the TC program and one of the stipulations is to not to talk to GP. The following day she did the same thing, talk to, GP within four days of being in TC, she received an infraction 244, displaying sexual with another offender. On 6 December 2018 she received another infraction 244 and the following day she received an infraction 709, out of bounds being in another offender's cell or being in an area that the facility with one or more offenders without authorization. Two days later 9 December 2018 she was placed in a SHU, segregated housing unit. Ms. Baughman was in the SHU from 9 December 2018 to 16 December 2018. This interfered with her participation in the TC program which hindered her from gaining or making any progress. 17 December to 24 December 2018 she was placed she was in the inpatient unit at WCCW, again hindering her progress. Early December 2018 she received an infraction 351. Two days later 1 January 2019 she received an infraction 351 – giving, selling, purchasing, barrowing, lending, trading or accepting money or anything in value except through channels, the value of which is less than \$10. On 10 January 2019 she received two infractions 725, telephoning or sending written or electronic communication to an offender in a correction facility directly or indirectly without prior written approval of the superintendent, community correction supervisors, or designee. And 89, using facility phones information technology resources system or related equipment without authorization. While on self-confinement as well as when she was off self-confinement she would have pen use, take notes to other offenders, she would have offenders microwave food for her or bring her hot water.

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Ms. Baughman manipulated others in the community to get what she wanted, using her canteen as payment. Ms. Baughman’s self-defeating behaviors have left her CI [inau] self-sabotage disrespect talking to general population unable to set up the boundaries co-dependency, sneakiness, compulsiveness, criminal code, and lack of responsibility and compliance. Ms. Baughman failure to demonstrate progress, lost the custody level and her continued use of self-defeating behaviors justified the infraction she received. Despite the various therapeutic interactions with staff, Ms. Baughman verbalized her desire to be in treatment however her actions depict reluctance and her determination to potentially sabotage her treatment. Violation of DOC 143009 substance use disorder for treatment participation requirement and/or DOC14- 442 prison drug sentencing alternative agreement. The facility risk management team meeting and clinical intervention had difficulties with her behaviors which led them to be placed in the SHU, hindered her from making progress change her self-defeating behaviors. Ms. Baughman’s failure to demonstrate progress loss of custody level and continued use self-defeating behaviors justify the infraction she received. The therapeutic community model is to provide participants with the education, tools, and skills to be able to live in the community while being incarcerated. Maintain the structure they have agreed to upon entering the program. Ms. Baughman signed the participation the following day and the DOSA agreement upon admission. Ms. Baughman demonstrated her unwillingness to gain the skills because of her behavior which led her to miss out on most of the education being offered to her. Ms. Baughman is in violation of the following: treatment

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participation requirement signed by Ms. Baughman on 27, November 2018; refrain from any and all criminal activity including behaviors that result in an infraction; attend all regularly scheduled individual and group treatment sessions, unexcused absences will result in an infraction and may result in the termination from treatment. Protocol for administration termination from the treatment, you are to abide by the expectation outlined above. DOSA agreement signed by Ms. Baughman 27 November 2018, has the following violation: after alternative to retain you in the program have been addressed and has been concluded termination and support that you may be administratively terminated from DOSA substance use disorder treatment program has been determined and documented by the primary counselor and based on a continual pattern of behaviors issued an unsuccessful responses to interventions. A lack of progression towards of the goal of the treatment plan have been determined by the CD and staff with their supervisor. Any major infractions that causes a change to the custody level or a violation of conditions per this agreement DOC 14-039 substance use disorder treatment participation requirements.

Hearing Officer OK. Did you want to say anything about the substance summary on that page or does that pretty much cover what you have already covered?

Walcott Yes.

Hearing Officer OK. Do you have anything further about the chemical dependency part? Alright, so now we have to get back to her case. I understand that she had several behavioral infractions and you guys gave her an override put on her clinical intervention plan on January 4th and then after that she had the three we were talking about. Correct?

1 | Gagnier | Yes.

2 | Hearing Officer | which I wrote down, the three are the 709, 889 and 889, correct?

3 | Gagnier | Yes

4 | Hearing Officer | And the result with those infractions what got her terminated from the

5 | | program while she was on the contract, right?

6 | Gagnier | Those were, so one of them the 889 and the 725 were all on the same

7 | | infraction report and so those were kind of like the last straw, so to

8 | | speak.

9 | Hearing Officer | So there was a 725, I wrote 709, it's 725

10 | Gagnier | Yes. She did get a 709, but that was before the clinical intervention.

11 | Hearing Officer | OK. So that is what I wanted to know, after the clinical intervention.

12 | | What is the behavior that got her terminated?

13 | Gagnier | So she has two 889s

14 | Hearing Officer | OK.

15 | Gagnier | And a 725.

16 | Hearing Officer | OK. So let's go to the infractions, those ones we're looking at, those that

17 | | got her terminated, correct? OK.

18 | Baughman | And so be quiet. Right.

19 | Hearing Officer | You're doing their part.

20 | Baughman | Sorry.

21 | Hearing Officer | OK. The clinical intervention, is there anything on here that you guys

22 | | want to discuss?

23 | Gagnier | Um

24 | Hearing Officer | that we are missing

25 | Gagnier | the missing piece of the clinical intervention worth mentioning is, uh,

26 | | and you have it, Dan.

1 Dan Sure.

2 Gagnier Let's see. At the bottom of the first page under corrective actions for my
3 self-destructive and self-defeating behaviors. Number 1 says follow all
4 DOC and chemical dependency policies and procedures for the duration
5 of this clinical intervention contract, failure to do so will be proceeded
6 as a failure program or refusal to participate and you could be
7 discharged from the Infinity therapeutic community long-term
8 treatment program. Due to your DOSA sentence you understand that a
9 department administrative hearing will be held and you may be
10 reclassified and serve an unexpired term of your original sentence. Or
11 you may be referred back to the sentencing court for reconsideration of
12 your sentence. And in that paragraph or that bullet point right there. It
13 speaks to that Ms. Baughman was very much aware of her behaviors
14 were leading into a destructive area and that should she violate the terms
15 of this contract, which she did then go on and receive the major
16 infractions while under this contract, it could result in termination.

17 Hearing Officer OK. So do you guys want to first talk about the 725 and the 889?

18 Gagnier Actually the first one I would like to talk about is the 889 with an
19 infraction date of being on 12/21/18.

20 Hearing Officer OK. So let me get to that. Hold on.

21 Gagnier Infraction group 17.

22 Baughman So that wouldn't matter that was from my CI, this behavior.

23 Hearing Officer So, is that the one where you are saying she didn't report it.

24 Gagnier Correct.

25 Hearing Officer so got the infraction prior to the behavior contract and that she didn't
26 report the.

1 | Gagnier | Right.
2 | Hearing Officer | Do understand what that's saying?
3 | Baughman | Right.
4 | Hearing Officer | OK
5 | Baughman | I think so, but still the behavior was before the CI right, so it doesn't
6 | | count as an infraction after the CI, right?
7 | Hearing Officer | but what they are saying you weren't upfront with them when they put
8 | | on the contract about that infraction.
9 | Gagnier | Correct. And during the FRMT when we discussed behaviors and we
10 | | discussed the 3 infractions that you knew about, that you told us, but not
11 | | this one.
12 | Baughman | the FRMT I actually disclosed that there was communication between
13 | | me and that offender that um there was notes all that kind of stuff. But
14 | | because they didn't specifically state them all you could have got me for
15 | | a ton of different things before the CI. Just because I didn't state that
16 | | one and then got an infraction for it. I could have gotten infractions for
17 | | letters that I disclosed during that FRMT, I could have got an infraction
18 | | for tons of things, I mean meeting at the NA and the AA I disclosed
19 | | during the FRMT, I disclosed that there was a lot of um communication
20 | | between us and I disclosed in the FRMT and you guys said ok as long
21 | | as everybody stops it from here and you stop that behavior right and so
22 | | realistically I did disclose that, I just didn't know that they were going
23 | | to specifically give me an infraction for that one incident. Because they
24 | | could have given me infractions for the notes that I wrote before the CI.
25 | | You could have given me infractions for quite a few things, and so I
26 | | remember Judy Patton being there to and me saying there was a lot of

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interaction between me and Tara before the CI, and so just from here on out as long as anything doesn't happen, so I don't know if that infraction matter I mean because it was before the CI and the contract specifically states no behaviors after the CI so I don't know if that infraction should be specifically counted as being made after the CI.

Gagnier So very specifically in the FRMT that I participated in the only infraction was that status being wrapped into the clinical intervention were the 658, the 893 and the 657. Those are the very specifically the ones that are in the FRMT [inaudible] said, those will all be a piece of the discipline of your intervention. At no time did I hear you say I made a three way phone to Offender Duetsch while I was in the IPU at WCCW.

Baughman Well how was I gonna know that I was gonna get an infraction for that behavior? I said several things that we had contact, and I mean you guys you didn't give me an opportunity to write down a whole bunch of things, I mean I disclosed that we were communicating and don't know if I could say at that point, I'm gonna get an infraction cuz I had no idea that that was coming. Does that make sense? Just like I said there was notes back and forth. I didn't know if I was gonna get an infraction for that either. So I disclosed the communication between me and her. And that I had made several mistakes and that I was continuing to do that before the CI. I didn't made that statement.

Hearing Officer OK. I got what you're saying. We're still gonna get into this, then get into that since we are ahead of the thing, but ok. What is the date again of the infraction?

1 Gagnier The date of the infraction 12/21/18 and on the top left hand side it say
2 infraction Group 17. It was this one.
3 Hearing Officer OK. So am I are we not there yet.
4 Gagnier I not the part of the 657 that you're looking at
5 Hearing Officer Keep going.
6 Gagnier Yep, there's 14, 17.
7 Hearing Officer OK. Thank you, are you where we're at 17
8 Baughman Yeah. I am getting there. Yep got it
9 Hearing Officer Got it
10 Baughman Uh huh
11 Hearing Officer OK, go ahead
12 Gagnier So in this situation um the infraction writer writes I was assigned to
13 conduct a fact finding in regards to offender Deutsch, T. 310701 who
14 was overheard in a conversation with another person, who appeared to
15 be Offender Baughman C, 373374 while housed in WCCW on
16 12/21/18. On January 7 2019 at approximately 1200 hours while
17 conducting my investigation I overheard Offender Deutsch in a
18 conversation with Offender Baughman through a phone number 360-
19 388-8707 on 12/21/18, at 19 hundred hours. I also overheard Baughman
20 in a conversation with Offender Deutsch through a phone number
21 360-463-4677 on 12/21/18 at 1855 hours. Both offenders arranged to
22 have the person they called put their cell phones close to each other and
23 on speaker so that both offenders can conduct an unauthorized offender
24 to offender communication through a three way call. It was confirmed
25 that both offenders were having a conversation about getting into the
26 same class when Baughman comes back to Mission Creek. Baughman's

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bed being saved Deutsch planning on getting demoted if Baughman doesn't come back etc. this serves as a summary of confidential information.

Baughman

And I would like to just point out that the date is 12/21 that that was done that was definitely almost two weeks before my CI was ever put in place and second that I was actually more consumed about my bed being saved that I didn't want to lose the program, that I wanted to stay in TC that I like the program and I wanted to be a part of that. The other one is um, about us being in the same class. That isn't possible, so I'm sure that you know, listening to it, you know you have a little bit of discrepancies but um, just you know, there's a couple things there like there's no way to be in the same class, I was in TC and she was in general population so just little tiny discrepancies but most of that I agree with but I was very concerned with staying in TC and actually in the next one it says that. That I was Baughman wanted to make sure that my bed was saved. I wanted to make sure that my bed was saved and my property was still there and that is what she actually told me that another offender, on the third page. It says Alisha said your bunk is open and your property is in the unit. So the biggest thing I was scared of I was worried that I was gonna end up staying at WCCW and I wasn't gonna be in the TC program there.

Hearing Officer

So you called her for those reasons but you just pointed out.

Baughman

Yeah

Hearing Officer

Did you understand though that you weren't supposed to call her without permission.

Baughman

yes, ma'am, I do understand that.

1 Hearing Officer And I get what you're saying I heard that you saying that you told them
2 that you have had contact with other offenders.

3 Baughman Right.

4 Hearing Officer But they're saying that as for the infractions themselves you did not
5 relay it. After you found out about this infraction, did you relay it then?

6 Baughman Yes, yes I did. Actually and it shows that in the next 889, I said hey,
7 whoa I forgot I like I didn't know I was gonna get this infraction I
8 explained that to you that we were having communication and here is
9 another one actually that might come up and um they don't actually have
10 any confidential information for that specific infraction, they actually
11 found me guilty just on my own self disclosure. So it wasn't like I was
12 trying to hide that or be sneaky and it that from them. I actually came
13 right to the and you'll read that in the next 889, 725, that I actually came
14 forward and said that.

15 Hearing Officer But when you were put on the CI contract did you get this particular
16 incident at WCCW, did the three way call, did you admit to that to them.

17 Baughman What do you mean like when I had my FRMT?

18 Hearing Officer When they asked you. Did, do you have any other infractions?
19 Communications did you admit to this particular incident. Did you say
20 you were just having communication?

21 Baughman Yeah I said that I communicated with Deutsch everyday. That we said
22 notes phones call everything that we were having constant
23 communication that we were even meeting, I told them in the FMRT
24 that we were even meeting at out house meetings and church.

25 Hearing Officer And she relayed this incident the three way call at WCCW, when you
26 guys talked about the contract.

1 | Gagnier | Ms. Baugman never told me about a three way phone call at WCCW.
2 | | But I was also not present when the CI was established.
3 | Baughman | I didn't specifically say "I made a three way call with Tara on this day
4 | | and this time." Don't get me wrong, I can't remember everything, but I
5 | | did specifically state that we were having constant communication and
6 | | that I had made several mistakes and that I knew it was wrong and on
7 | | my CI I was not going to do that anymore and there was not going to be
8 | | anymore communication.
9 | Hearing Officer | OK. So now let's talk about after the CI, it's the next one.
10 | Gagnier | I actually have a couple more to add to this one, if I may.
11 | Hearing Officer | Go ahead.
12 | Gagnier | So when Ms. Baughman said that they are not allowed to be in classes
13 | | together, that's not true, they do have outside classes, outside of the TC
14 | | program that are offered through Tacoma Community College for
15 | | people who enroll, is through associate of science degree for business
16 | | technology classes.
17 | Baughman | I wasn't taking any classes.
18 | Gagnier | And so. The well no, you were at WCCW so you couldn't have enrolled
19 | | in those classes.
20 | Baughman | I would not have enrolled in the next quarter of classes because of TC.
21 | Gagnier | But specifically the incident report that initiated the investigation into
22 | | this three way phone an officer overheard Offender Deutsch at Mission
23 | | Creek. Such as I got into school so we can go to school together, she
24 | | said your bunk is still open and your property is still in the unit such as
25 | | Ms. Baughman has admitted to and that when Ms. Deutsch was
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confronted about it, she lied about and said that she was speaking with somebody at ADHS in Spokane.

Baughman That would make sense.

Gagnier That concern is what initiated this investigation into the three way phone call. There is a more significant security implication in using a phone to call another inmate than being at the same facility being in physical contact with each other, maybe talking to each other or maybe passing a note. The concern is that their phone calls are monitored for a reason for the safety and security of facility offender's staff and the community. And so when there is somebody who's willing to skirt those safety measures to be able to conduct their own business that's why it's a major infraction 889 as opposed to a 103, which is failure to follow written rules and procedures.

Hearing Officer OK.

Gagnier So that was the bigger piece of it.

Baughman And we talked about that at my CI definitely and I understood the severity of my actions and I thank them for letting me part of the CI and having that intervention. I never said that it wasn't a security issue the only thing I'm saying is that it happened before my CI. Once my CI happened I only received one major infraction which I self-disclosed and I feel like I was making progress at that point because after that it was another two weeks I didn't receive a single infraction, I didn't have any problems. And so, that's the only about this specific infraction is that it did happen before my CI. I was learning something from the program, I was making progress I was going to classes and then after having a little meeting with Walcott and Judy Patton, they

1 recommended that I go to mental health counseling because of a death
2 and that that was probably why I was trying to keep this contact with
3 this other offender. And I wasn't going to make any more contact with
4 general population after that point and then after I got on my CI.

5 Hearing Officer OK. Wait you are ahead of me. Hold on.

6 Baughman That's the only thing, nothing ever happen it happened on the 21st,
7 which is two weeks before I had any intervention, I had never had a
8 meeting. I had never met Ms. Patton before that date on this date, I never
9 met Ms. Patton. I had never had a one-on-one with

10 Hearing Officer OK. Ms. Patton is who one you talked to, so we could call her.

11 Gagnier Yes, absolutely.

12 Hearing Officer OK. We can do that.

13 Baughman Cuz, I never.

14 Hearing Officer [Inaudible] but I mean it did say that when you applied you were
15 speaking someone there at ABHS why would you do that.

16 Baughman Well, that wasn't me. Deutsch said that.

17 Gagnier That was the person that she had called.

18 Baughman And to show even more I even pled guilty to this because I did say that
19 there was, you know.

20 Hearing Officer I see that you pled guilty.

21 Baughman So it wasn't like I was trying to be sneaky. I asked if it could be because
22 I was told that um you could have a minor infraction for a three way call
23 and so of course I asked that. Why wouldn't I. Right, I mean I admitted
24 it, I came out with it, so I thought,

25 Hearing Officer OK.

26 Baughman I had no idea. That is what they explained to me at the hearing.

1 Hearing Officer Anything more you would like to discuss about this one. Anything more
2 about on that one?
3 Baughman No, just that it happened before my CI and that is a substantial point it
4 was done before my CI. It wasn't a behavior after my CI, which I was
5 making progress once I was put on my CI.
6 Hearing Officer OK. Let's move onto the next one.
7 Gagnier The next one is infraction number 19 and the report day is 1/10/2019.
8 Baughman This is the fun one.
9 Hearing Officer OK, she dated 12/21, infraction four.
10 Baughman It's at the very end.
11 Gagnier This one.
12 Hearing Officer Go ahead.
13 Gagnier OK. The infracting staff writes on jan 10 2019 at approximately 1655
14 hours, I officer Owens, Rebecca had a conversation with offender
15 Baughman, Candice, 373374 regarding her placing phone calls to
16 Offender Duetsch, Tara 310701 via third party, Offender Baughman
17 was upset that hearing Offender Duetsch had received an infraction.
18 Offender Baughman asked to speak with me and offender Christopher,
19 Susan, 379334 in private. Offender Baughman said she wanted to be
20 honest with me. Offender Baughman admitted to having a third party
21 phone call with Offender Deutsch on January 7 2019 or January 8 2019
22 using Mike, her husband to help with the third party. At approximately
23 1900 hours I was told by Officer Ross Collin that Offender Deutsch
24 wanted to talk to me. At approximately 1933 hours myself and Officer
25 Ross went into the counselors office in fair unit with Offender Deutsch.
26 Offender Deutsch gave me a green folder that has Offender Baughman's

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name on it and a TC sticker on it that says “TTL phase one, self-enrichment.” Inside the folder are offender to offender notes, Offender Deutsch stated that these notes are from this week from Offender Baughman. Offender Deutsch said that they were using offender Richo, Yvette, 337495, who released on 10/29/18 to place third party phone calls. Deutsch said they talked to each other on the 7th around 7 pm using phone number 360-348-6648. Both offenders admitted to me throughout the conversation that they had used the phones to able to talk to each other via third parties and that they are passing notes through the kitchen and the gym. After reading through some of the notes, I was able to determine most of them were written after January 4th. Offender Baughman refers to being put on a CI in TC and that took place on the 4th. Offender Deutsch also admitted to having offender Baughman’s wedding ring which had been taken by an officer. The wedding ring is in the bear unit contraband locker.

Hearing Officer OK. So this was all self-disclosed

Baughman Yes, ma’am. And this was after the CI, it was actually, I want to say 3 or 4 days, it was on the. She wrote it on the 10th but it was actually on the 7th I self-disclosed. Right. I want to say the 10th.

Gagnier the conversation happened on the 10th but the behavior happened on the 7th or 8th with Offender Deutsch.

Baughman Right. And the infraction written on the 15th. Um sorry. And um, right, so pretty much I said hey wow, there’s these three way phone calls and I don’t want to get in trouble and um I was already on the CI and I think specifically this behavior shows my progress in TC. The therapeutic community philosophy says that were supposed to nurture community,

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that nurture's honest respectful responsible and healthy living environment. When I came forward to Ms. Owens with my TC sister Susan Christopher, I was being honest I came up front and I said hey this is what is going on. I took responsibility for my actions and I um when I had the hearing Mr. Anderson specifically there's some things in here after my self-disclosure, Ms. Deutsch said some things to Ms. Owens that I didn't agree with. First of all, Ms. Walcott is there a TTL phase one, self-enrichment class in TC.

Walcott

No

Baughman

It's actually called transitions to life. And transitions to life is a different class that you take and it doesn't have anything to do with TC. And I actually I think I have the um, I thought I brought. I got like a little certificate and it was before I was ever in TC. So first thing that's not a TC folder. She received that Ms. Deutsch had that folder from me before I even entered the TC program and you can look at my file or whatever. I did TTL which is transitions to life phase one back in October of last year. So it was before I ever entered TC. Second of all here it says fact finding during the hearing. One of my big things with Mr. Anderson was that these notes were not written after the 4th, after my CI. And I asked him to read those notes and because of that, he specifically stated on here for me that notes were in before the 4th when I was put on the CI because he read through those notes and he was willing to put that.

Hearing Officer

Yeah, I was gonna ask cuz there's two parts there's the notes and then there's the phone call.

Baughman

Right, so the phone call, right, I'm not disputing the fact that I came forward and said I made a phone call after the 4th and the reason I don't

1 know if that really matters. The reason why I asked for that phone is
2 because I was still having problems with Deutsch contacting me in the
3 kitchen and I said hey I'm on a CI and I need you to leave me alone.
4 And um they never actually looked at the phone call or listened to it so
5 I don't have that prove but I came forward with that and that is the
6 biggest thing. The second thing that I worried about on here was that it
7 said I hope these aren't after the 4th and Ms. Owens specifically said
8 that and that is when I asked Mr. Anderson during my hearing, that I
9 said can we read over those notes. First of all that is not a TC folder and
10 second of all those notes were not written after the 4th and he put that
11 down there at the fact finding during hearing. It should be right there,
12 on that first page, right here.

13 Hearing Officer These were written before the 4th.

14 Baughman Right.

15 Hearing Officer Is that your statement?

16 Gagnier That line indicates that was her statement during the hearing because it
17 said "did the offender make statement after being informed of their
18 rights. Yes, if so what was it.

19 Hearing Officer So that is you telling them.

20 Gagnier That what she's reading.

21 Baughman Yes and that is what we had talked about and I even pled guilty and that
22 was the only thing I had to say.

23 Gagnier The decision piece is where the hearings officer entered in his findings.

24 Baughman I was found guilty and that is why I asked him to write that in there. On
25 the next.

26 Hearing Officer So your standing of the notes

1 Baughman Well he read them with me, I don't know if that matters I don't know if
2 you can get him on the phone. But he read over the notes with me and
3 he wrote in here, you can even see where he marked off some stuff a
4 couple pages back where we were going back and forth. I said can we
5 just read them. He said the 889, the folder notes. And I pled guilty to it.
6 Gagnier What she is talking about is the hearing summary where he is listing out
7 her statement.
8 Baughman Right here.
9 Hearing Officer OK.
10 Baughman I never said that I didn't make that phone call, I came forward with it I
11 was using my skills that I learned in TC to come forward and be honest
12 and responsible for my actions. It was the fully hardest thing I have ever
13 done. I had a SD group with Ms. Walcott and I expressed that to my
14 whole SD group. The fact that it was the hardest thing coming forward
15 and saying hey there was this issue, I did this and I um. Walcott said
16 that was substantial, she used a specific word said that was a big deal
17 that you were, that you were, you noticed that you had a criminal code
18 and that you didn't want to admit things wrong, coming forward to like
19 a correction officer and saying that you were wrong about something is
20 really hard to do actually a big deal. And I expressed that during my SD
21 group on the 18th.
22 Hearing Officer So, you are saying you admitted to the infraction?
23 Baughman And I took responsibility for it.
24 Hearing Officer 725, there was phone written, so that's when you used the three way
25 phone thing.
26 Baughman Yes ma'am.

1 | Hearing Officer | And the 88.

2 | Gagnier | And the 725 corresponds with the notes, the 889

3 | Hearing Officer | OK.

4 | Gagnier | The 889 corresponds with the phone.

5 | Baughman | I thought it was the other way around. I thought the 725 was the call,

6 | | the 889 was the.

7 | Hearing Officer | Well, he found you guilty. Or he or she whoever.

8 | Baughman | Unlawful phone resource assistance. Right

9 | Gagnier | I mean realistically

10 | Baughman | I pled guilty, he didn't have to find me guilty.

11 | Gagnier | And the phone call, but the 889 is specific to the phone call.

12 | Hearing Officer | Alright

13 | Gagnier | And regardless upon admission the phone call happened January 7th

14 | | which is the after the 4th after the start of her clinical intervention. And

15 | | this information was also reaffirmed with myself and our CPO when we

16 | | did the self [inaudible] visit while she was in secured housing.

17 | Baughman | I agree.

18 | Gagnier | Where she said "I did make that phone call at the start of my CI and it

19 | | was because I needed to cutoff this toxic relationship."

20 | Hearing Officer | OK

21 | Gagnier | However she failed to see that there are natural consequences to poor

22 | | choices, she had already had the infraction from the phone call that took

23 | | place while she was at WCCW. So she was very much aware that this

24 | | was a rule violation and that was infractable behavior.

25 | Baughman | I was actually received both infractions at the same time. Both the 889s

26 | | were served to me at the same time. And I was aware that there's

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negative consequences, that is why I came forward and I said hey, I made this three way phone call and there's another three way phone call that I want to admit to. That is part of the TC model, it's not. It's not perfection, its progress and the progress that I made I came forward with that. I was honest, I took responsibility for my actions. I said hey please this is my only infraction after my CI on the 4th. It's the only behavior that I did wrong, give me a chance to continue being in program. My understanding of that because of this infraction I got my points [inau] that they had to administratively terminate me because of the demotion. But, if you look back at the beginning there this a page right here that shows my infraction history and the only infraction that I received after my CI the date is 1/10 is that one infraction the 889.725, which I was honest with, I self-disclosed. So I feel like that is a huge piece because part of my, if you look at my CI, part of my CI is criminal code, criminal code is being sneaky, denial, negative influence.

Hearing Officer You have to understand that part of your is also not to have any further infractions.

Baughman Yes ma'am, but I was making progress.

Gagnier And additionally the knowledge that any further major infractions can cause you to demote in custody which is the classification stand point. At any given point you get a certain number of infraction behavior point as part of the facility plan. So, if you want to look at it illustratively you can look at the first custody facility plan that's here and it under custody score there is a section called program, I'm sorry, infraction behavior and you get a revolving 20 points and every serious infraction deducts from those points. Once you lose all 20 of your classification infraction

1 points then you're done that's you have 10. You need at least 56 points
2 or more to remain minimal and that the time when all of her infractions
3 and all the dominoes fell through so to speak, she already didn't have
4 all the points to be at Mission Creek and the significance of using the
5 offender telephones to conduct unauthorized personal business was not
6 one that we could mitigate, if there was no way for us to be able to
7 mitigate that behavior and say not it's save to keep her here because
8 DOCs rule is to keep staff, offenders and the community safe. And when
9 you are showing us a pattern of behavior of skirting those rules to serve
10 your own purposes and your own agenda we have to make sure that we
11 are keeping staff, offenders, and the community safe.

12 Baughman No, I'm not disagreeing with that. I agree with that, I think that's great.
13 I just don't think that I should have been administratively terminated
14 from treatment when I only received one infraction which I was showing
15 part of my clinical intervention. I was showing that I was going for my.

16 [INAUDIBLE]

17 Baughman I also have, yeah I have that too.

18 Hearing Officer So just a quick question, so you were using Mike, her husband.

19 Baughman My husband

20 Hearing Officer For the third party

21 Baughman Um yeah the very first one, yes

22 Hearing Officer What about the second one

23 Baughman The second one, um was a friend of ours.

24 Hearing Officer And you were also saying that another person be the third way party.
25 So, I, Ms. Walcott I have a question. So beside the infractions that you
26

1 did mention in the treatment program, she wasn't progressing in
2 treatment, is that correct?

3 Walcott Yes.

4 Hearing Officer Cuz that is the second part, we have the infractions,
5 Gagnier So in the substance use disorder treatment participation requirements,
6 which Ms. Baughman's signature is dated November 27, 2018 on the
7 second page under the heading the following behaviors will result in
8 termination from the treatment program. Number 4 says an infraction
9 that result in transfer and/or change in custody level, in which case that
10 is one heard and Ms. Baughman is not arguing the point that she
11 transferred but that is why I am bringing this up to show that it is part
12 of the participation requirement in treatment so your statement "I don't
13 understand why I was terminated."

14 Baughman No, I said I don't think I should have been terminated, I should have
15 Gagnier it is a treatment participation requirement that you signed upon
16 admission. So it is something that you were aware of.

17 Baughman I don't think I should have been terminated for that one infraction.

18 Hearing Officer I am looking at the behavior of the infraction, ok.

19 Baughman yes, ma'am. And also on that.

20 Hearing Officer Providing I find a preponderance of level on that. And you admitting to
21 it, you came forward and admitted to it and you did do this. Means
22 preponderance. Just so you know.

23 Baughman OK, so I never said that I didn't do that I just I only received one
24 infraction after my CI. I don't think that's a level.

25 Hearing Officer I get what you're saying. You're saying you came up front and you don't
26 think they should have terminated you. I get that.

1 Baughman Right, because I was making progress I think specifically that I was
2 making progress.

3 Hearing Officer So now it's time to get to the progress part next. I want to go to that real
4 fast and then we'll get into that. So besides the infractions I know that
5 she went to WCCW for medical reasons, right?

6 Gagnier Correct.

7 Hearing Officer She came back she was on intervention, how was she progressing in
8 treatment.

9 Walcott Well she spent a lot of time as you know at WCCW for medical she was
10 [inaudible] so she missed out on some groups, she was in TC for about
11 two months and out of those two months I believe she came to three
12 groups.

13 Baughman That is the other thing because it

14 Hearing Officer Let her finish.

15 Walcott And uh that because she missed out on so much group and so much
16 being on the unit and the program, it's minimum. And I look at that as
17 minimum, because she was there, yeah, she said what she said and that
18 it's minimum because she wasn't in what you call it, progressing,
19 there's no progress there if you're only going to be there three times and
20 you've been in treatment for about a month rather two months.

21 Hearing Officer OK some are a medical excuse.

22 Walcott Exactly.

23 Hearing Officer And she could have done while she was in the SHU. You were in the
24 SHU because of the WCCW or because of the last one?

25 Gagnier The first SHU placement was a result of the 709 infraction that
26 happened shortly after she arrived in her unit.

1 | Hearing Officer | Right, right.

2 | Gagnier | And the second one was because of the 725, and the 889 that we were

3 | | just discussing, about the notes and the phone calls. And each of them

4 | | went on for about a week.

5 | Hearing Officer | OK. So you're saying because of her behavior.

6 | Walcott | Yes.

7 | Hearing Officer | And getting herself in the SHU she couldn't participate in the program.

8 | Walcott | Exactly, exactly.

9 | Hearing Officer | OK. Do you guys have anything else to present before I'm gonna go

10 | | ahead. I know you question staff but you still have a right.

11 | Baughman | It's easier to do when it's happening.

12 | Hearing Officer | Anything else more you want to say to your business?

13 | Gagnier | Additionally, Ms. Walcott what happens every time you get infraction?

14 | | Can you phase up when you get an infraction?

15 | Walcott | No. You have to wait fourteen days after that last infraction, to phase up

16 | | you have to be free of infractions for fourteen days.

17 | Gagnier | What about serious infractions?

18 | Walcott | It's thirty days. Then you are kept hindered from progress from the

19 | | program.

20 | Gagnier | She can't progress through the phases so long she is committing

21 | | infraction behaviors and being found guilty of them because she has to

22 | | wait minimum of fourteen days just to be able to move on and have her

23 | | packet reviewed for appropriateness to be able to get to the next phase.

24 | Hearing Officer | OK, alright. You have stuff for me. Go ahead.

25 | Baughman | Yeah, ok so the first question I have is: Why do the progress notes stop

26 | | on my CI Ms. Walcott. After my CI I show on my T GAP and I now of

1 two SD groups that I attended, the one I read my apology letter for my
2 CI and the second one I did the con game, remember that SD group.
3 And remember how I explained how hard it was for me to talk to
4 Ms. Owens and admit that phone call and how I knew there was gonna
5 be some kind of consequence for it but I was doing so much better
6 coming out and being honest about it. And you said that was such a huge
7 thing, do you remember that SD group. I was just wondering how come
8 that wasn't put in the progress note. Was it because it was showing that
9 I was making progress at that point, cuz you didn't put that in your SD
10 in your paperwork at all. And actually after the CI on the 4th, there is
11 actually no progress reports from you at all in this packet and I was just
12 wondering why that was.

13 Hearing Officer Hold on, give her a breath. You have asked a lot of questions here.

14 Walcott You're talking about the group participation.

15 Baughman I'm talking about anything after the 4th. After my CI on the 4th, you do
16 not put anything in the progress notes.

17 Walcott There's nothing to put in the progress notes.

18 Baughman I went to group for two weeks, I went to SD group two times after my
19 CI before I was put in the SHU on the 24th.

20 Walcott Um, when were you put in.

21 Baughman I'm talking about for January.

22 Walcott December.

23 Baughman January, I'm talking about for January. So December I looked at your. I
24 just did a little calendar of my own actually and December I came in on
25 the 30th and I went to this SD group I was in the SHU I was in IPU, I
26 went to the other SD group, then in January on the 4th you said that I

1 didn't attend that SD group because I was in the CI and I'm asking about
2 the 11th and the 18th, you didn't put in there that I attended that SD
3 group and you just said that I did attend the SD group and do you
4 remember that I was the expeditor at that one SD group or we had to
5 redo it. Remember that.

6 Walcott That, there were two groups but I wasn't there.

7 Baughman One was on the 11th I think, but the 18th remember you were there and
8 I was the expeditor and I read my con game and I said and I talked about
9 being honest around Ms. Owens.

10 Walcott I'm not sure about that.

11 Baughman Do you remember reading the con game?

12 Walcott I remember you reading the con game.

13 Baughman That on SD group on the 18th is when I did that. And I have proof of
14 that because I have my calendar that shows that. That I read on the 18th
15 I read the con game and I went to the meeting and I read one LE.

16 Hearing Officer So that's January 18th when you attended this group

17 Baughman yes ma'am and then on Jan 11th I also went to SD group and I read my
18 apology letter which is part of my CI paperwork. That you asked me to
19 do, the one that you asked me to do.

20 Walcott That was the 11th.

21 Baughman Right, but I did attend that.

22 Hearing Officer So you attended two groups before you were terminated.

23 Baughman Yes ma'am and they were put in there and I think that showed that I was
24 making progress.

25 Hearing Officer So you made two groups after you were put on your CI.

26

1 | Baughman | Yeah, and I personally, you said I only attended three SD groups well
2 | | those two weren't added so that would be five altogether.
3 | Walcott | Those were the ones that I was at.
4 | Baughman | And then, the one-on-one. So you in here you said that I didn't finish
5 | | my ISP work I asked you specifically for a one-on-one and you actually
6 | | scheduled it for February 2nd and I was just wondering. I asked you if I
7 | | could turn it in and you said don't worry about it just turn it in at our
8 | | next one-on-one. Well you scheduled it for February 2nd so I never had
9 | | a chance. And I actually have that paperwork too. So here's this showing
10 | | that I came to classes those last two weeks that I was making progress
11 | | in group. And then I have.
12 | Hearing Officer | So you say that these are two, are these something separate.
13 | Baughman | This is T GAP, this is all the progress all the classes I attended while I
14 | | was in TC.
15 | Hearing Officer | Oh, this is overall.
16 | Baughman | Yes, ma'am
17 | Hearing Officer | oh ok
18 | Baughman | Ok and then here I have the two ISPs that she has and I have all the work
19 | | here and I even dated back then when I got it done and I wanted to turn
20 | | it in but you didn't schedule me a one-on-one in January.
21 | Walcott | January we met after you put in CI.
22 | Baughman | And you said.
23 | Walcott | And that is why we didn't have the one-on-one.
24 | Baughman | We never had a one-on-one after CI, we had it during the CI.
25 | Walcott | that was after the CI
26 |

1 | Baughman | And then I asked you if you wanted me to turn in this paperwork and
2 | | you said I'd have a one-on-one.
3 | Walcott | In February.
4 | Hearing Officer | Is this something that's not in my packet
5 | Walcott | It should be in your packet.
6 | Hearing Officer | This is. This is with.
7 | Walcott | That's not it.
8 | Hearing Officer | OK
9 | Baughman | And this is all the paperwork I did all the paperwork she asked me to do
10 | | so this is all my work, all the progress I was making, I wish you had my
11 | | apology letter, but.
12 | Hearing Officer | But I don't. This is the homework, moving on with my life? And you're
13 | | showing the PI you did the work.
14 | Baughman | Yes, ma'am.
15 | Hearing Officer | OK. So
16 | Baughman | It's just showing that I was making progress.
17 | Hearing Officer | Progressing and doing your assignments.
18 | Baughman | Yes, ma'am and this is from my CI, right here that um I finished the con
19 | | game and the apology letter. I have the apology letter here. I should pull
20 | | that out, sorry.
21 | Hearing Officer | [Inaudible]
22 | Baughman | So Ms. Walcott got this which is my CI apology letter and that was part
23 | | of my CI which I did on time.
24 | Hearing Officer | So you were attending your group and doing your assignments and your
25 | | apology letter.
26 |

1 | Baughman | Yes ma'am and this some of my paperwork showed that I was working
2 | | on my paperwork. Of course being put on CI you can't phase up any
3 | | way after being put on a behavioral contract, so um
4 | Hearing Officer | So you were still so you are trying to say that you were doing the
5 | | treatment part and doing what you were supposed to do
6 | Baughman | Yes ma'am and then this is to be excused from the TC program because
7 | | I was in IPU. I have medical issues that cause me to not
8 | Hearing Officer | I was going to get into that in a minute
9 | Baughman | OK, this is also the IP paperwork that I have, so this is the day that I
10 | | came back and this a, what's it called uh, pretty much telling me that I
11 | | need to do hot packs on my face. That
12 | Hearing Officer | Medical issues was that the reason you went to WCCW and came back.
13 | Baughman | Yes ma'am the other thing I have is um
14 | Hearing Officer | OK, there not, you're not violating, I mean because you had medical
15 | | issues and those were excused.
16 | Baughman | She was saying that I'm not making progress, I think I was making quite
17 | | a bit of progress considering my medical issues.
18 | Hearing Officer | When you came back from WCCW were you cleared medically?
19 | Baughman | Um, yes. I mean yeah technically [inau] if I had another mirsa outbreak
20 | | that we would consider me going back to WCCW but just keep doing
21 | | my work from there.
22 | Hearing Officer | Once you came back and you were on your CI, there was no other
23 | | medical issues correct.
24 | Baughman | I was still having the hot packs on the face and stuff and that is why I
25 | | wanted you to call the nurse because she would be able to tell you the
26 | | medical issues I had.

1 Hearing Officer Just for the record, I don't think these guys are questioning your medical
2 issues.
3 Baughman OK
4 Hearing Officer Really what I'm looking at once you came back on your CI, what did
5 you do?
6 Baughman Yep, and that.
7 Hearing Officer And that is why I'm writing this down, I mean do you need me to try to
8 call .
9 Baughman As long as you're willing to.
10 Hearing Officer I mean do you guys dispute any of the medical issues you heard from
11 the.
12 Gagnier The mention to being gone for the medical is just to illustrate how staff
13 weren't available to swiftly certainly address some of the behaviors
14 because she was not available to us.
15 Baughman I don't think that should be counted against me.
16 Gagnier And that is the only reason was in my infraction was just illustrated on
17 if you were to question why did you wait so long between this and that
18 was because she wasn't physically there. So.
19 Hearing Officer Do you have anything to say about her medical issues or her progress.
20 Walcott No.
21 Hearing Officer Do you want to look at any of this, do you have any question of me?
22 Walcott The only thing I want to mention is that we see the offenders once a
23 month.
24 Hearing Officer OK.
25 Walcott For our individual sessions in January I saw her on the 4th practically
26 all day because.

1 | Baughman | Right because of my CI,
2 | Walcott | Right
3 | Baughman | Right, but you never mentioned it in the progress notes as being a one-
4 | | on-one and I actually I never got that chance to turn in my ISP to you
5 | | which shows on my ISP paperwork that I had done in December and
6 | | ready to turn into you and I asked you would you like me to turn this
7 | | into you and you said “no, don’t worry about it, wait.”
8 | Walcott | Yeah. Cuz you had your work to do for your CI.
9 | Baughman | I had tons more work, which I did and in December I was going to
10 | | school so I never got the unexcused absence in the part of my
11 | | participation in for TC is that to show that I got all my absences were
12 | | excused the reason why I didn’t attend something was because I was in
13 | | school and I was going to do the other thing um. That wasn’t put in there
14 | | was that I was still going my self-help meetings, I was going to two to
15 | | three a week and it was put in some of the progress notes for December
16 | | but nothing in January. Again after my CI the progress notes just stop.
17 | Hearing Officer | And you asked her that.
18 | Baughman | And she said that I was going. And so that is why I showed you the
19 | | paperwork and I was going and I was attending after my CI.
20 | Hearing Officer | ok that is what you showed me was after your CI. OK I got it.
21 | Baughman | Yes ma’am.
22 | Hearing Officer | And I wrote that down that you had been doing your assignments and
23 | | everything since your CI and that you provided documentation for that.
24 | Baughman | That I was making progress and that is the whole point of a CI right, is
25 | | from your CI on you’re supposed to be making progress, you’re
26 | | supposed to be making a difference and that is where I feel I was. Um

1 the con game handout. Ms. Walcott do you remember when I did the
2 con game? And you told me that.

3 Hearing Officer Hold on just a second I need to make copies of this. Looks like we have
4 a copy machine right there cuz it goes into your discovery because you
5 provided this to me. I need

6 Baughman There is going to be more, if you want to wait,

7 Hearing Officer OK, what else are you going to provide?

8 Baughman Because there is the ISPs that I did and the dates I got them done on

9 Hearing Officer OK.

10 Baughman OK, um and so

11 Hearing Officer I'm sorry would you mind getting a stapler remover, could you see if
12 they have one of those in the offices. Thanks. Ok.

13 Gagnier In regards to her not being able to turn stuff in and all of that
14 Ms. Baughman started her clinical intervention on January 4th and you
15 and I spoke in the SHU on January 25th and that wasn't the first day of
16 placement.

17 Baughman The 24th.

18 Gagnier We spoke on the 25th

19 Baughman Right.

20 Gagnier Which is only three weeks after and that wasn't even the first day of
21 placement you had already been in there for at least two days and
22 looking at the calendar looks like that Monday was a holiday as well.
23 So realistically there was only maybe like a two week period she was
24 out in the unit and not detained and unavailable from the start of the CI.

25 Baughman I had the work done and I talked to Ms. Walcott during the CI that I had
26 the work in and was ready to turn in. And that is when we set up the

1 one-on-one. I don't know if that really matters, but um I know I was just
2 wondering
3 Hearing Officer Just a sec. am I missing anything else that you want me to put in
4 discovery?
5 Baughman OH.
6 Hearing Officer So I can have her make copies, so.
7 Baughman OK, yah.
8 Walcott I have a question, you said Ms. Baughman you said you had the work
9 done for January.
10 Baughman And December, yep.
11 Walcott Which one?
12 Baughman December I have the ISP paperwork right here. And I have the dates that
13 I got them done on.
14 Walcott The only one I was asking for was the one from January
15 Baughman Yep, and I have them down and I even have the days that I got em done,
16 because I know that I got em done before January this is also. So on the
17 day on the 18th, we had a SD group and she spoke with me after SD
18 group and told me, I need, I told her I got all these letters from
19 community members that show that I was making progress because I
20 know that there is a possibility that um, it could be questioned whether
21 or not I am in TC anymore because of this infraction and she said, um,
22 she said you make sure to write this about SD group because I think this
23 is a huge thing that you came forward and you were honest that you
24 were.
25 Hearing Officer And so.
26 Baughman Attacking your criminal code, so these are actually.

1 | Hearing Officer | From who?
2 | Baughman | Well, they all have different um, this one's not mine but. And there one
3 | | by one and most of them are the.
4 | Hearing Officer | So like whose this person?
5 | Baughman | Ms.
6 | Hearing Officer | Angela.
7 | Baughman | Reagal, they all have the names and dates and most of them are people
8 | | that are on structure board.
9 | Hearing Officer | The structure board for.
10 | Gagnier | To clarify when she says community members she means other
11 | | offenders in the unit with her.
12 | Hearing Officer | Oh, ok
13 | Gagnier | This is not in the community she means other incarcerated individuals.
14 | Hearing Officer | oh, I thought she was talking about people in the community, I was like
15 | | I'm not sure who this is. These are offenders in the program, gotcha.
16 | Baughman | And I'm supposed to go to them for help and one of the big things CI,
17 | | is you have a CI panel which is other offenders are supposed to keep
18 | | you accountable and so that is why I asked my CI members to write
19 | | letters and um the structure board to write letters also.
20 | Hearing Officer | OK. So had CI, OK.
21 | Baughman | Panel and structure board members wrote me letters to show that I was
22 | | making progress.
23 | Gagnier | Did you ask them to write these letters?
24 | Baughman | Hmm.
25 | Gagnier | Did you ask them to write these letters?
26 | Baughman | the CI panel said that it would be a good idea.

1 | Gagnier | And you picked your CI panel?

2 | Baughman | No, I did not actually Ms. Walcott you know that right. I didn't pick my

3 | | CI. I didn't get to pick my CI panel. And actually I think Ms. Patton or

4 | | somebody would know that because I didn't get to pick it all actually.

5 | | They said that

6 | Hearing Officer | OK, so I'm going to start reading the letters if that's ok. "To whom it

7 | | may concern this letter is regarding Ms. Candice Baughman. At first I

8 | | am not going to lie I was a bit apprehensive on whether she was

9 | | interested in being part of the therapeutic community or even serious

10 | | about her recover, the first time I saw her was at the church I attended

11 | | every week, going to church."

12 | | I'm just kind of going [inaudible] talk about church.

13 | Baughman | That's OK.

14 | Hearing Officer | Cuz she is talking about church um. I want to know what she is saying

15 | | about the program. "And I wished from the moment that she would be

16 | | saved and come over be part of something special program that offers

17 | | so many opportunities that could have saved her life, possibility from

18 | | coming back to prison. Being away from her children. I can honestly

19 | | say that I truly believe that Ms. Baughman wants this opportunity of a

20 | | life time and is willing to do anything to be part of something so big

21 | | such as the therapeutic community."

22 | | So what she's saying that she thinks you are willing to do this program.

23 | | Great member of society and I can even see her on structure board I

24 | | believer that she desires another chance and hoping by the Grace of God

25 | | that she gets it.

26 | Baughman | Most of them are pretty much saying that.

1 Hearing Officer They are saying pretty much the same thing.

2 Baughman That pretty much I was having a hard time in the beginning I got a whole
3 bunch of infractions on my CI that I was making substantial steps to get.

4 Hearing Officer How many letters do I have? One, three, four, five, six, seven, eight,
5 nine, ten. OK. So ten letters from people in your program. And you've
6 read over these and basically state that at the beginning you what now.

7 Baughman That pretty much I got a rough start, you know what I mean I got some
8 infractions but after being put on a CI, having an intervention that I
9 showed that I wanted the program, I was making progress, and that I
10 wasn't getting in trouble anymore. CI is only a month long. You know
11 what I mean, so.

12 Hearing Officer Anything else that you haven't talked about that's in these letters that I
13 need to know about.

14 Baughman Um, that I was being a productive member of society or the community
15 that is huge part of being a good [inaudible] community. I was um going
16 to the um what's it called. I was going to the self-help meetings that I
17 was no longer leaving the unit just because of the problems outside of
18 the unit. I think there is a couple of things about that. Um, I think one of
19 them actually says that she was impressed about my self-disclosure in
20 SD group.

21 Hearing Officer OK. I hate to see her loose her chance, get her back on track, encourage
22 her. [Inaudible]

23 Baughman Pretty much the two weeks that are on the CI and even maybe a week
24 before that they noticed that I was making a difference I wasn't doing
25 the same things that I was before

26 Hearing Officer OK.

1 | Baughman | And then leading to the push notes that I got. A push is something you
2 | | get to do in the community and so I had a couple more but they didn't
3 | | come with my property.

4 | Hearing Officer | Now explain to me what a push up is?

5 | Baughman | A push up is when somebody does something well and they notice that
6 | | you're doing a good job at something, they write a push up and it's read
7 | | in front of the whole community and it says hey, you're doing something
8 | | different or you're going above and beyond.

9 | Hearing Officer | So recognized for doing something well.

10 | Baughman | Then this is, I, during the time that I was in TC, I had contact with my
11 | | CDP counselor outside that I went to before. I did out-patient treatment
12 | | program and he retired and he um continued to email back and forth and
13 | | this is a letter that I was trying to turn into Ms. Thrush. And if we can get
14 | | Ms. Thrush on the phone I would like to ask her why she wasn't willing
15 | | to talk to me. There's a couple of times she actually told me. I don't want
16 | | to talk to you right now, I'll call you in the office and this is the letter I
17 | | wanted to give her. And I think it shows that you know, not only was I
18 | | expressing my want, my concern and my need for the program but

19 | Hearing Officer | OK, so so this is the person?

20 | Baughman | Yep.

21 | Hearing Officer | She's CDP retired.

22 | Baughman | He's a retired CDP.

23 | Gagnier | Who was not treating her the time she was in the TC program.

24 | Baughman | This is just a family support showing that I expressed to even them. I
25 | | mean why would I have no reason to lie to family or a sponsor or
26 | | somebody else.

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Hearing Officer

Known her for five years. When an assessment and placed her in treatment with the New Directions counseling in Chehalis, completed her treatment there and was doing well she advocated for store manager where she worked, incident occurred that changed her life, she witnessed her father get killed in an auto accident in front of her mother's house. She reverted back to something that made her feel better, meth. For the next several months was had trouble with the law, she is now an inmate there. I've been counseling her since incarceration and email her one or two times a week, it's my intention to be her sponsor as well as her counselor upon completion. We have an open and honest relationship and she does not lie to me. She sent me an email following a quote from her. "Also got an infraction from an incident back in December, I'm kind of bummed but I am going to fight to stay in this program. I think this is life changing." Asking for lenience in this matter and for her to remain in the treatment program, I've asked to memorize the program rules to help prevent infractions. She has recently had personal journal removed from corrections and I want it returned. I have her journalizing daily, her journals will help others in writing books. Ok.

I would like to be in attendance of which unfortunately he can't come to the prison. But will the letter suffice.

Baughman

Yeah. And then he actually, when he talked to my counselor here he actually sent another letter that he want to give specifically to you. Um that was the one, like I said was for Ms. Thrush, but he never got a chance to meet with her. And this gives, I don't know if it it's a little bit more um, history on me and then um, the need he feels I need the DOSA

1 program here. I need to be in treatment that I need to get through this and
2 that I'm willing to do the 12 step work.

3 Hearing Officer Who's this from?

4 Baughman Um the same person that was for you. It's a little bit longer, it's more.
5 And this is from my counselor that I wanted to be in treatment even when
6 I came back and got demoted. I asked to be in treatment when I got here.

7 Hearing Officer At WCCW.

8 Baughman Right. Any kind of treatment that I could get into cuz I feel like it's a
9 huge thing.

10 Hearing Officer So this says kind of the same thing.

11 Baughman Yeah, like I said the first one was actually for Ms. Thrush, but I never
12 got a chance to talk with her, she didn't want to meet with me before. So
13 this one is specifically for you. Um,

14 Hearing Officer Talks about the case and what happened.

15 Baughman Yes, ma'am

16 Hearing Officer And you going back to drugs, works hard and wants to stay clean and
17 sober I talk to her weekly. Which he just talked about in that one. At one
18 time, [inaudible] the counselor prison and sponsor her as well.
19 [Inaudible]

20 Baughman Yeah, like he comes to visit and we go over the 12 steps and stuff like
21 that.

22 Hearing Officer OK, so. Did I get everything now?

23 Baughman So I was going to give you. So I appealed a couple of my infractions and
24 the appeals were um denied but they were for the minor infractions for
25 the 657 and I feel like you're not really, you don't really care about the
26 infractions before the CI, is that correct?

1 Hearing Officer Why we are here is to determine why you were terminated from the
2 DOSA program.
3 Baughman Right. OK.
4 Hearing Officer So I acknowledge that you have many behaviors before you were put on
5 the CI but you guys did give her a second chance and put her on the CI.
6 Baughman Right.
7 Hearing Officer OK, I know that you dispute that one infraction was prior to the CI but
8 they are saying that they didn't have knowledge of it and that you were
9 upfront with telling em, when you were put on the contract.
10 Gagnier Correct.
11 Hearing Officer And then after the contract you had the final infraction which got her
12 terminated.
13 Gagnier Correct.
14 Hearing Officer That's where I'm at, right.
15 Gagnier Correct
16 Baughman OK, so you don't want the appeal or anything from any of the other
17 infractions that I have.
18 Hearing Officer No.
19 Baughman The 709
20 Hearing Officer Those behaviors did not get you terminated do you see what I'm saying
21 Baughman right.
22 Hearing Officer They decided to put this all together and put on the CI contract and give
23 you another chance.
24 Baughman OK.
25 Hearing Officer Right.
26

1 | Baughman | Cuz I got too many cuz I got demoted and then I thought the other
2 | | infractions had to do with me getting demoted. I thought they kind of
3 | | added on
4 | Hearing Officer | You had infractions and they did an override and let you stay in the
5 | | program.
6 | Baughman | Right.
7 | Hearing Officer | So those infractions were dealt with when you did the CI.
8 | Gagnier | When the three infractions that you disclosed to us the FRMT the 657,
9 | | 658 and I think the 893.
10 | Baughman | I didn't disclose them actually you guys already had a list of them.
11 | Gagnier | So, regardless of how it came up I have documentation that Ms. Thrush
12 | | said that the three pending serious infractions were being included at the
13 | | time when you knew about them and the CI initiation.
14 | Baughman | Right.
15 | Gagnier | But should you receive any further major infractions it could jeopardize
16 | | your continued placement in the TC program.
17 | Baughman | So we already went over that right.
18 | Gagnier | Yes.
19 | Baughman | Ok so I got the letter, I got my log to chain, my counselor here the SD
20 | | group, I got the T GAP showing that I did classes and everything while
21 | | being on my CI that I was making progress.
22 | Hearing Officer | Got that.
23 | Baughman | I finished my ISP work and I was doing my CI work which I gave you.
24 | Hearing Officer | I got that.
25 | Baughman | Proof of.
26 | Hearing Officer | I got that.

1 Baughman Um I tried I talked I asked Ms. Walcott about the SD group. Where I
2 read off the con-game and she remembered that and that was in the
3 progress notes. And uh, she said that I was adjusting my criminal code
4 by being honest and responsible for my actions. Um, what else, received
5 an infraction for that. And then the other part um in the paperwork I
6 went to pull out it and you said to give you second. Wait I'll find it, oh
7 here it is.
8 Ok, um the prison drug offender sentencing alternative they said number
9 seven was the reason why I got terminated and it says here on number
10 D. Placement in closed custody for a length of time whereby you are
11 unavailable to participate in substance abuse disorder treatment based
12 on current release date. I have almost two years left with my current
13 DOSA. I have the ability and I have already talked to my counselor I
14 should be eligible for the hill in just a couple of months. I have the
15 ability to get back into TC and as her reentry plan, Ms. Walcott's reentry
16 plan specifically states that due treatment 3.3 treatment and mental
17 health counseling, and I have the ability to do that with my current
18 release date. The other thing is that I don't think I should have been
19 administratively terminated, I could have been sent to Yakima. Judy
20 Patton has that um, Yakima TC program which is meeting custody. I am
21 currently meeting custody. I could go right into that program right now.
22 Hearing Officer OK, I'm gonna clear. In order for you to be terminated from DOSA
23 program is not because of your custody level.
24 Baughman OH.
25 Hearing Officer It is because of your behavior.
26 Baughman Right.

1 Hearing Officer Your behavior is what they're saying is what got you terminated. Ok
2 that is what they are saying.
3 Baughman OK.
4 Hearing Officer Alright, so I there's two points, there's one you argue about them, you're
5 not showing progress in treatment. The other point to par is that you
6 were put on the contract and you got another infraction and because of
7 that behavior is what got you terminated from treatment.
8 Baughman It was.
9 Hearing Officer OK, so if you're not revoked on your treatment then you're welcome to
10 you know continue treatment in here. But if you are revoked then you
11 can still do treatment you're not under the DOSA program
12 Baughman Right. I was just reading the paperwork that um I shouldn't have been
13 terminated because I still don't have that ability requirement [inuadible].
14 Gagnier So in the termination summary to clarify this point further, number
15 seven says after alternative is to continue the program has been
16 addressed and has been completed that termination is appropriate, you
17 may be administratively terminated from DOSA substance use disorder
18 treatment program as determined and documented by the primary
19 chemical dependency professional and based on: there are four letters.
20 Baughman Right, A. Is a continual pattern.
21 Gagnier The ones that apply to you that are mentioned are a continual pattern of
22 behavioral issues and unsuccessful responses to intervention. And a lack
23 of progress [inaudible] of a treatment plan as determined by the primary
24 CDP staff and their supervisor and any major infraction that caused a
25 change in custody level or the violation of conditions per this agreement,
26 or of DOC 14-039 substance use disorder treatment participation

1 requirements. It is physically impossible for you to have been housed in
2 closed custody at Mission Creek because the requirement is for you to
3 be less than four years to your ERD and minimum custody. Therefore,
4 your placement in closed custody for any length of time is not relevant
5 to your termination from our program at Mission Creek. Because it is
6 not possible for you to be closed custody and housed at Mission Creek.
7 So we are not talking about being in closed custody now, it's specific to
8 the time you were at Mission Creek.

9 Hearing Officer Right. Ok I'm gonna move onto witnesses. Ok so I think I've got the
10 evidence. Ok so Michelle Thrush, you guys want to call her?

11 Gagnier Yes, please.

12 Hearing Officer OK.

13 Gagnier I'm not sure where we have a phone to be able to do that.

14 Hearing Officer I have a cell phone. But um Michelle Thrush.

15 Gagnier She is the correctional unit supervisor she is our MDFRMT chair. She
16 is a piece of any of our custody decisions as well as mitigating
17 behavioral issues. So, she can speak to Ms. Baughman's behavior in the
18 unit, her continual pattern of less than ideal behavior and how it
19 contributed to her overall custody demotion. She is also the one who has
20 the knowledge of the somewhat disputed pending nature infractions at
21 the time of the initiation of the CI. She can clarify that point for us that
22 it was only three that we knew about. And that any communication
23 between Ms. Baughman and Ms. Deutsch that we mentioned was never
24 said to be over the phone.

25 Baughman Said over the phone. I thought we already talked about the infraction
26 and that you didn't want to call IPU because that wasn't disputed, right.

1 | Gagnier | Specifically speaking, to the 889 infractions.
2 | Baughman | Right.
3 | Hearing Officer | Correct.
4 | Baughman | And you had said that.
5 | Hearing Officer | I was talking about the medical issue.
6 | Baughman | Right.
7 | Hearing Officer | That's all I'm talking about.
8 | Baughman | Right, but you said because I admitted to the one phone call that weren't
9 | | disputing that, right? Didn't you say that at one point?
10 | Hearing Officer | I'm just saying that it's a preponderance of evidence because you
11 | | admitted to it.
12 | Baughman | Right, so then at the point, but we're not arguing about that. We're just
13 | | trying to figure out whether or not I was making progress, right on the
14 | | second prong.
15 | Hearing Officer | Let's call this witness.
16 | Baughman | No, no, I was just saying.
17 | Hearing Officer | You're allowed to do it. I will let them do it.
18 | Baughman | No, no.
19 | Hearing Officer | I'm gonna allow yours too,
20 | Baughman | Cool.
21 | Hearing Officer | I need a phone number.
22 | Gagnier | 360-277-2425 and that's her office.
23 | Hearing Officer | I can't use this phone, it doesn't have a speaker and I need to have
24 | | speaker phone.
25 | Gagnier | Yeah.
26 | Michelle Thrush voice mail

1 | Hearing Officer | Is there another number I can call at.
2 | Gagnier | Absolutely we can try 360-277-2423 that's mission base. It's kind of,
3 | | camps can't have a control but it's a control for all
4 | Hearing Officer | Did you guys try [inaudible].
5 | Officer Purene | Mission Creek Correction Center Officer Puren, how may I help you?
6 | Gagnier | Hello purin it's Gagnier how are you?
7 | Purin | I'm good how are you?
8 | Gagnier | I was hoping you could help me find CUS Thrush we are currently in
9 | | the middle of a DOSA revoke hearing and I would like her to testify.
10 | Purin | OK, isn't she over there with you?
11 | Gagnier | She is not our CPM requested that she stay behind so that there was
12 | | coverage in the unit.
13 | Purin | Oh, hold on.
14 | Gagnier | She's probably gonna actually want to come back up though because if
15 | | she's in the training room there is maybe other people so if there is a
16 | | way to just get her to her office, we can call her there.
17 | Purin | (on the phone speaking with someone) "Have her come up to her
18 | | office."
19 | Gagnier | You are on speaker phone currently, so we're just waiting to go through
20 | | the hearing here.
21 | Purin | Oh, ok.
22 | Gagnier | Purin, I believe we're also going to need to speak with Ms. Patton if it
23 | | would be possible to get her on deck.
24 | Hearing Officer | Did you still want to talk to Diane Johnson?
25 | Baughman | Yeah.
26 | Hearing Officer | We have another one too.

1 | Gagnier | And if you're ready I have a third person. And then Purine.
2 | Purine | We are getting it.
3 | Gagnier | Ok the third person that we found is requesting we speak with is Dr.
4 | | Johnson.
5 | Purin | Johnson.
6 | Gagnier | Formerly Dr. H, we appreciate you so much, thank you.
7 | Purine | Not a problem.
8 | Gagnier | And that should round up those three.
9 | Hearing Officer | Uuh hu, that is what I have.
10 | Gagnier | Thank you so much Purein I appreciate you so much.
11 | Purine | [Inaudible]
12 | Gagnier | OK.
13 | Thrush | CUS Thrush, may I help you?
14 | Gagnier | Hi CUS Thrush you are on speaker phone at the DOSA revoke hearing
15 | | and I'm passing you to our hearings officer.
16 | Thrush | OK, thank you.
17 | Hearing Officer | Hi Ms. Thrush, could you state your name for the record.
18 | Thrush | Michelle Thrush.
19 | Hearing Officer | And what is your position there at Mission Creek?
20 | Thrush | Correctional unit supervisor.
21 | Hearing Officer | OK, that you know that this hearing is being recorded and I am going to
22 | | swear you in. can you please raise your right hand.
23 | Thrush | OK.
24 | Hearing Officer | Do you solemnly affirm to tell the truth at this hearing?
25 | Thrush | I solemnly swear to tell the truth at this hearing.
26 | |

1 Hearing Officer OK, I'm gonna go ahead and hand you over to um, I'm sorry I can't
2 remember your name.
3 Gagnier It's ok, Gagnier.
4 Hearing Officer And then you'll have the right to question her.
5 Gagnier Ms. Thrush this is Ms. Gagnier, can you hear me?
6 Thrush Yes.
7 Gagnier OK, so I'm calling you so that you may testify to Ms. Baughman's
8 behavior in our unit. And also to get clarification of about FRMT we
9 held just prior to her CI and what behavior she had disclosed.
10 Thrush OK, um, so her behavior um, I'm gonna go back to before she was at
11 TC, she so what we learned is that she had falsely accused.
12 Hearing Officer What?
13 Thrush Her, she was gonna come in and falsely accuse her of PREA or she was
14 was gonna accuse them of PREA so she from the TC unit so she didn't
15 have to come over here. She in fact had someone call anonymously and
16 say that.
17 Baughman I never received that infraction. I don't think.
18 Hearing Officer OK
19 Baughman That behavior.
20 Hearing Officer What we want to get into is what she got at Mission Creek.
21 Gagnier They ask that you specifically speak to when she came into TC F at the
22 end of November.
23 Thrush Then end of November, ok hold on. Do you have her DOC number?
24 Gagnier 373374
25 Thrush 373374
26 Gagnier Correct.

1 | Hearing Officer | She can more of an adjustment.

2 | Thrush | Was it the end of November when she got to TC?

3 | Gagnier | Yeah, she came into our program on November 27 and then shortly

4 | | thereafter she got that 709 major infraction and was in the SHU and after

5 | | that infraction we gave her an override and we discussed some other

6 | | pending infractions and the initiation of the CI. Do you remember those

7 | | pending infractions that she disclosed to us?

8 | Thrush | Uh, let's see.

9 | Baughman | I didn't disclose it.

10 | Thrush | So back in November she got a 709 in December, December 7th and

11 | | that was an out of bounds. So actually that happened she had went to an

12 | | area that

13 | Hearing Officer | Are we talking about infraction two?

14 | Gagnier | Right.

15 | Thrush | And there was a legacy.

16 | Gagnier | So we know about the infraction, what about the FRMT that we had

17 | | afterwards? When we did the override and we talked about a CI.

18 | Thrush | OK, that's right, if my memory serves me right, we talked to her and ok

19 | | we're gonna give you a free pass on that 709 and we're gonna put you

20 | | on a CI, because of the behaviors that we had been seeing. So, I said so,

21 | | that is, hang on a second, I'm sorry, hang on.

22 | Baughman | It's like she doesn't remember.

23 | Gagnier | She is also in her office in the middle of the living room where there's

24 | | inmates walking by her.

25 | Baughman | She told me that she couldn't be with me.

26 | Gagnier | She doesn't have an obligation to stop everything to speak with you.

1 | Baughman | So she would do that for a hearing.

2 | Thrush | I'm sorry so we gave her a free pass on that one and we asked her if

3 | | there was anything else pending and she said "no, there was nothing else

4 | | pending. No I take that back there was a 657 pending."

5 | Baughman | And it's a totally.

6 | Thrush | 657 and the 709 would not we're gonna work with her on a CI to make

7 | | sure that she.

8 | Baughman | Do I need to [inaudible].

9 | Hearing Officer | You keep notes and you can ask her questions after that.

10 | Thrush | To be successful. So when, let's see, and then, yeah it was a 709 and a

11 | | 657. Hang on a second. Um, so at that time there's nothing else pending

12 | | I told her the day of the CI, I said there's nothing else going on, are you

13 | | doing anything else you shouldn't be doing and she said "no, I'm not

14 | | writing that person I'm not talking to that person," the person she got

15 | | the 709 with. I said "ok because as of this time I don't want you talking

16 | | to her. I'm giving you a directive not to talk to her or to write to her.

17 | | Because she's GP and TC rules is that they can't talk to GP." So as of

18 | | the day of the CI, she said I'm not talking to her, I'm not calling, I'm

19 | | not sending anything and that is when we found out she was phoning

20 | | the third party on she actually phoned her when she was at WCCW , she

21 | | called, and I'm not sure how she did it, but she would call someone and

22 | | that person would call the other party at Mission Creek and they would

23 | | speak on the phone. So she never mentioned that to me, she never

24 | | mentioned that she was still writing letters back and forth we got notes

25 | | from the other party that were dated that date of the CI cuz she was

26 | | telling her that she was on a CI. She's not supposed to talk to her but

1 she's still passing notes and writing letters. And she also made a phone
2 call I think after that to, to the other party.

3 Gagnier Do you recall any other times where FRMT met with Ms. Baughman to
4 discuss her behaviors and the implications and the potential outcomes?

5 Thrush Let me see. I have her packet here, let me look at it. I know we did the
6 FRMT after she was released from the SHU. I don't recall there was
7 another FRMT. Hang on, let me see if there may be something in my
8 notes.

9 Gagnier OK.

10 Thrush Can you tell me what day this other FRMT happened?

11 Gagnier January 10th.

12 Thrush Oh that wasn't really a FRMT.

13 Baughman See.

14 Thrush Is that time when I talked to her in my office?

15 Gagnier That was when we met with her to discuss her sanctions because she
16 was coming in and out of her room continuously and staff were having
17 problems when they thought she was abusing certain privileges.

18 Thrush Oh, yeah yeah yeah, she was on room lock.

19 Gagnier Yes.

20 Thrush She kept coming out of her room when and asking the officer several
21 times, um, to ask questions and wanting to know so finally they said if
22 you have questions come out all out all at once when you are hour out
23 and not keep coming out and asking me questions all over. She said that
24 she would do that. We also had concerns because we knew that people
25 were at her door asking for food items. They were coming to her door
26 asking things, give me some food and I'll give you the [inaudible]. So

1 we were aware that she was giving out food, she was sharing and we
2 talked to her about that. I did tell her that if anyone comes to your door
3 all you have to do is tell them that you can't because I am watching her.
4 So. Let's see.

5 Hearing Officer Was she [inaudible] that behavior.

6 Gagnier No.

7 Hearing Officer Or was that January 10th or she spoke to her about that.

8 Gagnier We spoke with her and it was more of like an intervention.

9 Hearing Officer OK.

10 Gagnier Hey, this is what is being reported this is what we are seeing. These are
11 our concerns you're on a clinical intervention. We want to work with
12 you here but you need to do your part more or less.

13 Hearing Officer OK.

14 Gagnier Because she did spend a significant amount of time on her clinical
15 intervention, she was on self-help confinement, so she wasn't allowed
16 to come out of her room except for her programming and her hour out
17 and religious services.

18 Baughman Which I was coming out for and that's what they said.

19 Gagnier But the report from staff was you were turning your laundry in one sock
20 at a time.

21 Baughman That's not true, where does it say that in the report.

22 Gagnier That was reported to staff. That

23 Baughman Because in here it says that she said that I was coming to talk to my big
24 sister about programming. That I was asking to go to self-discovery
25 groups and turn in my laundry, which is normal things. Which Ms.
26 Deutsch said I wasn't like asking for unreasonable things she said I

1 would remember something, go back to my room and I would come out
2 and ask again. Because I would not write down, that is when she
3 recommended that I write down a list and come out all at once.
4 Gagnier Which is why we had this intervention to notify you of what the
5 perception was what the observations were and should this behavior
6 were to continue what the consequences.
7 Baughman And Ms. [inaudible] was there.
8 Gagnier Correct, right.
9 Hearing Officer Alright let's get back to the witness and just direct questions instead of
10 just statements. What other specific questions do you want to ask this
11 witness?
12 Gagnier I don't have anymore.
13 Hearing Officer OK, what would you like to ask this witness?
14 Baughman OK, Ms. Thrush when I was put I had a FRMT right before I was put
15 on the CI and there was three infractions. The 658, the 657 and the 889
16 and you said that those would be included in my CI, is that correct?
17 Thrush Um, let me look and see when you got that 889.
18 Baughman It says right here. It says should you receive the following infractions
19 and there will be included points there will be included in DOSA and
20 she has no current. I mean it's right here, that you said that.
21 Hearing Officer OK, so what's the question though.
22 Thrush I'm sorry.
23 Baughman Um, so those three you told me about those infractions, I didn't know
24 about the 889 bringing the FRMT you said that those were gonna be.
25 Thrush Go ahead.
26

1 | Baughman | You said those were gonna be included in my CI and that if I had any
2 | | other infractions after that that it could cause problems. And you asked
3 | | with Judy Patton there, you guys asked what was going on. I told you
4 | | that me and Tara were communicating back and forth, that you said once
5 | | the CI started that I wasn't going to be able to do that. And do you
6 | | remember me admitting to just me and Tara communicating back and
7 | | forth.
8 | Thrush | I do remember that you made a phone all that you did not tell me about.
9 | Baughman | Right and I specifically.
10 | Thrush | I asked you to tell me everything right then and there, be up front with
11 | | me with everything right then and there and you didn't.
12 | Baughman | And I thought.
13 | Thrush | You didn't because you were still writing notes back and forth, you still
14 | | made a phone call and if you want I can go back and get those dates.
15 | | But by that time your behavior was so out of control Ms.
16 | Baughman | Well we talked about that a little bit during the hearing. My point was
17 | | that I did mention that we were communicating back and forth. I didn't
18 | | specifically list out a whole bunch of things. My assumption was
19 | | anything after the CI I would be in trouble for and the first 88.
20 | Thrush | This happened after the CI.
21 | Baughman | The 88.
22 | Thrush | You made one phone you made, one phone call before the CI.
23 | Baughman | Right, and the other one was after it.
24 | Thrush | And you told me.
25 | Baughman | That was the point I was making.
26 | Thrush | You also made another phone call while you were here.

1 | Baughman | Right and I didn't say that didn't happen, we already went over those
2 | | infractions. Um, so thank you for that answer. And the other one is I
3 | | asked to speak with a couple of times and you and Ms. Owens literally
4 | | told me is what a directive and that you weren't willing to talk to me,
5 | | do you remember that.
6 | Thrush | I don't remember that.
7 | Baughman | OK you went and.
8 | Thrush | Can you give me more information?
9 | Baughman | You had went in my room and got one of my journals
10 | Thrush | Oh, yeah.
11 | Baughman | And I said, I wanted to talk to you I had admitted to one of the CO that
12 | | I had made that phone call and I wanted to talk to you about it and you
13 | | said you weren't ready to talk to me about it. Do you remember that?
14 | Thrush | Yes, I do.
15 | Baughman | OK, so.
16 | Thrush | I wasn't able to talk to you at that time.
17 | Baughman | OK, so I admitted to the one three way phone call, honest and took
18 | | responsibility for my actions and honesty about a week later you and
19 | | Owens called me into your office and said that she was gonna have to
20 | | write this major infraction for this three way call. Do you remember that
21 | | conversation?
22 | Thrush | A little bit, yep.
23 | Baughman | And I never denied making that three way phone call and I never
24 | | received any of I didn't do anything else after that, right . You never had
25 | | to speak to me we never had any more meetings while I was on.
26 | |

1 Thrush You had already lied to me where we had you in the SHU. I was giving
2 you another chance to tell me if had been doing anything else. I said you
3 haven't done anything since you've been on your CI.
4 Baughman And I said the one thing.
5 Hearing Officer Hold on let her finish.
6 Thrush And I said you know you have not have done anything, you haven't
7 called, written nothing, and you said "no, ma'am I have not." I had
8 letters from Ms. Deutsch and she was feeding us information that you
9 had been calling her and that you had written her and there was dates,
10 well there was not a date on there, but it was the, one of the letters said
11 "I'm on a CI now I'm not supposed to talk to you." So that just tells me
12 that you're still being deceptive, you're not, it was a program, I gave
13 you multiple chances to turn around and you were still not.
14 Baughman During that conversation I actually I didn't lie to you about the three
15 way phone call because that's what I admitted to Owens.
16 Thrush But you lied to me, you didn't tell me about anything else, you didn't
17 tell me about the second one you had made. You didn't tell me you were
18 passing notes the day of your CI.
19 Baughman I, OK.
20 Thrush You were still trying to hide all these things, so if you.
21 Baughman I was.
22 Thrush So if you came forward to me.
23 Baughman When I got the.
24 Thrush And told me what you were doing and said look Ms. Thrush I'm telling
25 you everything, and you thought you were telling me everything, but
26 you weren't.

1 | Baughman | So the infractions pursuant to these dates states doesn't state that there's
2 | | any evidence that shows that those notes were after my CI. The TC
3 | | folder found.
4 | Hearing Officer | OK.
5 | Thrush | It doesn't matter.
6 | Baughman | Do I get to talk.
7 | Hearing Officer | Hold on let her finish what she had to say.
8 | Baughman | I thought she was done.
9 | Hearing Officer | OK, go ahead.
10 | Baughman | OK, so in the infraction when I talked to Ms. Owens, it specifically
11 | | states that I was honest and that I told her about those notes.
12 | Hearing Officer | OK, calm down, calm down.
13 | Baughman | Sorry that I told her about the notes and I told her about the phone. When
14 | | I met with you and Owens, I admitted to that phone and about the one
15 | | before, I was never dishonest about any phone call. And I still, I would
16 | | like to see the notes that say that, because I don't believe those notes.
17 | Hearing Officer | OK, these are kind of statements, you need to just a question. Just ask a
18 | | question.
19 | Baughman | Oh, oh.
20 | Hearing Officer | Just ask a question.
21 | Baughman | OK, so.
22 | Hearing Officer | So you want to ask about the letter, cuz I have a follow up question. So
23 | | you said that one of the letter she said that she talked, that she was on a
24 | | CI? Is that correct?
25 | Baughman | We don't any proof of that letter, right?
26 | Hearing Officer | Did you see a letter that said that?

1 Thrush Oh, yes and I don't know if we still have it, but yes. There was a note
2 that she wrote to Ms. Deutsch and she goes I'm on a CI now and I'm
3 not supposed to talk to you but then there was other letters after that,
4 that we got.

5 Hearing Officer And you viewed this letter, you read this letter, is that correct?

6 Thrush Oh, I did, yes.

7 Hearing Officer OK.

8 Baughman OK and then I just want to make sure that when I did, you do remember
9 me trying to meet with you and you saying that you couldn't meet with
10 me and that was a directive not to talk to me after you took my journal,
11 right.

12 Hearing Officer OK, I got that part.

13 Thrush I did not give you a directive not to talk to me.

14 Baughman Owens.

15 Thrush I just said I'm not talking to you right now.

16 Hearing Officer OK. Any further questions?

17 Baughman Um

18 Hearing Officer Any other questions, because we need to move on.

19 Baughman Oh, yes, when my when we were actually doing the CI, you and
20 Ms. Patton recommended that I go see the mental health counselor,
21 Dr. Johnson because of a lose that I had, right.

22 Thrush We mentioned that, we did not , well, yes, we said that it might help you
23 to get over your grief that you said that you haven't dealt with yet.

24 Baughman OK and when we had our conversation I told you about that that I did
25 make that appointment, right. And I had the appointment with the
26 doctor.

1 Thrush Yes, I remember you mentioning that you met with mental health.
2 Baughman OK and then multiple interventions, I never got an PAG or any other
3 interventions during my time in TC it was just the clinical intervention,
4 isn't that correct?
5 Thrush Well, because you were out of bounds and was in a fight with someone.
6 That is. We're not going put you on a PAG for that, we're gonna put
7 you on a straight a CI.
8 Baughman Well in the 709, it doesn't state that I was in a fight at all. It actually
9 states I was trying to get away.
10 Hearing Officer OK, remember we talked about that we weren't gonna get into that.
11 Baughman Oh. Are you gonna look over that infraction then?
12 Hearing Officer That's not what got you.
13 Baughman OK, ok
14 Hearing Officer Remember we talked after the CI and then what got you terminated.
15 Baughman I just want to make sure because this is that multiple interventions and I
16 only had one intervention.
17 Hearing Officer OK.
18 Baughman Isn't that right?
19 Thrush no, you had multiple, we put you on a CI, while you were on the CI you
20 got more infractions, usually we would just go ahead and terminate you
21 from the program, because by that time we're thinking you're not
22 getting it. So we met with you for that FRMT and told you if you do
23 anything else while you're on the CI we cannot guarantee you that we
24 can keep you in this program and I gave you multiple times when you
25 came to my office, I said "are you doing anything else, is there anything
26 else that you need to tell me." I already knew about it. I was giving you

1 the chance to tell me. You did not tell me. You did not mention any
2 more phone calls you did not mention the notes and I specifically asked
3 you "did you write any notes to Ms. Deutsch after you were put on the
4 CI? "And you said no, you did not.
5 Baughman And I did. Ok
6 Thrush And you did.
7 Hearing Officer Alright. Anything further with this witness? Cuz we need to move on to
8 the next witness. Anybody else. OK. Was she able to transfer or should
9 we hang up and call on the next one?
10 Thrush I have both parties in with me if you want to talk to them here.
11 Hearing Officer OK so yeah. Thank you for testifying, can we go ahead and have the
12 second one is Ms. Patton.
13 Thrush I think that maybe we should speak with Dr. Johnson next.
14 Hearing Officer Oh, Dr. Johnson next.
15 Thrush Her work schedule.
16 Hearing Officer Oh.
17 Thrush She'll be getting off soon.
18 Hearing Officer Oh, sorry about that. Looks like the work schedule we should talk to the
19 doctor next, if that's ok.
20 Thrush Yes, the doctor is here too.
21 Hearing Officer OK can you go and have her come in then.
22 Baughman Speaking of an infraction that I admitted to, why would she say that I
23 didn't.
24 Hearing Officer OK. Ms. Johnson.
25 Johnson Yes, this is Diana Johnson, yes.
26

1 | Hearing Officer | Hi. Can I have you state your name and what your position there at
2 | | Mission Creek is?
3 | Johnson | Hi, my name is Doctor Diana Johnson and I'm the psychologist for
4 | | Mission Creek.
5 | Hearing Officer | OK. I'll let you know that this hearing recorded and I got to swear you
6 | | in. Can you please raise your right hand? Can you hear me ok?
7 | Johnson | Yes. I mean we can hear you, yes.
8 | Hearing Officer | Do you solemnly affirm to tell the truth at this hearing?
9 | Johnson | I swear to tell the truth at this hearing.
10 | Hearing Officer | OK so this is your witness so like again, no statements, you just need
11 | | direct questions. OK. Alright, what do you want to ask?
12 | Baughman | Doctor Johnson did I meet with you after my CI?
13 | Johnson | In February, yes, we met after you wrote a paper kite.
14 | Baughman | Ok. Did I mention during that meeting that Patton and Thrush
15 | | recommended that I go see, that I make an appointment and see you.
16 | Johnson | Yes. You told me that you had written a kite to me because it was
17 | | recommended as part of your CI.
18 | Baughman | Ok. That is really all I have, I'm trying to think. Did you recommend
19 | | that I continue mental health counseling at all?
20 | Johnson | Uh, we did not actually together after the time we met that you were
21 | | going to engage in further mental health counseling at that time.
22 | Baughman | And did you recommend that I continue journaling?
23 | Johnson | I often recommend that to people almost every session that I have with
24 | | people. I don't want to attest that can I swear that I said that during that
25 | | session. I'm sorry.
26 | Baughman | OK.

1 Johnson It is quite possible and totally realistic that I would have told you to
2 journal.
3 Baughman Alright, that's really all I have. Thank you.
4 Hearing Officer Alright, do you guys have any questions for this witness?
5 Thrush No.
6 Hearing Officer Alright, thank you for testifying. We need to have Ms. Patton come in
7 next.
8 Thrush She's right here. Yep.
9 Hearing Officer OK. Ms. Patton, can you please state your name for the record?
10 Patton Sure, Judy Patton I'm a CS 3 for [inaudible] here for TC
11 Hearing Officer This hearing is recorded I need to swear you in, could you please raise
12 your right hand. Do you solemnly affirm to tell the truth at this hearing?
13 Patton I do.
14 Hearing Officer Alright. This is your witness, I'm going to go ahead and hand them to
15 you.
16 Gagnier Hi Ms. Patton it's Ms. Gagnier.
17 Patton Hello.
18 Gagnier Can you please tell us about Ms. Baughman's behavior while she was
19 in our therapeutic community program at Mission Creek?
20 Patton When Ms. Baughman came in we gave her an override to be able to
21 come into the program offered her the opportunity at TC. Um.
22 Hearing Officer Was it ringing?
23 Gagnier No, we got an Amber Alert. Are you still there? No, I don't know what
24 is going on.
25 Patton Did you get that?
26 Hearing Officer You're still here, I'm sorry we're just getting an Amber Alert, hold on.

1 Gagnier Could you please maybe repeat what you were saying while the Amber
2 Alert was happening?
3 Baughman [Inaudible].
4 Patton She was struggling with interacting with GP and talking to a particular
5 person, but we know that there was notes being passed between her and
6 this other person in another unit. She was confronted about that. Um,
7 she did receive infractions for displaying sexual affection with another
8 offender, there was actually an altercation with that same offender in
9 one of the lecture rooms. Between her and another offender. She was
10 put on the CI to change those behaviors and address self-defeating
11 behaviors so that she can be successful in the program. But she
12 continued to engage in interaction with by sending notes to any other
13 women and the two she took notes for. She went on the contract on the
14 4th of January and on the 10th of January she infringed with two
15 infractions for, let's see, two 725s for telephoning or sending written or
16 trying to send communication to any offender in a correctional facility.
17 And a 889 using a facility [inau] and information technology resources
18 without authorization.
19 Gagnier OK. Did you ever have any conversations with Ms. Baughman about
20 her behavior and what could happen?
21 Patton Yes, she was informed and she was given this opportunity, she was
22 given an override to be in this program and then she got infractions that
23 really we had to give her another override to maintain her in that
24 program. Part of that was putting her on a CI so that she could address
25 those self-defeating behaviors.
26 Gagnier Is it.

1 Patton And to she failed to set-up, complete the requirements of them, having
2 more interventions.

3 Gagnier Is it common to go straight to a clinical intervention based on the
4 behaviors that's presented by the offender?

5 Patton It can happen, yes, but it doesn't happen all the time. Usually it's a
6 progression that with some people their behaviors are enough that
7 warranted that we could go directly to the highest level of intervention.

8 Gagnier And what would warrant that?

9 Patton Well, part of it would be losing custody level, being able to maintain
10 [inaudible] in there, our infraction behaviors.

11 Gagnier Alright, thank you Ms. Patton. I'm passing you back to the hearing
12 officer.

13 Hearing Officer OK. Ms. Baughman, what would you like to ask your, the witness?

14 Baughman Ms. Patton, my CI when we talked and the CI panel, did I actually get
15 to choose my CI panel or was the panel chosen for me?

16 Patton You picked your support person and the panel was chosen.

17 Baughman Thank you and at the CI with you and Walcott I remember you talking
18 to me about my grief, that my boyfriend when I was receiving
19 recommending that I went to mental health counseling. Is that correct?

20 Patton Yes.

21 Baughman And I did that, right?

22 Patton As far as I know. I can't attest to your attendance to it but that is as far
23 as I know [inaudible].

24 Baughman And the only intervention that I received was the CI, right. I never had
25 any PAG or anything before that, correct.

26 Patton No, because you went right to a CI based on your behaviors.

1 Baughman Alright. And normally how long is somebody in the program before you
2 can determine whether or not they are making progress?
3 Patton That's based on that person's progression in the program there is no
4 timeframe, Candy. Well based on their participation and their progress
5 in the program [inaudible].
6 Baughman Ok, if it was your opinion, do you think I was administratively
7 terminated because of my demotion the infractions, most, not that my
8 participation.
9 Patton My professional opinion is based on the clinical knowledge that we have
10 that we stated all in the termination report and in your discharge
11 summary. Your lack of progress in the program and that is part of your
12 treatment participation agreement and your DOSA agreement.
13 Baughman OK, did you know that?
14 Patton Your infractions, and you can also be terminated based on infractions.
15 Baughman Right, which is the demotion that I was asking you about. Do you
16 remember meeting with me after the 10th I want to say maybe the 11th
17 or 12th and we met in the multipurpose room and I told you that I was
18 worried about being terminated from the program. Do you remember
19 that conversation just me and you?
20 Patton I do remember that.
21 Baughman And I was, remember, I was an expeditor and then we went in there and
22 you told me that I wasn't being terminated from the program right now
23 but that I needed to knock shit off. Do you remember that?
24 Patton Knock your shit off, yes.
25 Baughman OK.
26 Patton Because you were not participating in those self-defeating behaviors.

1 Baughman Right, after that conversation with you, I never received any other
2 infractions the only infraction before that of course, was the three way
3 phone call. Owens said that I was honest, that I came forward about that
4 three way phone call and I took responsibility for my actions in the
5 actual infraction report. Isn't honesty and taking responsibility for your
6 actions part of your philosophy which would show that I was making
7 progress in the CI just by coming forward.

8 Patton Well that would be a personal perception. I would say that honesty is
9 part of our program. Yes.

10 Baughman And is taking responsibility.

11 Patton It's not as in what's it called. You can be judged by each person what
12 that level of honesty is.

13 Baughman OK and in the infraction it states that I actually came forward and I made
14 the three way phone call and that I wanted to be honest about it and that
15 I had wrote letters back and forth to Tara. Don't you, do you agree that
16 by just coming forward with that that would be addressing my criminal
17 code, one of my self-defeating behaviors.

18 Patton But for me, committing a crime and being honest about it does not mean
19 that you're not held to the accountability for the infraction.

20 Baughman No, I'm not saying that but it was addressing the criminal code part,
21 right. I mean I actually came forward, doesn't that show some kind of
22 progress in the program, that I learning something.

23 Patton Well, it wasn't forthcoming. I think there was basically the information
24 was not about forthcoming, it was not about when you were confronted
25 about the situation.

26

1 | Baughman | Actually it just says here that I just came forward with it, I wasn't
2 | | confronted at all.
3 | Patton | Yay,
4 | Baughman | Well, OK.
5 | Patton | Well I don't get that exactly.
6 | Baughman | We're good.
7 | Patton | What you're talking about, I don't have that. So I can't tell you
8 | | information about that.
9 | Hearing Officer | Let's move on, I've got this. Is there anything else you want to ask this
10 | | witness?
11 | Baughman | No, I don't think so.
12 | Hearing Officer | Alright, thank you for testifying, I appreciate it.
13 | Patton | Alright, thank you.
14 | Hearing Officer | Bye. OK did we get all the witnesses then?
15 | Baughman | I think so.
16 | Hearing Officer | OK we're good. Alright, anything else on evidence, if we got it.
17 | | Anything else we want?
18 | Gagnier | I just want to reaffirm what Ms. Patton said, that just because you admit
19 | | to something does not admonish you from any natural consequences that
20 | | come as a result of the behaviors.
21 | Baughman | I understood that, I agree. I just think that it was showing I was making
22 | | progress that I was making a difference in the program and the program
23 | | made a difference in me. They mentioned about the 244s the sexual
24 | | contact, I have the appeal forms for that. That I just allowed it, that I
25 | | didn't engage, do you want that.
26 | Hearing Officer | Again, like I said.

1 | Baughman | You don't care. I just want to make sure.
2 | Hearing Officer | I'm very clear about where I'm at with this. Right, Ok.
3 | Baughman | They kept mentioning it.
4 | Hearing Officer | OK I get that, and I get why you want to say something about that.
5 | Baughman | Right, OK.
6 | Hearing Officer | I have listened to everything. Alright, so I'm just gonna kind of recap
7 | | everything and let you know where I'm going with my direction.
8 | | You went Mission Creek, OK, you had some infractions, no one is
9 | | disputing that. You asked well, why did I get put on a PAG or any of
10 | | that. They said very clearly because seriousness of your infractions the
11 | | custody level, were like, OK. You went straight to a clinical
12 | | intervention, because of the seriousness of your infractions and the
13 | | custody level. So you go put on the clinical intervention. So we had two
14 | | people testify that they were there when the clinical intervention, you
15 | | were put on it. And they were saying specifically, hey I need you to
16 | | report everything up front so we can get this all tied in together and get
17 | | the clinical intervention done. Right. You're saying I did admit that I
18 | | did talk to this offender off and on, and that this was going on.
19 | Baughman | Actually a lot of it, communication back and forth. And they both
20 | | admitted that I said that.
21 | Hearing Officer | They did say that, but they were trying to say is that, they did not, you
22 | | were, you were at another facility WCCW, had a third way a three way
23 | | phone call at WCCW which you admitted your own, that you did do this
24 | | and you knew this was a violation. That's what I was just talking about,
25 | | that means preponderance, if you're admitting your own admission that
26 | | you did do this. Ok and that they did not know about this until after you

1 were put in the clinical intervention and then this came forward. Oh,
2 wow and then there is this other, and you were up front about it and did
3 tell them. I think you're thinking well, hey I was told I was
4 communicating that was enough.

5 Baughman I didn't know that they were asking specifically.

6 Hearing Officer You were up front specifically about that behavior which you admitted.
7 Once you were on the clinical intervention, I get it, they're saying you
8 had lack of progress and you're saying I was in the SHU, I had medical
9 issues going on, which you provided. Which you did a very good job
10 with providing me with lots of documentation of what you've been
11 doing and I am making copies of all that, it will be in your discovery
12 packet. You did show me the assignments you're doing, you're doing,
13 going to meetings and so forth. You did a good job to of bringing
14 forward, you know I had ten letters here from people in your treatment
15 group.

16 Baughman Saying that I was making progress.

17 Hearing Officer Saying that you were doing well and I documented that and there lots
18 being in your discovery packet. OK. So and you're saying, hey, the last
19 thing. Let's get to the very last, is that you had these other two
20 infractions, one was writing letters and one was the phone call. You say
21 hey, I admit the phone call, three way phone call.

22 Baughman There was one infraction, together.

23 Hearing Officer Well.

24 Gagnier Two violations.

25 Hearing Officer There were two violations, they found you guilty for both. You see what
26 I'm saying. Ms. Thrush said she actually saw one of the letters that said

1 that you were in the clinical intervention and they're saying this
2 happened actually after the clinical intervention cuz you wrote that.
3 You're saying that didn't happen. But I'm saying that her testimony says
4 otherwise.

5 Baughman And even in the hearing packet, it said.

6 Hearing Officer No, it said that you said that or was it that the hearing officer said that
7 there wasn't.

8 Baughman You had them right there, you read over them.

9 Hearing Officer Well, I don't have it, I don't have it. I'm just telling you what I see in
10 my hearing packet. My hearing is, she saying this, you're saying that.
11 Ok. But the whole point of it is, is that you were told on this contract
12 that you cannot have any further contact and that phone call, you did do
13 it. You broke the contract by having this phone call, because you got
14 this infraction, because you were found guilty of this infraction they
15 terminated you from the 762. You got the 762 and you were terminated
16 from treatment. OK.

17 So based on that evidence you were terminated because of your behavior
18 which I found preponderance of evidence, I'm gonna find guilty from
19 getting terminated from the DOSA program. I am almost done. Yeah.
20 Do you want us to go in the other room?

21 Gentleman No, we have count coming up.

22 Hearing Officer Is there anything in the adjustment that we have not covered. I think
23 we've covered all the things you did well in the program, I think I've
24 got all that. Is there anything in the adjustment that you guys want to
25 say that we haven't covered?
26

1 Gagnier I felt like with all my interactions with Ms. Baughman, she was trying
2 to manipulate the outcome and was not forthcoming.

3 Hearing Officer OK. Do you think, is there anything I am missing in the adjustment that
4 you provided me and made copies that you think I don't have?

5 Baughman I think I wasn't given an opportunity to succeed in the program. If I
6 would have had more interventions. If I would have had more of a
7 chance. If I wouldn't of had medical issues. I did everything they asked
8 me to do and I even came. I was even forthright about the phone call.

9 Hearing Officer And I got, that you came up front and told them that.

10 Baughman And so.

11 Hearing Officer OK anything else? We're going to move to the recommendation. What
12 is your recommendation?

13 Gagnier That she serve the unexpired portion of the DOSA sentence.

14 Hearing Officer And you're asking for another chance, right?

15 Baughman I'm asking to be yeah, to keep that just have some sort of sanction and
16 be put back into TC. And possibly go to the Yakima TC.

17 Hearing Officer I didn't know Yakima had a TC program.

18 Baughman Yeah, it's a medium custody TC.

19 Gagnier It just opened in November.

20 Hearing Officer I do recognize and I think you did very well job of representing yourself
21 today. You did you pointed out some really good points, you gave me a
22 lot of information, you have support in the community, you have
23 support from the people in your group. And you did a very good
24 argument today, and I want to let you know that. But the thing is though
25 is that I did find you guilty of being terminated from treatment due to
26 your behavior. OK, and due to you being terminated from your

1 treatment program there was an RCW. RCW 9.94A.6623 which says "if
2 you are terminated from your CD treatment program, you will be
3 mandatory return to prison to complete your unexpired term of your
4 DOSA." Which means your unexpired term of your DOSA is gonna be
5 revoked today due to this RCW cuz I did find you guilty of being
6 terminated from treatment.

7 Baughman I've never been on community custody or anything.

8 Hearing Officer This is a 762 hearing, a 762 means that you're doing your DOSA in the
9 prison, you're in CD treatment program, you're terminated in the CD
10 treatment program while you were in prison. And so if I find you guilty
11 I can revoke you and that is what I have to do per the RCW. Alright so
12 the next course of action is you can appeal this. I need you to sign right
13 here. Let me give you four pages and let make sure that they correspond
14 with your name on it. So that is your next course of action. Your name

15 Gagnier They are calling recall for count.

16 Hearing Officer We are done. I'm gonna give you your paperwork. You need to
17 [inaudible] within seven days and you will be done. OK here you go.

18 Baughman Thank you.

19 Hearing Officer Good luck to you. Ok the time is about seven to 4, this hearing is
20 adjourned.

21 I, Beverly Cox, hereby certify that I transcribed, to the best of my ability, a true and correct
22 copy of the above Hearing.

23 EXECUTED this 28th day of February 2020.

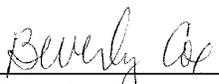
24
25 
26 _____
Beverly Cox
Legal Assistant

EXHIBIT 10

NO. 54265-0

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

In re the Personal Restraint Petition of:

CANDICE BAUGHMAN,

Petitioner.

DECLARATION OF
CRISTA BOLSINGER

I, Crista Bolsinger, make the following declaration:

1. I am employed as an Administrative Assistant 4 with the Office of the Deputy Secretary - Hearings Unit in Olympia, WA, one of my job duties is to retrieve and/or maintain records kept by Department of Corrections (DOC) in the ordinary course of business.

2. The DOC maintains a central file for each offender. This file contains information on an offender's sentence structure and documents relevant to his incarceration. As an Administrative Assistant 4, I am a custodian of records kept by DOC in the ordinary course of business.

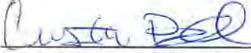
3. Upon the request of the Attorney General's Office, the Department provided true and correct copies of the following documents related to Candice Baughman, DOC #373374 to be used as exhibits:

Exhibit 1: Judgment and Sentence, *State v. Baughman*, Lewis County Cause No. 16-1-00395-21

- Exhibit 2: Judgment and Sentence, *State v. Baughman*, Lewis County Cause No. 17-1-00243-21
- Exhibit 3: Hearing and Decision Summary Report
- Exhibit 5: Notice of Allegations, Rights, and Waiver Discovery Packet
- Exhibit 6: DOSA Agreement
- Exhibit 7: Chemical Dependency Treatment Participation Requirements
- Exhibit 8: Behavior Contract

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

EXECUTED this 4th day of March 2020, at Tumwater, Washington.



CRISTA BOLSINGER
Administrative Assistant 4

EXHIBIT 11

NO. 54265-0

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

In re the Personal Restraint Petition of:

CANDICE BAUGHMAN,

Petitioner.

DECLARATION OF
MANDY L. ROSE

I, MANDY L. ROSE, make the following declaration:

1. I am an Assistant Attorney General (AAG) with the Corrections Division of the Attorney General's Office (AGO) in Olympia, Washington.

2. I am familiar with the Offender Management Network Information (OMNI) used by the Department of Corrections (DOC). I am authorized by the DOC to retrieve information from the OMNI. Among other things, information regarding an offender's location, custody, birth date, sentence, and infractions are entered and tracked on OMNI. I printed from OMNI for Candice Baughman, DOC #373374, the following documents to be used as an exhibit:

Exhibit 4: OMNI Legal Face Sheet

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I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

DATED this 9th day of March 2020, at Olympia, Washington.

s/ Mandy L. Rose
MANDY L. ROSE
Assistant Attorney General

CORRECTIONS DIVISION ATTORNEY GENERAL'S OFFICE

March 09, 2020 - 10:41 AM

Transmittal Information

Filed with Court: Court of Appeals Division II
Appellate Court Case Number: 54265-0
Appellate Court Case Title: Personal Restraint Petition of Candice R. Baughman
Superior Court Case Number: 17-1-00849-9

The following documents have been uploaded:

- 542650_Answer_Reply_to_Motion_20200309103854D2411794_5802.pdf
This File Contains:
Answer/Reply to Motion - Response
The Original File Name was Response.pdf

A copy of the uploaded files will be sent to:

- corey@coreyevanparkerlaw.com
- garrick@denovoreview.com

Comments:

Sender Name: Beverly Cox - Email: beverly.cox@atg.wa.gov

Filing on Behalf of: Mandy Lynn Rose - Email: mandy.rose@atg.wa.gov (Alternate Email:)

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