



STATE OF WASHINGTON

DEPARTMENT OF CORRECTIONS

# WARNING

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CASE TOPIC: STAFF MISCONDUCT - CC3 ALLEN BERG

CASE #: 05-038-03-F01

DATE OPENED: 5/8/03

DATE CLOSED: 5/20/03

sign and date at time of review or receipt

IN OFFICE REVIEW	CASE OUT REVIEW	COPY AUTHORIZATION
	MIKI HILL 5/22/03	Copy for: Susan Lee v. Clarke 9/12 K. Kelly
	Beth Ricketts 5/29/03	
		108-07 PDD-911 - BJ

**CONFIDENTIAL**

**Washington State Correction  
Center for Women**



**Intelligence & Investigations  
Case File  
05-038-03-F01**

**CONFIDENTIAL**

**Washington Corrections Center for Women  
Intelligence & Investigations  
Investigative Case  
#05-038-03-F01**

May 20, 2003

**TO:** Belinda D. Stewart  
Superintendent, WCCW

**FROM:** Steven B. Baxter *MB*  
Investigator, WCCW

**SUBJECT:** POSSIBLE STAFF MISCONDUCT RE: CC3 ALLEN BERG

**SYNOPSIS:** On 5/8/03 while walking past the WCCW maintenance area WCCW Investigator Steven Baxter was approached by an inmate requesting information on how an inmate could make an appointment to talk. This inmate later identified as Inmate (I/M) [REDACTED] DOC# [REDACTED] stated that she was worried about a friend of hers and her possible involvement with a staff member. Upon questioning I/M [REDACTED] stated that in March of 2003 Counselor Berg had I/M [REDACTED] DOC# [REDACTED] from MSU go to his office in Receiving and gave her some candy and returned a silver ring. Inmate [REDACTED] was requested to write a statement and not to speak of this incident to anyone else. This information was passed on to Associate Superintendent Dave Swisher and further investigation was initiated.

**INVESTIGATIVE INTERVIEWS AND STATEMENTS:**

Inmate [REDACTED] DOC# [REDACTED] gave the following information in a written statement (See attachment 1) given to I&I. In March 2003 Counselor Berg had [REDACTED] come from MSU and go to his office in Receiving. Mr. Berg gave I/M [REDACTED] some candy and returned a silver ring. Counselor Berg told her he had found the ring in his things when he recently moved to the Gig Harbor area. I/M [REDACTED] wrote that I/M [REDACTED] had given the ring to Mr. Berg before she went to Pine Lodge Prerelease (PLPR) knowing that it would be confiscated. I/M [REDACTED] also believed that Mr. Berg had given his cell-phone number to I/M [REDACTED] to call him upon her release in July of 2003.

Inmate [REDACTED] DOC# [REDACTED] was interviewed and made a written statement (See attachment 2) on 5/8/03. I/M [REDACTED] stated the following: when in receiving she received suckers and was asked by Mr. Berg if she would like to see him on the outside cause he said she was pretty. I/M [REDACTED] said that she had asked Mr. Berg to take her ring until she got out because they planned to meet up when she got out. I/M [REDACTED] states that when she got back from PLPR that Mr. Berg called her to his office in Receiving, gave her some sweet tarts and gave her the silver ring back. I/M [REDACTED] then stated that Mr. Berg sent her to lunch but told her she could come back after. I/M [REDACTED] stated that she came back after lunch and brought Inmate [REDACTED] DOC# [REDACTED] with her. I/M [REDACTED] stated that they talked for a while and then returned to their unit. I/M [REDACTED] also stated that Mr. Berg had showed her pictures of his boat and truck and stated that they could go out and drink sometime and spend time on the beach and his boat. Mr. Berg also talked about his failed marriage and the kids. I/M [REDACTED] was in possession of the silver ring when interviewed and it was placed in evidence in the I&I office. I/M [REDACTED] also gave the names of two inmates who might have further information. I/M [REDACTED] was polygraphed on 5/13/03 and asked the following questions:

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- Did you give Allen Berg a silver ring with hearts on it?
- Did Allen Berg ask you if you ever wanted to go out and have a drink with him?

Based on the physiological responses produced by I/M [REDACTED] on three charts in the opinion of the polygraph examiner I/M [REDACTED] was not attempting deception when she answered yes to the above two questions. (See attachment 3) I/M [REDACTED] also related that Mr. Berg had given her the number to the institution and told her to call her after she got out and pretend to be a social worker to talk to him.

Inmate [REDACTED] DOC# [REDACTED] was interviewed on 5/12/03 in the Pierce County Jail where she is being held pending a violation hearing by her CCO. I/M [REDACTED] remembered going to Mr. Berg's office with I/M [REDACTED] and talking on the day in question. I/M [REDACTED] also stated that she had gone to Mr. Berg's office without a pass and was not asked for one by him. I/M [REDACTED] did not remember getting any candy or inappropriate talk on the day in question.

Inmate [REDACTED] DOC# [REDACTED] was interviewed and wrote a written statement (See attachment 4) on 5/8/03 and stated: she was given candy, coffee and had suggestive dialog with Counselor Berg on or about 12/8/02. Mr. Berg showed her pictures of his boat saying she'd look good in a bikini on it. I/M [REDACTED] was told by other inmates that Mr. Berg had taken I/M [REDACTED] ring before she went to PLPR and was told by I/M [REDACTED] that Mr. Berg had returned it to her when she returned to WCCW. I/M [REDACTED] stated that Mr. Berg had asked her about places she liked to go such as bars, clubs etc. I/M [REDACTED] said that she felt that Mr. Berg was fishing for her reactions to his statements. I/M [REDACTED] also related that another inmate [REDACTED] had told her that she and him were going to hook-up when she released. I/M [REDACTED] also stated that in December he had called her to his office and because of a institutional exercise stayed in his office for hours even having lunch there. I/M [REDACTED] also related that Mr. Berg had attempted to call her family as a favor for her but that no one was at home. A review of Mr. Berg's scan calls shows a call to the number given by I/M [REDACTED] (See attachment 5). I/M [REDACTED] also stated that Mr. Berg told many facts of his private life to include his divorce, his attempt to take her kids, his requirement to pay her child support even though they weren't his kids and that his ex had a restraining order on him at one point. I/M [REDACTED] stated the names of several inmates that might have information pertaining to this case.

I/M [REDACTED] DOC# [REDACTED] was interviewed at PLPR by the AHCC I&I office on 5/14/03 (See attachment 8). I/M [REDACTED] had been cellmates with I/M [REDACTED] while in receiving at WCCW, and remembered that a girl by the name of [REDACTED] had told her that she had something going on with the counselor in the receiving unit. At first I/M [REDACTED] couldn't remember his name but later in the interview did remember it was [REDACTED]. I/M [REDACTED] stated that [REDACTED] had told her that she would go into his office to have lunch and listen to music and would let her call her family. I/M [REDACTED] also stated that [REDACTED] had told her that Counselor Berg had arranged to get work boots for her and wanted to be her escort on a outside trip for a hearing. [REDACTED] had also told I/M [REDACTED] that Mr. Berg had told her that they could get together when they got out and smoke some weed.

Inmate [REDACTED] DOC# [REDACTED] was interviewed by telephone on 5/13/03 and was asked if any WCCW staff had ever been inappropriate with her while at WCCW. I/M [REDACTED] stated yes Counselor Berg from receiving. I/M [REDACTED] said that Mr. Berg would call her down to his office and talk about non-prison things like:

- That I/M [REDACTED] and his ex-girlfriend used to dance at the same club - Honey's in Lynwood
- Would ask questions about her sexual preferences - male or female and her sex life
- Talk about his and his ex-girlfriend's sex life - how she was freaky and he like to have three ways
- Told I/M [REDACTED] that he had a boat and truck and showed her pictures

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- Told I/M [REDACTED] that he would take her to Lake Tahoe when she released, but because she was under DOC supervision it would have to be a secret. Mr. Berg also offered to drive to where ever she would be living when she released.
- Told her that he wished his window had shades so they could do stuff.
- Gave her his cell-phone number – which has been verified as his [REDACTED]
- Told her that he lived in Tacoma but was moving to Gig Harbor
- Talked about his divorce
- Talked about his medical condition – that he had [REDACTED]

I/M [REDACTED] also stated that Counselor Berg had given her candy on numerous occasions and an orange and juice on another. I/M [REDACTED] has written a statement but it has not arrived at WCCW at this point of the investigation.

Inmate [REDACTED] DOC [REDACTED] was cellmates with I/M [REDACTED] while in receiving and stated that I/M [REDACTED] was always getting called to Counselor Berg's office to just talk about things like his ex-girlfriend and how she and I/M [REDACTED] used to dance at the same club. I/M [REDACTED] also said that I/M [REDACTED] would return with candy after being in Mr. Berg's office for hours. This made I/M [REDACTED] angry because she had kited to see him about her PIN# and would never be called out.

Inmate [REDACTED] DOC [REDACTED] was interviewed and made a written statement (See attachment 6) on 5/15/03 and related that shortly after arriving in the receiving unit she began to be called to Counselor Berg's office just to hang-out, to get out of the pod and talk about anything other than prisons. Soon the talk became questions about her career as a stripper, which soon turned into questions about her sexuality. Mr. Berg then told her about his ex-girlfriend that was a stripper and the wild things they had done. Mr. Berg then began to ask questions of Inmate [REDACTED] about her sex-life and if she slept with customers. I/M [REDACTED] then said that Mr. Berg asked if her breasts were real and how he wished he could look at them and said "if only there were shades to pull down over the window we could get away with a lot." I/M [REDACTED] also said that he asked if she slept with both men and women and wanted details is she got a girlfriend. I/M [REDACTED] said that at one time her ERD was set for July of 2003 and he told her that his birthday was in July she thought the 13<sup>th</sup> (a check with personnel shows his birthday is the 13 of July.) Mr. Berg then hinted about getting together after she got out so she could give him a "birthday present, you know a special one."

While in receiving I/M [REDACTED] had a friend from county jail I/M [REDACTED] and would look out for her. I/M [REDACTED] states that Mr. Berg would call I/M [REDACTED] down to his office throughout the day to talk. I/M [REDACTED] stated that I/M [REDACTED] would come back and tell her the things that Mr. Berg would say to her. I/M [REDACTED] told I/M [REDACTED] that Mr. Berg had told her that he wanted to see her after she gets out of PLPR and gave her the number to the institution and told her to pretend she was a social worker who needed to talk to Berg. I/M [REDACTED] then told I/M [REDACTED] that she had given Mr. Berg the silver ring she had brought from county jail but was now embarrassed and wanted the ring back. Later I/M [REDACTED] confronted Mr. Berg and attempted to get the ring back but Mr. Berg refused. I/M [REDACTED] stated that she observed Mr. Berg wearing the ring on his little finger the day that I/M [REDACTED] gave it to him. When I/M [REDACTED] returned from PLPR about a month after she came down to MSU she wasn't wearing the ring and hadn't got it back. The next day she showed I/M [REDACTED] the ring on her finger and said, "I got it back." I/M [REDACTED] is sure that I/M [REDACTED] did not have the ring when she returned from PLPR. I/M [REDACTED] also stated that she went to his office that he would offer her candy and gave her lotion for her hands. I/M [REDACTED] also related that Mr. Berg had told her that he used to be in the ski patrol in Oregon and that they would have to do some spring skiing when she got out.

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RE: Staff Misconduct Allen Berg

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Inmate [REDACTED] DOC [REDACTED] wrote a written statement on 5/15/03 (See attachment 7) in which she states that she had delivered a note from an inmate in her cell latter identified as Inmate [REDACTED] to Counselor Berg. Inmate [REDACTED] stated that she opened the note and it said that I/M [REDACTED] couldn't wait to see him and that she was looking forward to the ski trip that they had planned. I/M [REDACTED] wrote about her love for him and to please see her soon. I/M [REDACTED] stated that she had delivered the note and that Mr. Berg had threatened her with segregation if she told anyone about the note.

Inmate [REDACTED] DOC [REDACTED] Was questioned on 5/15/03 if there was any staff who had ever been inappropriate with her while she had been at WCCW, she had replied that Counselor Berg had been. I/M [REDACTED] stated that Mr. Berg had called her down to his office just to see how she was doing and to ask questions like how old she was, did she ski and told her that he liked to ski and had been in a ski patrol. Mr. Berg said that they would have to wait until she was off DOC supervision before they could get together when she got out. Mr. Berg also gave her coffee and told her about his boat and truck. Mr. Berg also said he was single that his girlfriend had left him and that she had two kids that he missed. Mr. Berg then brought up that he noticed she used to be an entertainer/dancer and talked about his sex life and hers.

Inmate [REDACTED] DOC [REDACTED] was interviewed 5/15/03 and stated that several times when in Counselor Berg's office in Receiving that he had talked about skiing and his divorce. I/M [REDACTED] stated that most times in his office the talk was official but that he had offered her candy on several occasions.

Inmate [REDACTED] DOC [REDACTED] was an inmate whose name had been linked with Mr. Berg in possible misconduct. When interviewed on 5/8/03 I/M [REDACTED] was evasive in her answers and denied any misconduct had occurred. I/M [REDACTED] did state that Mr. Berg had allowed her to go to his office in Z-bldg. Without a pass and that he had given her candy on at least one occasion. I/M [REDACTED] was asked if she would take a polygraph due to her evasive answers and she agreed but later refused after the polygraph had been scheduled.

CC3 Allen Berg: was interviewed on 5/14/03 and was questioned by Investigator Baxter and Associate Superintendent Doonan. Mr. Berg was asked how he had been informed about the investigation (Mr. Berg had come by the WCCW I&I office earlier in the week). Mr. Berg replied that a blonde inmate had come by his office and told him that questions were being asked about a silver ring that belonged to I/M [REDACTED]. Mr. Berg was unable to name the inmate or state what unit she worked or lived in. When questioned about the ring Mr. Berg stated that I/M [REDACTED] had come to him with the ring knowing that it wasn't on her property matrix and that he had contacted the property room to properly dispose of it. Mr. Berg stated that the property room either CO Franzen or Tony Ruzzo had stated they would fill out a form and send it to him. Mr. Berg stated that he placed the ring in his desk drawer pending the arrival of the form. Mr. Berg then stated that I/M [REDACTED] was leaving for PLPR and he returned the ring to her before she left. Mr. Berg then related that he bef he knew who was making all the trouble it was I/M [REDACTED]. Mr. Berg then went on to say that I/M [REDACTED] had been girlfriends with I/M [REDACTED] and had tried to get the ring for herself at one point saying that I/M [REDACTED] had told her she could have it. Mr. Berg did confess to having called I/M [REDACTED] back to Receiving when she returned from PLPR but simply to find out what went wrong and why she came back. Mr. Berg says he does this with other inmates that have returned to WCCW. Mr. Berg denies giving the ring back after she returned but rather before she left. When questioned if he had ever given candy, coffee or juice Mr. Berg replied yes. When asked if he had ever shown pictures of his boat and truck to the inmates, Mr. Berg stated that they were on his desk and they might have seen them. The pictures were taken into evidence on 5/15/03 from Mr. Berg's desk and were in his top drawer and not in any frames (See attachment 9). When asked if he ever talked about taking the inmates on his boat Mr. Berg

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said no but might have talked about it as an alternate activity to their criminal activity. Mr. Berg also stated that he might have talked about his divorce and children but only as a tool when counseling inmates. Mr. Berg when asked if he knew why allegations like this might have been made he replied "they get crushes on me fast" and "maybe this isn't the place for me." Mr. Berg when first asked if he had ever made any inappropriate comments to any inmates he replied no but late in the interview Mr. Berg stated that he might have made some inappropriate comments, but awhile ago. In fact now he has been told by CUS Daniels to lighten up with inmates. When asked if CUS Brown had talked to him last year when another inmate had been found coming down to his office from MSU, Mr. Berg stated no. Inmate [REDACTED] the inmate from last year is presently out to court and refused to be interviewed.

Mr. Berg was then questioned as to why he was no longer teaching the ASA course (information had been received that he had been asked to leave) Mr. Berg stated that it was due to nothing he had done himself but that he had gone to dinner with some instructors and students and that in the course of conversation he had mentioned another student. Mr. Berg went on to say that the student thought he had been talking about her and because they were changing things in ASA and had some new instructors Ms. Kupers who manages the program thought it would be better if he stepped down for awhile. This concluded the interview other allegations that needed to be addressed were not known at this time and were not addressed.

**Associate Superintendent Dianne Doonan:** Ms. Doonan contacted Ms. Kupers on 5/15/03 who stated that some students had come to her after ASA graduation and one student seemed particularly escalated. Ms. Kupers had an ASA TAC Officer talk to the student and it was related that something had gone on with Mr. Berg. It was related that Mr. Berg went to dinner with 9 students and no other instructors, Ms. Kupers related to Ms. Doonan that the other men present at the dinner said that Mr. Berg went there to pick up women and described him as a man on the prowl. After dinner some or all the group went to a bar where his flirting behavior continued. At some point in the evening most of the group left the bar except for Mr. Berg and a female student. Some time after graduation that female name unknown said she shouldn't have stayed at the bar, she was married and not thinking. Ms. Kupers when confronted with this information told Mr. Berg it was not professional for an instructor to interact with students during the time they are in the academy. Based on this behavior and the scrutiny that ASA is under she could not keep him as an instructor at this time.

**CPM Eleanor Vernell, MICC:** was interviewed on 5/15/03 and stated while teaching ORBIT tng with Mr. Berg he had made several comments about students like - "that ones cute", "she's my type". This seemed inappropriate while being an instructor and then he spent a lot of time with one student every break and at one point sided with the student over the lesson plan and other instructors.

**CO Franzen and Tony Ruzzo Property Room:** were both interviewed and neither remember Allen Berg coming to them about a ring to be mailed out or placed on property.

**CUS Terry Brown:** was contacted on 5/20/03 and stated that he had counseled Mr. Berg on his behavior of having Inmate [REDACTED] visit him in Z-Bldg. from MSU last year. This was a verbal counseling and no paper notation was made.

**SYNOPSIS OF FINDING:** Allegations/evidence by inmates and investigative results give plausibility to the following possible staff misconduct by Allen Berg:

- Took and returned a silver ring from an inmate knowing it was not on her property matrix
- Gave candy, coffee, juice, hand lotion and fruit to inmates in his office
- Allowed Inmates to listen to music in his office
- Made suggestive conversation with inmates ending in asking them to meet him after they released
- Talked extensively about his private life to include divorce, medical conditions, sexuality, girlfriends, living location, boat and vehicles and recreation activities such as skiing
- Asked extensive questions to inmates dealing with their private lives, to include sex, possible plastic surgery they've had, and exotic jobs they've held
- Told inmates he wished he had blinds in his windows so they could do things
- Used his SCAN number to place a call to an inmate's family as a favor
- Gave his private cell phone number to an inmate
- Placed his private cell phone number on his State business cards
- Allowed inmates to visit him in his offices without a pass
- Threatened an inmate with Segregation if she told about a note she passed to him from another inmate
- Denied that he had been counseled by his supervisor about allowing inmates to visit

Other interviews could not be accomplished due to unavailability of the individual. CO Paul Rosengrin should be interviewed upon his return from vacation.

### 9 Attachments

1. Written statement from I/M [REDACTED]
2. Written Statement from I/M [REDACTED] dated 5/8/03
3. Copy of Polygraph results dated 5/13/03
4. Written Statement from I/M [REDACTED] dated 5/8/03
5. Copy of Mr. Berg's December scan bill
6. Written statement from I/M [REDACTED] dated 5/15/03
7. Written Statement from I/M [REDACTED] dated 5/15/03
8. Copy of Interview with I/M [REDACTED] dated 5/15/03
9. Pictures of boat and truck from Mr. Berg's office



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Attachment (2)

I [REDACTED] am making this statement on my own free will will I was in receiving Mr Berg gave me some suckers and asked me if I would like to see him on the outside cause he said I was pretty and I asked him to take my ring ~~at~~ until I got out cause we planed to meet up with each other when I got out the ring was silver with hearts and daisys after I got back from Pine lodge he called me back to z buildi and gave my ring back and gave me some sweet tarts and then he sign me to lunch and said I could come back after lunch so I did but I brought a friend named [REDACTED] He said that I could call-back when I got out ~~and~~ and act like a social worker. when I was at PIPra I talked ~~with~~ with an inmate that I was in receiving with and she told me that Mr Berg had told her tho.

Same thing and he gave her candy  
and his cell phone number her  
name was [REDACTED]

he also showed me pictures of his Boat  
and truck and said that we could  
go out and drink some time and  
spend time on the beach and go  
out on his boat. He also talked about  
not being married any more but still  
like to see her kids:

[REDACTED]

[REDACTED]

**GSR**  
**POLYGRAPH SERVICES**

William D. Tufts  
1409 18<sup>th</sup> Ave CT. SW  
Puyallup, WA 98371

**POLYGRAPH EXAMINATION REPORT**

TO: Investigator Steve Baxter  
Department of Corrections  
Washington Correction Center for Women  
PO Box 17  
Gig Harbor, WA 98335

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**Subject:** [REDACTED]      **Examination Date:** 05/13/03  
**DOB:** [REDACTED] 1981      **Offense:** Statement Verification  
**Requested by:** Investigator Steve Baxter

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**Purpose of Examination:** To verify or refute the subject's allegation that you gave Alan Berg a silver ring and if he asked you if you wanted to go out and have a drink with him.

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

**CONCLUSIONS**

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

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

1. Did you give Alan Berg a silver ring with hearts on it?
2. Did Alan Berg ask you if you ever wanted to go out and have a drink with him?

  
Examiner: William D. Tufts

May 13, 2003  
Date of Report

Attachment (3)

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Attachment (4)

✓ [REDACTED] # [REDACTED]  
Was given candy coffee, and had  
Sneaky diary with Counselor Berg on  
or about Dec 8th 02. Showed  
picture of his boat. Saying I'd  
look good in a bikini on it.

Was told he took [REDACTED] ring  
before she went to pine lodge. And upon  
her return gave it back to her. [REDACTED] tok  
me that happened.

Inquired about places I liked to  
go to such as bars, clubs, ect.

Felt he was fishing for my reactions  
Inmate [REDACTED] told me they were going to hook  
up after her release.

3100-L  
 P5046155-SCAN100  
 TELECOMMUNICATIONS

STATE OF WASHINGTON  
 DEPARTMENT OF INFORMATION SERVICES  
 SCAN DETAIL BILLING REPORT FOR DECEMBER 02

DATE: 01/02/03  
 TIME: 09:39:41  
 PAGE: 18

CUSTOMER ID : 3100-L DEPARTMENT OF CORRECTIONS  
 EMPLOYEE: BERG, ALLEN M

ACCOUNT NUMBER: 014 -00 OCO-WCCW-TELECOMMUNICATIONS

ORIGINATING LOC	DIALED FROM	DATE	TIME	R I	DIALED TO	DIALED LOCAT"N	MINUTES	SCAN CHG	CANADA CHG	INTERN'L MILES
GIG HARBOR	WA	12/03/02	D 08:48:54		509-477-2278	SPOKANE WA	8.0	0.500	0.000	0.000 242
GIG HARBOR	WA	12/03/02	D 09:03:05		509-477-4246	SPOKANE WA	4.0	0.250	0.000	0.000 242
GIG HARBOR	WA	12/03/02	D 12:29:37		206-878-3300	DES MOINES WA	15.0	0.825	0.000	0.000 14
GIG HARBOR	WA	12/03/02	D 13:08:05		509-477-6030	SPOKANE WA	2.0	0.125	0.000	0.000 242
GIG HARBOR	WA	12/03/02	D 16:08:56		206-824-9000	DES MOINES WA	1.0	0.055	0.000	0.000 14
GIG HARBOR	WA	12/04/02	D 08:34:23		206-878-3300	DES MOINES WA	2.0	0.110	0.000	0.000 14
GIG HARBOR	WA	12/04/02	D 09:51:20		206-878-3300	DES MOINES WA	1.0	0.055	0.000	0.000 14
GIG HARBOR	WA	12/04/02	D 13:56:29		253-875-9171	GRAHAM WA	1.0	0.062	0.000	0.000 26
GIG HARBOR	WA	12/05/02	D 08:22:09		425-746-7142	BELLEVUE WA	9.0	0.562	0.000	0.000 26
GIG HARBOR	WA	12/05/02	D 11:06:44		509-477-4246	SPOKANE WA	3.0	0.187	0.000	0.000 242
GIG HARBOR	WA	12/05/02	D 13:37:27		509-477-4246	SPOKANE WA	6.0	0.375	0.000	0.000 242
GIG HARBOR	WA	12/11/02	D 14:58:58		509-525-8224	WALLAWALLA WA	1.0	0.062	0.000	0.000 220
GIG HARBOR	WA	12/11/02	D 15:21:58		360-491-2257	LACEY WA	5.0	0.312	0.000	0.000 26
GIG HARBOR	WA	12/11/02	D 16:12:56		509-993-4438	SPOKANE WA	1.0	0.062	0.000	0.000 242
GIG HARBOR	WA	12/12/02	D 09:44:51		360-902-3790	OLYMPIA WA	10.0	0.625	0.000	0.000 26
GIG HARBOR	WA	12/12/02	D 13:39:52		360-586-1120	OLYMPIA WA	8.0	0.500	0.000	0.000 26
GIG HARBOR	WA	12/13/02	D 08:16:10		360-426-4433	SHELTON WA	3.0	0.187	0.000	0.000 26
GIG HARBOR	WA	12/13/02	D 08:58:23		509-477-4246	SPOKANE WA	8.0	0.500	0.000	0.000 242
GIG HARBOR	WA	12/13/02	D 09:43:07		360-491-2257	LACEY WA	1.0	0.062	0.000	0.000 26
GIG HARBOR	WA	12/13/02	D 09:44:37		360-902-3790	OLYMPIA WA	5.0	0.312	0.000	0.000 26
GIG HARBOR	WA	12/13/02	D 09:49:39		509-525-8224	WALLAWALLA WA	2.0	0.125	0.000	0.000 220
GIG HARBOR	WA	12/13/02	D 09:51:43		509-527-3400	WALLAWALLA WA	3.0	0.187	0.000	0.000 220
GIG HARBOR	WA	12/13/02	D 09:54:24		509-525-2303	WALLAWALLA WA	1.0	0.062	0.000	0.000 220
GIG HARBOR	WA	12/13/02	D 09:55:36		360-753-7278	OLYMPIA WA	1.0	0.062	0.000	0.000 26
GIG HARBOR	WA	12/13/02	D 10:39:42		360-753-7278	OLYMPIA WA	1.0	0.062	0.000	0.000 26
GIG HARBOR	WA	12/13/02	D 11:49:24		509-525-3610	WALLAWALLA WA	2.0	0.125	0.000	0.000 220
GIG HARBOR	WA	12/13/02	D 13:18:47		360-491-2257	LACEY WA	2.0	0.125	0.000	0.000 26
GIG HARBOR	WA	12/13/02	D 13:24:58		509-362-4982	SPOKANE WA	5.0	0.312	0.000	0.000 242
GIG HARBOR	WA	12/13/02	D 13:31:54		509-397-6266	COLFAX WA	2.0	0.125	0.000	0.000 248
GIG HARBOR	WA	12/13/02	D 13:46:29		509-362-4982	SPOKANE WA	3.0	0.187	0.000	0.000 242
GIG HARBOR	WA	12/13/02	D 13:58:44		509-525-2303	WALLAWALLA WA	1.0	0.062	0.000	0.000 220
GIG HARBOR	WA	12/13/02	D 14:16:02		509-525-2303	WALLAWALLA WA	1.0	0.062	0.000	0.000 220
GIG HARBOR	WA	12/16/02	D 13:59:01		360-423-4199	LONGVIEW WA	7.0	0.437	0.000	0.000 87
GIG HARBOR	WA	12/17/02	D 09:04:27		509-527-3400	WALLAWALLA WA	4.0	0.250	0.000	0.000 220
GIG HARBOR	WA	12/17/02	D 13:36:54		360-753-0214	OLYMPIA WA	6.0	0.375	0.000	0.000 26
GIG HARBOR	WA	12/17/02	D 13:44:09		360-753-7278	OLYMPIA WA	2.0	0.125	0.000	0.000 26
GIG HARBOR	WA	12/18/02	D 08:49:24		509-543-5869	PASCO WA	1.0	0.062	0.000	0.000 182
GIG HARBOR	WA	12/19/02	D 13:10:05		360-417-6525	PT ANGELES WA	1.0	0.062	0.000	0.000 62
GIG HARBOR	WA	12/20/02	D 10:39:36		206-448-9612	SEATTLE WA	2.0	0.125	0.000	0.000 23
GIG HARBOR	WA	12/20/02	D 10:42:02		253-770-0808	PUYALLUP WA	6.0	0.330	0.000	0.000 18
GIG HARBOR	WA	12/23/02	D 14:09:31		360-664-1960	OLYMPIA WA	2.0	0.125	0.000	0.000 26
GIG HARBOR	WA	12/24/02	D 14:26:01		360-694-8843	VANCOUVER WA	2.0	0.125	0.000	0.000 120
GIG HARBOR	WA	12/26/02	D 09:38:14		509-301-6450	WALLAWALLA WA	7.0	0.437	0.000	0.000 220
GIG HARBOR	WA	12/31/02	16:00:41	I	509-555-1212	INFORHAYTON WA	0.7	0.750	0.000	0.000
GIG HARBOR	WA	12/31/02	D 16:01:48		509-527-3636	WALLAWALLA WA	2.0	0.125	0.000	0.000 220

May 15, 2003  
Witness Statement by

#

This statement is in regards to the investigation of Counselor Burg, who is an inmate counselor for receiving. I [REDACTED] came into the receiving unit about the middle of October to the middle of November of 2002. Counselor Burg was my counselor.

In this statement I was instructed to write upon my experiences with Counselor Burg while in receiving. This statement is written in truth of all I can recall.

Shortly after my arrival into receiving I was able to meet with my Counselor, Burg, to discuss what was I assumed by me to be normal intake questions? The first meeting went, if I remember correctly, without any incident. Shortly after this initial visit he began calling for me to come down to "just hang out..." "to get out of the Pod and talk about anything other than Prison." Things like that. Soon very soon what was small talk became questions from him about my career as a stripper which turned into more questions about my sexuality and he would tell me about his "Ex-girlfriend he had once that had a beautiful body" and that "strippers are wild in bed, she was the best he ever had". He then began asking me about me and how I "must be wild too..." and wanted to know things like "what was the wildest sex I ever had..." or "if I ever slept with my customers from work." He also wanted to know if my "breasts were real..." and how he wished he could get away with taking a look at them. He said, "if only there were shades to pull down over the window we could get away with a lot." He wanted to know if I "slept with men and women..." and if I was "planning to get a girlfriend while I was in." And of course he "wanted details of me and my girlfriend if did get one."

Attachment (6)

At the time I was in receiving my E.R.D. date was for July of 2003. He told me on more than one occasion that his Birthday was in July, I think he said the 13<sup>th</sup> or something like that. Anyway he hinted about getting together after I got out so I could give him a "birthday present, you know a special one..." since I was an ex-stripper and all." Knowing what he meant I kind of laughed it off.

One of the main reasons I went along with his antics was because he was my counselor. I mean, here I was in receiving not knowing how this placed worked with moving out of the receiving unit or how much true power this Counselor had towards my classification. I wasn't going to tick this guy off.

While I was in there I had a friend I've known previous to prison from my County, ~~the~~ kind of think of as my little sis', ~~██████████~~ you know looked out for her. Well, Burg, like he did to me, would call her down to his office throughout the day to "talk." ~~██████████~~ a young girl, a real sweetheart, but unfortunately she's somewhat naïve about some things, loved all the attention from boys she could get. Burg seemed to dig right in on that part of her. She would tell me about their talks and the stuff he would say or ask of her.

~~██████████~~ wasn't so quick in catching on to what he was really up to. She told me "how he wanted to see her after she gets out from Pine Lodge", even gave her the phone number to the institution and told <sup>her</sup> to "pretend that she was a social worker who needed to talk to Burg about a case..." Couldn't believe this guy was playing with her like this. Knowing ~~██████████~~ as good as I did <sup>felt</sup> like he was "preying on her" like he was playing with her head and her heart. Mostly because she really believed all the crap he was telling her.

The breaking point for me was when ~~██████████~~ told me she gave Burg a ring she had brought in from County to remember her by. The ring she gave him she had gotten from her boyfriend in jail so I knew how much this ring really meant to her. I asked "why?" She said she "didn't really know why..." and now she "really wanted it back." But she wouldn't ask for it back she said she "embarrassed for giving that to

I dendum:

Once [REDACTED] returned to WCCW about a month after she came down to MSU. She still wasn't wearing the ring & hadn't got it back. But she said "I'm going to get it back, watch!" Wouldn't you know she showed me the next day, her little silver ring on her finger. Said, "I got it back!" She did not have the ring when she came back from Pine Lodge but did get it back from him after her return.

[REDACTED]

5-15-03

3:15pm



5-15-03

MR BALTER,

When I, [REDACTED] was in receiving along w/ my roommate [REDACTED] [REDACTED] [REDACTED], now in Oregon Federal Prison, there was another inmate put in our room on the floor. The 3rd inmate's ~~name~~ was brought in from the Hole on a 504 for touching an inmates breast. She came in between middle to the end of December 2002.

She requested one of us to give Mr. Berg, the counsellor, a note.

In the note she wrote about missing him and that she couldn't wait to see him. She was looking forward to the ski trip that they planned. She wrote about her love for him. I remember her saying in there to please request her for a meeting soon.

Approximately 24 hours later I request to see Counsellor Berg and went in & told him another inmate wanted me to give him the note as she left for CCU the next day. I went to hand him the note & he said put it right there > pointing to the desk/bookcase on the left as you enter. He said he didn't want me to mention this to anyone or he would put me in the ~~CCU~~ SEG.

This particular inmate, whose



STATE OF WASHINGTON

**DEPARTMENT OF CORRECTIONS  
INTELLIGENCE AND INVESTIGATIONS OFFICE  
AIRWAY HEIGHTS CORRECTIONS CENTER**

11919 West Sprague P O Box 1899 Airway Heights Washington 99001-1899

**TO:** Inv. Steve Baxter  
**FROM:** Inv. Shirleen Hooper  
**DATE:** 05-15-03  
**SUBJECT:** Inmate Interview

---

**Inmate:** [REDACTED]

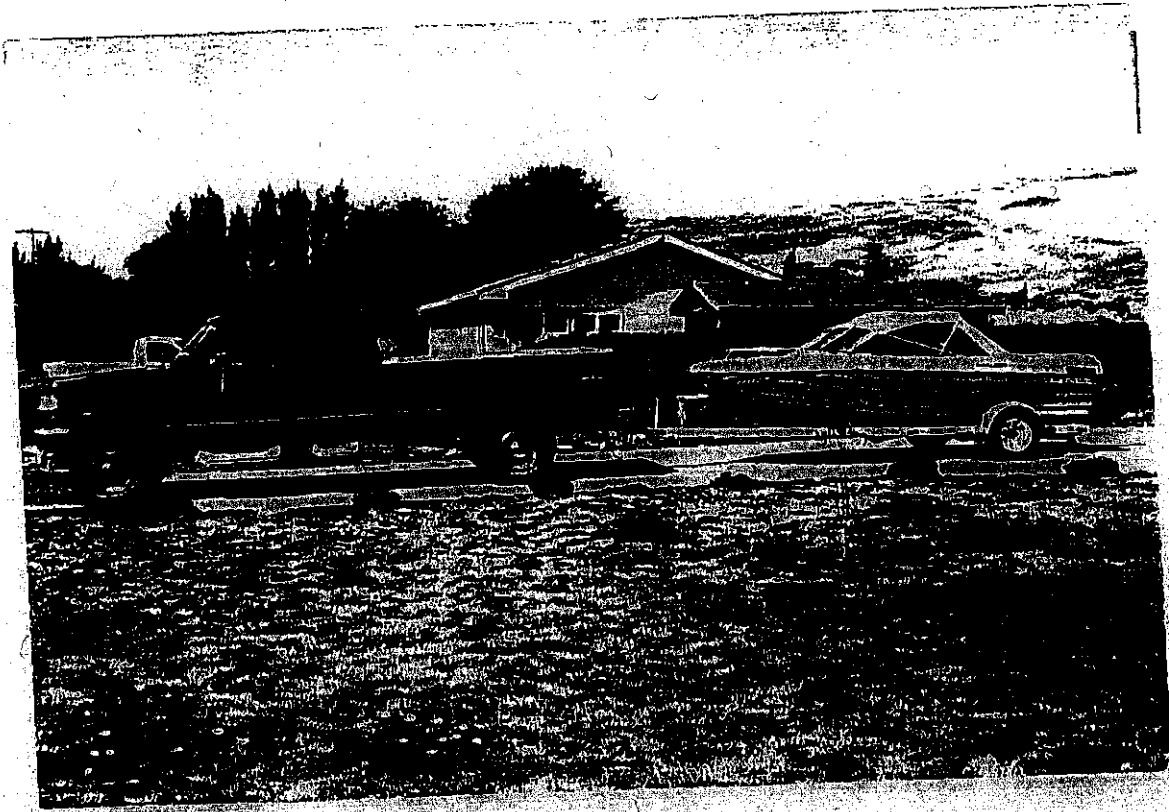
**Report:**

On 5-14-03, I interviewed [REDACTED] at Pine Lodge PreRelease. I began the interview by stating that her name had come up as someone who could possibly confirm statements that had been made about a WCCW staff member. I did not give her the staff person's name and initially, she said she did not know anything. When I asked her if anyone had ever told her about a staff member wanted to get together with them, she replied yeah, [REDACTED] possible last name of [REDACTED]. She said that [REDACTED] a white girl, around 30-35 years of age, had told her that she had something going on with the counselor on the receiving unit. When asked what the counselor's name was she said she couldn't remember, but that he was a white guy, mid 30's, tall, short hair. She said all the women called him [REDACTED] because he looks like the white rapper by that name. [REDACTED] states that [REDACTED] had told her that she would go into his office and have lunch with him, listen to music and while in there, he would let her call her family on his phone. She said that [REDACTED] had told her that he had gotten her a pair of boots, (state issue). This [REDACTED] was supposedly going out for a hearing and he had told her that he would like to be her escort so that they could go out to dinner afterwards. [REDACTED] said that [REDACTED] had also said something about him telling her that when she gets out, they could get together and smoke some weed.

[REDACTED] said that some other woman, she could not recall her name, had told her similar stories about the same guy. She says she told that woman that he was telling [REDACTED] the same things, and that woman got mad. As [REDACTED] was telling me this, she said she remembered that his name started with a "B" and then she said "it's something like Burg.

**End of Report**

Attachment ( 8 )



Attachment (9)

MR. BAXTER,

I am writing this letter to you in regards to a counselor at W.C.C.W named Allen Burg.

As I had said on the phone I had spent quite a bit of time in his office talking with him about all kinds of things. We spoke about what I was going to do when I get out, about his health and the fact that he has [REDACTED] [REDACTED] which is what my mother also had. We also discussed the fact that I danced with his ex-girlfriend, we also talked about my sexual preference I told him that I'm Bi-Sexual and we talked about how his ex-girlfriend also was Bi-Sexual. We discussed going out to dinner when I got out and also going to Lake Tahoe to his Condo to go SKIing, we also talked about going out on his new boat to do some WATERSKIing.

We talked about alot of things mostly just casual conversation there were times that the comment was made "I wish I had blinds-in-here" of course we kinda laughed when it was said but I'm sure it wasn't a joke. We never really talked [REDACTED]

(2)

About alot of Sexual things it was mostly just conversations that related to getting to know one another, I actually thought he was a gentleman, we talked about family and he said he was adopted, I told him some stuff about my family but not much.

There were times he gave me candy or not tea but nothing was asked for in return.

Now I do understand that while me or anyone else is active Doc he is not allowed to have any kind of relationship or personal contact with us and thats why he asked that I Not tell anyone about our conversations or the fact that he gave me his cell number, which I did call once after I was released and I spoke to him for about 10 minutes just about how I was doing and where I was living, he was kinder busy so we didnt talk really but he asked me to call him back in a couple weeks but I never did.

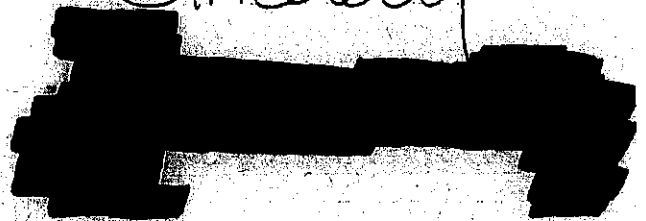
Now I do realize that Allen Burg may have broke the rules by having a little more contact or conversation with some of us than he was supposed to, but I do want to remind you that people like [REDACTED] #1 and there were a couple others that I remember their faces not their

3

Names, we were all willing participants in all this do for any reason if any of them are trying to scream sexual harassment I say bullshit if anything they are just angry to learn that they weren't the only ones that he flirted with and I also want to say that until now I haven't said anything to anyone about all this because I was never in anyway trying to get him in any trouble he is human with natural instincts of having an attraction to someone.

If you have anymore questions in regards to this please feel free to call me.

Sincerely

A large black rectangular redaction box covering the signature area.

OTHER WOMEN YOU MIGHT WANT  
TO TALK TO FOR MORE  
INFORMATION MAY BE.

[REDACTED]

I'D PREFER THAT MY NAME  
REMAIN ANONYMOUS. AND  
THIS STATEMENT NOT BE  
SHOWN.

— THANK YOU

STUE BAYTER

IN MARCH OF 03, COUNSELOR  
BERG FROM RECEIVING HAD

[REDACTED]

GO TO HIS OFFICE IN RECEIVING.  
HE GAVE HER SOME CANDY  
AND RETURNED A SILVER  
CARVED RING TO HER. HE TOLD  
HER HE HAD FOUND IT IN HIS  
THINGS WHEN HE RECENTLY MOVED  
TO THE BIG HARBOR AREA.  
HE HAD TAKEN HER RING HOME  
FOR HER - KNOWING SHE COULDN'T  
KEEP IT WHEN SHE RETURNED FROM  
PINE LEDGE. HE THEN GAVE HER  
HIS CELLULAR PHONE NUMBER  
HER TO CALL HIM WHEN SHE GETS  
OUT - I BELIEVE IN JULY OF THIS Y  
I'VE HEARD OF MANY OTHER  
SIMILAR INCIDENTS USUALLY INVOLVING  
YOUNG GIRLS IN RECEIVING ATTACHMENT (



Steven Baxter  
c/o W.C.C.W.  
P.O. Box 177

58335/0017  
Gig Harbor, Wash.  
98335