



ALASKA CORRECTIONAL OFFICERS ASSOCIATION

"Walking Alaska's Toughest Beat"

February 16, 2016

Commissioner Dean Williams
State of Alaska, Department of Corrections
PO Box 112000
Juneau, AK 99811-2000

Re: Expectation of Officers' Actions in the Department of Corrections

Commissioner Williams,

On November 16, 2015, you released the "*Alaska Department of Corrections: An Administrative Review*". Later, in Legislative Committee Hearings, you spoke and released video footage on several inmate deaths within Alaska institutions. Throughout these public disclosures you made several statements about Correctional Officers' actions and institutional practices. **The effects of these comments and videos have seriously impacted safety, morale, and the public perception of Correctional Officers.** Officers are not sure how to proceed after seeing their colleagues vilified in the news for routine actions. Now that you are Commissioner, Officers are questioning their training and adherence to the policies which govern their actions. Would you please clarify your statements below?

Administrative Review: *"In one interaction, Mr. Mosley was sprayed with pepper spray in his cell. Correctional officers reported they sprayed Mr. Mosley because he pulled away from correctional officers who were trying to un-cuff him. The video reveals Mr. Mosley had fallen down before he was sprayed, and posed no immediate threat."*

December 8, 2015 - Judiciary Committee Hearing: *"I find no justification. Plainly."* In response to the question *"What justification could there be for spraying someone when they are already back in their cell?"*

Is it your expectation that Officers will never utilize pepper spray on an inmate in a cell? For example, if a suicidal inmate is being non-compliant and has possession of an object, such as a handcuff, which they could use to harm themselves, is it your expectation that Officers will not use pepper spray to gain compliance? If so, would the Officers be disciplined for leaving the inmate as is, in order to complete other duties? It is our understanding the Officers in the above situation would have been disciplined if they had not removed the handcuff in question. Are you aware that Officers, over their concerns and objections, are being directed to act in the exact same manner as they did in the Mosely spraying? Please clarify your expectations.

Administrative Review: *"Mr. Mosley was naked for many days in a row, and was moved in the hallway unclothed. This is an unacceptable standard of care."*

December 8, 2015 - Judiciary Committee Hearing: *"...Being nude is unacceptable in prison. It's just unacceptable..."*

It is standard practice for inmates on suicide watch to have all of their clothes removed and to be provided only a suicide smock. A suicide smock is an anti-suicide, tear-resistant, single-piece outer garment that is thick and sturdily constructed. It is impossible for an individual to use this type of clothing to harm themselves by making a noose to commit suicide or in any other way. Currently it is at the inmates' discretion to wear or not to

wear this smock. Your statements imply that Mr. Mosely's nudity was something irregular in the institutions. It is quite the opposite. Is it your expectation that Officers are to physically dress inmates who choose to be naked? If so, when an inmate is non-compliant, should Officers use force to physically clothe them? Please clarify your expectations.

Administrative Review: *"There does not appear to have been a clear and immediate safety threat such as an assault or attempted escape to warrant the level of force used."* (In regard to the death of Larry Kobuk)

Please clarify what you consider a clear and immediate safety threat? When an inmate, who has a history of fighting Officers, is being non-compliant to necessary orders and is saying things to the effect of "...kill the cop..., f***ing splatter their brains..., ...put a bullet in their f***ing head..., ...I am going to shoot you in the f***ing head...", is it your position that Officers cannot use force to gain compliance unless there is a "clearer and more immediate safety threat"? What do you consider a safety threat? Do Officers first have to be assaulted for there to be an immediate safety threat?

Additionally, when a search needs to be conducted, is it your expectation that Officers should leave the inmate in a cell with his street clothes on and unsearched if they are non-compliant? How can the Officers know if the remand has a weapon, which he might use to harm himself or others? Are you aware that Officers, over their concerns and objections, are now being directed to act in the exact same manner as they did in the Kobuk death? Please clarify your expectations in these areas.

January 28, 2016 Press Conference: *"For me the 3 most important things are safety, safety, and safety."*

ACOA provided you, the Governor, and the Legislature with a document dedicated to Officer safety. Safety is the Officers' number one primary concern. As you know, the 2010 Legislative Audit called for 47 Officers in just the four institutions audited. The CGL Study calls for over 140 additional staff across the State. To finally bring the shift minimums and training up to appropriate levels would significantly improve the safety of inmates and Officers across the State. Are you going to add these positions into the budget? ACOA will do everything possible to help you towards the goal of increased staffing and safety.

Thank you for clarifying your expectations on the above matters. We look forward to your response.

A collection of handwritten signatures in black ink, arranged in several rows. The signatures are: Kelly Dault, Wally Rusk, Robert Redbyer, Donnette Weeks, Ken Jordan, Jimmie Weeks, M. [unclear], Tom LEONARD, [unclear], [unclear], Derek S. Johnson, Thomas [unclear], Adam [unclear], and C. A. [unclear].