



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
P.O. Box 41100 • Olympia, Washington 98504-1100

The Department of Corrections will be updating this document, if applicable, with the most current policy updates on the third Monday of each month. This will be a temporary solution to ensure access to department policies while the department continues to work to find a permanent solution to host current agency policies on Securus tablets.



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/WORK RELEASE/FIELD
OFFENDER/SPANISH MANUALS

REVISION DATE
2/7/20

PAGE NUMBER
1 of 4

NUMBER
DOC 300.010

POLICY

TITLE

BEHAVIOR OBSERVATIONS

REVIEW/REVISION HISTORY:

Effective: 9/18/15
Revised: 7/3/18
Revised: 9/12/18
Revised: 10/1/19
Revised: 2/7/20

SUMMARY OF REVISION/REVIEW:

I.H.3. and II.B. - Added language for clarification


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

1/28/20

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [WAC 446-20-140](#); [DOC 300.000 Continuous Case Management](#); [DOC 460.000 Disciplinary Process for Prisons](#); [DOC 460.130 Response to Violations and New Criminal Activity](#); [DOC 460.135 Disciplinary Procedures for Work Release](#)

POLICY:


- I. The Department has established procedures to document and share information regarding the behavior of an individual under its jurisdiction in a consistent manner to use for improving safety and accountability in Department facilities and the community.
- II. Individual behavior information will be used to make data-driven decisions regarding case management and identify patterns of behavior that may require follow-up. Behavior data will be considered during safety-related reviews and may also be used to inform policy/procedure decisions and resource deployment.

DIRECTIVE:

- I. Behavior Observation Entry
 - A. Employees and contract staff will document observed, off-baseline behaviors as a Behavior Observation Entry (BOE) in the individual’s electronic file to:
 1. Inform case managers of behavior to be considered for follow-up.
 2. Collect information on observed behavior, including patterns of improvement.
 3. Inform incentive and disciplinary processes.
 4. Provide the ability to review and reinforce application of positive skills and behaviors by individuals under the Department’s jurisdiction.
 - B. Behaviors in a clinical treatment setting may be reported at the discretion of the clinical treatment professional.
 - C. Observers of behaviors will respond to stop negative behavior or to affirm positive behavior in order to encourage similar, positive behavior.
 1. Case managers who observe the behavior should make a Contacts entry per DOC 300.000 Continuous Case Management and may enter a BOE for information not otherwise addressed through the serious violation process. Case managers are not expected to duplicate documentation.
 - D. Entries will specify if observed behavior is Positive, Negative, or Neutral.

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1. Positive behavior is desirable behavior that indicates individual progress.
 2. Negative behavior is undesirable behavior that doesn't necessarily rise to the level of a violation.
 - a. In Prisons, rule violation behavior addressed through an onsite adjustment will be documented as a negative BOE stating it is an onsite adjustment for disciplinary purposes.
 - b. Rule violation behavior resulting in an infraction or other violation process will not be documented as a BOE.
 - c. Rule violation behavior addressed through an infraction/violation report will be documented per the applicable disciplinary policy:
 - 1) DOC 460.000 Disciplinary Process for Prisons
 - 2) DOC 460.135 Disciplinary Procedures for Work Release
 - 3) DOC 460.130 Response to Violations and New Criminal Activity
 3. Neutral behavior is behavior that is not necessarily positive or negative, but could be useful for employee/contract staff awareness and will be addressed by the case manager by checking in with the individual.
- E. BOEs must be factual and objectively written. BOEs will not contain opinions, conclusions, conjecture, or judgments about the documented behavior.
- F. The observer will immediately notify the individual of the observed behavior and that a BOE will be entered into the electronic file. The individual will be provided a copy of the BOE within 48 hours of notification or at the next planned contact if the individual is supervised in the community.
- G. Individuals may request to review a BOE through their case manager.
- H. Individuals may challenge the content in a BOE by submitting a written request identifying the information the individual believes inaccurate/incomplete within 10 days of receiving notification of the BOE to the Correctional Program Manager (CPM)/Community Corrections Supervisor (CCS).
1. An existing BOE that documents behavior that was also addressed using an infraction violation/violation process may be challenged.
 2. The CPM/CCS will make the final determination concerning content in a BOE and whether it will be updated, deleted, or remain the same.

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3. The individual and the observer must be notified in writing within 10 business days of receiving the request whether the BOE will be updated, deleted, or remain the same.

II. Case Manager Expectations

- A. The case manager will receive an electronic notification when a BOE is added in the individual's electronic file.
- B. The case manager will review the BOE, determine if the behavior described is an off-baseline behavior, and in the event it was follow up with the individual face-to-face by acknowledging positive behavior, discussing neutral behavior, and addressing negative behavior as close to the event as possible. In the absence of the case manager, the supervisor/appointed designee will follow up.
 1. The case manager will clear the notification flag upon review of the BOE or when the follow-up has been completed.
 2. Supervisors/designees will review the assignments page when conducting a follow-up.
- C. BOEs will be considered when developing and modifying a case plan and will not be used as a sole determining factor when making classification, program, or privilege decisions.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Case Manager, Off-Baseline Behavior. Other words/terms appearing in this policy may also be defined in the glossary section.

ATTACHMENTS:

None

DOC FORMS:

None



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POLICY

APPLICABILITY
PRISON/REENTRY
FACILITY/SPANISH MANUALS

REVISION DATE
10/21/21

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NUMBER
DOC 300.380

TITLE
**CLASSIFICATION AND CUSTODY
FACILITY PLAN REVIEW**

REVIEW/REVISION HISTORY:

Effective: 7/1/89	Revised: 10/4/07 AB 07-025
Revised: 6/1/90	Revised: 11/1/07 AB 07-031
Revised: 1/19/93	Revised: 2/4/08
Revised: 8/16/93	Revised: 8/4/08
Revised: 11/1/95	Revised: 4/9/09 AB 09-012
Revised: 12/31/96	Revised: 10/17/11
Revised: 10/13/00	Revised: 4/14/14
Revised: 5/8/02	Revised: 3/7/18
Revised: 12/24/04	Revised: 1/1/19
Revised: 11/26/06	Revised: 8/12/19
Revised: 1/9/07 AB 07-001	Revised: 10/21/21

SUMMARY OF REVISION/REVIEW:

Updated terminology and adjusted for person-centered language throughout
 I.G. - Added single cell screening and assignment form use
 I.F., IV.C.1.b., and IV.C.1.c. - Adjusted timeframe from 5 to 6 years
 V.D.1.a.1), V.D.1.a.2), V.D.1.a.4), V.D.1.a.5), V.D.2.a.1), V.D.2.a.2)a), and V.D.6. - Adjusted
 timeframe from 4 to 6 years
 Added VI.H. regarding emergent/priority transfers
 Added VII.B.12 that an HCSC review is required when a single cell screening has been
 completed recommending a single cell assignment


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

10/20/21

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 10.95.170](#); [RCW 71.24](#); [RCW 72.09](#); DOC 300.500 Reentry Center Screening; DOC 310.150 Reception, Initial Classification, and Custody Facility Plan; DOC 320.250 Maximum Custody Placement/Transfer/Release; DOC 320.105 Pre-Sentencing Reform Act (PAR) Hearings; DOC 320.400 Risk and Needs Assessment Process; DOC 330.600 Prisons Compact; DOC 350.100 Earned Release Time; DOC 350.110 Clemency; DOC 350.270 Extraordinary Medical Placement; DOC 350.300 Mutual Reentry Program; DOC 420.140 Cell/Room Assignment; DOC 490.700 Transgender, Intersex, and/or Gender Non-Conforming Housing and Supervision; DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments; DOC 630.500 Mental Health Services; Mental Health Transfer Procedure

POLICY:

- I. Classification is the management tool used to assign incarcerated individuals to the least restrictive custody designation that addresses programming and other needs, while providing for the safety of personnel, the community, and incarcerated individuals.
- II. The classification process provides for graduated release through a systematic decrease in supervision and corresponding increase in responsibility and reentry into the community. The process is designed to encourage participation in work, education, treatment, and other evidence-based programs.


DIRECTIVE:

- I. General Requirements
 - A. Initial classification, including scoring factors for Initial Custody Designation (ICD), will be conducted per DOC 310.150 Reception, Initial Classification, and Custody Facility Plan.
 - B. Classification reviews will determine custody designation, program needs and expectations, facility placement, and are documented in the Custody Facility Plan (CFP) in the electronic file.
 1. Reviews will be considered timely if completed within 30 days before or after the Next Review Date (NRD).
 2. Release plans and family need issues will be considered when determining facility placement.
 - C. Classification committees and reviews will include multidisciplinary participation from health services/mental health, work programs, intelligence and

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investigations, and other employees/contract staff involved in the individual's supervision/treatment when required by law or indicated in this policy.

- D. The Chief of Classification/designee will chair Headquarters Classification Unit reviews (e.g., Headquarters Community Screening Committee (HCSC), Washington State Penitentiary Baker/Adams/Rainier units) and be responsible for making final decisions.
 - E. For classification purposes, convictions for any offense classified as attempted, conspiracy, or solicitation will be treated the same as a conviction for the offense itself.
 - 1. A copy of the conviction criminal history record can be purchased from the Washington State Patrol by completing [Washington State Patrol Request for Conviction Criminal History Record](#).
 - F. The ICD will not be promoted for a period of 6 months for individuals within 6 years of their Earned Release Date (ERD), or for a period of 12 months for individuals with 6 years or more to their ERD, calculated from the Department time start.
 - 1. Custody will be promoted if the closure of a detainer, changes in an individual's health needs, or new criminal conviction information reveals the individual is eligible for a Level 2 facility or Reentry Center placement.
 - G. Case managers will complete a single cell screening on DOC 02-028 Single Cell Screening and Assignment per DOC 420.140 Cell/Room Assignment.
 - H. Individuals may be referred for MAX custody assignment per DOC 320.250 Maximum Custody Placement/Transfer/Release, regardless of custody level.
 - I. Individuals may request to review their progress or program status from the assigned case manager, who will determine if further action is necessary.
- II. Incoming Screening Committee
- A. Prisons that receive transfer manifests and Prisons that receive transfers from out-of-state will establish an incoming screening committee to review and evaluate incoming individuals, except routine transfers in Reception Diagnostic Centers (RDCs), MAX custody, and between Intensive Management Units (IMUs).
 - 1. At a minimum, committee membership will be multidisciplinary and include the following or their designees:

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- a. Correctional Program Manager (CPM),
- b. Captain or Administrative Lieutenant,
- c. Health Services Manager,
- d. Mental Health therapist, and
- e. Intelligence and Investigations employee.

B. Committee members will review each individual on the transfer manifest before the individual arrives at the receiving facility. The screening will include, at a minimum:


1. Work programming,
2. Needs evaluation information,
3. Safety/security concerns that may impact housing or programming,
4. History of predatory violence and/or predatory sexual offenses,
5. History of medical and/or mental health conditions that affect housing or programming or require immediate referral for medical/mental health services, and
6. Prison Rape Elimination Assessment (PREA) information per DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments.

C. Reviews will be documented on the Incoming Transport/Job Screening Checklist in the electronic file.

1. Before the individual's scheduled arrival date, the receiving facility will complete the Classification Review, STG/Protection/Threat Concerns, Medical Concerns, and Mental Health Concerns sections.
2. Within 30 days after the individual's arrival, the receiving facility will complete the Work/Volunteer and Summary sections.
3. Transfers from MAX custody to general population at the same facility will have the Incoming Transport/Job Screening Checklist completed within 3 days of transfer.

D. The CPM, Captain, Administrative Lieutenant, or higher rank will finalize the Incoming Transport/Job Screening Checklist.


III. Facility Risk Management Team (FRMT)

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- A. Classification reviews will be initiated by the case manager through an FRMT to address custody designation and transfers (i.e., targets), program expectations, needs, and facility placement recommendations. Privileges (e.g., visiting, Extended Family Visits, recreation, escorted leave) may also be addressed.
 1. A multidisciplinary FRMT must review all work program referrals, custody promotions, and any FRMT activities for individuals housed in mental health Residential Treatment Units.
 2. FRMT members may use the [Multidisciplinary/Facility Risk Management Team Job Aid](#) in their reviews.

- B. Participating team members will be documented in the Disciplines section of the CFP. The FRMT will include, at a minimum:
 1. The individual, unless participation is waived or it is an emergent/priority transfer,
 2. The assigned case manager,
 3. The Correctional Unit Supervisor (CUS)/Reentry Center Community Corrections Supervisor (CCS), and
 4. A custody/security representative, for classification reviews conducted in Prisons.

- C. An FRMT is only considered multidisciplinary when one or more of the following are included as members when relevant to the individual:
 1. Current or proposed work program supervisor for decisions related to work programs.
 2. Medical professional for individuals with a specific medical related PULHESDXTR “P” code of 4 or higher.
 3. Mental health therapist/designee, for individuals with a PULHESDXTR “S” code of 3 or higher and/or “H” code of 4.
 4. ADA Coordinator for individuals with a PULHESDXTR “L” or “X” code of 3 or higher or an “E” code of 2 or higher.
 5. Other program area supervisors who have direct supervision of the individual’s activities and knowledge of the individual’s behavior.
 6. Additional mental health and/or other employees/contract staff may be included to provide general input about areas of potential risk based on

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history for individuals with a documented history of predatory violence or predatory sexual offending.

D. DOC 05-794 Classification Hearing Notice/Appearance Waiver will be provided to the individual at least 48 hours before the review, unless prevented by security or other substantial reasons (e.g., emergent transfers).

1. The individual will be encouraged to attend the meeting.

a. If the individual declines to participate, the case manager will document the reason in the Recommendations section of the CFP.

E. Any concerns regarding work programs, treatment, education, evidence-based programs, or other activities presented after reviewing the individual's PREA Risk Assessment will be documented in the Summary/Statement field in the Classification Review section of the Incoming Transport/Job Screening Checklist, including any applicable mitigation strategies.

F. Decisions and/or recommendations will be documented in the Recommendations section of the CFP.

IV. Custody Facility Plans

A. In addition to classification reviews, CFPs may be used for purposes identified in the [Case Manager Custody Facility Plan Job Aid](#) and should be completed within 30 days from the date initiated, unless submitted to the Headquarters Classification Unit for approval.

1. Recommendations for custody promotions must be submitted as a Plan Change Review.


a. If an Ad Seg override is used, a Plan Change Review must be completed within 30 days of release from segregation.

2. Custody will only be demoted one level at a time (e.g., Medium demotes to Close), unless an override is approved.

3. If an individual is not targeted for custody promotion, the CFP will include an explanation.

4. All changes in custody or transfer recommendations must be approved by the CCS/Superintendent or designee at the CPM level or higher rank.


B. During each classification review, the case manager will:

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1. Update earned release time and establish good conduct time restoration plans per DOC 350.100 Earned Release Time.
2. Assess compliance with the Drug Offender Sentencing Alternative (DOSA) program for individuals sentenced under DOSA using DOC 07-038 Drug Offender Sentencing Alternative Compliance Review.
3. Update/enter programming points.
 - a. Individuals housed in RDCs will not lose programming points.
 - b. Points will only be awarded during a given calendar month after the Department time start.
 - c. Points will not be awarded during a given month:
 - 1) For any month earned time was not received.
 - 2) If there is a guilty finding for a 557, 745, or 810 infraction:
 - 3) If the individual is:
 - a) Placed in Restrictive Housing for 20 days or more in the same calendar month for misconduct or unverifiable protection concerns.
 - b) Out to court for 20 days or more in the same calendar month.
 - (1) The individual will be eligible for programming points once returned from court.
4. Correct any Custody Review Score (CRS) errors from previous CFPs.

C. Plan Change Reviews


1. Plan Change reviews will be used to document an individual's compliance with the current CFP and conducted:
 - a. Annually on the anniversary of the Department time start for individuals sentenced to Life Without Parole (LWOP).
 - b. Annually on the anniversary of the ERD for individuals 6 years or more to their ERD.

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- c. Every 6 months, or as targeted in a previous CFP, for individuals within 6 years of their ERD.
 - d. Anytime an unscheduled custody or facility placement change is indicated or recommended.
2. DOC 13-457 Intellectual Disability Review will be completed for individuals in Prison identified as intellectually disabled by the Department of Social and Health Services' Developmental Disabilities Administration.
 3. Within 12 months of the ERD, the case manager will refer to the [Case Manager Custody Facility Plan Job Aid](#) for guidance to complete a Reentry Plan in conjunction with the Plan Change Review.

V. Custody Level Designation and Eligibility

- A. Custody level designation will be based on the CRS. Deviations from the CRS require an override. A CRS will be calculated based on:
 1. Current custody level placement points assigned as follows:
 - a. 0 points - MAX
 - b. 2 points - Close
 - c. 5 points - Medium
 - d. 10 points - Minimum (i.e., MI3, MI2, MI1)
 - e. 15 points - MI1 currently housed in a Reentry Center
 2. Infraction behavior,
 - a. The CRS may be reduced by up to 20 points for a guilty finding for an infraction as follows:
 - 1) Category A infractions will result in a deduction of 20 points for a period of 24 months.
 - 2) A 633 and/or 704 infraction will result in a deduction of 15 points for a period of 12 months. All other category B infractions will result in a deduction of 10 points for a period of 6 months.
 - 3) Category C or D infractions will result in a deduction of 5 points for a period of 6 months.
 - b. Infractions resulting in a deduction of 20 or more points during a review period require evaluation for custody demotion. The CRS

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will only be calculated based on the current custody level to initiate an FRMT review.


3. Program behavior,
4. Detainers, and
 - a. The custody score will be reduced by 10 points for any felony detainer when the sending jurisdiction will extradite or otherwise confirm the warrant.
5. Escape history.
 - a. The CRS may be reduced by up to 15 points and points may be reduced for escape history as follows:
 - 1) Within 2 years will result in a deduction of 15 points.
 - 2) Between 10 years and 2 years and 1 day will result in a deduction of 5 points.

B. Close Custody: CRS 0-39


1. A minimum of 2 years Close custody will be assigned for individuals sentenced for Murder 1 or sentenced to LWOP unless approved by the Secretary/designee.
 - a. After the 2 year mandatory period, individuals sentenced to LWOP may only be promoted and approved for transfer by the HCSC.
2. Close custody will be assigned for one year from the Department time start for individuals sentenced for Murder 2.
3. Individuals assigned an ICD of Close custody and have more than 7 years to their ERD may only be promoted to Medium custody at the next regularly scheduled review.

C. Medium Custody: CRS 40-55

1. All Medium custody recommendations and facility placements for individuals sentenced to LWOP require multidisciplinary FRMT recommendation and approval from the HCSC.
 - a. Once promoted, a Plan Change Review is required any time there is a guilty finding for a serious infraction.

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2. Out-of-State Boarders will only be assigned to a less restrictive custody than Medium with written approval from the sending state through the Chief of Classification/designee.
- D. Minimum Custody: CRS 56 and above
1. Minimum Custody MI3
 - a. MI3 custody will be assigned for individuals who score Minimum and:
 - 1) Have more than 6 years to their ERD.
 - 2) Have less than 6 years to their ERD, and whose medical, dental, and/or mental health needs exceed the resources available at a Level 2 facility, or Reentry Center.
 - 3) Are under Indeterminate Sentence Review Board (Board) jurisdiction with a life maximum term and have not yet been found conditionally eligible for parole/release.
 - 4) Have less than 6 years to their ERD and any of the following felony warrants documented in the electronic file:
 - a) In-state County Detainer that has been formally filed
 - b) Detainer from out-of-state within extradition limits and has been formally filed
 - c) Immigrations and Customs Enforcement detainer
 - d) Federal detainer
 - e) Pending felony detainer copy
 - f) Juvenile detainer
 - 5) Have less than 6 years to their ERD and have been referred for civil commitment as a result of the End of Sentence Review Committee process.
 - b. Individuals sentenced to LWOP will only be assigned MI3 when recommended by a multidisciplinary FRMT and approved by the HCSC and the Senior Director of Case Management Services/designee.
 - 1) Once promoted, a Plan Change Review is required any time there is a guilty finding for a serious infraction.

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2. Minimum Custody MI2

a. MI2 custody will be assigned for individuals who score Minimum and:

- 1) Have 6 years or less to their ERD.
- 2) Are under Board jurisdiction and are:
 - a) Within 6 years of their statutory Maximum Expiration Date or have been found conditionally eligible for parole/release,
 - b) Recommended by the multidisciplinary FRMT, and
 - c) Approved by the HCSC.


b. Regardless of sentence structure, individuals may be referred for early placement at a Level 2 facility using a Long Term Minimum override for medical purposes if the following are met:

- 1) A written summary supporting the medical need for Long Term Minimum placement,
- 2) Multidisciplinary FRMT recommendation, and
- 3) Approval from the:
 - a) HCSC,
 - b) Senior Director of Case Management Services/designee, and
 - c) Assistant Secretary for Health Services/designee.

c. Individuals sentenced for Murder 1 may only be assigned MI2 through an approved mutual reentry plan per DOC 350.300 Mutual Reentry Program, or a Long Term Minimum override approved by the HCSC and Senior Director of Case Management Services/designee.

- 1) Notification detainers will not prohibit MI2 assignment.
- 2) Individuals receiving a commutation order from the Governor will transition per DOC 350.110 Clemency.


3. Minimum Custody MI1

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- a. MI1 custody will be assigned for individuals who score Minimum and:
 - 1) Are within 6 months of release,
 - 2) Meet the admission criteria per DOC 300.500 Reentry Center Screening,
 - 3) Have served any mandatory minimum term of confinement per RCW 9.94A.533 or RCW 9.94A.540,
 - 4) If currently committed for Murder 1, have a mutual reentry plan,
 - 5) Be approved through the Mental Health Transfer Procedure for a PULHESDXTR "S" code of 3 or higher.

4. Minimum Custody MIG
 - a. MIG custody will be assigned to individuals who are:
 - 1) Being placed in a Reentry Center as a participant in Graduated Reentry, and
 - 2) Are between 6 and 12 months to the ERD.

5. Individuals with a current or prior offense listed below may only be assigned MI2 or MI1 by the HCSC.
 - a. Murder 1 and 2
 - b. Assault 1
 - c. Assault of a Child 1 and 2
 - d. Homicide by Abuse
 - e. Kidnapping 1 and 2
 - f. Manslaughter 1 and 2
 - g. Rape 1 and 2
 - h. Attempt/Criminal Solicitation of Rape 1 and 2
 - i. Rape of a Child 1 and 2
 - j. Child Molestation 1 and 2
 - k. Indecent Liberties with Forcible Compulsion
 - l. Incest
 - m. Assault 2 with Sexual Motivation
 - n. Arson 1


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6. Individuals scoring Minimum custody who are within 6 years of their ERD and were previously referred for civil commitment as a Sexually Violent Predator may only be assigned MI1/MI2 by the HCSC.
7. Individuals who committed other sexually motivated offenses may be referred to the HCSC for Minimum custody assignment if, after review of the criminal descriptions or plea bargain agreement, the multidisciplinary FRMT or the Headquarters Classification Unit requests higher review.


VI. Facility Assignment and Transfer

A. Determining facility placement will be consistent with Department needs and:

1. Address safety and security issues, including separation and facility prohibitions.
2. Meet requirements of the individual's custody level designation and health service's needs.
3. Comply with DOC 630.500 Mental Health Services and the Mental Health Transfer Procedure located under Health Services on the Department's internal website.
 - a. Headquarters will not transfer an individual to a facility where the individual has medical or mental health conflicts unless both the sending and receiving facilities have reviewed and approved the placement as appropriate and documented in the CFP.
 - b. Individuals with a PULHESDXTR "S" code of 3 or higher transferring to general population from one facility to general population at another will be conducted as follows:
 - 1) The assigned case manager will contact the Headquarters Classification Unit to confirm eligibility and identify a receiving facility, then notify the individual's mental health therapist.
 - 2) The mental health therapist will notify the mental health therapist at the receiving facility using DOC 13-465 Mental Health Transfer Screening.
 - 3) When all signatures have been obtained, the case manager will document the transfer request by updating the CFP.

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- c. Transfers into/between Restrictive Housing do not require completion of DOC 13-465 Mental Health Transfer Screening or Mental Health Transfer Procedure.
- B. The following will be considered when making facility placement recommendations and decisions:
 - 1. Programming to address risk/needs, crime-related and other disruptive behaviors, and court-ordered treatment requirements,
 - a. Individuals currently in substance use disorder treatment should not transfer until they have completed their current level of care.
 - 2. The individual's sentence and time left to serve, and
 - 3. Input/recommendations from Special Investigative Services.
- C. Transfers will be approved by the Headquarters Classification Unit and are final.
 - 1. The receiving facility's Superintendent/CCS/designee may contact the Headquarters Classification Unit if there are concerns based on new information or a belief that an error has been made.
 - a. The Chief of Classification/designee will resolve the dispute or refer the case to the HCSC.
 - 2. The Headquarters Classification Unit may consult with the Headquarters Special Investigative Services Unit for placement of individuals involved in/suspected of being a member or affiliate of a Security Threat Group (STG) or participating in STG activities.
- D. Individuals will only be transferred to a same custody level facility for:
 - 1. Safety, security, and protection reasons,
 - 2. Significant medical, mental health, and/or program needs on a case-by-case basis, or
 - 3. Transfers from Washington Corrections Center for Women (WCCW) to Mission Creek Corrections Center for Women (MCCCW).
- E. Individuals within 60 days of release will only be transferred:
 - 1. For RDC individuals,
 - 2. For custody demotion,
 - 3. For safety, security, and protection reasons,

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4. For significant medical, mental health, and/or program needs,
5. Within the facility/complex, and
6. Approved by the sending and receiving facility to assist in reentry/ transition of high risk individuals, including Reentry Center placement for individuals without community resources once released.

F. Other than transfers to a Reentry Center, individuals who refuse a facility transfer will be issued a 745 infraction and given other transfer opportunities until the CRS no longer allows placement at the intended custody level.

1. Overrides will only be used to maintain an individual's custody level for those refusing Reentry Center placement.

G. Transfer orders for individuals classified as Minimum custody and approved for placement in a Reentry Center may be completed before the eligibility date to allow appropriate victim/witness notification.

1. The bed date may not be more than 180 days before the ERD.
2. Upon notification of a finalized transfer order, the case manager will update the CFP to reflect MI1 before the callout date, provided the individual remains eligible.

H. For emergent/priority transfers, the sending facility will ensure an expedited CFP is developed within 3 business days.

1. An FRMT review will be conducted before transfer, when possible.
2. Exceptions may apply for facility disturbances/emergencies and or emergent medical/mental health placements that cannot be managed at the sending facility.
3. A copy of the completed CFP will be provided to the individual at the receiving facility.
 - a. The individual may appeal the custody assignment noted in the CFP upon receipt of a copy of the plan.

VII. HCSC Review, Overrides, and Holds

- A. All referrals to the HCSC must be submitted as a Plan Change Review, including recommendations from the multidisciplinary FRMT.
- B. HCSC review is required when:



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1. A recommendation is submitted to the Board to conduct a disciplinary or .100 Hearing per DOC 320.105 Pre-Sentencing Reform Act (PAR) Hearings.
 2. A Prisons Compact transfer is requested per DOC 330.600 Prisons Compact.
 3. A Mutual Reentry Plan request is submitted per DOC 350.300 Mutual Reentry Program.
 4. A recommendation is submitted to promote the custody level of an individual sentenced to LWOP.
 - a. HCSC review is not required to maintain a custody level previously assigned by the HCSC when there are no new serious infractions.
 5. Custody recommendations are submitted requesting a HCSC Community Risk (HCR) override for public safety and/or notoriety of the offense.
 6. An Extraordinary Medical Placement is requested per DOC 350.270 Extraordinary Medical Placement.
 7. Directed by the Headquarters Classification Unit.
 8. DOC 02-249 Request for Denial of Reentry Center Placement is submitted and has not been addressed per DOC 300.500 Reentry Center Screening.
 9. The HCSC previously assigned a more restrictive custody during the current period of confinement than what is being requested.
 10. The HCSC previously prohibited placement at a Level 2 facility or Reentry Center.
 - a. Prohibition based on the prior/current period of confinement remains applicable until closed by the HCSC.
 11. An HCSC Mental Health (HMH) override is requested to assign a more restrictive custody based on the individual's needs for mental health services.
 12. A single cell screening has been completed recommending a single cell assignment.
- C. Individuals assigned a HCSC Pending (HPD) override at an RDC will have their classification referred to the HCSC at the next scheduled classification review.


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D. Overrides

1. Overrides may be requested when documented behavior, medical, dental, mental health, program needs, or detainees indicate it is appropriate to:
 - a. Assign a custody level other than what is indicated by the CRS, or
 - b. Promote/demote custody.
2. The current CFP will be updated to document the override request(s).
3. Authorized override codes and approving authority for each are identified in Override Reasons/Decisions for Custody Assignments (Attachment 1).

E. Holds

1. A hold may be placed in the electronic file when an individual is temporarily ineligible for transfer and must include a "Hold Until" date that should not exceed 90 days.
2. The case manager will monitor facility holds and recommend extending or closing holds as appropriate.
3. The CPM will monitor facility holds and ensure they are reviewed and extended or closed, as appropriate, and in a timely manner.
4. Holds placed by Health Services may only be closed by appropriate health services employees/contract staff related to the hold.
5. The following will be considered when placing a program hold:
 - a. If the program is intended to address a moderate or high need identified as the result of the risk and needs assessment per DOC 320.400 Risk and Needs Assessment Process, and the Risk Level Classification (RLC) is higher than Lower Felony Risk (L),
 - b. Time remaining to ERD,
 - 1) Individuals within 6 months of an eligibility date for MI2/MI1 custody should not be placed into vocational/work programs that require them to remain at the current facility.
 - 2) Second Chance Education/Pell Grant holds entered by the Educational Services Administrator will be honored.
 - c. Availability of the program at other facilities,

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- d. Whether the program is open entry/open exit, and/or
- e. Priority based on referrals.

VIII. Appeals

- A. Individuals may appeal by submitting DOC 07-037 Classification Appeal within 72 hours of being notified of the decision to the:
 - 1. Superintendent/CCS at the facility where the classification decision was made.
 - a. The Superintendent/CCS decision is final.
 - 2. Chief of Classification/designee for Headquarters Classification Unit decisions.
 - 3. Secretary/designee for Prisons Compact transfer decisions.
 - 4. Senior Director of Case Management Services/designee for MAX Custody Committee decisions.
 - 5. Senior Director of Case Management Services/designee for HCSC custody decisions.
- B. Facility placement decisions cannot be appealed.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Escape History. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

Override Reasons/Decisions for Custody Assignments (Attachment 1)

DOC FORMS:

- DOC 02-028 Single Cell Screening and Assignment
- DOC 02-249 Request for Denial of Reentry Center Placement
- DOC 05-794 Classification Hearing Notice/Appearance Waiver
- DOC 07-037 Classification Appeal
- DOC 07-038 Drug Offender Sentencing Alternative Compliance Review
- DOC 13-457 Intellectual Disability Review



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DOC 13-465 Mental Health Transfer Screening

OVERRIDE REASONS/DECISIONS FOR CUSTODY ASSIGNMENTS

For Superintendent/Designee and Headquarters Classification Unit Use

Type	Description
Administrative Segregation (AS)	For escape risk, threats to others/self, or pending investigation for escape risk or threats to others/self. Incarcerated individual is on administrative segregation status at the time of review and will continue to be on administrative segregation status. Custody will only be promoted when placement is for protective custody reasons. A Plan Change Review is required within 30 days of release from segregation if the individual is eligible for promotion.
Boarder (BOA)	Individual is a boarder from another state and the sending state requires custody more restrictive than the Initial Custody Designation (ICD)/Custody Review Score (CRS), or when a Washington individual is a boarder in another state and the individual's custody is limited by the other state.
Detainer (DET)	Individual has an Immigrations and Customs Enforcement (ICE) detainer or felony detainer that prohibits MI2 custody or Reentry Center.
End of Sentence Review (ESR)	Individual cannot obtain MI1 custody. Individual pending End of Sentence Review Committee decisions.
Indeterminate Sentence (IND)	Individual is under Indeterminate Sentence Review Board jurisdiction and the ICD/CRS is Minimum custody. For individuals with a life maximum (MAX) term and have not yet been found eligible for parole/release. Individual is not eligible for a less restrictive custody than MI3.
Initial Custody Designation (ICD)	ICD was a more restrictive custody level than the current CRS. Custody will not be promoted for a period of 6 months for individuals within 6 years of their Earned Release Date (ERD), or for a period of 12 months for individuals with 5 years or more to their ERD, calculated from the Department time start.
Life Without Parole (LWP)	Life Without Parole (LWOP) and cannot be assigned a less restrictive custody level than Close during the first 2 years of incarceration.
Medical (MED)	Individual has medical needs that exceed the health care resources available at a less restrictive custody level. Placement/transfer to less restrictive levels of custody will not be prohibited based on PULHESDXTR code conflicts alone. May not be used for mental health concerns.
Murder 1 (MUR)	Murder 1 conviction and cannot be assigned a less restrictive custody level than Close during the first 2 years. Individual may only be considered for MI2/MI1 with an approved Mutual Reentry Plan.
Prior Headquarters Decision (PHD)	Custody has previously been assigned by the Headquarters Classification Unit or the Headquarters Community Screening Committee (HCSC), and no change in custody is required. Used to assign a more restrictive custody level than the one the individual is scored or time eligible to be assigned. Only 1 PHD override is allowed. If the previously assigned custody is still appropriate, the case should be referred back to the Headquarters source of the original custody assignment.

OVERRIDE REASONS/DECISIONS FOR CUSTODY ASSIGNMENTS

Type	Description
Policy (POL)	<p>May be used to assign MI2 when individual has less than 6 months remaining to ERD when Reentry Center has been denied, or when there are community victim concerns that require mitigation before being eligible for Reentry Center.</p> <p>Will be used to assign Close custody to individuals convicted of Murder 2 for one year from the Department start time.</p> <p>Will be used to assign Medium custody, for one year, to individuals who have more than 7 years to their ERD when the ICD was Close custody.</p>
Risk Management 1 (RM1)	<p>When a Category B, C, or D infraction or lost program points would result in a more restrictive custody. Custody may be maintained or adjusted if the individual is in compliance as documented in the Custody Facility Plan (CFP) and there are other positive indicators (e.g., programming involvement, employee/contract staff/volunteer and/or family support, facility's ability to continue to manage the individual's behavior). May not be used for Category A infractions.</p>
Individual Refuses Reentry Center Placement (RPL)	<p>Individual refuses Reentry Center placement. Adjust custody to MI2 or above. No other authorized uses.</p>
Sex Offender Program (SOP)	<p>Will be used to assign MI3 or above for an individual actively enrolled in the sex offender treatment program at Airway Heights Corrections Center, the Twin Rivers Unit of Monroe Correctional Complex, or Washington Corrections Center for Women until successful completion of the program.</p>
Sexually Violent Predator (SVP)	<p>Individual has been referred for civil commitment by the End of Sentence Review Committee. Requires HCSC approval to have a less restrictive custody than MI3.</p>

For CCS and Headquarters Classification Unit Use

Type	Description
Prior Reentry Center Terminated (PWT)	<p>Individual is terminated from or voluntarily terminates Reentry Center assignment. Used to assign MI2 when an individual continues to score Minimum custody.</p>

OVERRIDE REASONS/DECISIONS FOR CUSTODY ASSIGNMENTS

For Headquarters Classification Unit Use

Type	Description
Community Corrections Transition (CCT)	Individual would benefit from Reentry Center placement for purposes of reentry planning and/or programming, and the individual's CFP and behavior support assignment to MI1 custody.
Community Corrections Violation (CCV)	Individual has been returned to total confinement from community custody and assigning a custody level before release to community supervision is inappropriate. May be used to assign a more or less restrictive custody level.
HCSC Community Risk (HCR)	Individual poses significant risk for assignment of MI2 or less restrictive custody designation.
HCSC Pending (HPD)	Individual scores Minimum custody in the Reception Diagnostic Center (RDC) and requires HCSC review before a less restrictive custody than MI3. Must be submitted to the HCSC at next scheduled classification review date.
HCSC Mental Health (HMH)	Individual has mental health needs/issues that exceed the resources available at a less restrictive custody level. Facility request for HCSC to review due to mental health. Must include documentation of the individual's behavior to support the request and updated PULHES codes.
Intensive Management Status (IMS)	Individual has been referred for placement on MAX custody, or when maintained on MAX custody after initial placement. Custody cannot be promoted.
Infraction (INF)	Individual found guilty at the RDC of a violation that would result in a more restrictive custody level.
Institution Security (INT)	Individual is scored and time eligible to be assigned one custody level, but a more restrictive custody level is necessary as the individual poses risk to safety or security. CFP should clearly document the justification of risk.
Juvenile Rehabilitation Administration (JRA)	Juvenile individual placed in a Department facility at the request of the Department of Social and Health Services (DSHS).
Long Term Minimum (LTM)	Individual's medical/mental/health needs require specific facility placement, or placement in a Department infirmary as a Long Term Care patient. HCSC and Secretary/designee approval is required for individuals who are not eligible for MI2 custody. CFP should clearly summarize the need for Assisted Daily Living (ADL) or medical placement.

OVERRIDE REASONS/DECISIONS FOR CUSTODY ASSIGNMENTS

Type	Description
Management at a Lower Custody Level (MLC)	<p>Individual scores Close or Medium custody due to Category A serious infraction(s), escape behavior, or felony warrants, and is determined to be eligible for a less restrictive custody level. CFP should clearly document positive indicators (e.g., programming involvement that addresses risk/needs, facility's ability to continue to manage the individual's behavior).</p> <p>May be used for ICD when an individual is determined to be eligible for a less restrictive custody level (e.g., first admission to prison, no history of violence).</p> <p>May be used when the sentence has been commuted by the Governor of the State of Washington to facilitate a transition process through a Level 2 facility and/or Reentry Center when the sentence structure would otherwise prohibit placement.</p>
Mutual Reentry Program (MRP)	Individual is actively participating in the Mutual Reentry Program and assigned custody is based on the previously approved CFP. Custody level will be consistent with the approved plan.
Protection Concerns (PC)	Custody level may be more or less restrictive than the CRS based on validated protection concerns.
Security Threat Group (STG)	Custody level may be more or less restrictive than the CRS based on safety, security, and/or recommendations from Special Investigative Services.
Work Ethic Program (WEP)	Individual assigned to Work Ethic Program. Requires documented positive factors supporting the individual is eligible for MI2 custody.



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POLICY

TITLE
REENTRY CENTER SCREENING

REVIEW/REVISION HISTORY:

- Effective: 6/4/02
- Revised: 10/15/04
- Revised: 6/28/05
- Revised: 9/11/07 AB 07-027
- Revised: 8/4/08
- Revised: 10/12/10
- Revised: 2/13/20
- Revised: 2/2/22
- Revised: 3/27/24
- Revised: 6/29/24

SUMMARY OF REVISION/REVIEW:


Attachment 1 - Adjusted language to reflect the closing of Progress House

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

6/28/24
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 72.65](#); [WAC 137-56](#); DOC 100.500 Non-Discrimination for Individuals; DOC 300.380 Classification and Custody Facility Plan Review; DOC 310.150 Reception, Initial Classification, and Custody Facility Plan; DOC 350.200 Transition and Release; DOC 350.300 Mutual Reentry Program; DOC 390.590 Graduated Reentry; DOC 570.000 Sex Offense Treatment and Assessment Programs; DOC 690.400 Individuals with Disabilities

POLICY:


- I. The Department has established a process to screen all potential individuals and determine suitability for placement in or admission to a Reentry Center.

DIRECTIVE:

- I. General Requirements
 - A. Individuals will not be discriminated against per DOC 100.500 Non-Discrimination for Individuals when referring or screening an individual for Reentry Center placement.
 - B. Health services employees/contract staff at the sending facility will conduct an assessment and document on DOC 14-031 Partial Confinement Health Services Screening upon referral or as needed.
 - C. Placement may be limited based on degree and type of resources required to accommodate eligible individuals.
 1. Medical/mental health needs will be considered when determining placement in a Reentry Center that best meets the individual’s needs.
 2. Appropriate accommodations for placement and mitigating barriers will be considered per DOC 690.400 Individuals with Disabilities.
 - D. Acceptance for placement may be conditional and require programming when appropriate, based on the risk and needs assessment and/or criminal history information.
- II. Eligibility
 - A. An individual is prohibited from Reentry Center placement and should not be considered if the individual:

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1. Will not be assigned Minimum 1 custody within 12 months of the Earned Release Date (ERD) or has had a custody demotion after approval.
 - a. Individuals may be eligible for Graduated Reentry per DOC 390.590 Graduated Reentry.
2. Has an open felony detainer/warrant (i.e., notification, extraditable, or non-extraditable).
3. Has an open Immigration and Customs Enforcement (ICE) detainer.
4. Had or currently has an End of Sentence Review Committee referral recommending civil commitment.
5. Has a serious medical/mental health condition and has not been cleared for Reentry Center placement.
6. Has been convicted of Murder 1 unless Reentry Center placement is part of the reentry planning process per DOC 350.300 Mutual Reentry Program.
7. Has a current local victim safety concern that cannot be mitigated after review with Victim Services.
8. Has been convicted of Rape 1 and is within the first 3 years of confinement.
9. Has been sentenced with an enhancement under RCW 9.94A.533 and has not completed the mandatory minimum term of confinement per RCW 9.94A.540.
10. Has committed/been convicted of a current or past sex offense with sexual elements, is not amenable to crime-related treatment as defined in DOC 570.000 Sex Offense Treatment and Assessment Programs, and poses public safety or community risk.
 - a. Individuals who are amenable and have not been prioritized for treatment by the Sex Offense Treatment and Assessment Program may be eligible for Reentry Center placement on a case-by-case basis as determined by the Headquarters Community Screening Committee (HCSC).
11. Does not meet local interagency agreement criteria.

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12. Has a consecutive or active concurrent sentence from another jurisdiction that includes confinement time.

B. Data will be used to prescreen and identify eligible individuals.

III. Referral and Screening

A. Individuals will be targeted for Reentry Center placement per DOC 300.380 Classification and Custody Facility Plan Review and DOC 310.150 Reception, Initial Classification, and Custody Facility Plan.

B. Referrals will be submitted per DOC 350.200 Transition and Release as a transfer order to the facility serving the county of origin per Reentry Centers by County of Origin (Attachment 1).

1. An alternate county of origin may be approved by the Reentry Center Administrator/designee.

C. If the referral is built for a Reentry Center that is not appropriate for the individual, the screening employee will update the transfer request to be screened for the appropriate Reentry Center.


D. When a referral is denied:

1. The screening employee will forward DOC 02-249 Request for Denial of Reentry Center Placement to the Headquarters Classification Reentry Center Correctional Specialist/designee.

a. The Headquarters Classification Reentry Center Correctional Specialist/designee will confirm the accuracy of denials made for policy reasons and concur with the denial. Referral to HCSC will not be required.

b. All other denials (i.e., not policy-driven or those that warrant additional review) will be scheduled for HCSC review. The screening employee will attach DOC 07-026 Formal Headquarters Community Screening Committee (HCSC)/Life Without Parole Decision to the denial request.

2. The HCSC will make a final decision and document the decision on DOC 07-026 Formal Headquarters Community Screening Committee (HCSC)/Life Without Parole Decision and in the electronic file to provide specific reasons to the referring source and Reentry Center.

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IV. Callouts

- A. The Headquarters Classification Reentry Center Correctional Specialist will review the case within 15 months of the ERD to see if the individual is still eligible for Reentry Center placement.
 - 1. If eligible and bed space is available at the receiving Reentry Center, the Headquarters Classification Reentry Center Correctional Specialist will initiate transfer procedures (e.g., callout, schedule transportation).

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Reentry Centers by County of Origin (Attachment 1)

DOC FORMS:

- DOC 02-249 Request for Denial of Reentry Center Placement
- DOC 07-026 Formal Headquarters Community Screening Committee (HCSC)/Life Without Parole Decision
- DOC 14-031 Partial Confinement Health Services Screening

REENTRY CENTERS BY COUNTY OF ORIGIN

COUNTY	FACILITY	GENDER
Adams	Wenatchee Valley	Male
		Female
Asotin	Brownstone Eleanor Chase	Male
		Female
Benton	Tri-Cities	Any
Chelan	Wenatchee Valley	Any
Clallam	Peninsula	Any
Clark	Longview	Any
Columbia	Tri-Cities	Any
Cowlitz	Longview	Any
Douglas	Wenatchee Valley	Any
Ferry	Brownstone Eleanor Chase	Male
		Female
Franklin	Tri-Cities	Any
Garfield	Tri-Cities	Any
Grant	Wenatchee Valley	Any
Grays Harbor	Olympia	Any
Island	Bellingham	Any
Jefferson	Peninsula	Any
King	Seattle: Bishop Lewis Reynolds Helen B. Ratcliff	Male
		Male
		Female
Kitsap	Peninsula	Any
Kittitas	Ahtanum View	Any
Klickitat	Ahtanum View	Any
Lewis	Longview Olympia	Any
		Any
Lincoln	Brownstone Eleanor Chase	Male
		Female

COUNTY	FACILITY	GENDER
Mason	Olympia	Any
North Mason	Peninsula	Any
Okanogan	Wenatchee Valley	Any
Pacific	Longview Olympia	Any
		Any
Pend Oreille	Brownstone Eleanor Chase	Male
		Female
Pierce	Olympia	Any
	Peninsula	Any
	Longview	Any
	Reynolds	Male
	Helen B. Ratcliff	Female
San Juan	Bellingham	Any
Skagit	Bellingham	Any
Skamania	Longview	Any
Snohomish	Seattle: Bishop Lewis Reynolds Helen B. Ratcliff	Male
		Male
		Female
Spokane	Brownstone Eleanor Chase	Male
		Female
Stevens	Brownstone Eleanor Chase	Male
		Female
Thurston	Olympia	Any
Wahkiakum	Longview	Any
Walla Walla	Tri-Cities	Any
Whatcom	Bellingham	Any
Whitman	Brownstone Eleanor Chase	Male
		Female
Yakima	Ahtanum View	Any



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POLICY

TITLE
MONITORING GRADUATED COMMUNITY ACCESS

REVIEW/REVISION HISTORY:

Effective: 7/26/04
 Revised: 12/7/06
 Revised: 1/18/08
 Revised: 12/26/08
 Revised: 10/30/09
 Revised: 2/13/12
 Revised: 1/14/14

SUMMARY OF REVISION/REVIEW:

I.E. - Adjusted that offenders in compliance with their Custody Facility Plan may be allowed outings with approved sponsors
 III.C.1.c. - Adjusted that offenders must remain major infraction free for 60 days to qualify for Step III
 IV.A. - Removed time limit for sanctions to the previous step
 V.C.2. - Added clarifying language


APPROVED:

Signature on file

BERNARD WARNER, Secretary
 Department of Corrections

12/5/13

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [WAC 137-56-140](#); [ACA 2A-11](#); [ACA 4C-11](#); [ACA 5A-14](#); [ACA 6A-02](#); [ACA 6D-01](#); [ACA 6D-02](#); [DOC 310.000 Orientation for Offenders](#); [DOC 320.145 Violator Confinement in Department Facilities](#); [DOC 450.310 Visits and Social Outings for Work Release Offenders](#)

POLICY:

- I. The Department recognizes the need to monitor offender activities in order to enhance community safety. Offenders in Work Release will be allowed community access based on time in the facility, progress in meeting plan objectives, personal behavior, and risk to the public. [5A-14]
- II. [6D-01] [6D-02] Community access allows offenders to participate in restorative justice by taking responsibility for their actions and giving back to the community through work. This allows them to pay restitution and satisfy court obligations, such as fines and court costs, and donate community service hours. Offenders are encouraged to make restitution to the victims of their crimes or to the community for past behavior.
- III. Rap House/Lincoln Park Work Release will follow procedures for graduated community access tailored to the specialized needs of its population. These procedures are documented at the facility and are approved annually by the Statewide Programs/Work Release Administrator.
- IV. Work Release offenders who are sanctioned to Work Release for community custody violations will be managed per DOC 320.145 Violator Confinement in Department Facilities.

DIRECTIVE:

- I. General Requirements
 - A. Work Release offenders will only be allowed supervised access to the community until they have completed orientation per DOC 310.000 Orientation for Offenders.
 - B. Work Release employees/contract staff will monitor and document the offender's location per the pass or schedule/plan approved by the Community Corrections Officer (CCO).
 - C. Increased access to the community will be based on a 3 step program. This program does not affect an offender's religious service, medical treatment, law library, court, or attorney access. However, if an offender is suspected of

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committing an infraction, s/he may be restricted to the facility pending the outcome of the investigation.

- D. An offender's advancement to a higher step may occur automatically when the expectations are met.
- E. After demonstrated successful compliance with their Custody Facility Plan, offenders may be allowed outings with approved sponsors per DOC 450.310 Visits and Social Outings for Work Release Offenders. [2A-11]
- F. Employees/contract staff will provide input on the offender's accomplishments, compliance with expectations, and demonstration of positive behavior.


II. [2A-11] Approvals

A. Point-to-Point Pass

- 1. DOC 20-109 Point-to-Point Pass will be used only for approved personal business (e.g., access to courts/law library/attorney, health and dental care, programs, religion) that cannot be accomplished in another manner. [4C-11] [6A-02] Offenders will be encouraged to conduct the majority of their business on social outings.
 - a. [6A-02] DOC 20-109 Point-to-Point Pass may be approved for use only between the hours of 7:00 a.m. and 10:00 p.m. and will not exceed 2 hours duration, excluding travel time.
 - 1) For medical purposes, the Community Corrections Supervisor (CCS)/designee may extend the 2 hour limit or grant written permission for a Point-to-Point Pass for a period outside the 7:00 a.m. to 10:00 p.m. timeframe.
- 2. The CCS may design a Pre-approved Pass System for routine business, which may include check cashing or a store run.

B. Job Search Pass

- 1. DOC 20-103 Job Search Pass will be used when an offender is seeking employment.
 - a. DOC 20-103 Job Search Pass will not exceed 8 hours duration, including travel time. After 4 hours, the offender must contact and/or return to the facility.

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2. The CCS will establish the facility procedure to monitor and verify offender job search activities, including employee/contract staff responsibilities.

C. Offender Schedule/Plan

1. Any recurring activity exceeding 2 hours will be scheduled using DOC 20-102 Offender Schedule/Plan. [6A-02]
2. The CCS will establish facility procedures for CCOs and contract staff in the event an offender's approved return time needs to be extended.

- D. The CCO/designee will verify the offender's compliance through personal contact, written contact, written documentation, or sales receipts. Telephone contact may be used after the initial in-person confirmation.


III. Step Advancement Process

A. Step I

1. The offender is placed in Step I upon completion of the facility orientation.
2. Privileges for Step I are:
 - a. Point-to-Point passes, as needed to conduct essential business.
 - b. Approved visitors per DOC 450.310 Visits and Social Outings for Work Release Offenders.

B. Step II

1. To qualify for Step II, the offender must, at a minimum:
 - a. Maintain employment and/or accredited educational programming a minimum of 32 hours per week.
 - b. Have a Legal Financial Obligation (LFO) schedule established, if applicable.
 - c. Successfully participate in all facility program requirements and comply with the Custody Facility Plan.
 - d. Have remained major infraction free, including violations that resulted in a Stipulated Agreement, for the past 30 days.
2. Privileges for Step II are:
 - a. Point-to-Point passes.

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- b. Approved social outing time per DOC 450.310 Visits and Social Outings for Work Release Offenders, up to 20 hours a week.
- c. Other privileges established by the CCS.

C. Step III


- 1. To qualify for Step III, the offender must, at a minimum:
 - a. Maintain employment and/or accredited educational programming a minimum of 40 hours per week.
 - b. Be current in his/her payments toward Cost of Supervision, LFOs, any Community Services Revolving Fund (CSRF) loans, and room and board.
 - c. Have remained major infraction free, including violations that resulted in a Stipulated Agreement, for the past 60 days.
 - d. Meet facility program requirements and comply with the Custody Facility Plan.
- 2. Privileges for Step III are:
 - a. Point-to-Point passes.
 - b. Approved social outing time per DOC 450.310 Visits and Social Outings for Work Release Offenders, up to 30 hours per week.
 - c. Other privileges established by the CCS.

IV. Major Violation Step Reduction

- A. When an offender admits to or is found guilty of a major infraction through the hearing or Stipulated Agreement process, s/he will be returned to the previous step as part of the sanction, unless otherwise noted by the Hearing Officer.
- B. The offender must re-apply for step advancement. When eligible, as determined by the Classification Committee, the offender may move through the step system.

V. Employment

- A. Work Releases will develop and maintain a list of approved employers who have been oriented regarding Work Release rules related to offender employment.
 - 1. When an offender secures employment, the CCO/designee will confirm employment, review DOC 16-043 Work Release - Employer Letter, and

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follow-up by mailing or faxing the letter to the employer within 5 working days of the start of employment.

2. For new employers who are not on the approved list, the CCO/designee will complete an in-person contact at the job site within 10 working days of the start of employment. The CCO/designee will discuss the content of DOC 16-043 Work Release - Employer Letter with the employer.
- B. The CCO will approve an offender's job and work schedule before the offender begins employment with employers not on the approved list. Contract staff may approve employment with approved employers within parameters established by the CCS/designee.
- C. [2A-11] Required employer contacts are as follows:
1. The CCO/designee will contact each employer on the approved list by telephone at least once per month if there is an offender(s) currently employed at the location.
 2. Unless otherwise specified in the Custody Facility Plan, the CCO will conduct in-person visits at least:
 - a. Once a month at the employment site of new employers, and
 - b. Every other month for employers on the approved list if there is an offender(s) currently employed at the location.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- [DOC 16-043 Work Release - Employer Letter](#)
- [DOC 20-102 Offender Schedule/Plan](#)
- [DOC 20-103 Job Search Pass](#)
- [DOC 20-109 Point-to-Point Pass](#)



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POLICY

TITLE

ORIENTATION

REVIEW/REVISION HISTORY:

- Effective: 3/13/00
- Revised: 10/21/04
- Revised: 11/19/06
- Revised: 3/11/08
- Revised: 5/22/08 AB 08-011
- Revised: 6/21/09
- Revised: 1/25/10
- Revised: 8/27/12
- Revised: 10/26/18
- Revised: 12/27/21

SUMMARY OF REVISION/REVIEW:

Major changes to include updated terminology throughout. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

11/30/21

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 49.60](#); DOC 300.010 Behavior Observations; DOC 310.150 Reception, Initial Classification, and Custody Facility Plan; DOC 440.080 Hygiene and Grooming for Incarcerated Individuals; DOC 450.500 Language Services for Limited English Proficient Individuals; DOC 490.700 Transgender, Intersex, and/or Gender Non-Conforming Housing and Supervision; DOC 690.400 Individuals with Disabilities; [Americans with Disabilities Act \(ADA\) of 1990](#); [Prison Rape Elimination Act of 2003](#); [Statewide Orientation Handbook](#)

POLICY:

- I. Individuals sentenced to the Department will undergo an initial reception, admission, and orientation process at Washington Corrections Center (WCC) or Washington Corrections Center for Women (WCCW) Reception Diagnostic Centers (RDCs) unless exceptional circumstances exist.
- II. Individuals arriving at or transferred to a facility other than an RDC or to electronic home monitoring will receive an orientation delivering facility/program specific information including procedures, rules, and regulations unique to its purpose, physical plant, and security status.

DIRECTIVE:


- I. Admission
 - A. All newly received incarcerated individuals will participate in a program of interviews, testing, and other activities related to the admission process at the receiving facility per DOC 310.150 Reception, Initial Classification, and Custody Facility Plan.
 1. Initial reception and orientation will be completed within 4 weeks of admission to the RDC.
 - a. If medical, mental health, or behavioral issues prevent completion, it will be documented in the individual’s electronic file and orientation will be conducted as soon as feasible.
 - B. The admission process will be documented in the incarcerated individual’s electronic file and, at a minimum, include:
 1. Determination they are legally committed to the Department
 2. A thorough search of the individual and possessions
 3. Disposition of personal property

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4. Issuance of an initial hygiene bag per DOC 440.080 Hygiene and Grooming for Incarcerated Individuals
5. Issuance of clean, laundered state clothing
6. Photographing and fingerprinting, including notation of identifying marks or other unusual physical characteristics
7. Medical, dental, and mental health screening
8. Deoxyribonucleic Acid (DNA) testing, when applicable
9. Assignment to a housing unit
10. Assignment of a DOC number, if needed
11. Assignment of an Inmate Personal Identification Number (IPIN)
12. Record of basic personal data and information including emergency contact designation on DOC 20-414 Intake Questionnaire.
 - a. During intake at a Reentry Center, the case manager will:
 - 1) Update the Personal Characteristics screen in the individual's electronic file, if needed, and
 - 2) Print the individual's Legal Face Sheet to maintain at the front duty station.

II. Orientation Handbook/Handouts

- A. Incarcerated individuals will receive the Statewide Orientation Handbook and other handouts during orientation.
 1. The statewide handbook will be reviewed and updated when this policy is assigned for regular review and as needed.
- B. Facility/program specific orientation handbook/handouts will supplement the Statewide Orientation Handbook and orientation materials. The supplement will include only facility/program specific information, not repeating information in the Statewide Orientation Handbook, and will not exceed 23 pages.
 1. Reentry Center Orientation Handbooks will be maintained at the front duty station.
- C. Facility/program specific handbook/handouts will be reviewed and updated as needed.
 1. Major changes to procedures/processes will be updated and:
 - a. Promptly posted in living areas in Prisons and Reentry Centers.

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b. Provided as soon as possible to each participant on electronic home monitoring.

D. Incarcerated individuals attending Spanish orientation will receive the orientation handbook/handouts translated into Spanish by the Department-certified Spanish translator.

1. In addition to the information in the English handouts, Spanish versions of handouts must include information on:

- a. Requesting translation services
- b. Enrolling in English as a Second Language (ESL) classes, if available

2. The Spanish orientation handbook/handouts will be updated when the English version is updated.

E. At RDC orientation, incarcerated individuals will have the opportunity to mail an informational handout to their spouse/state registered domestic partner or family one time, with the cost of the mailing provided by the Incarcerated Individual Betterment Fund.


III. Orientation

A. Incarcerated individuals arriving at or transferred to electronic home monitoring or a facility, including transfers between an Intensive Management Unit (IMU), will receive an orientation to the new facility/program unless:


- 1. Medical, mental health, or behavioral issues prevent completion.
 - a. If medical, mental health, or behavioral issues prevent completion, it will be documented in the individual's electronic file and orientation will be conducted as soon as feasible.
- 2. The individual has violated a condition of their community supervision and is returning to a facility within 90 days of receiving an orientation.
- 3. The individual has been out to court or in a community hospital and is returning to a facility within 12 months of receiving an orientation.

B. Orientation will be conducted:

- 1. Within one week of admission to Prison.
- 2. Within 48 hours of admission to a Reentry Center.
- 3. Before transferring to the community for electronic home monitoring.

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- C. Employees will conduct the orientation by reviewing the contents of the orientation handbook/handouts and responding to questions.
1. Information will be provided, both orally and in writing, in a manner that is clearly understood.
- D. Prison orientation will include, at a minimum, information on:
1. Educational, religious, work, recreation, health care, family services, resolution, safety, and other facility programs
 2. Facility rules and regulations
 3. Classification and risk assessment processes
 4. Behavior observations per DOC 300.010 Behavior Observations
 5. Processes for communicating with all levels of employees (e.g., kiosk, kite)
 6. Sustainability efforts within the Department and how to participate
 7. The rights of individuals with disabilities per DOC 690.400 Individuals with Disabilities and the Americans with Disabilities Act
 8. Resources identified per DOC 490.700 Transgender, Intersex, and/or Gender Non-Conforming Housing and Supervision
 9. The Prison Rape Elimination Act (PREA)
 10. Suicide prevention, signs, and reporting
- E. Individuals in partial confinement will be notified of all appropriate policies and procedures that affect them, including payment of fees, disciplinary actions, programming, financial assistance, telephone use, safety programs, emergency procedures, family services, community resources, and PREA.
1. Orientation must occur before receiving permission to leave a Reentry Center.
- F. Individuals will be provided with the [Resolution Program Handout](#).
- G. When a literacy, language, or other cognitive/comprehension concern exists, employees will assist the individual in understanding the material per DOC 450.500 Language Services for Limited English Proficient Individuals.
1. Spanish speaking individuals will attend a Spanish version of the orientation program and be notified of available Spanish translated materials and services.
 2. Each facility will develop processes for non-Spanish speaking Limited English Proficiency individuals, including those requiring sign language interpretation, to receive orientation in a language they understand.

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H. Employees will document orientation in the incarcerated individual's electronic file. The individual will acknowledge receipt of orientation and the Statewide Orientation Handbook/facility specific handbook by signing:

1. DOC 21-992 Prison Orientation Checklist, or
2. DOC 05-512 Partial Confinement Orientation Checklist and DOC 02-322 Receipt of Handbook.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- DOC 02-322 Receipt of Handbook
- DOC 05-512 Partial Confinement Orientation Checklist
- DOC 20-414 Intake Questionnaire
- DOC 21-992 Prison Orientation Checklist



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POLICY

TITLE
VETERANS SERVICES

REVIEW/REVISION HISTORY:

Effective: 4/7/14
Revised: 9/15/14
Revised: 10/11/21
Revised: 9/30/22

SUMMARY OF REVISION/REVIEW:


Major changes to include updating terminology and reorganization of content. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

8/18/22
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 300.380 Classification and Custody Facility Plan Review; DOC 420.140 Cell/Room Assignment; DOC 440.000 Personal Property for Offenders; DOC 450.100 Mail for Individuals in Prison; DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments; Veteran Compensation and Pension Examination Job Aid

POLICY:

- I. The Department is committed to identifying veterans to assist with providing access to services and reentry needs and supporting successful transition into the community.
- II. Prisons may establish a Veterans Unit(s) for qualified individuals to enhance overall behavior and personal wellbeing by providing an opportunity to house with other veterans. Assignment to Veterans Units will be voluntary.

DIRECTIVE:


- I. Responsibilities
 - A. Each Superintendent will designate a facility employee(s) as the Veterans Point of Contact (POC), who will:
 1. Facilitate monthly meetings to discuss resources, reentry, and additional veteran-related activities (e.g., arrange meeting space, distribute information about outside providers, provide flyers).
 2. Coordinate meetings for veterans with:
 - a. Veteran Service Officers (VSOs) for veterans receiving benefits, and
 - b. Veteran’s stakeholders (e.g., Healthcare for Reentry Veterans Specialist, Incarcerated Veteran Reintegration Services Program).
 - B. The Research and Data Analytics Unit at Headquarters will provide:
 1. Monthly reports to the Veterans POC, Field Administrators, and Reentry Systems Administrator/designee on the local veteran population, including the veteran population on community supervision (e.g., self-reported).
 2. Quarterly reports from the public assistance reporting system to the Veterans Service Manager to identify veterans receiving benefits.
 - C. The Reentry Systems Administrator/designee will:

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1. Review reports from the Research and Data Analytics Unit and ensure the Military Service section under Personal Characteristics in a veteran's electronic file is current.
2. Ensure information is up-to-date with the Research and Data Analytics Unit so the POC receives veteran-related information and reports.
3. Coordinate with the Department of Veterans' Affairs, VSOs, facility Veteran POCs, and incarcerated veterans to review benefits.
 - a. The case manager and Veterans POC will be notified of a veteran receiving benefits.
4. Coordinate with Department of Veterans' Affairs, Veteran Service Officers, and incarcerated veterans who are within 30 days of their Earned Release Date or transfer to partial confinement to review benefits.

II. Identification of Individuals Eligible for Veterans Services

- A. Individuals will be eligible for Veterans Services if they are considered a veteran under 38 U.S.C. § 101(21) or have served at least one day of active duty in the U.S. military, including National Guard and Reserves.
- B. Individuals will be provided DOC 20-414 Intake Questionnaire at reception. If an individual indicates prior military service, the Reception Diagnostic Center case manager will:
 1. Update the Military Service section of the Personal Characteristics screen in the electronic file.
 2. Determine if a DD 214 Certificate of Release or Discharge from Active Duty/NGB 22 or other qualifying document is on file and alert the Veterans POC if there is no document on file.
- C. As necessary, case managers/Veterans POC will assist veterans or eligible individuals by completing the application to request DD 214 Certificate of Release or Discharge from Active Duty/NGB 22 or other qualifying document.
 1. Update the Application Sent fields in the Military Service section of the Personal Characteristics screen in the electronic file.
- D. Individuals in a Prison are not allowed to keep their DD 214 Certificate of Release or Discharge from Active Duty/NGB 22 or other qualifying document in their cell or on their person per DOC 440.000 Personal Property for Offenders.

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1. When a DD 214 Certificate of Release or Discharge from Active Duty/NGB 22 or other qualifying document is received by a Prison, the mailroom will immediately forward it to the facility Records Office. Facility records employees will:
 - a. Scan the form into the electronic imaging file using the OA10 code and file it in the central file.
 - b. Document receipt of the DD 214/NGB 22 or other qualifying document by creating a chronological entry and notify the individual's case manager.
 - 1) The certificate will be provided to the individual upon release or transfer to partial confinement.
2. The case manager will update the Military Service section of the Personal Characteristics screen in the electronic file and notify the individual.
3. Mail from the Veteran's Administration or other veteran related agencies that is addressed incorrectly will be forwarded to the Reentry Division at Headquarters per DOC 450.100 Mail for Individuals in Prison.

III. Veterans Benefits

- A. Awards of U.S. Department of Veterans Affairs benefits for veterans and beneficiaries are subject to adjustment or discontinuance while the individual is incarcerated per DOC 200.000 Trust Accounts for Incarcerated Individuals.
 1. Veterans who need compensation benefits for service related disability may request and participate in a compensation and pension medical examination per the Veteran Compensation and Pension Examination Job Aid.

IV. Establishing Veterans Units

- A. Superintendents who wish to establish a dedicated Veterans Unit(s) will submit a formal request to the applicable Assistant Secretary for Prisons.
 1. Requests will identify where the proposed unit would be established within the facility and why the unit would be beneficial to facility operations.
 2. Facilities seeking to establish a Veterans Unit will:
 - a. Make support resources and programs available that are designed to address the needs of incarcerated veterans (e.g., American


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Legion post membership, Post-Traumatic Stress Disorder counseling, anger management, Cognitive Behavioral Therapy, Dialectical Behavioral Therapy).

- b. Assist incarcerated veterans in accessing applicable federal and state resources and benefits, specifically for:
 - 1) Transition and release
 - 2) Health and wellbeing
 - 3) Establishing healthy community ties
 - 4) Job readiness
- 3. If approved, the Superintendent will designate a Correctional Unit Supervisor (CUS)/designee responsible for the day-to-day operations of the Veterans Unit and:
 - a. Ensure employees, contract staff, volunteers, and veterans adhere to the process and procedures of the unit.
 - b. Develop, publish, and maintain a schedule of all unit activities.
 - c. Be active in the development and delivery of the unit's daily programs and/or activities, including ensuring that unit personnel coordinate and engage with outside resources to support the facility's incarcerated veteran population.
- 4. Within 6 months of establishing a Veterans Unit, the veterans assigned to the unit will submit a mission statement and unit rules to the Veterans Unit CUS for approval.
 - a. The CUS and veterans will review the mission statement and unit rules annually and update them as necessary.

V. Eligibility, Application, and Screening


- A. To be eligible for assignment to a Veterans Unit, individuals must:
 - 1. Have a DD 214 Certificate of Release or Discharge from Active Duty/NGB 22 or other qualifying document on file verifying that the discharge was anything other than a dishonorable discharge.
 - 2. Have no guilty findings for an infraction for 6 months.

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- a. Individuals with a general infraction finding(s) in the prior 6 months can be approved subject to approval through a Facility Risk Management Team (FRMT) chaired by the Veterans Unit CUS.
3. Not be actively involved with a Security Threat Group (STG).
- B. Assignment to the Veterans Unit is voluntary and will be made consistent with assigned custody level on a space available basis.
 1. Individuals who are interested in assignment to the Veterans Unit will submit DOC 02-391 Veterans Unit Application to the CUS through their assigned case manager for review.
 2. The CUS will screen applicants and:
 - a. Follow DOC 420.140 Cell/Room Assignment and DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments when determining suitability and cell assignments.
 - b. Review the electronic file for custody levels, infraction history, STG involvement, and health concerns. Any overrides require approval per DOC 300.380 Classification and Custody Facility Plan Review.
 - c. Ensure that a qualifying DD 214 Certificate of Release or Discharge from Active Duty/NGB 22 or other qualifying document is on file.
 3. The Veterans Unit CUS, case managers, Sergeant, and mental health provider may conduct in-person interviews with applicants to determine suitability.

VI. Veterans Unit Expectations and Operations


- A. Veterans accepted into the unit will be expected to:
 1. Sign an acknowledgment form agreeing to comply with:
 - a. This policy and the facility's related operational memorandum.
 - b. Unit rules and the established mission statement.
 2. Adhere to facility rules.
 3. Make a personal commitment to maintaining good health and fitness to the best of their ability.

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- B. Individuals in the Veterans Unit will also have opportunities to participate in the following activities:
1. Raising and lowering of colors on a dedicated flagpole, performed daily by a select group of veterans.
 2. Presenting colors at significant incarcerated individual events, performed by a select group of veterans, under the supervision of employees/ contract staff/volunteers.
 3. Participating in a voluntary, structured fitness program facilitated by unit employees.
 4. Organizing Veterans Day and/or other holiday celebrations for individuals in general population.
 5. Displaying the military seal from the branch in which they served on:
 - a. Their cell door, and
 - b. A non-permanent identifier (i.e., sticker, card) attached to their identification card.
 6. Facilitating fund raisers to support resources needed by the unit.
 7. Planning a yearly event and meal with Superintendent approval. The event will be paid from by funds available in the Veterans Account.
- C. Veterans throughout the facility will have access to any veteran-related counseling and programming available to individuals in the Veterans Unit.

VII. Removal

- A. Any veteran who fails to adhere to the Veterans Unit requirements will be reviewed by an FRMT.
1. The team will be chaired by the Veterans Unit CUS and include:
 - a. Veterans Unit Sergeant,
 - b. Case manager, and
 - c. Other relevant employees.
 2. A veteran may be removed from the unit for:
 - a. Continued poor general conduct,
 - b. Receiving an infraction, and/or

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- c. Failing to comply with this policy, the facility's related operational memorandum, or the unit rules.
- 3. The FRMT will determine if the veteran should be allowed to continue living in the unit or be removed.
 - a. Individuals removed from the unit will be required to reapply to be considered for placement in any Veterans Unit.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- DOC 02-391 Veterans Unit Application
- DOC 20-414 Intake Questionnaire



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TITLE
**RECEPTION, INITIAL CLASSIFICATION, AND
CUSTODY FACILITY PLAN**

REVIEW/REVISION HISTORY:

Effective: 11/26/06
 Revised: 8/4/08
 Revised: 11/17/14
 Revised: 12/3/19
 Revised: 2/2/22
 Revised: 7/17/23

SUMMARY OF REVISION/REVIEW:

I.A.1., I.D.1.b., II.G.3.a., II.I., and II.J. - Adjusted language for clarification
 I.C. - Removed unnecessary language
 I.C.5. - Added language for clarification
 Added I.C.11. that single cell screening will be conducted within one business day
 Added I.C.12. that individuals will have the opportunity to voluntarily complete a Preferences Request and consideration of gender-affirming housing requests
 Added Gender-Affirming to the Definitions section


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

6/21/23

 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON FACILITY/SPANISH MANUALS		
	REVISION DATE 7/17/23	PAGE NUMBER 2 of 8	NUMBER DOC 310.150
	TITLE RECEPTION, INITIAL CLASSIFICATION, AND CUSTODY FACILITY PLAN		

REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9A](#); [RCW 9.41.225](#); [RCW 9.68A.101](#); [RCW 9.82.010](#); [RCW 9.94A](#); [RCW 10.95.020](#); [RCW 46.61.520](#); [RCW 46.61.522](#); [RCW 69.50.406](#); [RCW 70.245.200](#); [RCW 70.74](#); [RCW 72.09.270](#); [RCW 79A.60.050](#); DOC 300.380 Classification and Custody Facility Plan Review; DOC 300.500 Reentry Center Screening; DOC 310.000 Orientation; DOC 320.180 Separation and Facility Prohibition Management; DOC 320.400 Risk and Needs Assessment Process; DOC 420.140 Housing and Cell/Room Assignment; DOC 470.500 Security Threat Group Member Validation and Tracking; DOC 490.700 Transgender, Intersex, and/or Non-Binary Housing and Supervision; DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments; DOC 580.000 Substance Use Disorder Treatment Services; DOC 610.040 Health Screenings and Assessments; DOC 630.500 Mental Health Services

POLICY:


- I. The Department has established guidelines to obtain information for each individual sentenced to its jurisdiction in order to provide necessary assistance during incarceration, including information for risk and needs assessments, classification, and developing a Custody Facility Plan (CFP).
 - A. To the extent resources are available, Reception Diagnostic Center (RDC) employees at Washington Corrections Center (WCC) and Washington Corrections Center for Women (WCCW) will complete screening, risk and needs assessments, and develop a CFP with placement recommendations. This excludes individuals who have violated a condition(s) of community supervision, unless reclassified/returned per RCW 9.94A.633.
- II. Objective initial classification processes will be used to assign custody levels for facility placement. Individuals will be placed in the least restrictive facility while providing for community and facility safety.

DIRECTIVE:

- I. Reception
 - A. Unless approved by the Classification and Case Management Administrator/designee (e.g., employee conflicts, exceptional medical placement, security concerns), males will be received at WCC and females will be received at WCCW.
 1. If notified in a timely manner prior to reception, consideration will be taken to receive the individual into a gender-affirming facility if transferring from a gender-affirming jail.

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- B. Admission and orientation will be conducted per DOC 310.000 Orientation.
- C. Newly committed individuals will be screened and assessed, to include, but not be limited to:
 - 1. Prison Rape Elimination Act risk assessments to determine housing and programming assignments per DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments
 - 2. Medical, dental, and mental health screening per DOC 610.040 Health Screenings and Assessments and DOC 630.500 Mental Health Services
 - 3. Substance use disorder screening and assessment per DOC 580.000 Substance Use Disorder Treatment Services, if appropriate
 - 4. Family and community support
 - 5. Separation and facility prohibition issues within one business day of admission per DOC 320.180 Separation and Facility Prohibition Management
 - 6. Security Threat Group affiliation per DOC 470.500 Security Threat Groups Member Validation and Tracking
 - 7. Pre-commitment/readmission assessment information (e.g., medical/behavior issues at jail)
 - 8. Completion of DOC 13-457 Intellectual Disability Review for individuals identified as intellectually disabled by the Department of Social and Health Services' Developmental Disabilities Administration
 - 9. Risk and needs assessment per DOC 320.400 Risk and Needs Assessment Process
 - a. The individual will not be provided a copy of the interview questions.
 - 10. Completion of DOC 20-440 Native American Heritage Questionnaire, if applicable
 - 11. Single cell screening within one business day of admission per DOC 420.140 Housing and Cell/Room Assignment.
 - 12. The opportunity to voluntarily complete DOC 02-420 Preferences Request if identifying as transgender, non-binary, and/or is intersex.

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- a. The housing protocol process will begin within 3 business days if the individual requests consideration to be placed in gender-affirming housing per DOC 490.700 Transgender, Intersex, and/or Non-Binary Housing and Supervision.

D. A case manager will be assigned to each individual for the initial classification, who will:


- 1. Initiate the CFP, to include personal information, purpose of the report, community support, and program needs,
 - a. Information reported from the individual will be documented on DOC 20-414 Intake Questionnaire.
 - b. For individuals who have 72 months or less to serve, the CFP will include the next expected (i.e., targeted) custody reduction and placement.
- 2. Ensure a copy of the CFP is offered to the individual, and
- 3. Refer individuals to specialty services, as needed (e.g., End of Sentence Review, transition services, treatment, specialized housing).

II. Initial Classification and Eligibility


- A. Pending initial classification, individuals will be designated Close custody.
- B. For classification purposes, convictions for any offense classified as attempted, conspiracy, or solicitation will be treated the same as a conviction for the offense itself.
- C. Initial classification will be based on the Initial Custody Designation (ICD) score. An ICD will be calculated in the electronic file based on:
 - 1. Crime category, which will be assigned based on the current, most serious offense as follows:
 - a. 0 points - Category A
 - b. 5 points - Category B
 - c. 10 points - Category C
 - d. 20 points - Category D
 - e. 20 points - Individuals under Indeterminate Sentence Review Board (Board) jurisdiction or reclassified/returned per RCW 9.94A.633.
 - 2. History of violence,

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- a. A deduction of up to 15 points if the individual has received a guilty finding as follows:
 - 1) For any of the following violations within 7 years will result in a deduction of 10 points: 501, 502, 511, 521, 553, 601, 602, 604, 611, 612, 613, 633, 635, 636, 637, 650, 651, 704, 711, 853, 870, or 871.
 - 2) For any conviction listed in History of Violence (Attachment 1) that was not scored in the current crime category will result in a deduction of 5 points.
- 3. Detainers,
 - a. Individuals will receive a deduction of 10 points for any felony detainer.
- 4. Escape history, and
 - a. Individuals will receive a deduction of 6 points for escape history within 10 years from the date of offense.
 - 1) Individuals will not have points deducted if the only current offense is escape.
- 5. Age.
 - a. Individuals under the age of 29 at the time of initial classification will receive a deduction of 6 points.
- D. Deviations from the ICD require an override (e.g., conviction, program needs, time structure). Authorized override codes and approving authority for each are identified in Attachment 2 and will be documented in the case manager Comments and Recommendations section of the CFP.
- E. Close Custody: ICD 0-34
 - 1. Indicates placement at a Level 4 facility.
 - 2. Unless otherwise approved by the Secretary/designee, Close custody will be assigned for:
 - a. A minimum of 2 years for individuals committed for Murder 1 or sentenced to Life Without Parole (LWOP).

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- 1) After the 2 year mandatory period, individuals sentenced to LWOP may only be promoted and approved for transfer by the Headquarters Community Screening Committee (HCSC).
 - b. One year from the Department time start for individuals committed for Murder 2.
- F. Medium Custody: ICD 35-47
1. Indicates placement at a Level 3 facility.
- G. Minimum (MI) Custody: ICD 48 and above
1. MI3 Custody: Indicates placement at a Level 3 facility. Individuals:
 - a. With over 6 years to Earned Release Date (ERD).
 - b. With a current or prior offense listed below will be assigned MI3 pending HCSC review:
 - 1) Murder 1 and 2
 - 2) Assault 1
 - 3) Assault of a Child 1 and 2
 - 4) Homicide by Abuse
 - 5) Manslaughter 1 and 2
 - 6) Rape 1 and 2
 - 7) Attempt/Criminal Solicitation of Rape 1 and 2
 - 8) Rape of a Child 1 and 2
 - 9) Child Molestation 1 and 2
 - 10) Incest
 - 11) Assault 2 with sexual motivation
 - 12) Kidnapping 1 and 2
 - 13) Indecent Liberties with forcible compulsion
 - 14) Arson 1
 - c. Committed for any other sexually motivated offense may be referred by the Headquarters Classification Unit to the HCSC for assignment to a more restrictive custody than MI2 (e.g., after review of criminal descriptions/plea bargain agreement).
 - d. Under Board jurisdiction and has not been found eligible for parole/ release will not be assigned a less restrictive custody than MI3.

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- e. Who has an Immigration and Customs Enforcement detainer and/or an extraditable felony detainer will not be assigned a less restrictive custody than MI3.
 - 1) Any felony warrant, including notification only, prohibits MI1 assignment.
- f. Assigned MI3 custody for medical, mental health, or dental reasons may be assigned a less restrictive custody level as determined by health services employees/contract staff.
- 2. MI2 Custody: Indicates placement in a Level 2 facility. Individuals with:
 - a. Less than 6 years to ERD.
 - b. Health limitations will only be placed in a lower security facility when their health needs can be met.
- 3. MI1 Custody:
 - a. Individuals with less than 12 months to ERD and meet the criteria in DOC 300.500 Reentry Center Screening may be placed in a Reentry Center.
 - 1) Any individual sentenced with a mandatory minimum term of confinement per RCW 9.94A.533 will only be eligible for Reentry Center placement when the mandatory portion of the sentence is completed.
 - b. Individuals who decline Reentry Center placement will be assigned MI2 using the Refuses Placement (RPL) override.
- H. The Headquarters Classification Unit will complete the ICD and approve facility assignment.
- I. Initial custody level assignment may be appealed to the Classification and Case Management Administrator/designee. Facility placement decisions cannot be appealed.
 - 1. Appeals must be submitted using DOC 07-037 Classification Appeal within 72 hours of being notified of the decision.
 - 2. The Classification and Case Management Administrator/designee appeal decision is final.

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- J. Additional classification reviews, including scoring factors for the Custody Review Score (CRS), will be conducted per DOC 300.380 Classification and Custody Facility Plan Review.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Escape History, Gender-Affirming. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

- History of Violence (Attachment 1)
- Override Reasons/Decisions for Custody Assignments (Attachment 2)

FORMS:

- DOC 02-420 Preferences Request
- DOC 07-037 Classification Appeal
- DOC 13-457 Intellectual Disability Review
- DOC 20-414 Intake Questionnaire
- DOC 20-440 Native American Heritage Questionnaire

HISTORY OF VIOLENCE

Individuals will receive a deduction of 5 points for any conviction listed below that was not scored in the current crime category.

SERIOUS VIOLENT OFFENSES - RCW 9.94A.030(46)		
Offense	RCW	Class
Aggravated Murder 1	10.95.020	A
Murder 1	9A.32.030	A
Assault 1	9A.36.011	A
Assault of a Child 1	9A.36.120	A
Homicide by Abuse	9A.32.055	A
Kidnapping 1	9A.40.020	A
Manslaughter 1	9A.32.060	A
Murder 2	9A.32.050	A
Rape 1	9A.44.040	A
Any attempt, criminal solicitation, or criminal conspiracy to commit one of the felonies listed above	9.94A.030(46)(a)(ix)	A
Any federal or out-of-state conviction for an offense that, under the laws of this state, would be a felony classified as a serious violent offense	9.94A.030(46)(b)	A

VIOLENT OFFENSES - RCW 9.94A.030(55)		
Offense	RCW	Class
Arson 1	9A.48.020	A
Arson 2	9A.48.030	B
Assault 2	9A.36.021(2)(a)	B
Assault 2 with a finding of sexual motivation	9A.36.021(2)(b)	A
Assault of a Child 2	9A.36.130	B
Bail Jumping, if the person was held for, charged with, or convicted of Murder 1	9A.76.170(3)(a)	A
Burglary 1	9A.52.020	A
Child Molestation 1	9A.44.083	A
Custodial Assault	9A.36.100	C
Distribution of Controlled Substance to a Minor – distributing a controlled substance listed in Schedules I or II which is a narcotic drug, or methamphetamine (including its salts, isomers, and salts of isomers) or flunitrazepam (including its salts, isomers, and salts of isomers) listed in Schedule IV, to a person under 18 years of age, if committed by a person over 18 years of age	69.50.406(1)	A
Drive-by Shooting	9A.36.045	B
Explosive - possessing or controlling any shell, bomb, or similar device, charged or filled with one or more explosives, intending to use it or cause it to be used for an unlawful purpose	70.74.180	A
Extortion 1	9A.56.120	B
Homicide by Watercraft	79A.60.050	A
Indecent Liberties by forcible compulsion	9A.44.100(2)(b)	A

Kidnapping 2	9A.40.030(3)(a)	B
Kidnapping 2 with a finding of sexual motivation	9A.40.030(3)(b)	A
Life-Ending Medication - coercing or exerting undue influence on a patient to request medication to end the patient's life, or destroying a rescission of a request	70.245.200(2)	A
Life-Ending Medication - willfully altering or forging a request for medication, or concealing or destroying a rescission of that request, with the intent or effect of causing the patient's death	70.245.200(1)	A
Machine Gun - discharging a machine gun or using a machine gun to menace or threaten another person, in the commission or furtherance of a felony other than a violation of RCW 9.41.190	9.41.225	A
Malicious Explosion of a Substance 1	70.74.280(1)	A
Malicious Explosion of a Substance 2	70.74.280(2)	A
Malicious Placement of an Explosive 1	70.74.270(1)	A
Manslaughter 2	9A.32.070	B
Organized Crime - leading organized crime by intentionally organizing, managing, directing, supervising, or financing any 3 or more persons with the intent to engage in a pattern of criminal profiteering activity	9A.82.060(1)(a)	A
Promoting Commercial Sexual Abuse of a Minor	9.68A.101	A
Rape 2	9A.44.050	A
Rape of a Child 1	9A.44.073	A
Rape of a Child 2	9A.44.076	A
Robbery 1	9A.56.200	A
Robbery 2	9A.56.210	B
Sexually Violent Predator Escape	9A.76.115	A
Trafficking 1	9A.40.100(1)	A
Trafficking 2	9A.40.100(3)	A
Treason	9.82.010	A
Vehicular Assault	46.61.522	B
Vehicular Homicide	46.61.520	A
Any felony for which the maximum sentence of imprisonment by law upon a first conviction of such felony is 20 years or more, unless otherwise provided	9.94A.035(1)	A
An attempt to commit a Class A felony	9.94A.030(55)(a)(i)	A
Criminal solicitation of or criminal conspiracy to commit a Class A felony	9.94A.030(55)(a)(ii)	A
Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense	9.94A.030(55)(b)	A
Any federal or out-of-state conviction for an offense that, under the laws of this state, would be a felony classified as a violent offense	9.94A.030(55)(c)	A

OVERRIDE REASONS/DECISIONS FOR CUSTODY ASSIGNMENTS

For Superintendent/designee and Headquarters Classification Unit Use

Type	Description
Administrative Segregation (AS)	For escape risk, threats to others/self, or pending investigation for escape risk or threats to others/self. Incarcerated individual is on administrative segregation status at the time of review and will continue to be on administrative segregation status. Custody will only be promoted when placement is for protective custody reasons. A Plan Change Review is required within 30 days of release from segregation if the individual is eligible for promotion.
Boarder (BOA)	Individual is a boarder from another state and the sending state requires custody more restrictive than the Initial Custody Designation (ICD)/Custody Review Score (CRS), or when a Washington individual is a boarder in another state and the individual's custody is limited by the other state.
Detainer (DET)	Individual has an Immigrations and Customs Enforcement (ICE) detainer or felony detainer that prohibits Minimum (MI) 2 custody or Reentry Center.
End of Sentence Review (ESR)	Individual cannot obtain MI1 custody. Individual pending End of Sentence Review Committee decisions.
Indeterminate Sentence (IND)	Individual is under Indeterminate Sentence Review Board jurisdiction and the ICD/CRS is Minimum custody. For individuals with a life maximum (MAX) term and have not yet been found eligible for parole/release. Individual is not eligible for a less restrictive custody than MI3.
Initial Custody Designation (ICD)	ICD was a more restrictive custody level than the current CRS. Custody will not be promoted for a period of 6 months for individuals within 6 years of their Earned Release Date (ERD), or for a period of 12 months for individuals with 5 years or more to their ERD, calculated from the Department time start.
Life Without Parole (LWP)	Life Without Parole (LWOP) and cannot be assigned a less restrictive custody level than Close during the first 2 years of incarceration.
Medical (MED)	Individual has medical needs that exceed the health care resources available at a less restrictive custody level. Placement/transfer to less restrictive levels of custody will not be prohibited based on PULHESDXTR code conflicts alone. May not be used for mental health concerns.
Murder 1 (MUR)	Murder 1 conviction and cannot be assigned a less restrictive custody level than Close during the first 2 years. Individual may only be considered for MI2/MI1 with an approved Mutual Reentry Plan.
Prior Headquarters Decision (PHD)	Custody has previously been assigned by the Headquarters Classification Unit or the Headquarters Community Screening Committee (HCSC), and no change in custody is required. Used to assign a more restrictive custody level than the one the individual is scored or time eligible to be assigned. Only 1 PHD override is allowed. If the previously assigned custody is still appropriate, the case should be referred back to the Headquarters source of the original custody assignment.

OVERRIDE REASONS/DECISIONS FOR CUSTODY ASSIGNMENTS

Type	Description
Policy (POL)	<p>May be used to assign MI2 when individual has less than 6 months remaining to ERD when Reentry Center has been denied, or when there are community victim concerns that require mitigation before being eligible for Reentry Center.</p> <p>Will be used to assign Close custody to individuals convicted of Murder 2 for one year from the Department start time.</p> <p>Will be used to assign Medium custody, for one year, to individuals who have more than 7 years to their ERD when the ICD was Close custody.</p>
Risk Management 1 (RM1)	<p>When a Category B, C, or D infraction or lost program points would result in a more restrictive custody. Custody may be maintained or adjusted if the individual is in compliance as documented in the Custody Facility Plan (CFP) and there are other positive indicators (e.g., programming involvement, employee/contract staff/volunteer and/or family support, facility's ability to continue to manage the individual's behavior). May not be used for Category A infractions.</p>
Individual Refuses Reentry Center Placement (RPL)	<p>Individual refuses Reentry Center placement. Adjust custody to MI2 or above. No other authorized uses.</p>
Sex Offender Program (SOP)	<p>Will be used to assign MI3 or above for an individual actively enrolled in the sex offender treatment program at Airway Heights Corrections Center, the Twin Rivers Unit of Monroe Correctional Complex, or Washington Corrections Center for Women until successful completion of the program.</p>
Sexually Violent Predator (SVP)	<p>Individual has been referred for civil commitment by the End of Sentence Review Committee. Requires HCSC approval to have a less restrictive custody than MI3.</p>

For Reentry Center Managers and Headquarters Classification Unit Use

Type	Description
Prior Reentry Center Terminated (PWT)	<p>Individual is terminated from or voluntarily terminates Reentry Center assignment. Used to assign MI2 when an individual continues to score Minimum custody.</p>

OVERRIDE REASONS/DECISIONS FOR CUSTODY ASSIGNMENTS

For Headquarters Classification Unit Use

Type	Description
Community Corrections Transition (CCT)	Individual would benefit from Reentry Center placement for purposes of reentry planning and/or programming, and the individual's CFP and behavior support assignment to MI1 custody.
Community Corrections Violation (CCV)	Individual has been returned to total confinement from community custody and assigning a custody level before release to community supervision is inappropriate. May be used to assign a more or less restrictive custody level.
HCSC Community Risk (HCR)	Individual poses significant risk for assignment of MI2 or less restrictive custody designation.
HCSC Pending (HPD)	Individual scores Minimum custody in the Reception Diagnostic Center (RDC) and requires HCSC review before a less restrictive custody than MI3. Must be submitted to the HCSC at next scheduled classification review date.
HCSC Mental Health (HMH)	Individual has mental health needs/issues that exceed the resources available at a less restrictive custody level. Facility request for HCSC to review due to mental health. Must include documentation of the individual's behavior to support the request and updated PULHES codes.
Intensive Management Status (IMS)	Individual has been referred for placement on MAX custody, or when maintained on MAX custody after initial placement. Custody cannot be promoted.
Infraction (INF)	Individual found guilty at the RDC of a violation that would result in a more restrictive custody level.
Institution Security (INT)	Individual is scored and time eligible to be assigned one custody level, but a more restrictive custody level is necessary as the individual poses risk to safety or security. CFP should clearly document the justification of risk.
Juvenile Rehabilitation Administration (JRA)	Juvenile individual placed in a Department facility at the request of the Department of Social and Health Services (DSHS).
Long Term Minimum (LTM)	Individual's medical/mental/health needs require specific facility placement, or placement in a Department infirmary as a Long Term Care patient. HCSC and Secretary/designee approval is required for individuals who are not eligible for MI2 custody. CFP should clearly summarize the need for Assisted Daily Living (ADL) or medical placement.

OVERRIDE REASONS/DECISIONS FOR CUSTODY ASSIGNMENTS

Type	Description
Management at a Lower Custody Level (MLC)	<p>Individual scores Close or Medium custody due to Category A serious infraction(s), escape behavior, or felony warrants, and is determined to be eligible for a less restrictive custody level. CFP should clearly document positive indicators (e.g., programming involvement that addresses risk/needs, facility's ability to continue to manage the individual's behavior).</p> <p>May be used for ICD when an individual is determined to be eligible for a less restrictive custody level (e.g., first admission to prison, no history of violence).</p> <p>May be used when the sentence has been commuted by the Governor of the State of Washington to facilitate a transition process through a Level 2 facility and/or Reentry Center when the sentence structure would otherwise prohibit placement.</p>
Mutual Reentry Program (MRP)	Individual is actively participating in the Mutual Reentry Program and assigned custody is based on the previously approved CFP. Custody level will be consistent with the approved plan.
Protection Concerns (PC)	Custody level may be more or less restrictive than the CRS based on validated protection concerns.
Security Threat Group (STG)	Custody level may be more or less restrictive than the CRS based on safety, security, and/or recommendations from Special Investigative Services.
Work Ethic Program (WEP)	Individual assigned to Work Ethic Program. Requires documented positive factors supporting the individual is eligible for MI2 custody.



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POLICY

TITLE
SKILL BUILDING UNIT

REVIEW/REVISION HISTORY:

Effective: 1/30/17
Revised: 1/3/22

SUMMARY OF REVISION/REVIEW:

Major changes to include terminology updated throughout. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

12/7/21

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; DOC 300.380 Classification and Custody Facility Plan Review; DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments; DOC 540.150 Nature Imagery Program

POLICY:

- I. The Department has established procedures for identifying incarcerated individuals with intellectual and/or developmental disabilities or traumatic brain injury to house in a Skill Building Unit (SBU) that provides a safe environment for building skills to improve independence in the correctional setting and support successful transition back into the community.
- II. Facilities may establish an SBU, in consultation with the Mission Housing Administrator (MHA).

DIRECTIVE:

- I. Responsibilities
 - A. Each facility with an SBU will designate:
 1. The Health Services Manager 1 or higher rank as the SBU Point of Contact (POC), who will facilitate bimonthly SBU unit and program employee/contract staff meetings to discuss:
 - a. Clinical issues
 - b. Unit operations
 - c. Staffing
 - d. Specific needs of incarcerated individuals
 - e. Programming
 - f. Reentry
 - g. Unit activities
 2. An Associate Superintendent/designee to coordinate with:
 - a. A local college(s) to provide educational programming, and
 - b. Evergreen State College for Sustainability in Prisons Project (SPP) programs.
 - B. The MHA, Chief of Classification/designee, and/or the Mental Health Director/designee will co-chair a multidisciplinary Headquarters SBU Committee that will meet weekly and include, at a minimum:

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1. SBU Correctional Unit Supervisor (CUS)
2. Facility SBU POC
3. Americans with Disabilities Act Compliance Manager
4. Headquarters Classification Manager

C. The facility SBU POC will develop, publish, and maintain a schedule of unit programs/activities to include:

1. Life skills lab
2. Specialized educational classes
3. Nature imagery per DOC 540.150 Nature Imagery Program
4. Adaptive skills groups

II. Eligibility


A. Individuals will be screened for intellectual deficits and traumatic brain injury using DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening at the Reception Diagnostics Centers.

1. Based on results, a standardized intellectual assessment to screen for intellectual and/or developmental disabilities may be completed by mental health employees/contract staff on a case-by-case basis.
2. If screening is not able to occur at reception, then any subsequent facility where the individual is transferred will complete the screening.

B. For individuals that score in the low average range or less on the assessment, mental health employees/contract staff will notify the case manager to complete DOC 13-457 Intellectual Disability Review and forward the form to the facility SBU POC.

C. Individuals will be considered for housing placement in the SBU based upon the following criteria:


1. Indicator of intellectual disability or observation of poor adaptive functioning or traumatic brain injury as documented on DOC 13-457 Intellectual Disability Review.
2. Documented intellectual disability (e.g., previous enrollment in Division of Developmental Disabilities services).
3. Exceptions may be made on a case-by-case basis by the Headquarters SBU Committee.

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- D. In consultation with the Headquarters Maximum (MAX) Custody Committee, developmentally disabled/intellectually delayed individuals assigned to MAX custody housed in an Intensive Management Unit may be provided specific programming by SBU employees/contract staff.
- E. The facility POC will consult with the SBU CUS to review individuals for other eligibility criteria and determine if placement in the SBU would be beneficial.

III. Referral process

- A. Employees will email referrals for the SBU to docsbureferrals@doc1.wa.gov.
- B. The facility SBU POC will:
 - 1. Collaborate with appropriate employees to create informative and effective meetings and develop an agenda,
 - 2. Review and forward referrals with a recommendation regarding admission and the agenda to the Headquarters SBU Committee prior to the meeting, and
 - 3. Notify all SBU employees of meeting decisions.
- C. The Headquarters SBU Committee co-chairs will:
 - 1. Identify committee members, determine when a quorum has been established, and meet to review the SBU referrals, plan(s), and placement options.
 - 2. Consider the SBU Committee's input and make the final decision.
 - a. If SBU placement is approved, the facility SBU POC will:
 - 1) Email the referring and receiving facility to provide notification of the decision, and
 - 2) Document the decision as a Chronological Event (chrono) in the individual's electronic file and ensure it is included in the Custody Facility Plan.
 - b. If SBU placement is denied, the Headquarters SBU POC will:
 - 1) Provide the receiving facility with direction regarding the individual's housing assignment, and

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2) Document the decision as a chrono in the electronic file.


c. If the co-chairs cannot agree, the final decision will be made by the Comprehensive Case Management Senior Director.

IV. Unit Operations

- A. The SBU CUS is responsible for the day-to-day operations of the SBU and will ensure employees, contract staff, and volunteers adhere to the processes and procedures of the unit.
- B. DOC 13-069 Individual Behavior Management Plan will be developed and implemented as needed for individuals in the SBU.
- C. The Correctional Mental Health Counselor (CMHC) 3 will:
 - 1. Meet with each SBU participant every 6 months to complete DOC 13-576 Skill Building Unit Individualized Plan.
 - 2. Offer an informal monthly meeting with the participant to monitor the progress of the plan and document the meeting on DOC 13-538 Mental Health Encounter Report.
- D. Formal reviews will be conducted every 6 months per DOC 300.380 Classification and Custody Facility Plan Review.

V. Transfer or Release

- A. If an individual is believed to no longer need SBU services, requests a transfer, or is found unsuitable for the SBU environment, a recommendation will be made to the Headquarters SBU Committee, who will make the final decision for discharge from the program and placement in another unit/facility.
 - 1. Individuals requesting transfer will be considered during the next formal review.
 - 2. The Headquarters Classification Manager will notify the facility SBU POC and SBU CUS of the committee chair's decision regarding the individual's housing assignment.
- B. One year before an individual's Earned Release Date, the case manager, CMHC 3, and a continuity of care nurse will collaborate with a Psychiatric Social Worker to complete documentation necessary to continue/initiate disability benefits, health insurance, and any other applicable benefits to contribute to successful reentry.

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1. Documentation will include the completion of DOC 13-084 Mission Housing/Skill Building Unit Transition Plan.

C. Individuals releasing from the SBU will be assessed for transportation needs that may include transporting the individual to a destination in the community.

VI. Training

A. Specialized training for SBU employees/contract staff will be provided to include information on people with intellectual/developmental disabilities and disability etiquette.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- DOC 13-069 Individual Behavior Management Plan
- DOC 13-084 Mission Housing/Skill Building Unit Transition Plan
- DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening
- DOC 13-457 Intellectual Disability Review
- DOC 13-538 Mental Health Encounter Report
- DOC 13-576 Skill Building Unit Individualized Plan



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POLICY

TITLE

DNA SAMPLES

REVIEW/REVISION HISTORY:

Effective: 5/31/04 DOC 310.610
Revised: 9/19/07 DOC 620.610
Revised: 12/9/08 DOC 310.610
Revised: 12/1/10
Revised: 6/1/14
Reviewed: 11/28/17
Revised: 7/3/20
Revised: 12/1/21

SUMMARY OF REVISION/REVIEW:

I.D. - Adjusted language for terminology


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

11/18/21

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 43.43.754](#); [WAC 446-75-060](#); DOC 620.020 Non-Consensual Blood Draws

POLICY:

- I. The Department has provided criteria for obtaining Deoxyribonucleic Acid (DNA) samples from individuals under its jurisdiction as mandated by RCW 43.43.754.

DIRECTIVE:


- I. Requirements
 - A. Employees must complete training provided by Washington State Patrol and be registered through Washington State Patrol before conducting DNA collection using the buccal swab test.
 - B. Incarcerated individuals newly admitted to the Reception Diagnostic Centers (RDCs), who did not provide a DNA sample before arrival, will provide a DNA sample during the receiving process.
 1. Community violators and Prisons Compact individuals housed in a Department facility will be considered new admissions.
 2. Individuals will provide a second DNA sample if the Washington State Patrol indicates that the first sample failed or was compromised.
 3. A DNA sample is not required if the General Status screen of the individual's electronic file indicates a sample has been provided.
 4. The Superintendent/designee at each RDC will establish local procedures for collecting and documenting new DNA samples.
 - C. When a Field Office receives a Judgment and Sentence requiring an individual on community supervision to provide a DNA sample, a trained employee will collect the sample and update the General Status screen in the individual's electronic file.
 1. Individuals supervised under Interstate Compact will provide a DNA sample when requested by the sending state. The sending state will supply a sample kit, and the kit will be sent to the sending state for testing.

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- D. At Reentry Centers, when a new/subsequent DNA request is required, a trained employee will collect the sample and document in the General Status screen of the individual's electronic file.
- E. Records employees will verify the DNA status to ensure requirements are met before an individual's release/transfer and notify the appropriate employee if a sample is required.
- F. Washington State Patrol may request a subsequent sample be taken if the first submission is not usable (e.g., poor/weak sample, contamination).

II. Taking Samples

- A. DNA testing status is posted on the General Status screen in the individual's electronic file.
- B. The following information is required when collecting/processing a DNA sample:
 - 1. State identification number,
 - 2. Offense,
 - 3. Date of birth,
 - 4. Gender,
 - 5. Thumb prints, and
 - 6. Buccal swab sample.
- C. The sample will be taken using the buccal swab method (i.e., a sampling of cells from the inside of the cheek, usually obtained by rubbing a cotton tipped swab over the tissue).
 - 1. The Washington State Patrol will provide kits for buccal tests and a training video.
 - 2. Buccal swab samples can be taken by any trained employee.
 - 3. One employee should conduct all phases on an individual to ensure that proper chain of evidence is maintained.
- D. Individuals are expected to comply with the buccal swab method of obtaining a DNA sample. Employees will proceed with the disciplinary process if the individual fails to comply. If an individual refuses to comply after being offered a second opportunity to provide a sample, an involuntary blood draw will be taken per DOC 620.020 Non-Consensual Blood Draws.
- E. When the sample has been taken:
 - 1. The appropriate information will be entered on the General Status screen.

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2. DNA supplies must remain secured to preserve the chain of evidence.
3. The kit will be sent to the Washington State Patrol Crime Lab for testing. Multiple individually sealed samples may be sent in the same package.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

None



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DOC 320.100

POLICY

TITLE
INDETERMINATE SENTENCE REVIEW BOARD

REVIEW/REVISION HISTORY:

- Effective: 9/15/96
- Revised: 12/2/03
- Revised: 1/12/04
- Revised: 9/19/05
- Revised: 4/28/08
- Revised: 9/1/08
- Revised: 9/13/10
- Revised: 7/11/11
- Revised: 11/9/15
- Revised: 3/29/16
- Revised: 1/1/19
- Revised: 10/20/21

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout
Added III.A. that Board Hearings may be held in person or virtually


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

10/6/21

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 2.40.010](#); [RCW 9.94A](#); [RCW 9.95](#); [RCW 72.04A](#); DOC 280.510 Public Disclosure of Records; DOC 320.105 Pre-Sentencing Reform Act Hearings; DOC 320.110 Community Custody Board Hearings; DOC 320.120 Juvenile Board; DOC 350.200 Transition and Release; DOC 350.380 Discharge and Closure of Supervision; DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment; DOC 380.200 Supervision of Individuals in the Community; DOC 390.300 Victims Services; DOC 450.500 Language Services for Limited English Proficient Individuals; DOC 460.130 Response to Violations and New Criminal Activity; DOC 590.500 Legal Access for Incarcerated Individuals; DOC 690.400 Individuals with Disabilities; [State Administrative & Accounting Manual \(SAAM\) 10.90.20](#); [Records Retention Schedule](#)

POLICY:

- I. The Department has established a process to assess and supervise individuals under Indeterminate Sentence Review Board (Board) jurisdiction as one of the following:
 - A. Pre-Sentencing Reform Act (PAR) as defined in DOC 320.105 Pre-Sentencing Reform Act Hearings.
 - B. Community Custody Board (CCB) as defined in DOC 320.110 Community Custody Board Hearings.
 - C. Juvenile Board (JUVBRD) as defined in DOC 320.120 Juvenile Board.

DIRECTIVE:

- I. Responsibilities
 - A. The Board will:
 1. Conduct hearings and reviews pertaining to an individual’s release to the community and violation/revocation of community custody.
 2. Meet monthly to discuss policy issues, communicate instructions, act on cases requiring full Board consideration, and to schedule its work calendar.
 3. Assist in the maintenance and updating of the individual’s electronic file to accurately record and retrieve data on every case processed by the Department under Board jurisdiction.
 - B. Victim services will be available per DOC 390.300 Victim Services.

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II. Minimum Terms

- A. The Board will set the minimum terms of confinement consistent with the purposes, standards, and sentencing ranges per RCW 9.94A and RCW 9.95.040.
 - 1. The Parole Eligibility Review Date is the expiration of the minimum term set by the Board, less any earned time.
- B. New minimum terms will be set when an individual is denied release to the community or within 30 days of readmission when revoked from parole/ community custody.

III. Board Hearings


- A. Board Hearings may be held in person or virtually.
- B. Parole/release hearings will be conducted by at least 2 members of the Board and at least one member of the Board for violation/revocation hearings.
 - 1. Hearings will be held at the facility where the individual is housed, when possible.
 - a. In Prison, the Superintendent will provide suitable quarters to conduct the hearing.
 - b. If necessary, the case manager will arrange to transport the individual to the location where the hearing will be held.
 - 2. A continuance may be granted if a request is received in writing before the hearing or if issues arise at the hearing (e.g., determine mental status or competency, obtain a witness or witness statement).
 - 3. Parole/release hearings will be reviewed and voted on by all Board members, unless a member recuses themselves for good cause (e.g., unable to render a fair and impartial decision, unforeseen circumstances).
- C. The Board will provide copies of a hearing notice, including rights and privileges, for service upon the individual before any scheduled hearing.
- D. The assigned case manager is required to attend Board hearings and will:
 - 1. Submit documents per Attachment 1 to the Board before a hearing.

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2. Meet with the individual to review documents the Board will use in determining eligibility for parole/release.
 3. Contact the Board at isrb@doc1.wa.gov if a language, literacy, or competency problem exists to arrange for a court-certified interpreter per DOC 450.500 Language Services for Limited English Proficient Individuals and/or a contract attorney per DOC 590.500 Legal Access for Incarcerated Individuals to review documents with the individual and assist the individual at the hearing.
 4. Have knowledge of the individual's behavior, criminal history, program participation, mental health status, community support, community concerns, and progress towards meeting expectations for parole/release.
 5. Be prepared to answer questions asked by the Board.
- E. The Board will provide the final findings and conclusions/decision and reasons in each case to the case manager, Correctional Unit Supervisor, and Department records employees.
- F. The Board may schedule a hearing without a request from the Department.

IV. Violations in a Prison/Reentry Center

- A. The Superintendent/Reentry Center Community Corrections Supervisor/case manager, or the Headquarters Community Screening Committee will immediately notify the Board with a recommendation and supporting documentation per Attachment 1 when an individual:
1. Is found eligible for parole/release, without a scheduled release date, and guilty of a serious violation,
 - a. The Board will administratively review the material and make a determination to schedule a parole/release hearing on the next available docket or take no action and maintain the prior decision.
 2. With a scheduled release date commits a serious violation, or
 - a. The Board will administratively review the material and make a determination to suspend the release date and schedule a Monohan hearing or take no action and maintain the prior decision.

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1) A Monohan hearing will be held to determine if there is probable cause to cancel the release date and schedule another parole/release hearing.

3. Has been found conditionally eligible for parole and there is a change to the approved Mutual Reentry Plan.

B. The Board may hold a disciplinary hearing when a PAR individual commits a serious violation per DOC 320.105 Pre-Sentencing Reform Act Hearings.

V. Release Planning

A. The case manager will develop and submit a release plan per DOC 350.200 Transition and Release. The release plan will be used as a referral and investigation tool for individuals eligible for parole/release.

1. If an individual has identified more than one potential release address, only one investigation and recommendation will be submitted to the Board at a time. No other plans will be submitted until the Board has addressed the current submission.

2. The Board retains the sole authority to approve/deny the release plan.

VI. Community Supervision

A. Duration of Supervision


1. PAR individuals will be on active parole for 3 years from the date of release from a Prison/Reentry Center or until the statutory Max Ex date is reached, whichever is first. Individuals who receive a final discharge per DOC 350.380 Discharge and Closure of Supervision will remain on inactive parole until the statutory Max Ex date is reached.

a. If an individual commits a new crime while on inactive parole, the Board may order an arrest per DOC 460.130 Response to Violations and New Criminal Activity.

2. CCB individuals will be on active community custody until the statutory Max Ex date.

3. The Board will set the term of community custody for JUVBRD individuals at the time of their release.


B. The assigned case manager will impose the Board Order of Conditions and Release in the continuous case management plan.

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- C. Individuals under Board jurisdiction will comply with contact requirements while on community supervision per DOC 380.200 Supervision of Individuals in the Community.
- D. The case manager will respond to violations of community supervision conditions and new criminal activity per DOC 460.130 Response to Violations and New Criminal Activity.
 - 1. A parole/community custody violation/revocation hearing, composed of fact finding and disposition, may be held to provide the individual due process.
 - a. In preparation for the hearing, the case manager will:
 - 1) Contact the Attorney General's Office if there are any questions.
 - 2) Provide all discovery documents to the Board, defense attorney, if applicable, and the Attorney General's Office.
 - 3) Provide information to the Board regarding community resources available at the time of the hearing, even if the recommendation is to revoke.
 - b. As a result of the hearing, the individual's parole/community custody will be revoked or reinstated with or without additional sanctions per the Graduated Sanction/Violation Response Guide in DOC 460.130 Response to Violations and New Criminal Activity.
 - 1) The presiding Board member will consider the crime of conviction, violation(s) committed, risk of reoffending, and the safety of the community when determining the appropriate sanction.
 - 2) If revoked, the individual will be returned to Prison and referred to the End of Sentence Review Committee per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment.

VII. Attorney Privilege

- A. The following individuals may be represented during Board parole/release hearings by a defense attorney:


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1. PAR individuals may be represented by an attorney at their own expense or a Department contract attorney.
 2. JUVBRD individuals may be represented by an attorney at their own expense.
 3. CCB and JUVBRD individuals may be represented by a Department contract attorney if the Board determines that a cognitive/mental health issue(s) prohibits the individual from participating in the hearing.
- B. Individuals under Board jurisdiction for a violation/revocation hearing may be represented by a defense attorney at their own expense or by the Board contract attorney.
1. Requests for representation by a Board Contract Attorney must be submitted on DOC 09-307 Board - Request for Appointment of Attorney.
- C. Board contract attorneys providing representation to individuals in violation/revocation hearings will be compensated per the established contract, unless a request for excess fees is made.
1. Requests for payment will be submitted on [SFA19-1A Invoice Voucher](#).
 2. Requests for excess fees must be submitted to the Board before the expenditure of attorney time. The request must include the justification and why less time-consuming measures would not be appropriate.
 - a. Requests will be processed within 5 business days from the date the request is received.

VIII. Witness Hearing Attendance

- A. Witnesses subpoenaed or requested to appear by the Board at a violation/revocation hearing will be compensated per RCW 9.95.123 and RCW 2.40.010.
1. To receive compensation for witness fees and mileage reimbursement, witnesses will request approval before the hearing and complete SFA19-1A Invoice Voucher within 10 business days of the conclusion of the hearing.
 2. Mileage will be calculated per State Administrative & Accounting Manual 10.90.20.

IX. Access to Board Hearing Records

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- A. The Board will post hearing schedules, meeting minutes, and press releases on the Department’s external website.
- B. Board hearings will be recorded and maintained per the Records Retention Schedule.
 - 1. At the conclusion of a hearing, an individual may submit a written request for a copy of the audio recording to the Board at P.O. BOX 40907, Olympia, WA 98504. The written request should include the:
 - a. Individual’s name, contact information, and DOC number,
 - b. Date the request was made, and
 - c. Records requested.
 - 2. In Prison, the recording will be forwarded to the law library or designated employee/contract staff for the individual’s review.
 - 3. The Board will not transcribe audio recordings for individuals. Deaf and hard of hearing individuals may request transcription accommodation by contacting the facility ADA Coordinator per DOC 690.400 Individuals with Disabilities.
- C. Requests for Board hearing information will be submitted per DOC 280.510 Public Disclosure of Records.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Documents Required for Board Hearings (Attachment 1)

DOC FORMS:

- DOC 09-191 Board - Order for Arrest & Detention
- DOC 09-304 Board - Rights and Privileges for Parole/Community Custody Violation/Revocation Hearings
- DOC 09-306 Board - Violations Specified
- DOC 09-307 Board - Request for Appointment of Attorney

DOCUMENTS REQUIRED FOR INDETERMINATE SENTENCE REVIEW BOARD HEARINGS

Hearing Type	Required Documents
.420 Release Hearing Cashaw	<ul style="list-style-type: none"> • End of Sentence Review Committee report/packet, if applicable • Current Custody Facility Plan, no more than 6 months old, which includes information on: <ul style="list-style-type: none"> ○ Violations ○ Programming ○ Victim contact ○ Family contact and support ○ Crime-related issues ○ Reports from any specialized counseling or classes • Reports of any psychological evaluations, for information only, from commitment date to hearing date • Sex Offender Treatment and Assessment Program treatment summary, if applicable • Copies of all typed mental health reports from the central and medical files provided by Health Services • Copies of all substance use disorder treatment reports from the clinical file provided by the Substance Abuse Recovery Unit, including a signed release
Release Hearing: .100 Juvenile Board	<ul style="list-style-type: none"> • All of the above documents • Complete instrument supported psychological evaluations, no more than 2 years old for a .100 hearing
Disciplinary	<ul style="list-style-type: none"> • Headquarters Community Screening Committee Recommendation Report • Infraction/Violation Reports • Facility Hearing Report recommendations • Additional documents on a case-by-case basis
In-Person Progress	<ul style="list-style-type: none"> • Current Custody Facility Plan, no more than 6 months old, which includes information on: <ul style="list-style-type: none"> ○ Violations ○ Programming ○ Victim contact ○ Family contact and support ○ Crime-related issues ○ Reports from any specialized counseling or classes
Monahan	<ul style="list-style-type: none"> • Infraction Reports, if release date is being suspended due to infraction • Additional documents on a case-by-case basis
Violation/Revocation Akridge	<ul style="list-style-type: none"> • Documents served on the individual: <ul style="list-style-type: none"> ○ One of the following orders, as applicable: <ul style="list-style-type: none"> ▪ DOC 09-191 Board - Order for Arrest & Detention ▪ Order of Parole/Community Custody Suspension issued by the Board ○ DOC 09-304 Board - Rights and Privileges for Parole/Community Custody Violation/Revocation Hearings ○ DOC 09-306 Board - Violations Specified ○ DOC 09-307 Board - Request for Appointment of Attorney • Infraction/Violation Reports • Discovery documents



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POLICY

TITLE
PRE-SENTENCING REFORM ACT HEARINGS

REVIEW/REVISION HISTORY:

Effective: 11/9/15
Revised: 1/1/19
Revised: 10/20/21

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

10/6/21

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.95](#); [RCW 71.05](#); [RCW 72.04A](#); [WAC 381](#); DOC 320.100 Indeterminate Sentence Review Board; DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment; DOC 460.130 Response to Violations and New Criminal Activity

POLICY:

- I. Per RCW 9.95 and RCW 72.04A, the Indeterminate Sentence Review Board (Board) has jurisdiction over pre-Sentencing Reform Act (PAR) individuals who were sentenced to Prison for crimes committed before July 1, 1984 from the date of sentence until the statutory Maximum Expiration (Max Ex) date.
- II. Hearings will be conducted per DOC 320.100 Indeterminate Sentence Review Board.

DIRECTIVE:

- I. .100 Hearings
 - A. A .100 hearing is held to determine whether an individual is parolable. A .100 hearing will usually be scheduled 120 days before the individual’s Parole Eligibility Review Date (PERD).
 - B. .100 hearings may be scheduled as follows:
 1. The Board will schedule the hearing and provide the case manager/ records employees with notice of the hearing.
 - a. The case manager/records employee will have the individual sign to acknowledge receipt and the signed copy will be forwarded to the Board.
 - 1) If the individual refuses to sign, the time and place of service and a witness signature will be documented on the notice.
 2. The Superintendent/Correctional Unit Supervisor (CUS) may refer an individual to the Headquarters Community Screening Committee (HCSC) to recommend consideration for a .100 hearing or for reconsideration of the minimum term. If requested by the CUS, Superintendent approval is required.
 - a. The individual must meet one of the following criteria for referral:

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- 1) Has aggravating or mitigating circumstances that would affect parole.
- 2) Mutual Reentry Plan consideration. The hearing will be held no more than 36 months before the PERD.
 - b. A facility request for a hearing requires HCSC approval. If approved, the HCSC Chair will notify the Board.

C. The Board will determine if rehabilitation has been completed and if the individual is fit for parole to the community with supervision conditions. If parole is denied, time will be added to the existing minimum term.


II. Cashaw Hearings

- A. A Cashaw hearing will be held when the Board has previously extended the individual to the statutory Max Ex date to either reaffirm the decision or find the individual parolable.
 1. The hearing will be scheduled at a point before the individual's statutory Max Ex date.

III. Disciplinary Hearings

- A. The Board may schedule a disciplinary hearing, without a request from the Department, if the individual receives a violation in a Prison/Reentry Center.
- B. The facility may initiate a request for a Board disciplinary hearing when an individual receives a serious violation. The Superintendent/CUS or Reentry Center Community Corrections Supervisor will forward the request to the HCSC with documentation per DOC 320.100 Indeterminate Sentence Review Board.
 1. After reviewing the violation information, HCSC will refer the individual to the Board if the committee, including the Board representatives present at the meeting, determines the violation warrants a Board disciplinary hearing. The Board will determine whether to schedule a hearing.
- C. Sanctions may result in time being added to the minimum term and/or denial of good conduct time or earned time only when good conduct time has been exhausted.

IV. Progress Reviews

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A. The Board may review an individual’s progress and schedule a hearing without a request from the Department.

B. The Superintendent/CUS may refer an individual to HCSC to recommend consideration for a hearing.

V. End of Sentence Reviews

A. Prior to a .100 hearing, individuals will be referred to the End of Sentence Review Committee per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment.

VI. Akridge Hearings

A. An Akridge hearing may be scheduled when an individual is convicted of new criminal activity to determine if the individual’s parole will be revoked or reinstated with or without additional sanctions per DOC 460.130 Response to Violations and New Criminal Activity.

1. The hearing will be held within 30 business days of receiving a written notice of conviction, signed by the court (e.g., Judgment and Sentence, Court Judgment, Statement of Defendant on Plea of Guilty).

VII. Parole Violation/Revocation Hearings

A. The Board will determine probable cause within 48 hours of receiving written notification of an alleged violation(s). An administrative review will be held within 15 days of service of DOC 09-306 Board - Violations Specified to determine if a hearing should be held or if other sanctions would be appropriate.

1. Individuals may use DOC 09-308 Board - Supplement to submit information concerning parole (e.g., family stability, employment, education) and the alleged violation(s) for the Board to review.

B. A violation/revocation hearing may be held within 30 business days of arrest. The Board will provide the individual notice of the hearing date and location within 10 days of the scheduled hearing.

C. If an individual claims incompetency, a competency examination will be conducted prior to the Board’s decision to examine and report upon the mental condition of the individual.



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1. The individual may be committed to a hospital or suitable facility for a period of time necessary to complete the examination, but not to exceed 15 days.
2. If the individual is determined incompetent, the Board may revoke parole or reinstate parole with special conditions.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 09-306 Board - Violations Specified
DOC 09-308 Board - Supplement



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POLICY

TITLE
COMMUNITY CUSTODY BOARD HEARINGS

REVIEW/REVISION HISTORY:

Effective: 5/27/04
Revised: 9/19/05
Revised: 4/24/08
Revised: 10/1/08
Revised: 7/23/12
Revised: 11/9/15
Revised: 1/1/19
Revised: 10/20/21

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

10/6/21

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9A.76.115](#); [RCW 9.94A.030](#); [RCW 9.94A.507](#); [RCW 9.95](#); [RCW 71.09](#); [WAC 381](#); DOC 320.100 Indeterminate Sentence Review Board; DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment; DOC 460.130 Response to Violations and New Criminal Activity; DOC 570.000 Sex Offender Treatment and Assessment Programs

POLICY:

- I. The Indeterminate Sentence Review Board (Board) has jurisdiction over Community Custody Board (CCB) individuals, who have committed sex crimes on or after September 1, 2001 per Attachment 1, from the date of sentence until the statutory Maximum Expiration (Max Ex) date.
- II. Hearings will be conducted per DOC 320.100 Indeterminate Sentence Review Board.

DIRECTIVE:

- I. General Requirements
 - A. CCB individuals will be:
 1. Referred for an End of Sentence Review (ESR) per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment.
 2. Assessed for the Sex Offender Treatment and Assessment Program (SOTAP) to determine their risk to commit future sex offenses per DOC 570.000 Sex Offender Treatment and Assessment Programs.
- II. End of Sentence Review Committee (ESRC) Review Information
 - A. Following an ESRC review, Law Enforcement Notification (LEN) program employees will notify the records office at the facility where the individual is housed and the assigned case manager when the ESRC packet is available in the individual's electronic imaging file per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment.
 - B. The individual's case manager will provide a copy of the Board letter and redacted ESRC packet for the individual's review.
 - C. The individual may review the redacted ESRC packet, including previous redacted packets and Board letters, within 10 business days of the current document's availability.

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1. The individual may take handwritten notes during this review, but no document copies will be made.

D. Employees should contact the Board at isrb@doc1.wa.gov if a language, literacy, or competency problem exists per DOC 320.100 Indeterminate Sentence Review Board.

E. The individual will sign DOC 07-027 End of Sentence Review Committee Report Review Acknowledgment once the individual has completed reviewing the Board letter and supporting documentation. The case manager will send a copy of the signed form to the Board within 2 business days of the individual's signature.

III. .420 Hearings

A. A .420 hearing is held to determine whether an individual is more likely than not to commit another sex offense if released to the community.

1. A .420 hearing will be scheduled 120 days before the individual's Earned Release Date (ERD).

2. A .420 hearing will be scheduled 120 days after the individual's arrival at the facility, if the ERD:

- a. Expires, or
- b. Will expire within 120 days of arrival.

B. The individual may prepare a written statement before the .420 hearing and/or give a verbal statement at the .420 hearing for Board consideration.


C. If the Board determines the individual will not be released, additional time may be added to the existing minimum term, not to exceed 5 years, and a new .420 hearing will be scheduled 120 days before the new ERD.

1. A Board Correctional Records Technician will update the individual's electronic file to reflect the status.

2. Before each subsequent .420 hearing, the LEN Specialist will review the individual's electronic file and electronic imaging file for new information and notify the ESRC/Board per DOC 350.500 End of Sentence Review/ Sexually Violent Predator Civil Commitment, as necessary.

D. If the Board determines the individual will be released, the case manager will begin release planning per DOC 320.100 Indeterminate Sentence Review Board.

IV. Cashaw Hearings

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A. A Cashaw hearing will be held when the Board has previously extended an individual to the statutory Max Ex date to either reaffirm the decision or to find the individual eligible for release.

1. The hearing will be scheduled at a point before the individual's statutory Max Ex date.

V. Akridge Hearings

A. An Akridge hearing may be scheduled when an individual is convicted of new criminal activity to determine if the individual's parole will be revoked or reinstated with or without additional sanctions per DOC 460.130 Response to Violations and New Criminal Activity.

1. The hearing will be held within 30 business days of receiving a written notice of conviction, signed by the court (e.g., Judgment and Sentence, Court Judgment, Statement of Defendant on Plea of Guilty).

VI. Community Custody Violation/Revocation Hearings

A. The Board will determine probable cause within 48 hours of receiving written notification of the alleged violation(s). An administrative review will be held within 15 days of service of DOC 09-306 Board - Violations Specified to determine if a hearing should be held or if other sanctions would be appropriate.


1. Individuals may use DOC 09-308 Board - Supplement to submit information concerning community custody (e.g., family stability, employment, education) and the alleged violation(s) for the Board to review.

B. A violation/revocation hearing may be held within 30 business days of service of DOC 09-306 Board - Violations Specified.

1. The Board will provide the individual notice of the hearing date and location within 10 days of the scheduled hearing.

C. Imposed sanctions/conditions may be appealed within 7 days. A new minimum term cannot be appealed.

1. The Board Chair/designee will appoint a panel of 3 Board employees to review the appeal.
2. The sanction/condition will only be reversed or modified if it was not reasonably related to any of the following:

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- a. Crime of conviction,
- b. Violation committed,
- c. Individual's risk of reoffending, and/or
- d. Safety of the community.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Community Custody Board Offenses (Attachment 1)

DOC FORMS:

DOC 07-027 End of Sentence Review Committee Report Review Acknowledgment
 DOC 09-306 Board - Violations Specified
 DOC 09-308 Board - Supplement

COMMUNITY CUSTODY BOARD OFFENSES

Per RCW 9A.76.115, RCW 9.94A.030, and RCW 9.94A.507, individuals will be considered Community Custody Board (CCB) individuals and under the jurisdiction of the Indeterminate Sentence Review Board (Board) until the statutory Maximum Expiration date when:

1. Convicted of committing or attempting to commit one of the following crimes,
2. Convicted of a new sex offense, other than failure to register, with a prior conviction(s) for one of the following crimes, or
3. Considered a persistent perpetrator per RCW 9.94A.030(38).

-
- Rape 1
 - Rape 2
 - Rape of a Child 1 if the individual was:
 - 18 years of age or older at the time of the offense, or
 - 16 years of age or older at the time of a previous conviction of the offense and has a new conviction for a sex offense other than failure to register.
 - Rape of a Child 2 if the individual was 18 years of age or older at the time of the offense
 - Child Molestation 1 if the individual was 18 years of age or older at the time of the offense
 - Indecent Liberties by Forcible Compulsion
 - Sexually Violent Predator Escape
 - Any of the following offenses with a finding of sexual motivation:
 - Murder 1
 - Murder 2
 - Homicide by Abuse
 - Kidnapping 1
 - Kidnapping 2
 - Assault 1
 - Assault 2
 - Assault of a Child 1
 - Assault of a Child 2
 - Burglary 1



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POLICY

TITLE
JUVENILE BOARD

REVIEW/REVISION HISTORY:

Effective: 11/9/15
Revised: 7/28/20

SUMMARY OF REVISION/REVIEW:

Major changes to include title and terminology. Read carefully!


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

6/23/20

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.730](#); [RCW 9.95](#); [RCW 10.95.030](#); [WAC 381-10](#); [DOC 300.380 Classification and Custody Facility Plan Review](#); [DOC 320.100 Indeterminate Sentence Review Board \(Board\)](#); [DOC 320.400 Risk and Needs Assessment Process](#); [DOC 320.500 Youthful Offender Program](#); [DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment](#)

POLICY:

- I. Per RCW 10.95.030 and RCW 9.94A.730, the Indeterminate Sentence Review Board (Board) has jurisdiction over Juvenile Board individuals, who have been convicted as an adult of an offense committed before their 18th birthday and may be considered for early release by the Board after serving:
 - A. 25 years in total confinement for Aggravated Murder 1. These individuals will be referred to as Aggravated Murder Juvenile Board (AMJUVBRD) individuals.
 - B. 20 years in total confinement for any other offense. Eligible individuals must petition the Board to be considered for early release and will be referred to as Long Term Juvenile Board (LTJUVBRD) individuals.
- II. Juvenile Board individuals will be subject to DOC 320.100 Indeterminate Sentence Review Board (Board).
- III. This policy does not apply to individuals already under Board jurisdiction (i.e., pre-Sentencing Reform Act and Community Custody Board).


DIRECTIVE:

- I. Admission/Transfer from Juvenile Rehabilitation
 - A. Individuals will be received per DOC 320.500 Youthful Offender Program.
 - B. Identification of JUVBRD individuals will be documented in the General Status screen in the individual's electronic file.
 - C. Records employees will notify the Board when AMJUVBRD individuals:
 1. Arrive at a Department facility and are new commitments, and/or
 2. Are re-sentenced by the sentencing court.

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II. Assessment and Programming Prioritization

- A. Individuals eligible for Board jurisdiction must be assessed to identify programming and services to prepare for early release.
1. AMJUVBRD individuals will be assessed at 6 years to the end of their minimum term.
 2. Eligible LTJUVBRD individuals who have not committed any crime after their 18th birthday will be assessed after serving 14 years.
 - a. The case manager will provide eligible individuals with DOC 02-401 Juvenile Board Declaration of Intent to declare if they intend to petition for early release.
 - 1) If individuals who initially indicated no interest in being assessed changes their mind, the case manager will immediately provide DOC 02-401 Juvenile Board Declaration of Intent to initiate the assessment.
 - b. Headquarters Classification Unit records employees will notify the Victim Services Program and the Board Victim Liaison of any eligible individual who will petition for early release.
- B. To prepare for the assessment, the case manager will update the:
1. Needs and risk assessment per DOC 320.400 Risk and Needs Assessment Process.
 2. Custody Facility Plan using a Plan Change Review. The purpose of review will be listed as “Other” and “Juvenile Board Assessment” will be typed in the narrative box.
- C. The Juvenile Board Assessment Committee will be chaired by the Classification and Case Management Administrator/designee and include multidisciplinary members from the following programs/units:
1. Sex Offender Treatment and Assessment Program
 2. Educational Services
 3. Substance Abuse Recovery Unit
 4. Headquarters Classification Unit
 5. Cognitive Behavioral Change
 6. Mental Health
 7. Prisons Division, Correctional Program Manager (CPM) or higher rank

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8. Community Corrections Division
9. Board
10. Other disciplines, as appropriate

D. The Committee will meet as needed to review and assess eligible individuals.


1. The Chair will:
 - a. Immediately send an email to program administrators and the case manager regarding increased prioritization of programming needs.
 - b. Ensure decisions are documented as a chronological (chrono) entry in the electronic file.
2. Decisions are final and cannot be appealed.

III. Programming Resource Prioritization

- A. For LTJUVBD individuals, the Long Term Juvenile Eligibility Date, located on the General Status screen in the electronic file, will be used instead of the Earned Release Date for program prioritization.
- B. If the individual refuses to participate in mandatory programs or is an eligible LTJUVBRD and no longer wants to be considered for early release, program employees/contract staff will inform the case manager, who will document the refusal as a chrono entry in the electronic file.
 1. Refusal to participate may be considered when determining eligibility for release.

IV. Long Term Juvenile Board (LTJUVBRD) Petition

- A. After serving 20 years in total confinement, eligible LTJUVBRD individuals may submit DOC 09-288 Petition for Review to the Board, provided they have not committed any:
 1. Crime after their 18th birthday, or
 2. Serious violation in the last 12 months.
- B. The Board will review the petition to verify eligibility and notify the case manager of its decision.
 1. Individuals who have committed a new crime(s) after their 18th birthday will not be considered eligible.


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V. Psychological Evaluation

- A. Following the assessment and, if applicable, approved petition, the Board will refer individuals to the assigned mental health personnel for a psychological evaluation.
 - 1. AMJUVBRD individuals will be referred within one year of the end of the minimum term.
 - 2. LTJUVBRD individuals will be evaluated within 6 months from the date the petition is accepted.
 - 3. For sex offenders, the End of Sentence Review must be completed per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment before the evaluation is conducted.
- B. Individuals will be encouraged to participate in the evaluation process. The Board may consider refusal to participate in the evaluation when determining eligibility for release.
- C. The evaluation will be documented in a report to the Board and include a prediction of the probability that the individual will commit another offense if released.

VI. Compliance Review of Assessment and Release Hearing

- A. The case manager will submit a Custody Facility Plan per DOC 300.380 Classification and Custody Facility Plan Review to the Headquarters Community Screening Committee (HCSC) to review compliance with the assessment for:
 - 1. LTJUVBRD individuals, after serving 19 years of their sentence.
 - 2. AMJUVBRD individuals, at one year to the end of their minimum term.
- B. Upon completion of the psychological evaluation and assessment compliance review, a release hearing will be conducted per DOC 320.100 Indeterminate Sentence Review Board (Board) to determine whether the individual is more likely than not to commit another offense if released.
- C. If the Board determines the individual will be released, the case manager will begin release planning per DOC 320.100 Indeterminate Sentence Review Board (Board).

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1. Individuals who have been found eligible for release and do not require End of Sentence Review may participate in offsite work crews at stand-alone Level 2 facilities and be considered for partial confinement.
- D. If the Board determines the individual will not be released for:
1. AMJUVBRD individuals, the Board can add up to 60 months to the minimum term.
 2. LTJUVBRD individuals, the Board will include in the final decision and reasons a new date, not to exceed 60 months later, when the individual can re-petition for a release hearing.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- [DOC 02-401 Juvenile Board Declaration of Intent](#)
- [DOC 09-288 Petition for Review](#)



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POLICY

TITLE
VIOLATOR CONFINEMENT

REVIEW/REVISION HISTORY:

Effective: 6/18/03
Revised: 5/29/07
Revised: 8/5/20

SUMMARY OF REVISION/REVIEW:


Major changes including title and applicability. Read carefully!

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

7/6/20
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; RCW 9.94A; WAC 137-28; [DOC 210.025 Gate Money/Transportation Funds/Pre-paid Phone Calls](#); [DOC 350.255 Registration Notification](#); DOC 420.100 Transportation Standards (RESTRICTED); [DOC 420.390 Arrest and Search](#); [DOC 460.130 Response to Violations and New Criminal Activity](#)

POLICY:

- I. The Department has established guidelines for individuals who are in violation of their conditions of community supervision and may be placed in pre-hearing or post-hearing confinement to mitigate further risk to the community.

DIRECTIVE:

- I. Transport and Placement Requirements
 - A. Community supervision violators will be placed in a local county, city, or tribal jail per agreement/contract. If there is no local agreement/contract or the jail refuses placement (e.g., unable to provide housing or medical/mental health services), violators may be housed in a Department Prison that can meet the violator’s needs (e.g., health care, gender specific housing, programming). The Community Corrections Officer (CCO) will:
 1. Before transport, determine if the violator needs medical/mental health attention per DOC 420.390 Arrest and Search.
 2. To locate a jail/Prison:
 - a. Contact the Nurse Desk if there are medical/mental health concerns, including participation in Medication Assisted Treatment.
 - b. If no medical/mental health concerns:
 - 1) During business hours, contact the Violator Desk.
 - 2) During non-business hours, contact the section Duty Officer.
 - B. Violators identified as Community Custody Maximum (CCM), Misdemeanor Community Custody (MCC), or under court jurisdiction as outlined per DOC 460.130 Response to Violations and New Criminal Activity may not be confined in a Department Prison, except under emergency circumstances when approved in writing by the Secretary/designee.

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1. Pre-hearing CCM violators in transit who require short-term housing will be considered County Boarder status and require approval by the Classification and Case Management Administrator/designee.
- C. Violators will be transported per DOC 420.100 Transportation Standards (RESTRICTED).
1. If appropriate, violators may be transported on a prisons transport (e.g., high risk, medical needs).
- II. Release from Post-Hearing Confinement
- A. Sanction Release Dates will be tracked in the electronic file and calculated by records employees.
 - B. Releases will occur as determined by the holding facility.
 - C. Release circumstances (e.g., living conditions, employment expectations, community concerns, victim and potential victim concerns) should be reviewed by the assigned CCO and may include:
 1. Department-provided transportation directly to the county Sheriff's office for the purpose of registration per DOC 350.255 Registration Notification.
 2. Department-provided transportation to the assigned Field Office or other designated location, if appropriate. Transportation funds may be provided per DOC 210.025 Gate Money/Transportation Funds/Pre-paid Phone Calls.
 3. Sponsor, family, or friend provided transportation.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

None



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DOC 320.160

POLICY

TITLE
TOLLING OF SUPERVISION IN THE COMMUNITY

REVIEW/REVISION HISTORY:

Effective: 11/20/00	Revised: 3/10/14
Revised: 7/27/01	Revised: 8/1/15
Revised: 3/3/04	Revised: 1/13/16
Revised: 8/25/04	Revised: 3/29/16
Revised: 5/7/08	Revised: 4/5/19
Revised: 5/29/09	Revised: 11/3/21
Revised: 2/22/11	Revised: 2/22/23
Revised: 4/16/12	Revised: 8/15/24

SUMMARY OF REVISION/REVIEW:

II.A.2., II.B.2., and II.E. - Adjusted language to remove email and use the STEM system


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

8/8/24

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.030](#); [RCW 9.94A.171](#); [RCW 10.77](#); [RCW 71.05](#); [RCW 71.09](#); DOC 280.500 Records Management for Individuals; DOC 460.130 Response to Violations and New Criminal Activity

POLICY:


- I. Individuals supervised on community placement, community supervision, and community custody status will have supervision time in the community postponed or suspended (i.e., tolled) whenever the individual escapes or absconds from supervision, is placed in confinement for any non-Department sanction matter, or is in civil commitment status.
- II. The Department will only toll sanction-only time in total confinement when the cause/count is a felony sex offense as defined in RCW 9.94A.030, including felony offenses with a finding of sexual motivation not covered by RCW 71.09.
- III. Tolling rules are applied the same when an individual is unavailable for supervision or housed in a Department facility, violator facility, or tribal/municipal/county jail.

DIRECTIVE:

- I. Tolling Authority
 - A. The Department will toll:
 1. Time an individual has willfully failed to report for supervision.
 2. Time in confinement for any non-Department sanction matter including any period an individual is held on a new criminal activity hold per DOC 460.130 Response to Violations and New Criminal Activity.
 3. Original Jail Time (OJT) imposed at sentencing on or after July 24, 1993, unless otherwise ordered by the sentencing court.
 4. Time an individual is in partial confinement in lieu of OJT including:
 - a. Work crew, if imposed at sentencing on or after July 24, 1993.
 - b. Electronic monitoring, if imposed at sentencing on or after July 24, 1993.
 5. Mental health commitments per RCW 71.05 or RCW 10.77 that are not on Less Restrictive Alternative (LRA) status.

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- a. Mental health commitment not ordered as a condition of supervision on a Department cause will extend the Scheduled End Date (SED) and Statutory Maximum Expiration date.
6. Civil commitment under RCW 71.09.
7. Misdemeanor Community Custody (MCC) on or after July 26, 2009, without a court order, including confinement time while serving OJT or sanction time.
8. Immigration and Customs Enforcement (ICE) custody.
- B. Only the court can toll time for Post Release Supervision (PRS) and community supervision cases between July 25, 1999, and March 29, 2000.
 1. The Department can toll Community Custody Inmates (CCI) cases during this time period.
- C. For the Department to toll court-ordered time, an order signed by the judge must specify the dates of tolling or delegate the authority to the Department to determine the tolling dates.
- D. The Department will not toll:
 1. From Out-of-State (FOS)
 2. Parole
 3. Probation
 4. Supervised/unsupervised appeal
 5. Misdemeanor (MIS) supervision prior to July 26, 2009, unless specifically ordered by the court
 - a. The Department can toll OJT.
 6. Monetary supervision
 7. Inpatient treatment, including OJT ordered by the court
 - a. This would not apply when the inpatient treatment is ordered in a case not under the Department's authority.
 8. Insanity acquittals (IAQ)

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9. Immigration and Customs Enforcement (ICE) deportation
10. Community Custody Board (CCB) releases
11. Aggravated Murder Juvenile Board (AMJUVBRD) and Long Term Juvenile Board (LTJUVBRD) cases
12. LRA status, including when the individual is in partial confinement at a state mental health facility
13. Individuals on active supervision who are on active military duty deployed outside the United States
14. Court-ordered community residential Drug Offender Sentencing Alternative (DOSA) treatment

II. Responsibilities

- A. When the case manager determines that an individual has become unavailable for supervision, except when serving solely on a Department sanction:
 1. The case manager will enter a “TL” Chronological Event (chrono) documenting the start date and the reason (e.g., Failure to Report, OJT, non-Department confinement).
 2. If the individual is not confined as a violator, the case manager will submit an “Update Supervision Activity” Supervision Action Request in Supervision and Tolling Entry Management (STEM) to initiate a review of tolling actions. Tolling Unit employees will:
 - a. Review the notification to determine if a tolling action is appropriate, depending on who has authority to toll per Tolling Authority and Timeframes (Attachment 1).
 - b. Start tolling in the applicable records system.
 - c. Enter a TL chrono documenting the tolling actions taken.
 3. If the individual is confined as a violator at a violator facility, the case manager will complete the Local Confinement banner, including the confinement start date and crime type/description information, on the Violator Management screen in the electronic file.
 - a. The Violator Unit Correctional Records Technician (CRT) will:

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- 1) Review the Violator Management Local Confinement auto-notification to determine applicable tolling activities and update tolling as needed on the Prison Movements screen in the electronic file.
 - 2) Enter a TL chrono documenting the tolling actions taken.
- B. When the case manager determines that an individual has become available for supervision, except when releasing from confinement solely on a Department sanction:
1. The case manager will enter a TL chrono documenting the date supervision resumed and the reason.
 2. If the individual was not confined as a violator, the case manager will submit an "Update Supervision Activity" Supervision Action Request in STEM to end tolling.
 - a. Tolling Unit employees will:
 - 1) End tolling in the applicable records system.
 - 2) Ensure the accuracy of the SED and update the user-provided SED, as appropriate.
 - 3) Enter a TL chrono documenting the tolling actions taken.
- C. When the case manager determines that an individual is no longer serving non-Department confinement when confined as a violator at a violator facility:
1. The case manager will enter the confinement end date on the Local Confinement banner of the Violator Management screen in the electronic file.
 2. The Violator Unit CRT will review the Violator Management Local Confinement auto-notification to determine applicable tolling activities and:
 - a. Update entries as needed on the Prison Movements screen in the electronic file.
 - b. Enter a TL chrono providing the date local confinement ended.
 - c. Notify the Tolling Unit when there is an asterisk next to the SED.

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- D. For individuals within 60 days of cause SED and scheduled for a violation hearing, the Hearing Records Unit will email a request to the Tolling Unit to confirm the SED reflects all applicable tolling.
- E. The case manager will submit a “SED Review” Supervision Action Request in STEM 60 days before the SED per DOC 280.500 Records Management for Individuals.
- F. When the Warrants Unit sends notification of apprehension out of state on a Department warrant, the Warrant Unit employee will instruct the case manager/ Community Corrections Supervisor to notify the Tolling Unit to enter appropriate tolling movements.

III. Tolling

- A. Per the tolling timeframes specified in Attachment 1:
 - 1. Non-Sanction Confinement
 - a. Tolling will begin on the first day of the non-sanction confinement and end the day of release.
 - 2. Failure to Report (i.e., fails to make required contact and cannot be located or failed to return to Washington State when ordered)
 - a. Tolling will begin on the date the individual fails to report unless the case manager becomes aware that the individual has become unavailable for supervision prior to the scheduled report date, in which case tolling will begin on the date the case manager became aware that the individual became unavailable for supervision.
 - b. For all offenses, tolling will end on the date of apprehension if the individual is arrested and confined for the Department sanction only. If the individual is arrested and confined for a Department sanction and a non-Department sanction matter, tolling will continue until the non-Department sanction matter is resolved.
 - 1) For sex offenses, tolling for failure to report will end on the date of apprehension.
 - 2) Confinement tolling will end on the date the individual becomes available for supervision.

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- c. If the reason for tolling is later determined to not be willful, the case manager will request the tolling movements be removed from the electronic file.
- B. When an individual has multiple causes, and time is tolled for confinement on a cause that is later vacated, the time tolled on the vacated cause will remain in effect for the other active causes.
- C. For causes sentenced to less than one year of confinement, supervision will start on the date of sentence regardless of when the OJT is served.
- D. Tolling Unit CRTs will enter tolling dates, except auto-generated tolling in the Prison Movements or Sentence Information section in the electronic file.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Tolling Authority and Timeframes (Attachment 1)

DOC FORMS:

None

TOLLING AUTHORITY AND TIMEFRAMES

Sanction time in total confinement will not be tolled, even when ordered by the court, except when the cause is a felony sex offense as defined in RCW 9.94A.030, which includes felony offenses with a finding of sexual motivation not covered by RCW 71.09.

Time Periods	Authority	Supervision Type
7/1/1988 - 7/23/1993	<ul style="list-style-type: none"> • Court's jurisdiction to toll/extend supervision • Department to make recommendation • Must be ordered by the court 	Misdemeanor (MIS) Probation (PRO) Community Supervision (SUP) Post Release Supervision (PRS)
7/24/1993 - 7/24/1999	<ul style="list-style-type: none"> • Department's jurisdiction to toll/extend supervision 	Community Supervision (SUP) Post Release Supervision (PRS) Community Custody Inmate (CCI) SSOSA Community Custody (SCC) Community Custody Maximum (CCM) Community Service (SER)
7/25/1999 - 3/29/2000	<ul style="list-style-type: none"> • Department's jurisdiction to toll/extend supervision • Court's jurisdiction to toll/extend supervision 	Community Custody Inmate (CCI) SSOSA Community Custody (SCC) Community Custody Maximum (CCM) Community Supervision (SUP) Post Release Supervision (PRS)
On or after 3/30/2000	<ul style="list-style-type: none"> • Department's jurisdiction to toll/extend supervision 	Community Supervision (SUP) Post Release Supervision (PRS) Community Custody Inmate (CCI) SSOSA Community Custody (SCC) Community Custody Maximum (CCM) Community Custody Jail (CCJ) Community Custody Prison (CCP)
On or after 10/1/2005	<ul style="list-style-type: none"> • Department's jurisdiction to toll/extend supervision 	Community Custody DOSA (CCD)
On or after 7/26/2009	<ul style="list-style-type: none"> • Department's jurisdiction to toll/extend supervision without a court order 	Misdemeanor Community Custody
On or after 7/25/2021	<ul style="list-style-type: none"> • Department's jurisdiction to toll/extend supervision 	Mental Health Sentencing Alternative (MHA)



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POLICY

TITLE
**SEPARATION AND FACILITY PROHIBITION
MANAGEMENT**

REVIEW/REVISION HISTORY:

Effective: 8/23/99
 Revised: 10/1/02
 Revised: 4/14/08
 Revised: 11/1/08
 Revised: 1/18/11
 Revised: 3/9/21
 Revised: 2/10/22
 Revised: 7/17/23

SUMMARY OF REVISION/REVIEW:


Updated terminology throughout
 I.A.1., III.C.1.c.1), and IV.A.1.e. & f. - Adjusted language for clarification

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

6/8/23
 Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; DOC 300.380 Classification and Custody Facility Plan Review

POLICY:

- I. The Department will ensure that incarcerated individuals are assessed for separation and facility prohibition concerns to ensure safety and facility security. The Department will attempt to place individuals in general population settings, consistent with good management practices and all applicable policies and procedures.
 - A. Separation is defined as administrative separation of individuals who may be aggressors, victims of aggressors, or a threat to the orderly operation of a facility.
 - B. Facility/state prohibition is defined as precluding individuals from a facility/state assignment due to verified circumstances that would put anyone in jeopardy.


DIRECTIVE:

- I. General Requirements
 - A. Initial/intake screening of an individual for protection/threat concerns will be documented on DOC 17-087 Separation/Prohibition Addition/Removal and conducted:
 1. Within one business day of admission or facility assignment change transfer, and
 2. During any classification review when a custody facility plan is completed.
 - B. Separation status and facility prohibitions will be reviewed using file information, interviews with the individual, observations, input from employees/contract staff who conducted an initial/scheduled classification review, and review of other pertinent records.
 - C. An individual's separation/prohibition status is confidential. At no time will an individual be given a list of separation concerns.
 1. Case managers, investigative employees, or employees designated by the Superintendent will discuss specific information with the individual to determine the need for continued separation.

II. General Responsibilities

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- A. The Classification and Case Management Administrator will chair the Facility/ State Separation and Prohibition (FASSAP) Committee, who will:
1. Consist of the:
 - a. Headquarters Operations/Logistics Classification Manager
 - b. Chief of Investigative Operations
 - c. Mission Housing Administrator
 2. Meet weekly to address facility requests and as needed for emergent requests.
 3. Coordinate with applicable facility employees/contract staff to periodically review current prohibitions for continued placement.
 4. Offer Superintendents/Reentry Center Managers (RCMs) or their designees the opportunity to present requests in addition to submitted documentation.
 5. Establish an approval matrix to provide guidance.
 6. Document all decisions on DOC 17-087 Separation/Prohibition Addition/ Removal.
- B. The Superintendent/RCM will establish processes to implement the use of separations and facility prohibition documented in the Separation and Prohibited Placement sections of an individual's electronic file.
1. The Superintendent will designate a Correctional Program Manager/ Captain or higher rank to manage the separation/protection issues for the facility.
 2. The RCM will designate an employee/contract staff to manage the separation/protection issues for the facility.
- III. Separation and Facility/State Prohibition Requests and Approval
- A. DOC 17-087 Separation/Prohibition Addition/Removal will be used to submit requests for a separation or prohibited placement when the need is verified through:
1. Police report
 2. Court document
 3. Department/jail reports
 4. Media reports

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5. Department investigative services
 6. Other Department documents (e.g., serious infraction/incident report)
- B. For cell/room, tier, unit, or quadrant separations, the case manager will submit the request to the Superintendent/RCM or designee, who will:
1. Remove separations that are no longer valid, and
 2. When authorizing new entries, the Superintendent/RCM or designee will enter a narrative in the individual's electronic file.
- C. For facility/state prohibitions, the Superintendent/RCM or designee will submit DOC 17-087 Separation/Prohibition Addition/Removal in an email to DOC HQ Facility State Separation Prohibition Committee containing full disclosure of information supporting the request (e.g., investigative information, professional summary).
1. The FASSAP Committee will review and approve/deny facility/state separation and prohibition requests.
 - a. When the prohibition involves an employee/contract staff, the facility will initiate the prohibition and contact the committee to review and finalize.
 - b. When separations or prohibitions are authorized for facility/state, enter a narrative in the individual's electronic file.
 - c. If there are concerns based on new information, or suspicion that an error has been made, the Superintendent/RCM or their designee may contact the Headquarters Classification Unit.
 - 1) The Classification and Case Management Administrator/designee will resolve the dispute or refer the case to the Senior Director for Comprehensive Case Management for review.

IV. Separation and Facility/State Prohibition Status

- A. Individuals identified as having a separation or facility/state prohibition will be separated in the least restrictive way.
1. Separation levels include:
 - a. Cell/room - Individuals can have routine contact, but may not be assigned to the same cell

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- b. Tier - Individuals can have routine contact, but should not be assigned to cells near each other
 - c. Unit - Individuals can have incidental contact in programming and/or recreation areas
 - d. Quadrant - Individuals might have contact in areas (e.g., Health Services building), but contact should be rare, incidental, and not predictable (e.g., an individual housed at AHCC-MSU could have a quadrant separation housed at AHCC Main)
 - e. Facility - Individuals should not be housed at the same Prison or Reentry Center, but may be housed at a different facility within the same complex
 - 1) This status may only be entered in the electronic file by the Classification and Case Management Administrator/designee.
 - f. State
 - 1) This status may only be entered in the electronic file by the Classification and Case Management Administrator/designee.
 - 2) Employees may submit requests for state separations by sending an email to DOC HQ Facility State Separation Prohibition Committee containing full disclosure of information supporting the request (e.g., investigative information, professional summary).
2. Individuals may be separated through:
- a. Program scheduling (e.g., work assignment, education),
 - b. Restrictive housing or protective custody (i.e., administrative segregation of an individual based on specific, verifiable information that the individual may be at high risk of being assaulted or victimized based on the nature/notoriety of the crime, physical/mental vulnerability, or situations arising during incarceration),
 - c. Facility transfer/prohibition, and
 - 1) This status may only be entered in the electronic file by the FASSAP Committee.

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d. Out-of-state placement.

1) This status may only be entered in the electronic file by the FASSAP Committee.

B. Caution must be taken to ensure an individual is not attempting to avoid placement at a particular facility or work/program assignment. The Separation and Prohibited Placement sections of the individual's electronic file should be reviewed to verify if a concern exists before recommending transfers to other facilities and/or assignment to jobs, education, or other programs.

1. Information received from an individual must be verified using:

- a. Serious infraction/incident report
- b. Investigative summary
- c. Judgment and Sentence
- d. Other factual documentation

V. Documentation/Verification

A. Separation/protection information will be entered as a Chronological Event (chrono) and in the Separation section of the individual's electronic file, which will include:


1. The individual's name, DOC number, facility, and date of incident
2. Reason for separation/protection, level of separation, and status
3. Individuals who are a threat and individuals who are threatened
4. Employee/contract staff who made the entry
5. Narrative statements identifying specific separation/protection issues

B. Facility/state prohibition information will be entered in the Prohibited Placement section of the individual's electronic file and will list the facility(ies)/state(s) from which the individual is prohibited for security reasons.

1. Due to the sensitive nature of the information in this section, viewing access will be limited.

C. Blank location fields mean the individual is no longer under the Department's jurisdiction. If the status field is still active, the entry is still valid.

D. The separate/protection and facility prohibition sections should be updated to reflect conflicts before requesting an individual's transfer to another facility.

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1. When an individual alleges an individual with an active separation is at the facility where the individual is approved for transfer, the Intelligence and Investigation Unit will investigate and enter a chrono in the individual's electronic file to document whether or not the concern is substantiated.

VI. Review and Re-verification

- A. Individuals will be separated only as long as the need exists. Each individual's active separation and/or facility prohibition status will be reviewed, re-verified, and documented during the individual's regularly scheduled review and as circumstances require.
 1. If risk no longer exists, or the non-aggressor requests reconsideration of separation status, the separation status may be changed from active to inactive.
 - a. This change should be documented using DOC 17-087 Separation/Prohibition Addition/Removal.
 - b. Inactive status does not need to be verified annually.
 2. The individual's Custody Facility Plan will document the Facility Risk Management Team recommendations of separation conflicts and re-verification, and changes to the Separation and Prohibited Placement sections in the electronic file.
 3. Verifications beyond current facility will be done through the Intelligence and Investigation Unit, if required.
- B. If a separation or prohibited placement conflict arises at the time of a transfer, employees/contract staff may request the individual be redirected to a different facility. Alternatively, a request may be submitted for a custody override per DOC 300.380 Classification and Custody Facility Plan Review.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 17-087 Separation/Prohibition Addition/Removal



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POLICY

TITLE
ADMINISTRATIVE SEGREGATION

REVIEW/REVISION HISTORY:

- Effective: 11/30/84 DOC 430.010
- Revised: 10/1/85
- Revised: 9/1/88 DOC 320.200
- Revised: 5/9/00
- Revised: 11/27/06
- Revised: 3/7/07 AB 07-004
- Revised: 3/19/08
- Revised: 11/4/08 AB 08-032
- Revised: 7/9/09
- Revised: 8/9/10
- Revised: 6/14/12
- Revised: 10/26/16
- Revised: 3/6/20

SUMMARY OF REVISION/REVIEW:

Major changes. Please read carefully!


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

2/10/20

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [WAC 137-32](#); [DOC 300.380 Classification and Custody Facility Plan Review](#); [DOC 320.250 Maximum \(MAX\) Custody Placement/ Transfer/Release](#); [DOC 320.255 Restrictive Housing](#); [DOC 450.500 Language Services for Limited English Proficient \(LEP\) Offenders](#)

POLICY:

- I. The purpose of Administrative Segregation (Ad Seg) is to temporarily remove an incarcerated individual from the general population until a timely and informed decision can be made about appropriate housing based on behavior. Procedures governing Ad Seg of incarcerated individuals in Prisons will comply with WAC 137-32.
- II. An individual may be assigned to Ad Seg when the individual:
 - A. Poses a significant risk to the safety and security of employees, contract staff, volunteers, and/or other individuals.
 - B. Requests protection or is deemed by employees/contract staff to require protection.
 - C. Is pending transfer or in transit to a more secure facility.
 - D. Poses a serious escape risk.
 - E. Is pending investigation for behavior that represents a significant threat.

DIRECTIVE:

- I. General Requirements
 - A. The Mission Housing Administrator (MHA) is responsible for overall management of the Ad Seg process, including Segregation Management in the individual's electronic file.
 1. The MHA will audit Segregation Management reports monthly to check for accuracy.
 - B. Individuals will be managed in general population at the lowest appropriate custody level unless:
 1. It has been determined that an individual is currently under the influence of drugs or alcohol,
 2. Circumstances and behavior make placement on Ad Seg necessary, and/or

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- a. The following behavior will not alone be considered a significant risk under normal circumstances:
 - 1) Diluted or dirty Urinalysis (UA) results
 - 2) An individual's refusal to submit to a UA
 - 3) Possession of alcohol
 - 4) Possession of a cell phone
 - 5) Tattooing
 - 6) Interfering with count
 - 7) Horseplay

3. The individual presents a physical threat.


- C. Whenever possible, individuals will be taken to Health Services for a medical screening before initially being placed in segregation on Ad Seg unless there is a risk to someone's safety.
 1. The authorizing employee will immediately notify health services employees/contract staff of the placement to provide assessment and review if the individual was not taken to Health Services before placement.

- D. The following employees may authorize placement on Ad Seg using Segregation Management in the individual's electronic file:
 1. Superintendent/designee
 2. Associate Superintendent
 3. Captain
 4. Correctional Program/Correctional Mental Health Program Manager (CPM/CMHPM)
 5. Lieutenant
 6. Correctional Unit/Correctional Mental Health Unit Supervisor (CUS/CMHUS)
 7. Facility Duty Officer
 8. Intelligence and Investigation Unit (IIU) Investigator 3
 9. Shift Sergeant at a stand-alone Level 2 facility as authorized by the facility Duty Officer

- E. The Superintendent/designee must approve placement on Ad Seg and document the approval on the Segregation Management screen in the individual's electronic file within 2 business days. The designee must be:
 1. An Associate Superintendent in a Level 3 or higher facility.

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- a. The CPM may approve placement in extenuating circumstances where the Superintendent/designee is unavailable for 2 business days.
2. The CPM in a stand-alone Level 2 facility.
- F. The Superintendent will designate an Ad Seg Hearing Officer at the level of Correctional Specialist or higher rank at Level 3 or higher facilities and Classification Counselor 3 or above at stand-alone Level 2 facilities.
- G. Ad Seg referrals, authorizations, approvals, extensions, and reviews will be completed on the Segregation Management screen in the individual's electronic file.
 1. If the action cannot be completed in the electronic file, it will be documented on the applicable form as follows, and the Segregation Management screen will be updated as soon as practical:
 - a. DOC 05-092 Administrative Segregation Review
 - b. DOC 05-101 Administrative Segregation Referral
 - c. DOC 17-075 Segregation Authorization
 2. Individuals will be housed in segregation for a maximum of 30 days, regardless of the placement designation (i.e., Ad Seg, pre-hearing confinement, disciplinary segregation).
- H. Facilities will conduct Ad Seg status meetings weekly to discuss all placements (e.g., investigation updates, changes in custody, pending infractions).
 1. Meetings will be chaired by the Ad Seg Hearing Officer and the following or their designee will attend:
 - a. Appropriate Associate Superintendent
 - b. CPM/CMHPM
 - c. CUS
 - d. IIU employee
 - e. Other regularly assigned investigators
 - f. Health Services, if an identified need exists
- I. Individuals may earn levels, including privileges, while on Ad Seg status in Restrictive Housing through their behavior per DOC 320.255 Restrictive Housing.
 1. Levels will be determined based on the reason for placement on Ad Seg status. Level privileges will not be granted in cases that include:

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- a. Physical violence
- b. Verbal violence/threats
- c. Drugs/narcotics
- d. Protective custody concerns that have not been validated

II. Initial Placement


- A. The authorizing employee must determine that placement on Ad Seg status is appropriate and document the reasons in the Placement Referral section of the Segregation Management screen in the individual's electronic file.
 1. Reasons must be descriptive and capture the existing significant risk(s).
 2. Referrals should not contain confidential information.
 3. In an emergency transfer (e.g., the sending facility does not have the resources to manage the individual), an employee from the sending facility will initiate the process in the Placement Referral section of the Segregation Management screen in the electronic file and contact the receiving facility.
- B. The authorizing employee will ensure that:
 1. Immediately after initial placement, the individual will sign DOC 05-797 Ad Seg Review Notice/Appearance Waiver and the Ad Seg placement referral authorization from the electronic file to ensure notice is given to the individual at least 48 hours in advance of the review.
 - a. If the individual refuses to sign, an employee will sign as a witness and print the individual's name on the documents.
 - b. Signed documents will be scanned into the electronic imaging file with a copy given to the individual.
 2. The Ad Seg placement referral authorization will be forwarded to both the Superintendent/designee and Ad Seg Hearing Officer through Assignments in the individual's electronic file for review at or before the initial informal review, but no later than 2 business days after placement.
 3. In the absence of the Superintendent/designee, the Duty Officer will be notified to review the reasons for placement within 2 business days of the individual's segregation placement.

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- C. Upon receipt of an individual's written request for protective custody, the individual will be designated as a voluntary, temporary assignment to Ad Seg.
 - 1. The individual will provide a written, confidential statement requesting protective custody that identifies specific actions and individuals posing a threat. Copies will be forwarded to the facility's IIU and the Ad Seg Hearing Officer.
- D. Upon placement on Ad Seg status, DOC 05-091 Daily Segregation Report or an electronic version will be initiated and maintained by segregation unit employees.

III. Ad Seg Reviews


- A. An initial informal review will be held within 2 business days of initial placement. An intermediate review will occur within 14 days following the initial informal review. A final review will be completed within 30 days of initial placement to make a final determination.
 - 1. Time on Ad Seg status begins when the individual is initially placed on Ad Seg status. The disciplinary and Ad Seg process will run concurrently.
 - 2. The Ad Seg Hearing Officer/designee will notify individuals at least 48 hours in advance of the intermediate and final reviews using DOC 05-797 Ad Seg Review Notice/Appearance Waiver. The waiver will indicate the dates of the next reviews.
 - 3. Time spent in a Close Observation Area, while an individual is assigned to Ad Seg/pre-hearing confinement/disciplinary segregation, will be considered Ad Seg time and included when scheduling reviews.
 - 4. The Ad Seg Hearing Officer and CUS will determine if an individual is eligible for level promotion during the initial review.
- B. The Ad Seg Hearing Officer will preside over meetings of a Facility Risk Management Team (FRMT) for the intermediate and final reviews. The team will include, at a minimum:
 - 1. The individual, unless participation is waived,
 - 2. The CUS/CMHUS or case manager from the individual's assigned unit,
 - a. The CUS/CMHUS or case manager can participate by telephone or provide input by email before the review.
 - 3. The Restrictive Housing CUS/CMHUS or case manager, and

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4. A custody/security representative with the rank of Sergeant or higher.
- C. Each of the following disciplines must be represented when they are relevant to the individual being reviewed. Participating team members will be documented in the Reviews section of the Segregation Management screen in the individual's electronic file. An FRMT is only considered multidisciplinary when one or more of the following are included as documented members:
1. Medical professional, for individuals with specific medical-related PULHESDXTR "P" codes of 4 or higher.
 2. Supervising Psychologist/designee, for individuals with PULHESDXTR:
 - a. "S" codes of 3 or higher,
 - b. "R" codes of 2, and/or
 - c. "H" codes of 4.
 3. Americans with Disabilities Act (ADA) Coordinator, for individuals with PULHESDXTR "L", "E", or "X" codes of 3 or higher.
 4. Other program area supervisors who have direct supervision of the individual's activities and knowledge of the individual's behavior.
- D. For individuals with an "S" code of 3 or higher:
1. Assigned investigators will provide placement/investigation updates to the Superintendent/designee every 3 business days.
 2. Attempts to complete assigned investigations swiftly or determination of appropriate placement in general population will be made a priority.
- E. The FRMT will document the validity of an individual's protection concerns.
1. Individuals with valid protection concerns may receive earned time credits while on Ad Seg status.
 2. Protection concerns that are not validated may result in the loss of earned time throughout the Ad Seg process.
- F. The Ad Seg Hearing Officer will ensure that all requested witnesses receive DOC 05-094 Witness Statement, and that those statements are returned to the segregated individual no less than 24 hours prior to the intermediate review.
1. Witness statements will be limited to statements of fact and related to the offending behavior.

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2. If there is no clear reason for a requested witness, the Ad Seg Hearing Officer may ask the individual for clarification and/or deny the request.
- G. The individual may be present at all stages of the review, except during discussion involving information from confidential sources.
- H. The Ad Seg Hearing Officer has the authority to schedule anyone to appear and present/clarify information that may be relevant to the decision.
 1. To the extent possible, confidential information presented to the Ad Seg Hearing Officer will be presented by the person who received the information.
 - a. The source will be identified to the Ad Seg Hearing Officer, except when the Superintendent directs that the identity remain confidential.
- I. When the placement is for an investigation, an update regarding the investigation will be presented to the Ad Seg Hearing Officer prior to the intermediate review.
 1. The assigned investigator will document the investigation:
 - a. In the summary of the Investigation section of the Segregation Management screen in the individual's electronic file, and
 - b. On DOC 02-077 Investigation Report, which the investigator will submit to the Ad Seg Hearing Officer no later than 6 days before the final review.
 2. In extraordinary situations, the Superintendent may request an extension from the MHA of up to 7 days beyond 30 days served.
 - a. The Ad Seg extension will be forwarded to the MHA using the Extension section of the Segregation Management screen in the individual's electronic file.
 - b. The Ad Seg Hearing Officer will update individuals on their status every 7 days when they have been on Ad Seg status for more than 30 days.
- J. The Ad Seg Hearing Officer will allow the individual to present testimony and/or clarify witness statements and present a written statement in lieu of, or in addition to, verbal testimony. The written statement will be included in the record.

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- K. The Ad Seg Hearing Officer will document an individual’s refusal to attend a review in the Review section of Segregation Management in the individual’s electronic file.
- L. An interpreter will be provided for an individual who does not speak/understand English or is deaf/hard of hearing. An individual may request an interpreter using DOC 05-113 Request for Interpreter per DOC 450.500 Language Services for Limited English Proficient (LEP) Offenders.
- M. If an individual is unable to understand the case, the individual may request an advisor to assist at the review by completing DOC 05-121 Request for Department Advisor.
 - 1. The advisor will be an employee, approved by the Superintendent, who is not ordinarily assigned responsibility for the individual.
- N. The Ad Seg Hearing Officer will document reviews in the applicable section of the Segregation Management screen in the individual’s electronic file as an “Initial”, “Intermediate”, or “Final” review.
- O. The individual will sign and be provided a copy of the Ad Seg review from the electronic file with any review (e.g., final recommendation/referral to Maximum (MAX) custody, release to general population, release from disciplinary segregation to general population).
 - 1. If the individual refuses to sign, an employee will sign as a witness, and print the individual’s name on the document. The document will be scanned into the individual’s electronic imaging file, and a copy given to the individual.
- P. The Ad Seg Hearing Officer will forward Ad Seg reviews to the Superintendent/designee within one business day of each review using the Segregation Management screen in the individual’s electronic file.
 - 1. Behavioral changes and/or program completions/referrals will not necessarily result in discharge from Ad Seg, but will be considered with all other relevant circumstances.
 - 2. Recommendations to MAX custody will be completed per DOC 320.250 Maximum (MAX) Custody Placement/Transfer/Release. The individual may be retained on Ad Seg status for a maximum of 14 additional days pending transfer to another facility or Intensive Management Unit (IMU).

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3. If the decision is to release (e.g., completion of disciplinary segregation), the Ad Seg Hearing Officer will forward a Custody Facility Plan (CFP) to the Superintendent/designee. Releases do not require review approval from the Headquarters Classification Unit.

Q. The Superintendent/designee will review the Ad Seg review recommendation and reach a decision within one business day of receipt and notify the Ad Seg Hearing Officer of the decision.

1. Within one business day of receiving the decision, the Ad Seg Hearing Officer will provide the individual a printout of the Segregation Management screen from the individual's electronic file as notice of the Superintendent/designee's decision.

IV. Continuation of Ad Seg Placement

A. If the individual is retained on Ad Seg status for more than 30 days, one of the following actions will occur:

1. Referral to the Headquarters MAX Custody Review Committee for placement on MAX custody,
2. Return to the general population with clear behavioral expectations for remaining there, or
3. Transfer to a more appropriate facility/unit, including an out-of-state facility, which may enhance possible return to a general housing assignment.

B. Recommended actions will be documented on the Segregation Management screen in the individual's electronic file.


V. Appeal

A. An individual may appeal by submitting written objections, including written information the individual considers relevant to the:

1. Superintendent for an Ad Seg review recommendation.
2. CPM for a level decision.

B. Documentation will be scanned into the individual's electronic imaging file within 24 hours of the individual's receipt of the appeal decision.

VI. Administrative Release

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- A. The Superintendent/designee may release an individual from Ad Seg status at any time if it is determined that the conditions or reasons for placement no longer exist. Releases will be documented on the Segregation Management screen in the individual's electronic file.
- B. A request to transfer from one facility to another as an Ad Seg release to general population will be made on the Segregation Management screen in the individual's electronic file and by completing the CFP per DOC 300.380 Classification and Custody Facility Plan Review. The request will clearly state the reason for transfer.
 - 1. Transfers for protection or separation concerns will be documented in the individual's electronic file.
- C. An individual who voluntarily makes a written request for protective custody may request, in writing, to be returned to the assigned housing unit at any time. This request may or may not be approved as indicated by a threat/risk assessment and housing review.
- D. When an individual is released from Ad Seg to general population, the placement referral on the Segregation Management screen in the individual's electronic file must be archived.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- [DOC 02-077 Investigation Report](#)
- [DOC 05-091 Daily Segregation Report](#)
- [DOC 05-092 Administrative Segregation Review](#)
- [DOC 05-094 Witness Statement](#)
- [DOC 05-101 Administrative Segregation Referral](#)
- [DOC 05-113 Request for Interpreter](#)
- [DOC 05-121 Request for Department Advisor](#)
- [DOC 05-797 Ad Seg Review Notice/Appearance Waiver](#)
- [DOC 17-075 Segregation Authorization](#)



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8/4/21

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DOC 320.210

POLICY

TITLE
ENHANCED CLOSE CUSTODY UNIT

REVIEW/REVISION HISTORY:

Effective: 8/4/21

SUMMARY OF REVISION/REVIEW:

New policy. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

7/16/21

Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; DOC 300.380 Classification and Custody Facility Plan Review; DOC 320.200 Administrative Segregation; DOC 320.255 Restrictive Housing; DOC 420.250 Use of Restraints; DOC 420.140 Cell/Room Assignment


POLICY:

- I. The Department has established procedures for an Enhanced Close Custody Unit (ECCU) for the assignment of incarcerated individuals that have exhibited behavioral problems (e.g., gang affiliations/involvement strong-arming/intimidation tactics, determined a threat to security or the orderly operation of a facility) to an area designated to provide increased security and observation without placing them in a Restrictive Housing environment.

DIRECTIVE:

- I. General Requirements
 - A. In consultation with the Mission Housing Administrator (MHA), facilities may request to establish an ECCU allowing the close monitoring of individuals while engaging them in intervention strategies and programming to encourage positive behavioral patterns.
 1. The Mission Housing Administrator will send the request to the Operational Capacity and Transportation Administrator and the Budget Capacity Manager if the ECCU would change the unit/facility capacity/non-capacity bed designations.
 - B. Each facility approved to establish an ECCU will designate an ECCU Coordinator, who will:
 1. Maintain a unit schedule and post it in an area accessible to individuals assigned to the unit.
 2. Ensure a unit handbook and unit requirements are maintained and available to individuals assigned to the ECCU.
 - C. Restraints are required for movement outside of the ECCU per DOC 420.250 Use of Restraints.

II. Referral


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- A. Individuals will be referred through the Administrative Segregation (Ad-Seg) process per DOC 320.200 Administrative Segregation, except when they are housed in a general population setting.
1. Individuals referred from general population will be placed on Ad-Seg status until a decision is made by the ECCU Multidisciplinary Team (MDT).
 2. Segregation Management Placement Detail will be documented as “Other” and the Narrative section will be documented as “Pending screening for Enhanced Close Custody Unit” in the individual’s electronic file.
 3. Individuals will be referred by the Ad-Seg Corrections Specialist 2 (CS2) from the requesting unit/facility, with approval from the Correctional Program Manager (CPM) or higher.
 4. The Ad-Seg CS2 from the sending unit/facility will email the Ad-Seg CS2 at the receiving unit/facility to request screening.
 5. The Ad-Seg CS2 from the receiving facility will make a Chronological Entry (chrono) documenting the referral.

III. Enhanced Close Custody Unit Multidisciplinary Team

A. The ECCU MDT will:

1. Be chaired by the CPM and include:
 - a. Intensive Management Unit (IMU) CUS/designee
 - b. Ad-Seg Hearing Officer
 - c. A representative from Headquarters Special Investigation Services (SIS)
 - d. A representative from Intelligence and Investigation Unit (IIU)
 - e. CUS/designee from referring unit/facility
 - f. Headquarters Offender Classification Manager of Operations/designee
 - g. A representative from Mental Health, if applicable
 - h. Facility American Disabilities Act (ADA) Coordinator, if applicable
2. Decisions will be documented as a chrono in the individual’s electronic file.
3. Review referrals on a weekly basis and make a determination whether an individual will be assigned to an ECCU.

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4. Screen eligible individuals for cell assignments per DOC 420.140 Cell/ Room Assignment to include screening for compatibility with other individuals assigned to the assigned ECCU.
5. Document participating members and decisions in the individual's Custody Facility Plan (CFP) identifying the purpose as "Other - Enhanced Close Custody Unit".

IV. Participation


- A. Individuals will be allowed out of their cell without restraints during scheduled dayrooms, mainline, showers, and recreation.
 1. Up to 6 individuals will be allowed out of their cell at any given time without restraints.
 2. Employees will work in pairs when entering the ECCU while incarcerated individuals are unrestrained.
- B. All structured programming will occur in designated areas.
 1. Attendance in groups, interaction with others, out of cell activities, and overall behavior will be monitored and documented in the individual's electronic file as a Behavior Observation Entry (BOE) and on DOC 21-472 Behavior and Programming Plan.

V. Reviews

- A. The Facility Risk Management Team (FRMT) will conduct informal reviews using the BPP every 60 days.
- B. Formal reviews will be conducted every 6 months.
 1. Individuals will be encouraged to attend all classification reviews and will receive a copy of their BPP and CFP.

VI. Custody Promotion/Transfer

- A. Recommendations for custody promotions must be submitted as a Plan Change Review per DOC 300.380 Classification and Custody Facility Plan Review.
- B. The CFP will be submitted to the Headquarters Classification Manager of Operations/designee from the ECCU MDT.

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- C. When approved for promotion to a lower custody, individuals may remain in the ECCU until a cell or transfer becomes available.
- D. The case manager will ensure that transfer orders are created immediately and monitored to ensure the individual gets transferred/promoted.

VII. Security Enhancement Plan (SEPs)

- A. SEPs may be developed using DOC 21-638 Security Enhancement Plan for individuals whose behavior warrants additional precautions to enhance employee/contract staff safety.
 - 1. Plans will focus on out-of-cell movement within the unit and assigned cell location.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 21-472 Behavior and Programming Plan
DOC 21-638 Security Enhancement Plan



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POLICY

TITLE
**MAXIMUM CUSTODY PLACEMENT/
TRANSFER/RELEASE**

REVIEW/REVISION HISTORY:

- Effective: 6/7/00
- Revised: 12/27/05
- Revised: 11/21/06
- Revised: 1/25/08
- Revised: 12/23/08 AB 08-035
- Revised: 7/9/09
- Reviewed: 6/14/12
- Revised: 5/19/14
- Revised: 2/1/15
- Revised: 10/26/16
- Revised: 3/6/20
- Revised: 8/11/20

SUMMARY OF REVISION/REVIEW:


Added I.D. that the Classification Corrections Specialist 4 will manage all transfers for individuals assigned to MAX custody
 Added X.A.1.c. 5) & 6) programming and court order to the reasons for requesting transfer between IMUs
 Added X.A.1.c. 6) a) that the Classification Corrections Specialist 4 will monitor the status of individuals transferred per a court order and document contact with the court in the electronic file

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
 Department of Corrections

7/28/20
 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 10.95.170](#); [DOC 300.380 Classification and Custody Facility Plan Review](#); [DOC 320.180 Separatee and Facility Prohibition Management](#); [DOC 320.200 Administrative Segregation](#); [DOC 320.255 Restrictive Housing](#); [DOC 320.400 Risk and Needs Assessment](#)

POLICY:

- I. The Department has established guidelines for demotion to, transfer between, and release from Maximum (MAX) custody for incarcerated individuals who:
 - A. Pose a significant risk to the safety and security of employees, contract staff, volunteers, or other individuals,
 - B. Have validated protection needs, or
 - C. Designated individuals with serious mental illness.

DIRECTIVE:

- I. Responsibilities
 - A. Superintendents will designate an employee(s) responsible for coordinating MAX custody assignments, transfers, and releases.
 - B. The Director of Mental Health will develop criteria, as needed, for the placement of seriously mentally ill individuals on MAX custody and will serve on the Headquarters MAX Custody Committee.
 - C. The Command A Deputy Director or Mission Housing Administrator (MHA) will chair the Headquarters MAX Custody Committee, which will be multidisciplinary and include at least:
 1. Classification and Case Management Administrator/designee,
 2. Director of Mental Health/designee,
 3. Chief of Investigative Operations/designee,
 4. Cognitive Behavioral Change Administrator/designee, and
 5. Corrections Specialist 4.
 - D. The Classification Corrections Specialist 4 will manage all transfers for individuals assigned to MAX custody based on decisions made by the MAX Custody Committee's decision of where the individual will be housed.
- II. Maximum Custody Housing
 - A. Select Prisons will have designated Security Level 5 MAX custody beds.

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1. Intensive Treatment Units (ITUs) have been established at the Monroe Correctional Complex (MCC) in the Special Offender Unit (SOU) and at the Washington Corrections Center for Women for seriously mentally ill individuals.

B. Individuals of any custody level may be referred for MAX custody.

1. Before requesting assignment to MAX custody, less restrictive alternatives will be considered.

2. Referrals to MAX custody may occur at any point in the Administrative Segregation (Ad Seg) process.

C. Individuals housed in an Intensive Management Unit (IMU) or an ITU are a significant risk to the security and safety of employees, contract staff, volunteers, and/or other individuals by means of, but not limited to:

1. Commission of violent serious infraction(s),
2. Chronic behavioral/infraction problems,
3. Acts that present a significant risk (e.g., escape, active security threat group participation), and/or
4. Validated protection needs.

III. Referral Process

A. The following procedures are required for referral to MAX custody:

1. The Ad Seg Hearing Officer will review all pertinent information, conduct a formal hearing, and make a recommendation to the Superintendent/designee using the Custody Facility Plan (CFP) in the individual's electronic file.


a. The individual's custody level should be reviewed at this time.

b. For ITU placement:

1) Documentation of a seriously mentally ill individual's status by a mental health professional is required.

2) A mental health professional should confirm the individual's current mental health status.


2. Recommendations will be submitted through the Correctional Program Manager/Correctional Mental Health Program Manager (CPM/CMHPM).

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3. The Superintendent/designee will review and approve/deny the recommendation.
 4. If approved, the CFP will be sent to the Corrections Specialist 4 at Headquarters for Headquarters MAX Custody Committee review.
- B. If an individual needs to be housed in an ITU, and no beds are available in facilities with an ITU, the individual will be housed in other restrictive housing with appropriate mental health staffing until a bed becomes available.
- C. Individuals assigned to MAX custody with a PULHESDXTR “S” code of 3 or higher will be transferred to the IMU at MCC within 30 days of being assigned, unless the Headquarters MAX Custody Committee identifies specific programming for the individual in another IMU.
1. If beds are limited or legitimate reasons exist not to place an individual assigned to MAX custody in the IMU at MCC, the individual may be housed at the Washington State Penitentiary IMU as space allows.

IV. Headquarters MAX Custody Committee


- A. The Corrections Specialist 4 will review the plan for Headquarters MAX Custody Committee consideration and:
1. Concur with the facility’s recommendation, or
 2. Develop a recommendation based upon information including:
 - a. The facility’s recommended plan,
 - b. Active separation/prohibited placements,
 - c. Available facility beds, and
 - d. Available programming on MAX custody.
- B. The Corrections Specialist 4 will present the facility’s recommendation, with Corrections Specialist 4’s own recommendation, to the Headquarters MAX Custody Committee.
1. The Headquarters MAX Custody Committee chair will:
 - a. Identify committee members and determine when a quorum has been established. The committee will meet weekly to review the plan(s) and placement options.
 - b. Consider the committee’s input and make the final decision.

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- 1) If the chair denies MAX custody placement/transfer/release, the Corrections Specialist 4 will provide the Superintendent with direction regarding the individual's housing assignment.
- c. Consider the individual's eligibility to progress through levels based on the reason(s) the individual was demoted to MAX custody.
 - 1) The individual may be eligible for Level 2 only if assigned MAX custody for:
 - a) Assault on an employee/contract staff/volunteer,
 - b) Assault with a weapon,
 - c) Disturbance/assault involving multiple individuals, or
 - d) Has been identified as an influential member of a security threat group.
 - 2) The individual may not be eligible for level promotion when refusing placement in general population (e.g., protection concerns that have not been validated).
- C. Individuals who wish to appeal a Headquarters MAX Custody Committee decision must complete DOC 07-037 Classification Appeal and submit it to the Assistant Secretary for Prisons/designee.

V. Maximum Custody Procedures

- A. The Correctional Unit Supervisor (CUS)/Ad Seg Hearing Officer will preside over Facility Risk Management Team (FRMT) reviews of individuals assigned to MAX custody.
 1. MAX custody FRMT reviews for seriously mentally ill individuals will include a mental health professional.
- B. Employees will identify the individual's risks and needs and program expectations per DOC 320.400 Risk and Needs Assessment, and using the case plan, criminal conviction record, past CFPs, and other available information.
 1. This process will be completed within the first 10 business days of arrival at the assigned facility and will include development of a Behavior and Programming Plan (BPP) in the individual's electronic file.
 - a. The individual's input and response to the BPP will be reviewed and recorded. The results of the review will be documented in the Offender Comments section.

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- b. If the electronic file is not accessible, employees will use DOC 21-472 Behavior and Programming Plan (BPP) and enter the information into the individual's electronic file when available.
 2. An Individual Behavior Management Plan (IBMP) may be developed at the discretion of mental health employees/contract staff, with input from unit classification and custody employees, using DOC 13-069 Individual Behavior Management Plan.
 - a. The individual will be invited to participate in the development of the plan(s). If the individual refuses to participate, the plan will be developed without the individual's input.
 - b. Employee/contract staff and the individual's safety will be a priority in the development of IBMPs.
 - c. IBMPs are developed specific to each individual and may contain unconventional approaches to encourage change.
 - 1) The Superintendent/Facility Medical Director must review and approve an IMBP that contains language that appears to conflict with Department policies and/or procedures.
 3. A Mental Health Treatment Plan (MHTP) may be developed at the discretion of mental health employees/contract staff.
- C. If an individual on MAX custody exhibits dangerous negative behavior that is detrimental to the individual's own safety or the safety of others, a Security Enhancement Plan may be completed per DOC 320.255 Restrictive Housing.
- D. Appropriate facility employees will:
 1. Update the CFP.
 2. Maintain case planning activities with individuals, as applicable, and update the individual's electronic file.
 3. Update separatee/protective custody and prohibited facility information in the individual's electronic file per DOC 320.180 Separatee and Facility Prohibition Management.
 4. Ensure Chronological Event (chrono) entries in the individual's electronic file are up-to-date addressing case plan activities, classification hearing

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results, level assignment, or other pertinent information concerning the individual's status.

5. Review Behavior Observation Entries (BOEs) and discuss content with the individual during formal and informal reviews.

- E. An ITU mental health employee/contract staff will provide mental health treatment and maintain appropriate documentation in the MHTP, IBMP, and progress notes.

VI. Maximum Custody Level/Step System

- A. Individuals may earn levels, including privileges, through their behavior per DOC 320.255 Restrictive Housing.

1. Individuals assigned to an IMU will enter at Level 1 or the level earned during the Ad Seg process per DOC 320.200 Administrative Segregation.


- B. An individual's compliance with the BPP or IBMP will determine the individual's management level/step assignment, with increased privileges used as positive reinforcement.

1. When eligible, individuals will seek level/step promotion in writing to the CUS/Correctional Mental Health Unit Supervisor (CMHUS). Employees/contract staff may also initiate reviews for level/step promotion. The CUS/designee will act on all requests within 5 business days of submission of the request.

2. Level promotions/demotions will be documented in the BPP by the individual's case manager.

- C. Promotions and demotions to different program management levels/steps will not be automatic, and will be based on the following:

1. Infraction history,
2. Cell cleanliness,
3. Personal hygiene,
4. Compliance with the BPP or IBMP, including acceptable communication, cooperation, and interaction with employees/contract staff and other individuals,
5. Overall behavior and attitude,
6. BOE(s) in the individual's electronic file, and/or
7. For ITU, mental health stability as it relates to safety and security issues.

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- D. The Unit Sergeant may immediately demote an individual's level based on the individual's behavior. Permanent level demotion must be approved by the CUS/CMHUS within 2 business days.
- E. If an individual's program level/step is demoted, or a promotion request is denied, the individual will receive the decision and the timeframe to reapply on DOC 21-621 Maximum Custody Intensive Management Unit (IMU) Level/Step Demotion Review within 2 business days.
- F. Demotions and denials may be appealed to the CPM/CMHPM or designee.
 - 1. Appeal requests must be submitted in writing within 48 hours of receipt of the written decision.
 - 2. The CPM/CMHPM will provide a final decision within 5 business days.
- G. The case manager will update the level status in an individual's BPP and as a chrono in the electronic file to reflect a level promotion or demotion.

VII. Progressive Movement to Less Restrictive Custody

- A. Progression through the levels/steps will be considered when determining promotion to a less restrictive custody level.
 - 1. Individuals will be provided a unit handbook containing unit rules and expectations, and
 - 2. The case manager will complete a BPP and provide a copy to the individual.
- B. An individual's compliance with the BPP or IBMP will determine progressive movement out of IMU through the MAX Custody Level System.
 - 1. After a minimum of 30 days on Level 1, an individual may be reviewed for promotion to level 2.
 - 2. After a minimum of 30 days on Level 2, an individual may be reviewed for promotion to Level 3.
 - 3. Identified individuals housed in a Transition Pod may be reviewed for promotion to Level 4 based on programming participation and employee/contract staff observation.
 - 4. Transferring MAX custody individuals will retain their assigned level from the previous facility.

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- a. Within 10 days of arrival at the assigned facility:
 - 1) Individuals will be provided a unit handbook containing unit rules and expectations, and
 - 2) The case manager will complete a BPP and provide a copy to the individual.
- b. Individuals initially assigned to an ITU will enter at Step 2. If an individual has transferred to ITU directly from an IMU, the individual's current MAX custody level will be considered as follows:
 - 1) IMU Level 1 is equal to Step 2
 - 2) IMU Level 2 is equal to Step 3
 - 3) IMU Level 3 is equal to Step 4 or 5 as determined by the CUS
5. Time that an individual spends outside the unit on court order will not count in the time calculation for a level promotion.
6. Step promotions for seriously mentally ill individuals will be managed through a multidisciplinary process involving the individual, mental health employees/contract staff, case manager, and custody employees.

VIII. Work Programs


- A. Individuals assigned MAX custody:
 1. Level 3/4 or are seriously mentally ill will be eligible to apply and/or be assigned to a unit work program, if available.
 2. Will be under continuous supervision when performing their assigned tasks.
- B. When an individual from another unit is brought into the unit to perform assigned tasks, the individual will be strip searched and under direct supervision of employees while in the unit.
- C. Work program assignments will be documented in the individual's electronic file.

IX. Program/Treatment/Activity Opportunities

- A. Each IMU/ITU will operate facility-specific programs, treatment, and activities that allow for out-of-cell time.

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- B. Out-of-cell opportunities will be identified that are consistent with reasonable safety and security practices, while providing interventions consistent with the BPP or IBMP and assigned level. Based on risks and needs, individuals assigned to MAX custody will be required to participate in at least one programming opportunity.
1. An assessment will be conducted to identify and match the individual's risks and needs with available programs.
 2. Individuals must actively participate in or complete designated program(s) that are consistent with their BPP/IBMP/MHTP.
 - a. Recommended programming/treatment will be documented in the individual's BPP/IBMP/MHTP.
 3. Upon receiving a programming decision from the Headquarters MAX Custody Committee, the facility offering the programming/treatment will be notified of the decision.
 - a. A list of individuals approved for specific programming will be maintained in Offender Management Network Information (OMNI). This list will include each individual's enrollment priority.
 4. Once accepted, the individual's progress in the program (e.g., attendance, participation, evaluations, achievements), will be documented in the individual's electronic file.
 5. Failure to participate in programming opportunities may be cause to deny level promotion and may impact promotion to a lower custody classification.
- C. Facilities that house individuals assigned to MAX custody will provide programming/activities in a congregate classroom environment using authorized programming security chairs per DOC 320.255 Restrictive Housing.
- X. Classification Reviews
- A. Classification reviews will be conducted per DOC 320.200 Administrative Segregation and DOC 300.380 Classification and Custody Facility Plan Review. These reviews will be conducted out-of-cell, include the reason for placement, and should focus on the specific behavioral expectations for the individual.
 1. Formal classification reviews will be held at intervals not to exceed 180 days.

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- a. A review and determination of the individual's adjustment and progress in meeting the specific criteria in the BPP/IBMP/MHTP will be completed and documented in the CFP.
 - 1) Progress will be considered in developing a plan for less restrictive housing, but will not necessarily result in promotion.
 - 2) When it has been determined that the individual has met expectations for custody promotion, the CFP will be submitted immediately.
- b. FRMT reviews recommending placement, transfer, or promotion will address the following objective criteria:
 - 1) Recent infractions and dates,
 - 2) Number and severity of infractions, and nature of infractions resulting in previous restrictive housing assignment or disciplinary segregation,
 - 3) Previous MAX custody assignments,
 - 4) Level of cooperation with employees/contract staff,
 - 5) Voluntary program participation, including names and completion dates,
 - 6) General adjustment in Restrictive Housing,
 - 7) Documented affiliation with subversive and security threat groups,
 - 8) Presence and/or extent of threat the individual poses to self, the safety of the facility, and/or others,
 - 9) Mental health issues, including compliance with medications and mutually agreed-upon treatment for individuals,
 - 10) Case plan activities,
 - 11) Separatee/prohibited placement issues prior to release,
 - 12) Review of confidential information which contributed to the initial placement,
 - 13) Release planning (e.g., Offender Reentry Community Safety, release plan),
 - 14) The individual's comments, and
 - 15) Current level and date assigned.
- c. Reasons for requesting transfer between IMUs include, but will not be limited to:
 - 1) History of individual's disruptive behavior,
 - 2) Mental health issues,

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- 3) Preparing the individual for transition,
- 4) Facility operational needs,
- 5) Programming assigned by the MAX Custody Committee, and,
- 6) Court order.

a) The Classification Corrections Specialist 4 will:

- (1) Monitor the status of individuals transferred per a court order to ensure the individual remains at the holding location or is cleared to return to the facility assigned by the MAX Custody Committee, and
- (2) Document contact with the court as a chrono in the individual's electronic file.

2. Informal classification reviews will be held at intervals not to exceed 60 days.

B. CFPs requesting demotion/transfer/promotion from MAX custody will be sent to the Corrections Specialist 4 for Headquarters MAX Custody Committee review.


1. Retention of individuals on MAX custody for 36 months or longer requires review and approval by the Assistant Secretary for Prisons.

C. The CFP screen in the individual's electronic file will be updated to reflect the decision of the Headquarters MAX Custody Committee.

1. A transfer order will be initiated, as appropriate, in the individual's electronic file using the applicable facility location.

D. If an individual is promoted from MAX custody and no bed is available in general population, the individual will retain the earned level privileges until a bed becomes available. The individual will not be placed on Ad Seg status while awaiting a bed, unless specific behavior warrants the placement.

E. An individual promoted from MAX custody and transferred to another facility will not be placed on Ad Seg status pending assessment at the receiving facility unless specific behavior warrants the placement. The MHA will be notified if this occurs.

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1. If transferring through the Washington Corrections Center IMU and scheduled to stay there for more than 7 days, the individual will retain the last MAX custody level achieved upon request.

XI. Headquarters Direct Release Committee

- A. The Headquarters Direct Release Committee will monitor MAX custody individuals that have 6 months or less until their Earned Release Date (ERD). The committee will:

1. Consist of a multidisciplinary team with a minimum of the following members:
 - a. MHA serving as the chair
 - b. Headquarters Classification Corrections Specialist 4
 - c. Director of Mental Health/designee
 - d. Housing Program Administrator/designee
 - e. Community Corrections Division Regional Administrator/designee
 - f. Individual's case manager or CUS/CMHUS
2. Meet monthly to review/discuss an individual's release planning to include:
 - a. General population release options
 - b. Transition funds/vouchers
 - c. Victim/witness concerns
3. Collaborate with facility employees to house individuals in the least restrictive environment possible before release to the community.
 - a. If placement in general population is not feasible, the committee will ensure individuals have a clear transition plan in place with access to services that may be available.


DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Mental Health Professional; Security Level 5. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

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[DOC 07-037 Classification Appeal](#)

[DOC 13-069 Individual Behavior Management Plan](#)

[DOC 21-472 Behavior and Programming Plan \(BPP\)](#)

[DOC 21-621 Maximum Custody Intensive Management Unit \(IMU\) Level/Step Demotion Review](#)



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POLICY

TITLE
RESTRICTIVE HOUSING

REVIEW/REVISION HISTORY:

- Effective: 6/7/00
- Revised: 12/27/05
- Revised: 2/3/06 AB 06-001
- Revised: 11/28/06
- Revised: 12/28/06 AB 06-021
- Revised: 4/13/07 AB 07-011
- Revised: 5/22/08
- Revised: 7/9/09
- Revised: 7/30/09 AB 09-026
- Revised: 6/20/12
- Revised: 2/1/15
- Revised: 10/26/16
- Revised: 3/6/20

SUMMARY OF REVISION/REVIEW:

Major changes to include updating terminology throughout and adding no contact visit procedures and Restrictive Housing Level System. Read carefully!


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

2/10/20

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [WAC 137-28](#); [WAC 137-32](#); [DOC 110.100 Prison Management Expectations](#); [DOC 300.380 Classification and Custody Facility Plan Review](#) [DOC 320.200 Administrative Segregation](#); [DOC 320.250 Maximum Custody Placement/Transfer/Release](#); [DOC 320.260 Secured Housing Units](#); [DOC 440.020 Transport of Offender Property](#); [DOC 440.080 Hygiene and Grooming for Offenders](#); [DOC 450.300 Visits for Incarcerated Individuals](#); [DOC 560.200 Religious Programs](#); [DOC 630.500 Mental Health Services](#); [DOC 650.020 Pharmaceutical Management](#); [DOC 670.000 Communicable Disease, Infection Prevention, and Immunization Program](#)

POLICY:

- I. Restrictive Housing is housing for incarcerated individuals whose continued presence in general population would pose a serious threat to employees/contract staff, themselves, other individuals, or to the security of a correctional facility. Restrictive Housing includes Administrative Segregation (Ad Seg), pre-hearing confinement, disciplinary segregation, Maximum (MAX) custody, and close observation. Restrictive Housing will operate in compliance with Department-established policies and guidelines.
 - A. Security Level 2 Secured Housing Units in stand-alone minimum security facilities will operate per DOC 320.260 Secured Housing Units.
 - B. This policy does not cover Close Observation Areas (COAs) unless the individual was placed in one from Restrictive Housing.
- II. The Department will provide specific cognitive-behavioral interventions and other programming/idleness-reducing activities in its Intensive Management Units (IMUs) and Intensive Treatment Units (ITUs), based on an individual’s risk and needs.

DIRECTIVE:

- I. General Requirements
 - A. Whenever possible, individuals will be taken to Health Services for an assessment and review before initial placement in Restrictive Housing unless there is a risk to employee/contract staff safety.
 1. Assessments will be documented on DOC 13-432 Nursing Assessment of Patient Placed in Restrictive Housing.
 - B. Individuals will receive classification reviews conducted out-of-cell DOC 300.380 Classification and Custody Facility Plan Review.

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C. Individuals may earn levels while in Restrictive Housing through their behavior per Restrictive Housing Level System Grid (Attachment 2). The grid identifies privileges and authorized items for each Restrictive Housing level.


II. General Conditions of Confinement (COC)

A. When an individual is transferred to Restrictive Housing, a mental health assessment will be conducted within one business day using DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening or DOC 13-427 Mental Status Examination.


1. If the facility does not have mental health services, a medical employee/contract staff will complete the form.

B. Individuals assigned to Restrictive Housing will be provided the following COCs, unless safety or security considerations dictate otherwise. If any of these conditions are refused or not provided, it will be documented on DOC 05-091 Daily Segregation Report. COCs will contain the following:

1. Adequately lighted and ventilated environment, unless mechanical or other problems prevent such conditions on a temporary basis.
2. Reasonable room temperature for the season, unless mechanical or other problems prevent such conditions on a temporary basis.
3. Meals of similar quality and quantity as provided to the general population. Methods of preparation and/or delivery may be modified for security reasons.
4. Access to personal hygiene items per DOC 440.080 Hygiene and Grooming for Offenders, as appropriate based on security and safety needs.
5. Opportunity to shower at least 10 minutes and shave at least 3 times per week.
6. Access to telephone, mail and approved correspondence supplies, reading material(s), and legal representation and material(s).
 - a. Unless authorized by the Superintendent/designee, individuals in disciplinary segregation will be allowed limited telephone privileges, except for calls related specifically to accessing legal representation.

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7. Receive a minimum of one hour of exercise per day, 5 days per week, outside of their cell.
8. Limited program access due to risk level.
9. Access to health care services, including medical, dental, and mental health services.
10. Access to emergency medications (e.g., nitroglycerin tablets, inhaler, Epi-pen).
11. Access to the Unit Sergeant, Correctional Unit Supervisor (CUS)/ Correctional Mental Health Unit Supervisor (CMHUS), and case manager.
12. Controlled access to prescribed and/or Over The Counter medications per DOC 650.020 Pharmaceutical Management.
13. Exchange of clothing (e.g., t-shirts, underwear, socks), coveralls, and towels at least 3 times per week.
14. Weekly exchange of linens.
15. Barbering/hair care services as available in general population.
 - a. Braids must be removed to allow hair to be searched when directed by an employee and approved by the CUS or Lieutenant.
16. Access to the following:
 - a. Religious guidance,
 - b. Education,
 - c. Self-help programs,
 - d. Library and Law Library,
 - e. Grievance Program, and
 - f. Policy and operational memorandum manuals accessible to the general population.
17. No contact visits per Restrictive Housing Level System Grid (Attachment 2) and as follows:
 - a. The initial review must occur per DOC 320.200 Administrative Segregation before individuals on Ad Seg status can have visits.

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- b. Visit hours and maximum number of visitors are identified in the Unit Handbook and will be posted on the facility's website and in Public Access.
- c. Visits will be conducted in a no contact visit room.
- d. Visitors must be on the individual's approved visitor list per DOC 450.300 Visits for Incarcerated Individuals.
- e. Special visits will be conducted per DOC 450.300 Visits for Incarcerated Individuals.

18. Modifications to COCs or Security Enhancement Plans.

- C. Approved American with Disabilities Act (ADA) accommodations will be allowed unless a security/safety concern exists. If a concern has been identified, the item(s) may be temporarily withheld until a determination is made by the CUS, Captain, and ADA Coordinator.

III. Conditions of Confinement (COC) Modifications


- A. COC modifications may be implemented for one or more of the following reasons:
 - 1. The activity or item is currently a risk to employees/contract staff, the individual's safety, or security and/or orderly operation of the Restrictive Housing unit.
 - 2. The continued use of the activity or item will result in a high probability of endangerment to self, others, security and orderly operation, and/or state property.
- B. The CUS/CMHUS or Shift Lieutenant in charge at the time of the imposed COC modifications will document and justify the modifications on DOC 21-632 Restrictive/Secured Housing Unit Conditions of Confinement Modification Approval, which the Superintendent/designee will review and approve within one business day. Any COC modifications will be recorded in the unit log.
 - 1. For IMU/segregation units, the designee must be at the Associate Superintendent level.
 - 2. Restrictions that take place after hours will be approved through the facility Duty Officer and reviewed by the appropriate manager the next business day.

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- C. COC modifications can be increased or decreased without changing the individual's level/step.
 - 1. The IMU/ITU CUS/CMHUS will review each individual assigned to COC modification status daily. As soon as the individual's behavior no longer indicates a threat, the Correctional Program Manager (CPM)/Correctional Mental Health Program Manager (CMHPM), Captain, or higher authority may release the individual from COC modification status.
- D. COC modifications lasting more than 7 days require Mission Housing Administrator (MHA) approval. COC modifications lasting more than 14 days require Assistant Secretary for Prisons/designee approval. Input from health services employees/contract staff should be considered in making a decision to extend a COC modification.
- E. When an individual is placed on pen and/or paper restriction, the Unit Sergeant will address any immediate communication needs (e.g., assistance with grievance, medical, emergency legal needs) when conducting the daily cell check.
- F. Alternative meal service COC modifications may not exceed a maximum of 7 days and must have the written approval of the Superintendent and Health Authority. Alternative meal service is limited to individuals who have used food or food service equipment in a manner that is hazardous to self, employees/contract staff, or other individuals. Alternative meal service must be based on health or safety considerations only and must meet basic nutritional standards.
- G. The Superintendent/designee will receive daily updates on all individuals assigned to COC modification status.
- H. Active COC modifications on individuals who transfer will be forwarded to the receiving facility's IMU/ITU at the time the individual is transferred.


IV. Property

- A. The following property will be authorized in a Restrictive Housing unit based on space availability and MAX custody level/step assignment. Unless otherwise noted, individuals cannot retain property from general population while in Restrictive Housing. Exception requests must be submitted to the Superintendent in writing. All property will remain in the appropriate storage container when not in use as follows:
 - 1. One 10" x 12" x 18" box of legal documents/papers from the individual's general population property.


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2. One 10" x 10" x 10" box or small sack to store all other authorized property:
 - a. Prescription eyeglasses from the individual's general population property.
 - b. Dentures from the individual's general population property.
 - c. Telephone/address book from the individual's general population property.
 - 1) Address books that are hardbound or contain staples are not allowed in Restrictive Housing. When an address book is not allowed due to security concerns, the individual will be provided an opportunity to copy the contents onto an allowable document.
 - d. One wedding band from the individual's general population property without diamonds, stones, or a raised surface that poses a security concern.
 - e. Approved educational and/or self-help material.
 - f. Paperback books, photographs, and publications.
 - g. As authorized per DOC 560.200 Religious Programs:
 - 1) One small religious medallion, 2" in size without sharp edges, worn on a piece of string or thread.
 - 2) Religious material, if requested by the individual and with proper approval from custody and religious programs employees/contract staff/volunteers.
 - 3) One medicine bag, 2.5" x 2.5" in size with no feathers, provided it is registered, approved, and worn on a piece of string only.
 - 4) One prayer rug.
 - 5) Unlined kufi/yarmulke/skull cap.

B. The following additional property will be authorized in an IMU/ITU/Segregation unit based on space availability and program management level assignment:

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1. A plastic medic alert bracelet or other medical equipment, as approved by health services employees/contract staff and authorized by the CUS/CMHUS.
 2. Medication, as directed by health services employees/contract staff per DOC 650.020 Pharmaceutical Management.
 - C. All other property will be maintained in storage and will be reissued to the individual when released from IMU/ITU/Segregation.
 1. When transferred from IMU/ITU/Segregation to another facility, the individual's property will be transferred per DOC 440.020 Transport of Offender Property.
 - D. Individuals may not request an inventory of their property, but will be provided with a current property matrix upon request.
- V. Security Enhancement Plans (SEPs)
- A. SEPs will be developed for individuals whose behavior warrants additional precautions to enhance employee/contract staff safety. Plans will focus on out-of-cell movement within the unit and assigned cell location. SEPs are not COC modifications.
 1. The CUS/CMHUS will complete and submit DOC 21-638 Security Enhancement Plan to the Superintendent or designated Associate Superintendent, who will review the plan within one business day.
 - a. The designated Associate Superintendent will notify the Superintendent of any approved plans.
 - b. SEPs developed after hours will be approved through the facility Duty Officer and reviewed by the Superintendent or designated Associate Superintendent the next business day.
 2. Approved SEPs will be recorded in the unit log and a copy will be forwarded to the MHA.
 3. SEPs do not automatically disqualify an individual from level promotion or participation in congregate programming.
 4. Modifications to visit procedures may be made using an SEP.
 - B. Once approved and implemented, the plan can only be discontinued with Superintendent approval.

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1. Discontinued SEPs will be scanned into the electronic imaging system.

C. The Superintendent will review active SEPs at least every 30 days.

1. Continuation of an SEP for more than 42 days must be approved by the MHA. If the MHA approves, the MHA must review the plan every 30 days and approve any modifications to the plan.

D. When an individual with an active SEP transfers to another facility, the plan will be forwarded along with the individual and remain in effect at the receiving facility.

E. When an individual engages in any behavior associated with the following, mandatory security enhancements will be developed and imposed for a minimum of 14 days. After the 14 days, the Superintendent and facility management team will review the security enhancements.

1. A 602, 604, and/or 704 serious infraction (e.g., assault on an employee, weapon possession), or

a. Personal Protective Equipment (e.g., eye protection) will be identified as mandatory for use when interacting with individuals who have a history of assaulting an employee/contract staff/volunteer with fluids.

2. Taking a cuff port hostage.

VI. Disruptive Hygiene Behavior


A. If an individual engages in disruptive hygiene behavior (i.e., the intentional smearing of any bodily fluid, including but not limited to feces and urine, on one's person or anywhere in a cell), the Disruptive Hygiene Behavior Response Protocol (Attachment 1) will be initiated.

VII. Health Services

A. Unless medical attention is needed more frequently, individuals in Restrictive Housing will receive a daily visit from a health care provider.

1. The presence of a health care provider will be announced.

2. The Health Care Authority will determine the frequency of physician visits to Restrictive Housing units.

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3. Health services employees/contract staff will promptly identify individuals who are psychologically/physically deteriorating or showing signs of failing health and inform the Superintendent/designee.
 - a. Facilities that are unable to manage an individual's healthcare needs will refer and transfer the individual to a facility designated by the Health Authority.

- B. Mental health, medical, and dental employees/contract staff will schedule at least one in-person assessment by the 25th month for individuals assigned to a Restrictive Housing unit for longer than 2 consecutive years and once per year thereafter.
 1. Medical and mental health assessments will be documented on DOC 13-435 Primary Encounter Report and dental assessments will be documented on DOC 13-047 Dental Treatment Record.
 - a. A medical/mental health provider will also enter a Medical Encounter and/or a Mental Health Encounter in the Health Services section of the individual's electronic file.
 2. If significant mental health deterioration is determined, recommendations will be made for alternative placement to better meet the mental health needs of an individual.
 3. Refusal by individuals will be documented on DOC 13-048 Refusal of Medical, Dental, Mental Health, and/or Surgical Treatment. A copy of this form will be forwarded to the MHA for follow up.

- C. Employees/contract staff observing behavior that may indicate a mental health issue exists should make an appropriate and timely referral using DOC 13-420 Request for Mental Health Assessment. The designated mental health provider will review the referral and take appropriate action.
 1. If the need is emergent, the employee/contract staff will immediately notify the Shift Commander, who will assess the individual's condition and take appropriate action.

- D. Transfers involving individuals with mental illness will be conducted per DOC 630.500 Mental Health Services.

- E. Mental health services will be accessed per DOC 630.500 Mental Health Services. This includes self-referrals and employee referrals.


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1. Mental health employees/contract staff will conduct rounds in the IMU/ITU at least once a week.
2. If an individual requests to be seen by Mental Health, the individual will be seen privately and in person within 48 hours.

F. Health services employees/contract staff will document all contacts in the individual's health record using DOC 13-435 Primary Encounter Report and on DOC 05-091 Daily Segregation Report and enter an encounter in the Health Services section of the individual's electronic file.

VIII. Programming Security Chair

- A. Employees assigned to an IMU/ITU/Segregation, who may place an individual into a programming security chair will be trained on the proper use and restraint procedures for placing/removing individuals correctly and safely in/out of the chair.
 1. Two employees will conduct procedures to place an individual in a programming security chair, in order, as follows:
 - a. The individual will be brought to the chair with hands cuffed in back.
 - b. The individual will at least be pat searched.
 - c. The individual will be placed in an approved, modified waist restraint with the longer chain on the side of the individual's writing hand.
 - 1) Chain will be shortened with a padlock if the individual does not need to write.
 - 2) Employees will ensure all restraints are double-locked, gauged correctly, and keyholes are facing the correct direction.
 - d. The individual will kneel on the chair so regular leg restraints can be applied.
 - e. The Individual's wrists will be cuffed to the waist restraint.
 - f. The individual will be seated in the chair and the leg restraint chain will be dropped through the opening in the bar near the floor under the seat of the chair.

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- g. The chair will be closed and position secured using the pin-lock padlock.
 - h. Employees will visually inspect to ensure waist restraints are applied correctly, leg restraints are under the lower sliding tube, and pin-lock padlock is secured.
2. Individuals will be removed from the chair in reverse order of chair placement.

IX. Visits by Employees/Contract Staff

- A. Employees assigned to the unit will conduct cell checks on an irregular schedule, no more than 30 minutes apart, to personally observe individuals in Restrictive Housing. Individuals who are violent or mentally disordered, or who demonstrate unusual or bizarre behavior, will receive more frequent observation. All cell checks will be documented in the unit log.
- B. The CUS/CMHUS or designee will conduct daily cell checks.
 1. The IMU/Segregation unit Correctional Sergeant will conduct one daily cell check each shift.
- C. Classification employees will visit with each individual at least once a week, and in response to written requests.
- D. On a rotating basis, a facility management team member will conduct a cell-by-cell walkthrough of each IMU/ITU/Segregation unit and make contact at each occupied cell weekly per DOC 110.100 Prison Management Expectations.
 1. An Associate Superintendent will conduct the walkthrough bimonthly.
 2. The Superintendent will conduct the walkthrough at least once a month.

X. Documentation

- A. DOC 05-091 Daily Segregation Report or an electronic version will be maintained for each individual housed in IMU/ITU/Segregation. Electronic versions will be printed and maintained in the same manner as the paper version. The report will be updated during and after each shift and document:
 1. Transactions and activities concerning the individual and any active COCs. Specific transactions include:
 - a. Sick call and medication distribution,
 - b. Shower schedule,

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- c. Exercise schedule,
- d. Visits,
- e. Attorney telephone calls,
- f. Requests for legal resources,
- g. Major incidents of any type,
- h. Program activities (e.g., education, religious services), and
- i. Contact by health services employees/contract staff.

- 2. The reasons for any decision to refuse property or an activity.
- 3. Medical observations and/or medications administered.
- 4. Walkthroughs and daily cell checks, including checks by the Unit Sergeant for individuals on pen/paper restriction.
- 5. Unusual occurrences and/or behavior.

B. The Unit Sergeant will review DOC 05-091 Daily Segregation Report or the electronic version each shift and note the review in the unit log.


XI. Direct Release from IMU/ITU/Segregation to the Community

A. IMU/ITU/Segregation unit employees will develop a community release notification for any individual releasing directly from MAX custody into the community, regardless of whether the individual has community supervision/ custody. The release notification template can be found under the Prisons report category in the Report Wizard section of the Offender Management Network Information (OMNI) system.

- 1. Release notifications will be forwarded to the MHA for final approval and distribution.
- 2. When possible, notification will be approved and distributed at least 30 days before the individual's release. Distribution will include the Assistant Secretaries for Prisons, Reentry, and Community Corrections.

B. IMU/ITU/Segregation unit employees will make appropriate transportation arrangements, which may include transporting the individual to the individual's community destination.

- 1. Individuals releasing directly from MAX custody will not be placed on public transportation upon release.

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- C. Individuals releasing directly from Ad Seg, pre-hearing confinement, or disciplinary segregation will be reviewed on an individual basis by the facility CPM/CMHPM to determine if a notification should be developed or alternative transportation arrangements need to be made.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

- [Disruptive Hygiene Behavior Response Protocol \(Attachment 1\)](#)
- [Restrictive Housing Level System Grid \(Attachment 2\)](#)

DOC FORMS:

- [DOC 05-091 Daily Segregation Report](#)
- [DOC 13-047 Dental Treatment Record](#)
- [DOC 13-048 Refusal of Medical, Dental, Mental Health, and/or Surgical Treatment](#)
- [DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening](#)
- [DOC 13-420 Request for Mental Health Assessment](#)
- [DOC 13-427 Mental Status Examination](#)
- [DOC 13-432 Nursing Assessment of Patient Placed in Restrictive Housing](#)
- [DOC 13-435 Primary Encounter Report](#)
- [DOC 21-632 Restrictive/Secured Housing Unit Conditions of Confinement Modification Approval](#)
- [DOC 21-638 Security Enhancement Plan](#)

DISRUPTIVE HYGIENE BEHAVIOR RESPONSE PROTOCOL

Disruptive Hygiene Behavior is the intentional smearing of any bodily fluid, including but not limited to feces and urine, on one's person or anywhere in a cell.

Section 1

- The individual is identified as engaging in the behavior. Information regarding the incident (e.g., name, DOC number, cell location, time protocol started) will be documented in the unit log and on DOC 05-091 Daily Segregation Report, and the Unit Sergeant will be notified.
- Mental Health will be notified, but will not respond immediately. The individual's mental health records will be reviewed in an attempt to determine if the individual has active mental health issues driving the behavior or if the individual is seeking attention.
- If the cell was smeared and no safety concerns exist (e.g., covered window, self-harm occurring, visible open wounds), the individual will be directed to clean the cell and appropriate cleaning supplies, including gloves, will be offered.

If the individual complies, or only smeared on the individual's person, go to SECTION 5

- If the individual refuses to clean the cell, the refusal will be documented in the unit log, and the Unit Sergeant will be notified.
- The individual will be asked if there are any open wounds. If the individual states that there are, the individual will be directed to show employees the wound(s).

If an open wound(s) exists, go to SECTION 2

- A screen will be placed in front of the cell door and, if necessary, appropriate deodorizers will be applied around the door to cover any odor that may exit into the unit.
- The individual will be notified that before receiving the next meal, the cell must be cleaned and the individual must take a shower.

If the individual complies, go to SECTION 5

- The individual will be checked for compliance during normal tier checks. During each check, the individual will be offered cleaning supplies. Conversations with the individual will be kept to a minimum. Comments regarding the behavior (e.g., smell) will not be made.

If the individual complies, go to SECTION 5

- If the individual has not cleaned the cell when the first meal following the behavior is served, the individual will not be provided a meal due to potential health hazards that may exist. The individual will be told why a meal was not received and will be directed to clean the cell. The individual will be notified if the individual does not clean the cell by the time the next meal is served, the individual will be removed from the cell.

If the individual complies, go to SECTION 5

- If the individual does not clean the cell by the second meal, the Shift Lieutenant and Mental Health will be contacted. Mental health employee/contract staff will determine whether they will try and dialogue with the individual.
- The Shift Lieutenant will contact the Superintendent/designee or the facility Duty Officer after hours and receive authorization, if necessary, to remove the individual using an entry team.
- The entry team will prepare and complete its initial brief on video. Once completed, a show of force will be made outside of the individual's cell.
- The individual will be directed to submit to wrist restraints.

If the individual complies with restraints being applied, go to SECTION 4

If the individual does not comply with restraints being applied, go to SECTION 2

DISRUPTIVE HYGIENE BEHAVIOR RESPONSE PROTOCOL

Section 2

- If the individual refuses directives, appropriate steps will be followed by the Team Leader, to include the use of Oleoresin Capsicum (OC).
- The individual will be removed from the cell and offered OC decontamination.

If the individual accepts OC decontamination, go to SECTION 3

If the individual does not accept OC decontamination and behavior is appropriate, go to SECTION 5

If the individual does not accept OC decontamination and behavior is inappropriate, go to SECTION 4

Section 3

- The individual will be OC decontaminated using unit protocol, to include clothes being removed/ cut off.

If the individual's behavior is appropriate, go to SECTION 5

If the individual's behavior is inappropriate, go to SECTION 4

Section 4

- Based on the individual's behavior, unit employees will determine if the individual should be placed in a holding cell or restraint chair.

Once the individual's behavior is appropriate, go to SECTION 5

Section 5

- The individual will be placed in a shower. The individual will be given a bar of soap and will have 10 minutes to shower. The individual can choose whether or not to take a shower.
- If the cell was smeared and the individual refused to clean it, employees or individual porters that are trained in blood/body fluid cleanup per DOC 670.000 Communicable Disease, Infection Prevention, and Immunization Program will clean the contaminated cell while the individual is in the shower and will dispose of items appropriately.
- The individual will be given clean clothing for any soiled clothing. Once dressed, the individual will be returned to the same cell, if possible.
- The individual will be given a sack lunch or appropriate meal. If a hot meal was served within an hour of the individual becoming compliant, the individual will be given a hot meal.

RESTRICTIVE HOUSING LEVEL SYSTEM GRID

Program Activities	Level 1	Level 2	Level 3	Level 4
Showers, 10 minutes - 3 times per week	X	X	X	X
Out-of-cell recreation - 5 times per week	X	X	X	X
Telephone access	X	X	X	X
Eligible for one radio		X		
Eligible for one radio or one television, not both			X	
Eligible for in-unit work assignment			X	
Up to \$10 weekly commissary order for IMU-approved personal hygiene and correspondence related items only	X	X	X	X
Up to \$10 weekly commissary order for IMU-approved food items only; total commissary order cannot exceed \$15			X	
Up to \$15 weekly commissary order for IMU-approved food items only; total commissary order cannot exceed \$20				X
Receive 1 st class mail	X	X	X	X
No contact visits	2 hours, once per week	3 hours, once per week	4 hours, once per week, or 2 hours, twice per week	4 hours, once per week, or 2 hours, twice per week
Receive publications	2	3	4	4
Books - Facility issue, softbound only; hardbound acceptable for educational purposes if softbound is unavailable	2	2	2	2
Books - Outside publisher, softbound only; hardbound acceptable for educational purposes if softbound is unavailable; books must be facility-issued from an approved higher learning institution	2	3	3	3
Personal photographs, 4" x 6"	10	10	10	10
Legal documents/papers and reference material, provided the individual has a validated pending court case - 25 lb. maximum weight of box	X	X	X	X



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POLICY

TITLE
SECURED HOUSING UNITS

REVIEW/REVISION HISTORY:

- Effective: 7/9/09
- Revised: 7/17/09 AB 09-021
- Revised: 1/10/11
- Revised: 6/14/12
- Revised: 1/8/16
- Revised: 10/26/16
- Revised: 3/6/20

SUMMARY OF REVISION/REVIEW:


Terminology updated throughout and incorporated Attachment 1
 Policy statement I., Directive I.A., I.A.1., I.A.4.I.B., II.A.16., V.B.1., V.D., VIII.A.1., VIII.C & D., and X.B. - Adjusted language for clarification
 I.A.3., and III.B. - Removed unnecessary language
 Removed II.A.14. that barbering/hair care services will be part of the COC
 Removed II.A.16.a. that facilities may arrange or schedule a no-contact visit at a more secure facility
 III.A.1a. & b. - Adjusted property allowances
 VI.A.1., and VIII.A. - Added language for clarification
 Added VI.B.1. that discontinued SEPs will be scanned
 Added VII.B. that A final Administrative Segregation review will be completed before the departure date for individuals being administratively released to another facility

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
 Department of Corrections

2/10/20
 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [WAC 137-28](#); [WAC 137-32](#); [DOC 110.100 Prison Management Expectations](#); [DOC 320.200 Administrative Segregation](#); [DOC 440.080 Hygiene and Grooming for Offenders](#); [DOC 560.200 Religious Programs](#); [DOC 590.500 Legal Access for Incarcerated Individuals](#); DOC 650.020 Pharmaceutical Management

POLICY:

- I. Level 2 stand-alone facilities will, when necessary, confine incarcerated individuals in the Secured Housing Unit (SHU) for up to 14 days, with an extension of up to 7 days in limited circumstances as approved by the Mission Housing Administrator (MHA) to accommodate transportation needs. Individuals will then be returned to general population or transferred to a more secure facility, as appropriate.

DIRECTIVE:

- I. General Requirements
 - A. Individuals will be seen by a health services employee/contract staff for medical screenings when placed in Secured Housing.
 1. If the facility does not have 24-hour health services available, and the placement occurs after business hours, the assessment will be completed on the next business day.
 2. Health services employees/contract staff will provide assessment and review using DOC 13-432 Nursing Assessment of Patient Placed in Restrictive Housing.
 3. When initial placement occurs after business hours, one or more of the following procedures will be implemented:
 - a. The individual will complete and submit DOC 13-471 Self-Wellness Check to the Shift Commander, who will complete the Shift Commander section and contact the on-call medical practitioner to discuss information documented,
 - 1) If the individual refuses to complete the form, the Shift Commander will note the refusal on the form.
 - b. A telephone conference will be facilitated for the individual with a qualified health services employee/contract staff, documented on

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DOC 13-432 Nursing Assessment of Patient Placed in Restrictive Housing, and logged on DOC 05-091 Daily Segregation Report, or


c. The individual will be transported to a facility with qualified health services employees/contract staff, a local community clinic, or a hospital.

B. Individuals assigned to a SHU who require access to emergent/priority health services not available at the current facility will be transferred to a facility that is able to provide the services.

II. General Conditions of Confinement (COC)

A. Individuals assigned to a SHU will be provided the following COCs, unless safety or security considerations dictate otherwise:


1. Adequately lighted and ventilated environment, unless mechanical or other problems prevent such conditions on a temporary basis.
2. Reasonable room temperature for the season, unless mechanical or other problems prevent such conditions on a temporary basis.
3. Meals of similar quality and quantity as provided to the general population. Methods of preparation and/or delivery may be modified for security reasons.
4. Access to personal hygiene items per DOC 440.080 Hygiene and Grooming for Offenders, as appropriate based on security and safety needs.
5. Opportunity to shower at least 10 minutes and shave at least 3 times per week.
6. Access to telephone, mail and approved correspondence supplies, reading material(s), and legal representation and material(s).
 - a. Except for calls related specifically to access legal representation, individuals will be allowed limited telephone privileges unless otherwise authorized by the Superintendent/designee.
7. Receive a minimum of one hour of exercise per day, 5 days per week, outside of their cell.
8. Limited program access.

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9. Access to health care services.
10. Access to Unit Sergeant, Correctional Unit Supervisor (CUS), case manager, and Correctional Program Manager (CPM) in the SHU.
11. Controlled access to prescribed and/or Over the Counter (OTC) medications per DOC 650.020 Pharmaceutical Management.
12. Exchange of clothing (i.e., t-shirts, underwear, socks), coveralls, and towels at least 3 times per week.
13. Exchange of linens weekly.
14. Access to the following:
 - a. Religious guidance
 - b. Education
 - c. Self-help programs
 - d. Library
 - e. Grievance Program
 - f. Applicable policy and operational memorandum manuals
15. Approved legal visits will be handled on a case-by-case basis.

III. Property

- A. The following property will be authorized in a SHU based on space availability. Unless otherwise noted, individuals cannot retain property from general population while in Secured Housing. Exception requests must be submitted to the Superintendent in writing.
 1. Approved American with Disabilities Act (ADA) accommodations will be allowed unless a security/safety concern exists. If a concern has been identified, the item(s) may be temporarily withheld until a determination is made by the CUS, Lieutenant, and ADA Coordinator.
 2. All property will remain in the appropriate storage container when not in use. Unless there is a significant safety/security risk, the individual may receive:
 - a. On the first day of admission:
 - 1) First class mail.

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- 2) Telephone/address book from the individual's general population property.
 - 3) Approved educational, religious, and/or self-help material.
 - a) Individual must be enrolled in an approved education and/or change program for educational materials.
 - 4) One softbound, facility-issued book. Hardbound may be acceptable for educational purposes if softbound is unavailable.
 - 5) Prescription eyeglasses from the individual's general population property.
 - 6) Dentures from the individual's general population property.
 - 7) Approved health services equipment (e.g., Continuous Positive Airway Pressure (CPAP) machine, prosthetics, hearing aids).
 - 8) One wedding band from the individual's general population property without diamonds, stones, or a raised surface that poses a security concern.
 - 9) Books.
- b. 72 hours following placement:
- 1) Religious material must be authorized per DOC 560.200 Religious Programs, requested by the individual, and approved by custody and religious programs employees/contract staff/volunteers.
 - 2) One small religious medallion, 2" in size without sharp edges, worn on a piece of string or thread.
 - 3) One medicine bag, 2.5" x 2.5" in size with no feathers, provided it is registered, approved, and worn on a piece of string only.
 - 4) For access to legal materials, individuals must demonstrate a verifiable court-imposed deadline within 45 days per DOC 590.500 Legal Access for Incarcerated Individuals.

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- B. The following additional property will be authorized based on space availability:
1. A plastic medic alert bracelet or other medical equipment, as approved by the Health Authority and authorized by the CUS.
 2. Medication, as directed by health services employees/contract staff per DOC 650.020 Pharmaceutical Management.
- C. All other property will be maintained in storage and will be reissued to the individual when released from Secured Housing.

IV. Conditions of Confinement Modifications

- A. COC modifications may be implemented for one or more of the following reasons:
1. The activity or item is currently a risk to employee/contract staff or the individual's safety, or to the security and/or orderly operation of the SHU.
 2. The continued use of the activity or item will result in a high probability of endangerment to self, others, security and orderly operation, and/or state property.
- B. The CUS/Shift Commander in charge at the time of the imposed modifications will document and justify modifications on DOC 21-632 Restrictive Housing/ Secured Housing Unit Conditions of Confinement Modification Approval, which the Superintendent/designee will review and approve within one business day. Any modification to COCs will be recorded in the unit log.
1. The designee must be the Administrative Lieutenant or CPM.
- C. COC modifications lasting up to 7 days require Superintendent/designee approval. If available, input from medical/mental health employees/contract staff should be considered in making a decision to extend a modification. Modifications for more than 7 days require MHA approval.
- D. The CUS/designee will review each individual assigned to COC modification status daily during business hours. As soon as the individual's behavior no longer indicates a threat, the Administrative Lieutenant, CPM, or higher authority may release the individual from COC modification status.
- E. When an individual is placed on pen and/or paper restriction, the Unit Sergeant will conduct a daily cell check to address any immediate communication needs (e.g., assistance with grievance, medical, emergency legal needs).

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- F. Alternative meal service COC modifications may not exceed a maximum of 7 consecutive days and must have the written approval of the Superintendent and Health Authority. Alternative meal service:
 - 1. Is limited to individuals who have used food or food service equipment in a manner that is hazardous to self, employees/contract staff, or other individuals.
 - 2. Must be based on health or safety considerations only and must meet basic nutritional standards.
- G. The Superintendent/designee will receive routine updates on all individuals assigned to a COC modification status.
- H. Active COC modifications will be forwarded to the receiving facility's Intensive Management Unit (IMU)/Intensive Treatment Unit (ITU) at the time the individual is transferred.
- V. Security Enhancement Plan
 - A. Security Enhancement Plans (SEPs) will be developed for individuals whose behavior warrants additional precautions to enhance employee/contract staff safety. Plans will focus on out-of-cell movement within the unit and assigned cell location. SEPs are not COC modifications.
 - 1. The CUS/Administrative Lieutenant will complete and submit DOC 21-638 Security Enhancement Plan to the Superintendent or CPM, who will review the plan within one business day.
 - a. The CPM will notify the Superintendent of any approved plans.
 - b. After hours SEPs will be developed/approved through the facility Duty Officer and reviewed by the Superintendent or CPM the next business day.
 - 2. Approved SEPs will be recorded in the unit log and a copy will be forwarded to the MHA.
 - B. Once approved and implemented, the plan can only be discontinued with Superintendent approval.
 - 1. Discontinued SEPs will be scanned into the individual's electronic imaging system.

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C. When an individual with an active SEP transfers to another facility, the plan will be forwarded with the individual and remain in effect at the receiving facility.

VI. Administrative Release

A. Administrative releases from a SHU will be conducted per DOC 320.200 Administrative Segregation.

B. A final Administrative Segregation review will be completed before the departure date for individuals being administratively released to another facility.

VII. Health Services

A. Individuals assigned to a SHU will have access to medical, dental, and mental health services similar to what is provided to those in general population.

1. Individuals will receive daily visits from health services employees/contract staff during business hours.

B. Employees/contract staff observing behavior that may indicate a mental health issue exists should make an appropriate and timely referral using DOC 13-420 Request for Mental Health Assessment. The designated mental health provider will review the referral and take appropriate action.

1. Facilities without mental health employees/contract staff will refer and transfer individuals to a facility designated by the Mental Health Authority.


C. When an individual is transferred to Secured Housing, a mental health screening will be conducted within one business day using DOC 13-349 Intersystem/ Restrictive Housing Mental Health Screening or DOC 13-427 Mental Status Examination.

D. The presence of a health care provider in the SHU will be announced and documented.

1. On weekends and holidays, DOC 13-471 Self-Wellness Check will be issued to the individual for completion.

2. Health services employees/contract staff will promptly identify individuals who are psychologically/physically deteriorating or showing signs of failing health and inform the Superintendent/designee.

a. Facilities that are unable to manage healthcare needs will refer and transfer individuals to a facility designated by the Health Authority.

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- E. Health services employees/contract staff will document all contacts in the individual's health record using DOC 13-435 Primary Encounter Report and on DOC 05-091 Daily Segregation Report.

VIII. Visits by Employees/Contract Staff

- A. Employees assigned to the unit will conduct cell checks on an irregular schedule, no more than 30 minutes apart, to personally observe individuals. Individuals who are violent or mentally disordered, or who demonstrate unusual or bizarre behavior will receive more frequent observation. All cell checks will be documented in the unit log.
- B. The Shift Commander will conduct daily cell checks.
- C. Classification employees will visit with each individual at least once a week, and in response to written requests.
- D. Per DOC 110.100 Prison Management Expectations, each week on a rotating basis, the Superintendent, CPM and/or Administrative Lieutenant will do a cell-by-cell walkthrough of the SHU and make contact at each occupied cell.

IX. Documentation

- A. DOC 05-091 Daily Segregation Report or an electronic version will be maintained for each individual housed in the SHU. Electronic versions will be printed and maintained in the same manner as the paper version. The report will be updated during and after each shift and document:
 - 1. Transactions and activities concerning the individual and any active COCs. Specific transactions include:
 - a. Sick call and medication distribution,
 - b. Shower schedule,
 - c. Exercise schedule,
 - d. Visits,
 - e. Attorney telephone calls,
 - f. Requests for legal resources,
 - g. Major incidents of any type,
 - h. Program activities (e.g., education, religious services), and
 - i. Contact by medical or mental health employees/contract staff.
 - 2. Reasons for any decision to refuse property or an activity.
 - 3. Medical observations and/or medications administered.
 - 4. Unusual occurrences and/or behavior.

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5. Modifications/exceptions.
 6. Walkthroughs and daily cell checks, including checks by the Unit Sergeant for individuals on pen/paper restriction.
- B. Each shift, the Unit Sergeant will review DOC 05-091 Daily Segregation Report or the electronic version and note the review in the unit log.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- [DOC 05-091 Daily Segregation Report](#)
- [DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening](#)
- [DOC 13-420 Request for Mental Health Assessment](#)
- [DOC 13-427 Mental Status Examination](#)
- [DOC 13-432 Nursing Assessment of Patient Placed in Restrictive Housing](#)
- [DOC 13-435 Primary Encounter Report](#)
- [DOC 13-471 Self-Wellness Check](#)
- [DOC 21-632 Restrictive/Secured Housing Unit Conditions of Confinement Modification Approval](#)
- [DOC 21-638 Security Enhancement Plan](#)



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POLICY

TITLE
CLOSE OBSERVATION AREAS

REVIEW/REVISION HISTORY:

Effective: 4/28/17
Revised: 10/8/21
Revised: 9/7/23

SUMMARY OF REVISION/REVIEW:

I.A.1., II.A., II.A.1., II.B.5., III.B.4.b.1), and IV.A.2. - Adjusted language for clarification
II.A., II.A.3., III.B.3.a., and III.B.3.a.1) - Added clarifying language
Added II.A.2. that infirmary beds may be used when clinically appropriate/indicated
Added II.A.4. that individuals must be placed on continuous observation when placed in a COA due to suicidality outside of a designated COA
Added II.B.6. that individuals may be placed in a COA as noted on a health safety/behavioral management plan
Added II.C. requirements for individuals remaining on placement for longer periods of time
III.B.3. and III.D. - Removed unnecessary language
Added III.G.5. that documentation will include any changes to utilities
Added III.H. required documentation for observation levels

APPROVED:

Signature on file

MARYANN CURL, MD
Chief Medical Officer

8/4/23

Date Signed

Signature on file

DAVID FLYNN,
Assistant Secretary for Health Services

8/3/23


Date Signed

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

8/4/23

Date Signed

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	REVISION DATE 9/7/23	PAGE NUMBER 2 of 8	NUMBER DOC 320.265
	TITLE CLOSE OBSERVATION AREAS		

REFERENCES:


DOC 100.100 is hereby incorporated into this policy; DOC 320.255 Restrictive Housing; DOC 420.250 Use of Restraints (RESTRICTED); Suicide Risk Assessment Protocol

POLICY:

- I. The Department has established procedures for the placement of individuals in a Close Observation Area (COA) who pose a risk to themselves or others or have a mental health concern resulting in a grave disability.
- II. COAs have been established at all major facilities (i.e., Level 3 or higher) and include suicide-resistant cells to ensure the safety of the individual and others.
- III. Procedures for individuals placed in a COA from a Restrictive Housing unit will be conducted per DOC 320.255 Restrictive Housing.

DIRECTIVE:

- I. General Requirements
 - A. Placement on close/continuous observation status will be determined by a mental health provider based upon an assessment by health services employees/contract staff. Status will continue until the individual has been determined to be safe in a less restrictive environment by a mental health provider.
 1. Initial nursing assessment and ongoing nursing wellness checks will be completed and documented on DOC 13-557 Close Observation Nursing Assessment.
 - B. Placement in a COA will not be used for disciplinary purposes.
 - C. Restraints will only be used consistent with the individual's custody level per DOC 420.250 Use of Restraints (RESTRICTED) unless authorized by the Superintendent/Duty Officer and Facility Medical Director (FMD)/designee.
- II. Placement in a Close Observation Area
 - A. When authorized by a mental health provider and an individual is placed in a COA, the Superintendent/designee, Mental Health Duty Officer (MHDO), Medical Duty Officer (MDO), and Shift Commander will be immediately notified.
 1. If no COA bed is available, an infirmary bed may be used in consultation with the MDO/FMD.

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2. Infirmery beds may also be used when clinically appropriate/indicated as determined by a psychiatric or medical provider.
3. If neither a COA nor an infirmery bed is available, the Shift Commander/designee and the MHDO will determine the most appropriate placement. This may include using Restrictive Housing cells.
4. If an individual is placed on watch due to suicidality outside of a designated COA, the individual must be on continuous observation.

B. Individuals may be placed in a COA for the following reasons:

1. Risk of self-harm
2. Risk of suicide
3. Self-harm attempt
4. Suicide attempt
5. As clinically indicated to actively monitor for acute psychiatric decompensation
6. As noted on DOC 13-527 Mental Health Safety Plan or DOC 13-069 Individual Behavior Management Plan


C. For individuals remaining on a COA placement continuously longer than:

1. Five business days, the placement need will be reviewed with the Chief of Psychology.
2. Ten business days, the placement will be reviewed with the Chief of Psychiatry and Director of Behavioral Health.


III. Observation Levels

A. The level of observation needed will be determined by a mental health provider based on the mental health provider's assessment/appraisal of the individual's risk for self-injury. Individuals may be moved between observation levels as needed to meet safety needs.

1. If placement occurs after hours, an assessment will be completed by a health services employee/contract staff who will consult with the MHDO to determine observation level. The MHDO will provide additional questions to ask the individual to assist with the determination.
2. At each change in assigned observation, a mental health provider will re-determine the conditions of confinement and document any changes on DOC 13-393 Close Observation Conditions of Confinement.

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- B. Individuals who are deemed to be an imminent danger to themselves will be placed on continuous observation.
1. An officer will be assigned to always remain in direct line of sight with the individual. Cameras will not be used as a replacement for an officer maintaining a direct line of sight.
 2. Observations will be made at the front of the cell to include checking for obvious signs of life (e.g., body movement, skin tone, breath sounds, chest expansion) in the individual and documented every 15 minutes.
 3. Individuals will be assessed every 24 hours for health concerns.
 - a. Risk of suicide will be assessed by a mental health provider during business hours every business day. If no mental health provider is available, a health services provider will perform the assessment.
 - 1) Health concerns will be assessed by a health services provider, who will ask the individual about thoughts of harming oneself and relay the information to the MHDO. Additional questions may be provided by the MHDO.
 - 2) Assessment results will be documented in the health record and on DOC 13-558 Close Observation Suicide Risk Assessment when completed by a mental health employee/contract staff.
 - 3) The MHDO will be contacted for consultation as needed.
 4. For individuals placed on continuous observation following a suicide attempt or act of self-injury:
 - a. An authorized medical provider (i.e., Physician, Advanced Registered Nurse Practitioner, Certified Physician Assistant or Registered Nurse) will conduct an immediate medical assessment.
 - b. The Psychologist 4 or Psychiatrist will conduct a review, which will include a professional opinion on whether the incident was a suicide attempt or a self-injury event.
 - 1) All events designated as suicide attempts will be reported to the Director of Behavioral Health/designee for further review.

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- C. Individuals who may be at reduced (i.e., not imminent) risk for self-injury may be placed on 15-minute close observation. This may include a step-down following stabilization from continuous watch.
 - 1. Observations will be made at irregular intervals at the front of the cell, with no more than 15 minutes between checks. Each observation will include checking for obvious signs of life and documented.


- D. Individuals who are off their mental status baseline and have exhibited a change in behavior, but do not appear to be at risk for self-injury may be placed on 30-minute close observation.
 - 1. Observations will be made at irregular intervals at the front of the cell, with no more than 30 minutes between checks. Each observation will include checking for obvious signs of life and documented.

- E. Individuals continuing to display evidence of suicide risk after 72 hours on continuous/close observation should be reviewed for transfer to a facility with residential or acute mental health programs and resources to manage these risks for prolonged periods of time.

- F. Observation assignments will be conducted by an officer of the same gender as the individual, except in emergent situations.
 - 1. In the event of a cross-gender officer being assigned, a report will be completed by the Shift Commander in the Incident Management Reporting System (IMRS) before the end of shift. Distribution will include the Prison Rape Elimination Act (PREA) Coordinator.

- G. Observations will be documented in the COA logbook and verified by the unit supervisor. Documentation will include:
 - 1. Date and time of walkthroughs and cell checks, including checks by the Unit Sergeant
 - 2. Notation of current behavior/activity
 - 3. Any significant conversation the individual has
 - 4. Any conditions refused or not provided
 - 5. Any changes to utilities

- H. Documentation will be completed as indicated. This includes, but is not limited to:
 - 1. DOC 13-539 Close Observation Admissions Log
 - 2. DOC 13-556 Close Observation Progress Record

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3. DOC 13-559 Close Observation Orders
4. DOC 13-560 Close Observation Restrained Patient Assessment
5. DOC 13-572 Close Observation Mental Status Examination
6. DOC 13-594 Close Observation Dry Cell Watch Assessment

IV. Conditions of Confinement

- A. A mental health provider will set and modify appropriate conditions of confinement on DOC 13-393 Close Observation Conditions of Confinement, including property access.
 1. Conditions of confinement must be reviewed, and the form updated by a mental health provider/designee every:
 - a. 24 hours while an individual is on continuous observation, or
 - b. 72 hours while an individual is on 15 or 30-minute close observation checks.
 2. When conditions of confinement need to be reviewed during non-business hours, the nurse will review the status of the individual telephonically with the MHDO, who will sign the updated form on the next business day.
- B. Restrictions to personal property and programming for individuals assigned to close observation should be limited to no more than necessary to prevent the individual from self-injury.
 1. Items normally available to the individual will be returned as soon as considered safe by a mental health provider.
- C. If indicated by the mental health provider, an individual may be supplied with a security garment to promote the individual's safety while minimizing humiliation and degradation.
- D. Stationary or ambulatory restraints may be used as needed to control the individual's behavior per DOC 420.250 Use of Restraints (RESTRICTED).

V. Release/Transfer

- A. For individuals placed on continuous observation following a suicide attempt or act of self-injury, determination for discharge from a COA will be made by a mental health provider per the Suicide Risk Assessment Protocol.
- B. Individuals will only be released from close observation status when a mental health provider has evaluated and debriefed the individual and determined the

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individual presents minimal imminent risk for self-injury, and an aftercare plan is developed using DOC 13-558 Close Observation Suicide Risk Assessment.

1. The releasing mental health provider will:
 - a. Develop a written aftercare plan to minimize subsequent risk for self-injury.
 - b. Inform the Shift Commander immediately prior to releasing an individual from close observation.
 - c. Inform the Shift Commander and the individual's Correctional Unit Supervisor of aftercare plan information that is necessary to manage the individual in the living unit.
 - 1) The Shift Commander/Correctional Unit Supervisor will inform unit employees and/or contract staff as necessary.
2. Mental health providers will monitor the individual per the aftercare plan and document the individual's behavior and functioning in the health record.
3. For individuals releasing to the community within a month of being on close observation, the Prison case manager will inform the assigned Community Corrections case manager of this status prior to release. If the Community Corrections case manager cannot be contacted, the section Duty Officer should be informed.
 - a. The case manager will refer the individual to the local crisis clinic if needed.
- C. When possible, individuals releasing from a COA will be transferred back to their originally assigned facility/unit.

DEFINITIONS:

The following words/terms are important to this policy and defined in the glossary section of the Policy Manual: Ambulatory Restraints, Continuous Observation. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:



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POLICY

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CLOSE OBSERVATION AREAS

- DOC 13-069 Individual Behavior Management Plan
- DOC 13-393 Close Observation Conditions of Confinement
- DOC 13-527 Mental Health Safety Plan
- DOC 13-539 Close Observation Admissions Log
- DOC 13-556 Close Observation Progress Record
- DOC 13-557 Close Observation Nursing Assessment
- DOC 13-558 Close Observation Suicide Risk Assessment
- DOC 13-559 Close Observation Orders
- DOC 13-560 Close Observation Restrained Patient Assessment
- DOC 13-572 Close Observation Mental Status Examination
- DOC 13-594 Close Observation Dry Cell Watch Assessment



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POLICY

TITLE
RISK AND NEEDS ASSESSMENT PROCESS

REVIEW/REVISION HISTORY:

- Effective: 9/1/93
- Revised: 8/1/99
- Revised: 6/26/02
- Revised: 4/15/03
- Revised: 9/19/05
- Revised: 12/10/06
- Revised: 4/30/07
- Revised: 11/28/07 AB 07-034
- Revised: 8/4/08
- Revised: 9/4/09
- Revised: 12/15/17
- Revised: 12/9/21

SUMMARY OF REVISION/REVIEW:

Major changes. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

11/12/21

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 72.09.270](#); [RCW 72.09.585](#); DOC 300.380 Classification and Custody Facility Plan Review; DOC 310.100 Intake; DOC 320.010 Pre-Sentence Investigations and Risk Assessment Reports Ordered by the Court; DOC 320.180 Separation and Facility Prohibition Management; DOC 320.500 Youthful Offender Program; DOC 330.605 Boarder Agreements; DOC 350.200 Transition and Release; DOC 380.300 Supervision of Individuals on Conditional Release, Insanity Acquittal, and Supervised Appeal; DOC 380.370 Sexually Violent Predator/Less Restrictive Alternative; DOC 450.500 Language Services for Limited English Proficient Individuals; DOC 570.000 Sex Offender Treatment and Assessment Programs; [Washington ONE Interview Worksheet](#)

POLICY:

- I. The Department has established procedures for a norming period to adjust from using static risk and needs assessment tools to a dynamic Risk Need Responsivity (RNR) tool, which will be used to help identify and prioritize treatment, supervision strategies, targets for intervention, resources, and other needs of individuals under its jurisdiction to reduce recidivism and enhance public safety.
 - A. The norming period will be in effect until the RNR system can be fully incorporated and is intended to analyze and inform future determination of operations to reduce recidivism through case management.
- II. The RNR tool is a risk and needs assessment tool approved by the Washington State Institute for Public Policy. The RNR tool and other evidence-based tools will be used to determine and manage case plan goals and objectives, set expectations, and measure change over time.
- III. Custody classification levels will be assessed and determined per DOC 300.380 Classification and Custody Facility Plan Review.

DIRECTIVE:


- I. General Requirements
 - A. Each individual under the Department’s jurisdiction will be assessed except those identified in:
 - 1. DOC 330.605 Boarder Agreements
 - 2. DOC 380.300 Supervision of Individuals on Conditional Release, Insanity Acquittal, and Supervised Appeal
 - 3. DOC 380.370 Sexually Violent Predator/Less Restrictive Alternative

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- B. During the norming period, the first risk and needs assessment conducted after the most recent Criminal Conviction Record(s) (CCR) has been completed will set the individual's Risk Level Classification (RLC) as one of the following:
1. High Violent Property and Drug (HVPD)
 2. High Violent Felony Risk (HV)
 3. High Property Felony Risk (HP)
 4. High Drug Felony Risk (HD)
 5. Moderate Felony Risk (MOD)
 6. Lower Felony Risk (LOW)
- C. The RLC will show in the individual's electronic file as the "Contact RLC". The Contact RLC is located on the Case Plan face sheet and is the official RLC for the individual.
1. The Contact RLC will be marked as "unclassified" or have an asterisk next to it if:
 - a. An assessment is conducted before the CCR is completed for individuals who have never been under Department jurisdiction or return from a break in being under Department jurisdiction,
 - b. It is a pending Out-of-State case that has not been accepted yet, or
 - c. The individual has not had a risk and needs assessment using the RNR tool.
 2. The case manager will inform the individual of the current Contact RLC and any time it changes.
- D. Additional assessments and screening will be conducted for individuals with a current/prior conviction with a sexual element per DOC 570.000 Sex Offender Treatment and Assessment Programs.
- E. Case management employees must successfully complete Case Management Academy training before conducting assessments using the RNR tool.

II. Assessment Process


- A. The Criminal Conviction Records Unit will:
1. Complete a CCR within 5 business days of receiving sentencing documents or as a result of checking the daily manifest for new admissions.

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2. Use information to complete the static portion of the risk and needs assessment tool in the individual's electronic file obtained through:
 - a. Judgment and Sentence
 - b. National Crime Information Center (NCIC)
 - c. Federal Bureau of Investigation (FBI)
 - d. Washington Crime Information Center
 - e. Superior Court Management and Information System (SCOMIS)
 - f. District and Municipal Court Information System (DISCIS)
 - g. Juvenile Court Convictions
 - h. County Prosecuting Attorney's Statement
 - i. Electronic and hard copy records
 3. Determine if the Department will retain jurisdiction based on risk.
 4. Determine the appropriate Warrant Service Area in the event the individual fails to report for supervision.
 5. Scan documentation into the individual's electronic imaging file.
 6. Enter a Chronological Event (chrono) in the electronic file using a "Risk Assessment Issues" chrono type documenting the CCR is complete.
- B. Upon arrival at a Reception Diagnostic Center, if the individual has an Earned Release Date of 90 days or less, the individual will be processed as follows:
1. Individuals with supervision ordered will be provided reporting instructions and will have their release plan approved per DOC 350.200 Transition and Release before release.
 2. The RNR assessment will be completed per DOC 310.100 Intake unless it is a Monetary Only release per DOC 350.200 Transition and Release.
- C. If the Department will have jurisdiction for more than 90 days, case managers will conduct an assessment interview within 30 days of:
1. The CCR being completed,
 2. The individual reporting for the first time to a Field Office, or
 3. The individual becoming available for a face-to-face interview while in total confinement.
- D. The case manager will:
1. Before conducting an assessment interview:

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- a. Review the CCR for accuracy.
 - 1) The case manager will send an email to the [Criminal Conviction Records Unit](#) of any new sentencing information, possible incorrect data, and/or missing convictions to update the CCR upon verifying the information.
 - 2) If the CCR is not available, the case manager will email the Criminal Conviction Records Unit a request to complete the CCR.
- b. Obtain and review probable cause statement(s) and/or police report(s) and any other relevant documents/information for all current causes, and ensure they are added to the individual's electronic file.
 - 1) The case manager will attempt to obtain historical documents and/or other official descriptions when needed for a thorough assessment.
2. Complete a face-to-face conversation with the individual using the Washington ONE Interview Worksheet and document the completion in the Contacts section of the individual's electronic file.
 - a. For individuals who reside out of state, with written approval from the Community Corrections Administrator/designee, the assessment interview may be conducted by video conferencing or by phone, if video conferencing is unavailable.
 - b. Any other exception to a face-to-face interview requires written approval from the Appointing Authority.
 - c. A certified interpreter must be used for individuals when a language barrier exists per DOC 450.500 Language Services for Limited English Proficient Individuals.
3. Enter the assessment in the individual's electronic file based on information obtained in the interview and official documentation consistent with training and the Washington ONE Assessment & Interview Help Guide located on the Department's internal website.
4. Make a "Case Management Team" contact type entry in the individual's electronic file stating the results of the initial RNR assessment.

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5. Notify the individual of the assessment results, print out the case plan and have the individual sign it, provide a copy to the individual, and scan the original into the electronic imaging file.

a. At Reception Diagnostic Centers, written notification of the results will be used in lieu of the case plan to notify, have signed, and scanned into the electronic imaging file.

E. Assessments completed for a Pre-sentence Investigation or Risk Assessment Report for the current conviction will be documented in the individual's electronic file and per DOC 320.010 Pre-Sentence Investigations and Risk Assessment Reports Ordered by the Court.

III. Reassessments

A. Reassessments are conducted to measure change over time, reflect dynamic risk and needs, and assist in keeping the case plan current and relevant.

1. All narratives and assessment items must be validated/updated during the reassessment process.

B. Before conducting a reassessment, the case manager will review the assessment driving the Contact RLC.

1. If inconsistencies are identified, the case manager may request a review of the assessment by providing details in writing to the Correctional Unit Supervisor (CUS)/Reentry Center Community Corrections Supervisor/designee.

2. If the CUS/Community Corrections Supervisor (CCS)/designee agrees, they will forward the findings to the [Case Management Services Unit](#) and request a review.


C. The case manager will complete a reassessment within 30 days before an Assessment Due Date, in the same manner as the initial RNR assessment, and:

1. Within 30 days before a transfer to partial confinement.

2. Between 60 and 90 days before release to the community from a Reentry Center.

3. Within 30 days of any CCR update.

4. When required as part of a quality review process.

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- D. The case manager may complete a reassessment:
 - 1. Upon a guilty finding for a violation that demonstrates a pattern of behavior that interrupts/obstructs the individual’s case plan, and
 - 2. Whenever the case manager determines it is beneficial to case management efforts.
- E. During the norming period, reassessments will only impact the Contact RLC when it follows an update to the CCR.

IV. Assessment Reviews

- A. Assessment reviews will be conducted by the Case Management Services Unit, including when:
 - 1. Part of an audit process.
 - 2. Requested by a CUS/CCS/designee.
 - 3. Requested by the Criminal Conviction Records Unit when the Contact RLC is required to determine supervision eligibility (i.e., Pre-Closure).
- B. Case Management Services will work with the current assigned case manager and their supervisor/designee, when necessary to complete a review and/or subsequent reassessment.

V. Appeals

- A. Individuals may appeal assessment results in writing to the Superintendent, Reentry Center Administrator, Field Administrator, or their designees within 7 days of receiving the results of an RNR assessment.
 - 1. The decision made by the Superintendent, Reentry Center Administrator, Field Administrator, or their designees is final.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Partial Confinement. Other words/terms appearing in this policy may also be defined in the glossary section.

ATTACHMENTS:

None

DOC FORMS:



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DOC 14-029 Mental Health/Criminal Justice System Multi-Party Authorization for Release of Information



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POLICY

TITLE
YOUTHFUL OFFENDER PROGRAM

REVIEW/REVISION HISTORY:

- Effective: 8/7/00
- Revised: 7/22/03
- Revised: 2/28/05
- Revised: 12/5/06
- Revised: 2/4/08
- Revised: 9/1/08
- Revised: 5/2/11
- Revised: 2/13/12
- Revised: 12/10/12

SUMMARY OF REVISION/REVIEW:

Added I.A.1.c. that youthful offenders will be under the direct supervision by 2 custody employees whenever they leave their cells


APPROVED:

Signature on file

BERNARD WARNER, Secretary
Department of Corrections

11/20/12

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 72.01.410](#); [ACA 4-4306](#); [ACA 4-4307](#); [ACA 4-4308](#); [ACA 4-4309](#); [ACA 4-4310](#); [ACA 4-4311](#); [ACA 4-4312](#); [DOC 200.000 Trust Accounts for Offenders](#); [DOC 300.380 Classification and Custody Facility Plan Review](#); [DOC 310.150 Reception, Initial Classification, and Custody Facility Plan](#); [DOC 350.200 Offender Transition and Release](#); DOC 420.100 Transportation Standards; [DOC 440.000 Personal Property for Offenders](#); [Offender Health Plan](#); Interagency Agreement Between the State of Washington, Department of Corrections and the State of Washington, Department of Social and Health Services, CDOC6528; PREA Standards 115.14(a)-(c)

POLICY:

- I. A youthful offender is any person under the age of 18 who is tried, convicted, and sentenced as an adult. Youthful offenders under Department jurisdiction will be housed at a Department of Social and Health Services’ Juvenile Rehabilitation Administration (JRA) facility to ensure their medical, mental health, and developmental needs are addressed, and they are provided a safe and secure environment. [4-4310]
- II. Adjudicated delinquent offenders and/or youths not charged with adult crimes will not be housed in Department facilities. [4-4306]
- III. To the extent possible, based on legitimate penological constraints, the Department will make escorts and programming space available to youthful offenders housed in Department facilities. [4-4310]
- IV. The Department and the JRA have an interagency agreement to coordinate the transfer and sharing of information regarding youthful offenders.

DIRECTIVE:

- I. Admission
 - A. Youthful offenders sentenced to the Department will be received at Washington Corrections Center (WCC) or Washington Corrections Center for Women (WCCW) Reception Diagnostic Center.
 1. Offenders admitted to WCC or WCCW will be housed to ensure direct supervision, safety, and security requirements are met. [4-4307] [4-4308]
 - a. Pending transfer to a JRA facility, the youthful offender will be assigned a cell separate from adult offenders, within an intensive management or segregation unit or infirmary. [4-4307] [4-4308]

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- b. The youthful offender will not be housed or participate in a program/ activity (e.g., recreation, visiting) with any adult offender.
- c. The youthful offender will be under direct supervision by 2 custody employees whenever s/he leaves his/her cell.
- d. Sight or sound contact with adult offenders will be minimal and brief, and conform to applicable legal requirements while the youthful offender is housed at Department facilities.

B. Upon the youthful offender’s arrival at WCC or WCCW Reception Diagnostic Center, records employees will notify:

- 1. Appropriate facility employees,
- 2. Headquarters Classification Correctional Program Manager,
- 3. Headquarters Youthful Offender Program (YOP) Counselor III, and
- 4. Headquarters Corrections Specialist for Records.

C. The YOP Counselor III/designee will make appropriate arrangements to provide educational services if the youthful offender is expected to remain or is unexpectedly detained at the facility more than 3 working days.

D. The YOP Counselor III/designee will create an initial Custody Facility Plan per DOC 310.150 Reception, Initial Classification, and Custody Facility Plan.

II. Transfer to Juvenile Rehabilitation Administration


A. Unless there are documented safety, security, and/or program reasons to retain in a Department facility, the YOP Counselor III/designee will review youthful offenders for possible placement at a JRA facility.

B. If the YOP Counselor III's review indicates the youthful offender is suitable for transfer to the JRA, the case will be referred to the Offender Programs and Classification Program Administrator/designee, who will review case facts and, upon concurrence, make a formal referral to the JRA.

C. Upon notification of acceptance by the JRA, the YOP Counselor III/designee will coordinate with appropriate transportation employees to transfer the youthful offender to a JRA facility.

D. The YOP Counselor III/designee will give notice of the transfer to the:

- 1. Committing court clerk, and
- 2. Offender’s parent(s), guardian(s), or next of kin.


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III. Management


- A. Youthful offenders housed with the JRA will be subject to JRA directives for programs, including:
 - 1. Classification,
 - 2. Housing,
 - 3. Security,
 - 4. Deductions,
 - 5. Property,
 - 6. Visiting,
 - 7. Legal access, and
 - 8. Grievances.
- B. If the youthful offender's health care needs exceed services provided by the JRA, the standards of the Department Offender Health Plan will apply.
- C. Youthful offenders are prohibited from having sexually explicit materials.
- D. The YOP Counselor III will be familiar with:
 - 1. JRA documents and instructions regarding the criteria for transferring JRA offenders to the Department after the age of 18, and
 - 2. The criteria the JRA uses to retain juvenile offenders after the age of 21.
- E. The YOP Counselor III will work with the JRA and assist to ensure youthful offenders are housed and cared for appropriately.
- F. The YOP Counselor III/designee will be responsible for maintaining the youthful offender's classification and Custody Facility Plans per DOC 300.380 Classification and Custody Facility Plan Review while the youthful offender is at a JRA facility.

IV. Retention/Transfers>Returns


- A. [4-4309] If the decision is made not to transfer the youthful offender to a JRA facility, initial classification must be completed by the YOP Counselor III/designee.
 - 1. [4-4307] Classification will address the specific reasons for continuing to house the youthful offender at a Department facility (e.g., crime, length of sentence, security concerns).
 - 2. [4-4309] The YOP Counselor III/designee will complete a:

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- a. Department Offender Needs Assessment.
 - b. Custody Facility Plan per DOC 300.380 Classification and Custody Facility Plan Review, including program needs developmentally appropriate for adolescents, based on the youthful offender's physical, mental, social, and educational maturity.
- B. The YOP Counselor III/designee will determine if JRA or Department Transport Officers will provide transportation for escorted leaves.
1. Transport Officers will follow use of force guidelines per DOC 420.100 Transportation Standards during escorted leaves.
- C. For temporary returns to the Department, the YOP Counselor III/designee will coordinate with Department Transport Officers to move the youthful offender from the JRA facility to a Department secured housing unit at WCC, WCCW, or a Special Offender Unit.
1. The YOP Counselor III/designee will:
 - a. Notify the receiving facility of the reason the youthful offender is being returned to the Department and any services the youthful offender requires. [4-4307]
 - b. Complete documentation for any disciplinary and Administrative Segregation requirements and provide them to the receiving facility. [4-4307]
 - c. Make appropriate arrangements to provide educational services if the youthful offender is expected to remain at the facility more than 3 working days.
 2. The Administrative Segregation Hearing Officer will:
 - a. Document the specific reasons for placement outside a JRA facility.
 - b. Work with the YOP Counselor III/designee to complete a plan specifying behavior changes required and how the youthful offender may return to a JRA facility.
 3. The YOP Counselor III/designee will coordinate a youthful offender's return to a JRA facility.
- D. A youthful offender under 18 may be permanently returned to the Department at the request of the Department or the JRA. The YOP Counselor III/designee will:

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1. Initiate classification and complete a Custody Facility Plan on the offender, including program needs developmentally appropriate for adolescents, based on the youthful offender's physical, mental, social, and educational maturity, prior to the youthful offender transferring to secure Department housing at WCCW, WCC, or a Special Offender Unit. [4-4309]
 2. Coordinate with the receiving facility to provide services to the youthful offender.
- E. Prior to a youthful offender turning 18 years and 6 months old, the JRA and the Department will determine if the youthful offender's needs and correctional goals could be better met by the programs and housing environment of the JRA or the Department.
1. A youthful offender will not remain at a JRA facility past his/her 21st birthday.
 2. If the youthful offender is returned to the Department, Classification will assign custody per DOC 300.380 Classification and Custody Facility Plan Review. [4-4309]
 3. In collaboration with JRA staff, a Department employee will complete a Custody Facility Plan to address the youthful offender's education, medical, mental health, and developmental needs. [4-4309]
- F. Upon return to a Department facility, the:
1. Youthful offender will be assigned a custody level per DOC 300.380 Classification, and Custody Facility Plan Review. If the youthful offender's offense is Murder 1, the 4 years on Close Custody will be counted, beginning on the original Department admission date.
 2. Youthful offender's property will comply with DOC 440.000 Personal Property for Offenders.
 3. Funds transferred from the youthful offender's JRA account to a Department account will be subject to deductions per DOC 200.000 Trust Accounts for Offenders.
- V. Transition to the Community
- A. Prior to the youthful offender's release from a JRA facility, the YOP Counselor III/ designee will:
1. Complete an Offender Release Plan,

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2. Coordinate with Headquarters and the JRA to obtain offender funds, transportation arrangements, and any gate monies for which the youthful offender is eligible, and
3. Notify Headquarters Corrections Record Specialist to:
 - a. Complete the release process, including notification to Victim Services and law enforcement, if applicable, and
 - b. Archive the central and medical files, if appropriate.
- B. Youthful offenders will release from Department facilities per DOC 350.200 Offender Transition and Release.

VI. Violators

- A. When a violator under the age of 18 is incarcerated at a Department facility, s/he will be placed in segregation. The Community Corrections Officer (CCO) will ensure the Violator Desk is notified of the violator's arrival so arrangements can be made for appropriate housing.
- B. The Counselor/CCO and the YOP Counselor III/designee will coordinate transfer of the youthful offender to WCC, WCCW, or a Special Offender Unit for services.
- C. Based on the individual needs of the youthful offender, the CCO or YOP Counselor III/designee may request transfer to the JRA.

VII. Training

- A. [4-4312] The YOP Counselor III, or another employee designated to work with youthful offenders within a specialized housing unit, will attend training related to the specific needs of youthful offenders as designated by the Offender Programs and Classification Program Administrator/designee. The training will be completed prior to beginning the assignment or as soon as possible thereafter. The training will be coordinated with JRA and should include, but will not be limited to:
 1. Adolescent development,
 2. Educational programming,
 3. Cultural awareness,
 4. Crisis prevention and intervention,
 5. Legal issues,
 6. Housing and physical plant,
 7. Policies and procedures,

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8. Sex offender management and programming,
9. Substance abuse services,
10. Cognitive behavioral interventions, including anger management, social skills training, problem solving, and resisting peer pressure,
11. Suicide prevention,
12. Nutrition,
13. Mental health issues,
14. Gender specific issues,
15. Case management planning and implementation, and
16. JRA overview.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Sexually Explicit. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

None



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6/8/20

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DOC 330.700

POLICY

TITLE
**INTERNATIONAL TRANSFER OF INCARCERATED
INDIVIDUALS**

REVIEW/REVISION HISTORY:

Effective: 1/31/98
 Revised: 7/9/99
 Revised: 1/16/02
 Revised: 12/16/06
 Revised: 10/8/08
 Revised: 8/16/10
 Revised: 6/8/20

SUMMARY OF REVISION/REVIEW:

Major changes to include updating title and terminology throughout. Read carefully!


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
 Department of Corrections

5/7/20

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 72.68.010](#); [WAC 137-67-020](#); [DOJ Guidelines for Evaluating Prisoner Application for Transfer](#)

POLICY:


- I. The Department will identify incarcerated individuals who are citizens of other nations and will comply with legal mandates and expectations of the United States Department of Justice (DOJ) and United States Department of State regarding advising foreign nationals (i.e., individuals who are citizens of another nation or who have established dual citizenship) of their rights under international law and treaty agreements.
- II. The Department has an established process for applying for transfer to the respective country of citizenship under the International Treaty Agreement.

DIRECTIVE:

- I. General Requirements
 - A. During intake at a Reception Diagnostic Center (RDC), incarcerated individuals are required to identify citizenship. Case managers will inform individuals who have citizenship other than the United States that:
 1. There is the possibility of transfer under the International Treaty Agreement,
 2. Transfers are a privilege rather than a right as outlined in the agreement, and
 3. Transfer requests are voluntary per WAC 137-67-020.
- II. Request to Transfer Under the International Treaty Agreement
 - A. Individuals who are foreign nationals may request transfer under the International Treaty Agreement at any time during their incarceration and will be processed regardless of conduct or programming as long as the individual meets the legal requirements for application and the native country is listed in the [DOJ List of Participating Countries/Governments](#) under the [DOJ International Prisoner Transfer Program](#).
 - B. An individual with any of the following will not be eligible for transfer consideration until resolved:
 1. A detainer not issued by Immigration and Customs Enforcement,

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2. A pending appeal or collateral attack on the current conviction(s),
 3. A pending fine(s)/restitution obligation imposed by a United States court of competent jurisdiction, and/or
 4. A sentence for civil contempt.
- C. When an individual requests a treaty transfer at any time during the Prison sentence after leaving the RDC, the case manager will initiate the [International Treaty Transfer Process](#) to include:
1. Informing the individual of treaty transfer possibilities,
 2. Completing appropriate forms, providing a copy to the individual, and scanning them into the electronic imaging file,
 3. Documenting the individual's request/denial of treaty transfer in the case plan,
 4. Reviewing [DOJ Guidelines for the Evaluation of Transfer Requests Submitted by Foreign Nationals](#) with the individual.
 5. Documenting treaty status at all subsequent classification reviews and submitting updated plan changes and any related documentation (e.g., summary from health services, visitor information) to the Headquarters Classification Unit.
- D. The Headquarters Classification Manager/designee will continue the process in the International Treaty Process, including:
1. Reviewing the Plan Change and documenting the individual's eligibility for transfer.
 2. As appropriate:
 - a. Approve the Plan Change and set target dates consistent with next review dates for subsequent actions,
 - b. Contact the Community Victims Unit or Indeterminate Sentence Review Board (Board) Victim Liaison, if under Board jurisdiction, for input, and
 - c. Attempt to obtain recommendations from other stakeholders (e.g., Prosecuting Attorney's Office, Board, sentencing court).

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3. At the next action due date:

- a. Forward the Plan Change to the Headquarters Community Screening Committee (HCSC) with clear recommendations regarding approval/denial.

E. The HCSC will review the Headquarters Classification Manager's recommendation and all related documentation and provide a recommendation that the Headquarters Classification Manager will submit to the Secretary.

1. Recommendations submitted to the Secretary will be documented on DOC 07-026 Formal HCSC Decision and in the Custody Facility Plan.

F. The Secretary will make the final recommendation to the Governor's office.

G. If an individual is denied an International Treaty Transfer, the individual may reapply after 2 years if there is new information that may positively affect the chances for transfer.

1. The Headquarters Classification Manager will review subsequent requests and follow the treaty transfer process.

2. Only subsequent requests that have been approved will be submitted to the Governor's office.

H. Final documents will be scanned into the individual's electronic imaging file.

III. Consular Notifications

- A. In the event of a foreign national's death, the case manager will notify the Headquarters Classification Unit, who will notify the nearest consulate of the individual's country.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

[DOC 07-026 Formal HCSC Decision and in the Custody Facility Plan](#)



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POLICY

TITLE
EARNED RELEASE TIME

REVIEW/REVISION HISTORY:

Effective: 1/4/82 DOC 280.100	Revised: 9/24/08
Revised: 5/1/83 DOC 350.100	Revised: 5/5/09 AB 09-015
Revised: 3/1/86	Revised: 4/29/11
Revised: 8/15/90	Revised: 10/24/11
Revised: 7/1/96	Revised: 7/9/12
Revised: 10/30/96	Revised: 3/9/14
Revised: 12/1/98	Revised: 1/12/15
Revised: 12/20/00	Revised: 5/25/15
Revised: 3/3/05	Revised: 9/21/15
Revised: 8/28/06	Revised: 4/24/22
Revised: 3/10/08 AB 08-004	

SUMMARY OF REVISION/REVIEW:

Major changes to include applicability, updated terminology throughout, and removal of information repetitive of statute. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

4/14/22

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.92.151](#); [RCW 9.94A](#); [RCW 9.95](#); [RCW 69.50](#); [RCW 69.52](#); [RCW 72.09.130](#); [WAC 137-25-030](#); [WAC 137-30](#); DOC 280.500 Records Management of Official Offender Files; DOC 300.380 Classification and Custody Facility Plan Review; DOC 320.100 Indeterminate Sentence Review Board; DOC 320.255 Restrictive Housing

POLICY:

- I. The Department will award Earned Release Time (ERT) to individuals committed to confinement as required by law. ERT is the reduction of confinement days that an incarcerated individual may earn as follows:
 - A. Earned Time for program participation
 - B. Good Conduct Time for good behavior

DIRECTIVE:

- I. Requirements
 - A. ERT will be applied to the Earned Release Date (ERD) once the sentence structure is entered in the individual’s electronic file and is calculated at two-thirds good conduct time and one-third earned time.
 1. Minimum terms will be set for individuals under Indeterminate Sentence Review Board (Board) jurisdiction per DOC 320.100 Indeterminate Sentence Review Board.
 2. Individuals may lose ERT on any eligible current or consecutive cause during the current confinement for being found guilty of a serious violation.
 - a. Release dates for individuals with an approved release plan who commit a Category A violation will be suspended until the violation is adjudicated and all time loss and sanctions are completed.
 3. The ERD may be adjusted per DOC 280.500 Records Management of Official Offender Files.
 - B. The case manager will:
 1. Review and update earned time in the electronic file:

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- a. During each classification review,
 - b. Before transfer to a different unit/facility,
 - c. For any month earned time is not earned.
2. Have the individual sign the Earned Time Not Earned report listing all earned time not earned. Copies of the signed report will be provided to the individual and maintained in the central and electronic imaging files.


C. Employees/contract staff responsible for entering sanction information will immediately notify the case manager/Correctional Records Supervisor/designee by telephone and/or email for individuals who:

- 1. Lose ERT, or
- 2. Have time restored and are within 120 days to the ERD.

II. Eligibility for ERT

A. Individuals will be eligible for ERT per RCW 9.94A.729 with the following being ineligible:

- 1. Individuals sentenced to Life Without Parole.
- 2. Community supervision violators sanctioned by the Department on or after May 2, 2012.
- 3. Community Custody Prison (CCP) return or Community Custody Inmate (CCI) termination.
- 4. Individuals under Board jurisdiction whose minimum term has expired and who have not been paroled or transferred to a consecutive sentence.
 - a. ERT will be addressed to the correct sentence after the parole/transfer date is determined.
- 5. Juvenile Board individuals who have not completed the minimum term of confinement.
- 6. Individuals found guilty of a 557 or 810 violation, or 813 violation related to employment or programming while in a Reentry Center.
- 7. Individuals found guilty of a 762 violation will lose all available earned time and programming points for the month the violation occurred.

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III. Earned Time


A. Individuals who participate in programming (e.g., work programs, education), as targeted in the Custody Facility/Case Plan, are eligible for earned time per RCW 9.94A.729 each month as follows:

1. 10 percent rule = 1.11 days
2. 15 percent rule = 1.76 days
3. 33¹/₃ percent rule = 5.00 days

B. Individuals will be ineligible for earned time if they:

1. Were sentenced under the Pre-Sentencing Reform Act and the Board has:
 - a. Extended the cause to the maximum term, or
 - b. Previously denied future earned time.
2. Refuse any transfer, excluding to a Reentry Center.
3. Serve 20 consecutive days or more in restrictive housing as defined in DOC 320.255 Restrictive Housing for negative behavior or unfounded/unsubstantiated protection concerns.
 - a. Individuals who transfer out to court from restrictive housing will not be eligible for earned time.
 - b. Individuals will be eligible for earned time when authorized to transfer/return to general population.
 - c. Individuals housed in Maximum Custody will be eligible for earned time, including time out-to-court, but will be ineligible for programming points. Individuals must be in compliance with their current:
 - 1) Custody Facility/Case Plan, and
 - 2) Behavior and Programming Plan.
 - d. Individuals will be eligible for earned time if they are pending investigation for negative behavior in Administrative Segregation and the investigation does not result in a serious violation(s) and/or custody demotion.

C. Individuals will not be penalized if programs and activities are not available.

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D. Denials of earned time may be appealed per DOC 300.380 Classification and Custody Facility Plan Review.


IV. Good Conduct Time Restoration

A. Good conduct time, and earned time lost in lieu of good conduct time due to persistent Prison misbehavior, is the only ERT that can be restored.


1. Time may be restored on a current or consecutive sentence(s) being served during the current confinement term.
2. The following violations will be eligible for restoration after:
 - a. 10 years for a 501, 502, 511, 521, 550, 604, 611, 613, 635, or 637 violation
 - b. 5 years for a 601, 602, or 704 violation
 - c. 3 years for a 507, 603, 650, 651, or 882 violation
 - d. One year for any other serious violation except when lost as a result of a:
 - 1) 557, 762, 810, or 857 violation
 - 2) 813 violation related to employment or programming while in a Reentry Center
3. Time will not be restored:
 - a. For individuals within 120 days of the ERD.
 - b. For individuals who have been found guilty of a serious violation within the last year.
 - c. Once addressed/adopted by the Board for individuals sentenced under the Pre-Sentencing Reform Act, unless approved in advance by the Board.

B. The case manager will establish/review good conduct time restoration plans with eligible individuals during each classification review, regardless of custody level or housing assignment. The restoration plan may be established before the applicable timeframe for restoration, and will:

1. Include all eligible violations,
2. Not place the individual within 120 days of the ERD,
3. Be targeted for completion at least 10 months before the ERD, and

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4. Be documented in the Custody Facility/Case Plan and approved by the Appointing Authority/designee. Plans restoring time lost for a 501, 502, 511, 521, 550, 604, 611, 613, 635, or 637 violation(s) require approval from the appropriate Deputy Assistant Secretary.
- C. The Appointing Authority/designee or appropriate Deputy Assistant Secretary will consider the following when determining whether to approve/deny the restoration plan:
1. Plan length and amount/type of required programming
 2. Reasonable expectations to fulfill plan requirements
 3. Period of violation free behavior
 4. Nature of violation(s)
 5. Overall behavior during the confinement term
 6. FRMT recommendation
 7. Compliance with the Custody Facility/Case Plan
 8. Length and type of prior and proposed program participation, including treatment services
- D. Restoration plans will be calculated based on the original sanction time and restored as follows:
1. Category A violations - Maximum of 50%
 2. Category B violations - Minimum of 50% up to 100%
 3. Category C violations - Minimum of 75% up to 100%
- E. Time lost will be restored if the individual:
1. Remains free from any serious violation,
 2. Follows the requirements as outlined in the plan, and
 3. It has been at least 6 months since the previous classification review.
- F. Once the restoration requirements in the plan are met:
1. The case manager will forward a copy of the Custody Facility/Case Plan, DOC 21-730 Good Conduct Time Restoration Plan/Approval, and any related documentation (e.g., violation reports, Criminal Conviction Record) to the Appointing Authority/designee.
 - a. The Appointing Authority/designee and, if applicable, appropriate Deputy Assistant Secretary will approve/deny restoration time.
 - b. Time will only be denied if a significant, compelling reason(s) exists and will be documented in the Custody Facility/Case Plan.

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- 2. Designated disciplinary hearings employees/contract staff will document restoration in the Decision, Sanction, or Appeal Result narrative on the Infraction Summary screen in the electronic file.
- G. The restoration decision is final and cannot be appealed. Restoration plans will remain in effect when an individual transfers between facilities.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 21-730 Good Conduct Time Restoration Plan/Approval



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DOC 350.110

POLICY

TITLE

CLEMENCY

REVIEW/REVISION HISTORY:

Effective: 2/2/21
Revised: 12/20/21

SUMMARY OF REVISION/REVIEW:

II.B., III.A., IV.A.6., V.C., and VI.B. - Adjusted language for clarification
VI.D.2.a.2) - Adjusted as person-centered language


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

12/8/21

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.728](#); [RCW 9.94A.880](#); [RCW 9.94A.885](#); [RCW 9.95.260](#); DOC 320.160 Tolling of Supervision in the Community; DOC 350.240 Ten Day Release; DOC 380.605 Interstate Compact; DOC 380.650 Travel for Individuals Supervised in the Community; DOC 420.390 Arrest and Search; DOC 460.000 Disciplinary Process for Prisons; DOC 460.130 Response to Violations and New Criminal Activity; DOC 460.135 Disciplinary Procedures for Work Release

POLICY:

- I. Per RCW 9.94A.728, the Governor may:
 - A. Commute (i.e., reduce or modify) an individual’s sentence,
 - B. Pardon any individual who has committed a crime, or
 - C. Upon recommendation from the Clemency and Pardons Board, grant an extraordinary release for reasons of serious health problems, senility, advanced age, extraordinary meritorious acts, or other extraordinary circumstances.
- II. The Department has established guidelines for gathering and providing information for petitions being reviewed by the Clemency and Pardons Board and the Governor’s Office.
- III. Unless authorized in this policy, Department employees, contract staff, and volunteers are restricted from providing input in relation to a petition for clemency.

DIRECTIVE:

- I. General Requirements
 - A. Petitions for commutation, pardon, or extraordinary release may be filed with the Washington State Clemency and Pardons Board.
 - B. Individuals being granted commutation(s) will be considered for 10 day release per DOC 350.240 Ten Day Release.
 - C. Individuals may travel if approved per DOC 380.650 Travel for Individuals Supervised in the Community, unless restricted by the commutation order.
 - D. Individuals being granted commutation will not be eligible for Graduated Reentry or the Mutual Reentry Program.
 - E. Individuals will be tolled per DOC 320.160 Tolling of Supervision in the Community.

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F. Only the Governor can modify a commutation order or the conditions set in a commutation order.

II. Responsibilities

A. The Assistant Secretary for Community Corrections has designated the Community Corrections Northwest Regional Administrator as the Clemency Liaison between the Department and the Clemency and Pardons Board and Governor's Office. The Clemency Liaison/designee will:


1. Be the only one authorized to contact the Clemency and Pardons Board or Governor's Office regarding clemency unless specifically mentioned in this policy,
2. Develop commutation plans, and
3. Maintain a tracking system of active clemency orders for individuals being supervised in the community.

B. The Chief of Classification/designee will attend Clemency and Pardons Board hearings to provide testimony related to an individual under the Department's jurisdiction.

III. Commutation Petition Review

A. When notification is received by the Clemency and Pardons Board that a hearing has been granted to review a petition, Headquarters Classification Unit employees will review the petition and prepare DOC 12-031 Clemency and Pardons Board Case Analysis to submit to the Clemency and Pardons Board, the Clemency Liaison, and the Attorney General's Office. The case analysis will contain any relevant information to include:

1. Complete criminal history
2. Disciplinary record
3. Detainers and warrants
4. Security Threat Group affiliation and current status
5. Legal Financial Obligations
6. Health status
7. Proposed release address
8. The individual's history of:
 - a. Facility assignments
 - b. Classification custody
 - c. Risk Level Classification (RLC)

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- d. Program completion
- e. Work assignments
- f. Visits
- g. Community concerns
- h. End of Sentence Review, if applicable
- i. Behavior Observation Entries


B. A Headquarters Classification Unit employee will notify the Victim Services Program Manager of a petition review hearing as soon as practical.

IV. Commutation Plan

A. When requested by the Governor, the Clemency Liaison will review the case analysis and develop a commutation plan that will contain:

1. Recommendations based on input received from the following affected employees/units:
 - a. Headquarters Classification Unit
 - b. Field Offices
 - c. Hearings Unit
 - d. Case manager
 - e. Records
2. Treatment requirements (e.g., substance use disorder, mental health)
3. Identified risk factors
4. Any active prohibitions/no-contact orders
5. An approved investigation release plan
6. Reentry Center reunification/family support planning
7. Notification requirements (e.g., law enforcement, victims)
8. Recommendations for:
 - a. Length of supervision
 - b. Amount of mandatory contacts
 - c. Imposed conditions
 - d. Supervision
9. The Judgment and Sentence for any cause that has not been closed

B. The Clemency Liaison will forward the completed commutation plan to the Assistant Secretary for Community Corrections to review, approve, and forward to the Governor's Office.

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C. The case manager will initiate an out of state transfer plan, if applicable, per DOC 380.605 Interstate Compact.


V. Clemency Decision

A. Upon notification from the Governor’s Office of a decision made regarding clemency:

1. For commutation, the Clemency Liaison/designee will ensure notification is made to all affected units and/or employees.
 - a. When commutation is granted by the Governor, the commutation order will be sent to:
 - 1) The Headquarter Classification Unit to be scanned into the individual’s electronic imaging file,
 - 2) The individual’s case manager,
 - 3) The appropriate Field Office, if applicable, and
 - 4) Prison/Statewide Records to update the supervision type and entering commutation conditions.
2. For pardons, Statewide Records will enter the pardon into the individual’s electronic file and initiate case closure, including:
 - a. Entering the modified sentence structure, and
 - b. Record the commutation release date as a chronological event on the Cause Information section.
3. The Business Office will be notified to reinstate a savings deduction in preparation of release for individuals sentenced to life or beyond life expectancy who are granted clemency.

B. Conditions in a commutation order can only be modified by the Governor.

1. If the duration of the commutation period or the conditions of the commutation order need to be modified (e.g., unable to meet release goals before commutation release date, individual has new disciplinary/behavioral concerns, lack of imposed conditions in the order), the Correctional Unit Supervisor/Community Corrections Supervisor will submit a completed DOC 09-223 Clemency - Special and any supporting documentation to the Clemency Liaison for approval.

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2. If the Clemency Liaison supports the modification, the form will be forwarded to the Governor for consideration with a copy to the individual.
 - a. If an individual has not completed all requirements before release from confinement, the individual will be held until a response from the Governor's Office is received. This does not apply to community violators.
 - b. The case manager will ensure the modification order is received by the individual and discuss next steps.
 - c. If the Governor provides a modified commutation order, the order will:
 - 1) Supersede the previous order, and
 - 2) Be sent to Statewide Records to scan into the electronic imaging file and update conditions in the individual's electronic file.

C. Individuals will be supervised only per the conditions in the commutation order regardless of RLC.

VI. Infractions/Violations of the Clemency Order


A. If an individual commits any serious infraction, violates conditions of the commutation order, or has a new law violation in the community, the case manager will notify the Clemency Liaison.

B. Infractions in Prisons and Reentry Centers


1. Individuals are still subject to obey all facility rules and laws in addition to the commutation order.
2. Infraction behaviors will be addressed per DOC 460.000 Disciplinary Process for Prisons or DOC 460.135 Disciplinary Procedures for Work Release.

C. Violations in the Community

1. If the individual commits any violation of the commutation order, the individual may be detained per DOC 420.390 Arrest and Search.
 - a. Low and High Level violation behaviors will be addressed per DOC 460.130 Response to Violations and New Criminal Activity.

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- 1) Individuals will be arrested and held in confinement for new felony charges until further notice.
 - 2) Negotiated sanctions will not be used.
- D. Upon receipt of sufficient evidence of a new guilty finding for a serious infraction or community violation, the Clemency Liaison will notify the Governor's Office to determine if the commutation order will be modified.
1. The Department will hold the individual in custody pending the Governor's decision.
 - a. If the decision is to maintain the current commutation order, the individual will be released.
 2. The Governor may order a commutation hearing be held to determine if the commutation order will be modified to revoke or modify conditions.
 - a. If a hearing is held:
 - 1) The individual may be provided attorney representation regardless of the individual's competency or complexity of the issues presented.
 - 2) The Hearing Officer will only order the release of the individual from the Department's jurisdiction when stated in writing by the Governor or Clemency Liaison.
 - 3) The Hearing Officer will:
 - a) Forward the following to the Clemency Liaison within 3 business days:
 - (1) Completed DOC 09-233 Hearing and Decision Summary
 - (2) Discovery
 - (3) Confinement order, if applicable
 - (4) DOC 09-224 Conditional Commutation Hearing Report including a recommendation regarding compliance with the clemency order
 - b) Ensure all hearing documents are scanned into the electronic imaging file.

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- 4) The Clemency Liaison will review documentation to ensure accuracy of information and forward to the Governor's Office for consideration.
- 5) Upon notification of the Governor's decision, the assigned case manager will:
 - a) Notify the individual as soon as possible,
 - b) Document results/decisions as a chronological entry in the individual's electronic file within 3 days, and
 - c) If the individual's commutation was not revoked, provide a copy of any modifications to the individual within 3 days or at the next office visit.

VII. Closure of Supervision

- A. The assigned case manager will notify the Clemency Liaison 60 days before an upcoming Scheduled End Date (SED) of any conditions in the clemency order that have not been completed.
 1. If all conditions have been completed, the individual's case will be closed on the SED unless otherwise ordered by the Governor.
 2. If the individual has not completed all requirements or poses a safety/security concern, DOC 09-223 Clemency - Special will be completed to reflect that the case will not be closed on the SED, and the individual will remain on supervision until a response is received from the Governor's Office.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Clemency, Commutation, Pardon. Other words/terms appearing in this policy may also be defined in the glossary section.

ATTACHMENTS:

None

DOC FORMS:

DOC 09-223 Clemency - Special
 DOC 09-224 Conditional Commutation Hearing Report



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DOC 09-233 Hearing and Decision Summary
DOC 12-031 Clemency and Pardons Board Case Analysis



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REVIEW/REVISION HISTORY:

Effective: 3/31/89	Revised: 5/4/01
Revised: 6/1/91	Revised: 6/25/02
Revised: 1/31/92	Revised: 12/25/06
Revised: 4/30/93	Revised: 3/26/07 AB 07-005
Revised: 1/31/95	Revised: 6/27/07 AB 07-019
Revised: 8/14/95	Revised: 8/2/10
Revised: 5/30/96	Revised: 4/24/20
Revised: 10/30/96	Revised: 8/11/20
Revised: 3/15/98	Revised: 9/11/20
Revised: 4/11/00	Revised: 2/28/22
Revised: 12/1/00	Revised: 9/1/22
Revised: 1/14/01	

SUMMARY OF REVISION/REVIEW:

Added I.F. that requests to release to another state will be processed per DOC 380.605 Interstate Compact
IV.B., IV.G.1.b.1) and IV.G.1.b.1)a) - Adjusted language for clarification
V.B.1. - Added language for clarification


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

8/26/22

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 9A.44.130](#); [RCW 18.400](#); [RCW 42.56.290](#); [RCW 43.185C.010](#); [RCW 71.09](#); [RCW 72.02.100](#); [RCW 72.09](#); DOC 210.025 Gate Money/Transportation Funds/Pre-Paid Phone Cards; DOC 280.500 Records Management for Individuals; DOC 300.000 Continuous Case Management; DOC 310.010 Assignments; DOC 310.100 Intake; DOC 320.100 Indeterminate Sentence Review Board; DOC 320.145 Violator Confinement; DOC 320.400 Risk and Needs Assessment Process; DOC 350.240 Ten Day Release; DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment; DOC 350.550 Reporting Abuse and Neglect/Mandatory Reporting; DOC 350.600 Law Enforcement Notification; DOC 350.750 Warrants, Detainers, and Holds; DOC 380.550 Washington State Identification/Social Security Cards; DOC 380.605 Interstate Compact; DOC 390.300 Victim Services; DOC 390.600 Imposed Conditions; DOC 450.320 Contact with Minors and Family Reunification

POLICY:

- I. The Department recognizes the importance of transition and release planning for individuals under the Department’s jurisdiction to promote successful reentry into the community and improve public safety in alignment with the [Department’s mission and values](#).
- II. The Department has established guidelines to develop release plans using comprehensive case management tools, available reentry resources (e.g., community-based providers), and evidence-based principles and practices.
- III. This policy does not apply to community supervision violators, who will be released per DOC 320.145 Violator Confinement, or individuals sentenced to Life Without Parole.

DIRECTIVE:


- I. General Requirements
 - A. Individuals with conditions of community supervision, whose crime was committed before June 11, 1992, must be released on the Earned Release Date (ERD) if the Judgment and Sentence does not require an approved release address to transfer to community supervision before the Maximum Expiration (Max Ex) date.
 - B. Individuals requiring an approved release address may be held in confinement up to the Max Ex date until an approved release address is secured.

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- C. The case manager will ensure appropriate individuals are referred for an End of Sentence Review per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment.
 - 1. When submitted by an incarcerated individual, a release plan will be permitted for an individual referred for civil commitment under RCW 71.09.
- D. A release plan is not required for individuals serving a sentence in total confinement for a Misdemeanor Community Custody (MCC) cause.
- E. Release dates for individuals received from another state agency, county, tribal, or federal jurisdiction will be determined by the sending jurisdiction.
- F. Requests to release to another state will be processed per DOC 380.605 Interstate Compact.

II. Release Plan Screening

- A. Criminal Conviction Records Unit employees will screen individuals for community supervision eligibility and Release Plan Determination (Attachment 2) as the sentence structure is entered and/or the Contact Risk Level Classification (RLC) is set in the individual's electronic file per DOC 320.400 Risk and Needs Assessment Process.
 - 1. Individuals will be screened at the Reception Diagnostic Center (RDC). Screening will be expedited for individuals arriving with 90 days or less to the ERD.
 - 2. The release plan type will be based on the prefix of the cause with the longest running period of confinement.
 - 3. The case manager will request screening of the cause via email to DOCSupScreen@doc.wa.gov:
 - a. If the individual is eligible for partial confinement (e.g., Reentry Center, Community Parenting Alternative, Graduated Reentry) and the cause has not been screened 24 months before the ERD.
 - b. If the individual is not eligible for partial confinement and the cause has not been screened 13 months before the ERD.
 - 4. Future supervision causes will be screened once the active cause(s) ends per DOC 310.100 Intake.

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- B. Screening results will be documented in the individual's electronic file and completed screenings will be retained in the electronic imaging file.

III. Reentry Planning


- A. The DOC 02-187 Individual Reentry Plan and Essential Needs Checklist will be used to identify the reentry needs of the individual and:
 - 1. Initially provided to the individual during orientation.
 - 2. Updated by the individual as needed.
- B. Reentry planning will be coordinated with appropriate employees/contract staff, support persons, tribes, and/or community-based services, including:
 - 1. Facility health services employees/contract staff designated to assist with reentry to determine level of continuity of care and collaborate for those identified as having high medical/mental health needs (e.g., Reentry Community Services Program, substance use disorder).
 - 2. Program specialists/navigators (e.g., education, employment, vocational training).
- C. Assistance for obtaining education and/or community resources upon transition to the community may be provided per the Reentry Navigation Job Aid located on the Reentry Division SharePoint site.
 - 1. DOC 07-053 Release/Transfer Needs Survey may be used to determine reentry needs for individuals impacted by sentence reform.

IV. Release Plan Development

- A. Case managers will meet with individuals to initiate release planning using the DOC 02-187 Individual Reentry Plan and DOC 20-414 Intake Questionnaire.
 - 1. Release planning will be coordinated with Health Services.
 - 2. Attempts to develop release addresses and secure funding/resources to support an individual's release plan will be documented in the electronic file.
- B. Regardless of release plan type, the case manager will determine if there are community/victim safety concerns that need to be addressed by completing the following:

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1. Use available resources to review the individual’s criminal history for risk of contact with victims and persons of similar age or circumstance, considering protection orders, sex offenses, and potential victims of domestic violence, child abuse, or other family violence.
 - a. DOC 21-761 Prohibited Contact Review will be completed if appropriate.
2. Review the Community Concerns field and Safety Concerns banner, including the Community Victim Liaison Narrative section and End of Sentence Review Committee decisions, for known community/victim safety concerns in the electronic file.
 - a. If the Community Concerns field indicates “Yes”, the case manager will consult the assigned Community Victim Liaison or Indeterminate Sentence Review Board (Board) Victim Liaison.
 - 1) If a liaison is not identified in the electronic file, the case manager will contact the Victim Services Program.
- C. At any time during release planning, if the individual’s words or actions indicate a safety risk to a specific person(s), the case manager will submit a referral to the Victim Services Program per DOC 390.300 Victim Services.
- D. Individuals who require an approved release address will be returned to their county of origin/alternate county of origin as determined and approved per Attachment 1.
 1. Individuals under Board jurisdiction are not subject to the county of origin requirements.
- E. Within 30 months of the ERD, eligible individuals may be referred for partial confinement.
- F. At least 12 months before the ERD, the case manager will directly assist the individual to identify a release address(es).
 1. Facility records employees will provide individuals with information to resolve warrants, if applicable.
- G. At 6 months before the ERD, the case manager will:
 1. Develop the release plan in the electronic file and verify the proposed address(es).


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- a. Before submitting an investigation release plan, the case manager will complete DOC 11-012 Release/Transfer Sponsor Orientation Checklist with each prospective sponsor, determine the appropriateness of the proposed plan(s), and complete and send DOC 11-013 Sponsor Letter to each prospective sponsor.
 - 1) The sponsor checklist and letter are not required for individuals releasing to housing vendors listed in the Statewide Transitional Housing Directory located on the Department's internal website.
- b. If the individual cannot provide an address, the case manager will directly assist the individual in locating appropriate housing.
 - 1) If an address cannot be secured, eligible individuals should be referred for financial housing assistance using the Reentry Housing Assistance Program Job Aid located on the Department's internal website.
 - a) Release plans for individuals using reentry housing assistance will only be submitted after benefits are approved.
2. Approve/deny 10-day release per DOC 350.240 Ten Day Release if not previously completed.
3. Submit the release plan for investigation or notification to the appropriate Assignment Coordinator.
 - a. For individuals under Board jurisdiction, the release plan will be submitted immediately after the individual has been found eligible for parole/release by the Board. Only one release address may be submitted at a time.
 - b. For individuals with supervision requirements on a current, consecutive, or tolling cause, requests to release from confinement to an out-of-state address must be approved per DOC 380.605 Interstate Compact.


V. Field Process for Release Plans

A. Release plans will be assigned and reviewed per DOC 310.010 Assignments.

1. The Field Community Corrections Officer/Specialist will:


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- a. Verify the community supervision eligibility has been screened and the release plan type is consistent with the screening results.
- b. For individuals requiring an approved release address
 - 1) Review the release plan for risk of contact with victims and persons of similar age or circumstance based on the individual's criminal history using available resources, considering protection orders, sex offenses, and victims of domestic violence, child abuse, or other family violence.
 - a) Authorized contact with a minor(s) may be authorized per DOC 450.320 Contact with Minors and Family Reunification.
 - b) Individuals will not release to the same address where a past/current victim resides unless approved by the Field Administrator in consultation with the Victim Services Program Manager/Board Victim Liaison and/or assigned Community Victim Liaison.
 - c) Individuals will be reported per DOC 350.550 Reporting Abuse and Neglect/Mandatory Reporting, if appropriate.
 - 2) Visit the prospective sponsor, proposed residence, and determine the appropriateness of the address.
 - 3) Notify the sponsor of the individual's criminal history, conditions of supervision, and ERD.
 - a) If the individual has been convicted of a sex offense, the Field Community Corrections Officer/Specialist will ensure the sponsor is aware of:
 - (1) Applicable registration requirements,
 - (2) Law enforcement notifications, and
 - (3) End of Sentence Review Committee recommendations, including referrals for civil commitment.
- c. For individuals with a notification release plan and supervision requirements on an open/tolling cause(s), a condition(s) prohibiting

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release to the declared address may be imposed per DOC 390.600 Imposed Conditions.

- d. For individuals referred for civil commitment, email doceosr@doc1.wa.gov to request a copy of any available Forensic Psychological Evaluation (FPE) and ensure all relevant information is scanned into the electronic imaging file for review.
 - 1) Static and dynamic risk factors relating to the individual's risk to the community will be considered and documented in the electronic file, including whether the individual is able to address any concerns.
 - 2) The release plan must meet the community safety requirements outlined in the FPE.
 - a) Plans will not be denied based solely on not having a completed FPE and will be reviewed to determine if the plan is appropriate.
 - b) FPEs are confidential and exempt from disclosure per RCW 42.56.290.
- 2. The case manager will:
 - a. Provide any information not available in the electronic imaging file.
 - b. Notify the investigating Field Community Corrections Officer/ Specialist if the individual provides a new release address before the plan is approved.
- B. Investigation release plans require:
 - 1. Approval/denial from the Community Corrections Supervisor (CCS) for individuals with a current sex offense(s).
 - 2. Review by the CCS and approval/denial from the Field Administrator for:
 - a. Individuals under Board jurisdiction,
 - b. An alternate county of origin placement request,
 - c. Denial recommendations,
 - d. Civil commitment referrals, and
 - e. Requests to live with a past/current victim.

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- C. Release plans for individuals under Board jurisdiction will be routed to the Board for final approval per DOC 320.100 Indeterminate Sentence Review Board.
- D. The Victim Services Program will be immediately notified of an approved release plan per DOC 390.300 Victim Services.
- E. If an investigation release plan is denied, the case manager will notify the individual of the denial reason and work with the individual to develop an alternative release address. The Regional Housing Specialist or assigned Field Community Corrections Officer/Specialist may be contacted for assistance and/or referrals.

VI. Appeals for Denied Release Plans and County of Origin Determinations

- A. Appeals may be submitted within 10 business days of receiving notice of the denied release plan or county of origin determination, including the reason and any additional information, to the Assistant Secretary for Reentry at P.O. Box 41126, Olympia, WA 98504-1126 or docorpappeals@doc1.wa.gov.
- B. The appeal process does not apply to individuals:
 - 1. Under Board jurisdiction.
 - 2. With victim safety concerns verified by the Victim Services Program.
 - 3. With a court-ordered condition prohibiting residence at the location of the proposed plan, unless a modified court document signed by a judge is provided.
- C. The Assistant Secretary for Reentry/designee, in consultation with Regional Administrators, will review and notify the individual in writing of the decision within 20 business days of receiving the appeal. The decision is final and will be documented as a Chronological Event (chrono) in the electronic file.
 - 1. The individual will be notified in writing if additional time is needed for review.
- D. Documents related to the appeal will be retained in the central and electronic imaging files.

VII. Releasing to Detainers

- A. For individuals with an Immigration and Customs Enforcement (ICE) detainer, records employees will complete DOC 07-039 Notice to Immigration Authority of Incarcerated Alien Status Change to notify the Department of Homeland Security (DHS) of service of the detainer and status changes as requested by DHS (e.g.,


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pickup arrangements, hospitalization, death, transfer to a non-Department facility).

- B. Individuals scheduled to release on the Max Ex date may be transferred to the detaining agency before the Max Ex date to accommodate transportation needs.
 - 1. Authorized employees will issue a Department detainer for up to the Max Ex date per DOC 350.750 Warrants, Detainers, and Holds.
- C. Individuals under Board jurisdiction will not release to a detainer without Board authorization.

VIII. Transition Procedures

- A. Before transition:
 - 1. The central file will be audited per DOC 280.500 Records Management for Individuals.
 - 2. Law enforcement will be notified per DOC 350.600 Law Enforcement Notification.
 - 3. Individuals will be provided the [Washington State Voter Registration Form](#) and [Voting with a Felony Conviction](#) with instructions for returning the form by mail and registering to vote in-person and electronically.
 - 4. Individuals will receive assistance applying for a replacement identification/social security card per DOC 380.550 Washington State Identification/Social Security Cards.
 - 5. Individuals may receive assistance applying for:
 - a. Health insurance
 - b. Veteran's benefits and/or community resources
 - c. Food/cash assistance through the Department of Social and Health Services
 - 6. Individuals may file a preliminary application with the appropriate entity to reduce barriers and restore eligibility for occupational/professional licenses per RCW 18.400.
 - 7. Individuals may be issued gate money and/or transportation expenses per DOC 210.025 Gate Money/Transportation Funds/Pre-Paid Phone Cards.

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- B. Upon release, individuals ordered to community supervision and determined not eligible will sign DOC 02-243 Notice of Continued Obligations/Restrictions. Facility/regional records employees will submit DOC 09-265 Court - Special Closure Ineligible for Supervision to the sentencing court.
- C. The Reentry Project Manager will request discharge from supervision for individuals who are not ordered to community supervision and have completed all sentence requirements, including payment of Legal Financial Obligations.
 - 1. Requests will be submitted to the sentencing court using DOC 09-128 Request for Discharge and DOC 09-028 Certificate and Order of Discharge.
 - 2. If the completed Certificate and Order of Discharge is returned to the Department, the order will be:
 - a. Mailed to the individual's last reported address,
 - b. Scanned into the individual's electronic imaging file, and
 - c. Documented as a chrono in the individual's electronic file.
- D. Within 30 days of release from partial confinement, the case manager will review the individual's progress and document the review as a chrono, including:
 - 1. Any unusual occurrences,
 - 2. A summary of partial confinement activities,
 - 3. An objective assessment of partial confinement participation, and
 - 4. Community resources that affected supervision outcomes.
- E. Additional transition support for basic living needs may be requested per the Regional Transition Fund Program Job Aid or Reentry Systems Fund Job Aid located on the Department's internal website.
- F. A certificate may be provided by the court for individuals who have completed all sentence requirements per [Certificate of Restoration of Opportunity Brochure](#).

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Community Custody, Homeless. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

County of Origin (Attachment 1)

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	TITLE TRANSITION AND RELEASE		

Release Plan Determination (Attachment 2)

DOC FORMS:

- DOC 02-187 Individual Reentry Plan
- DOC 02-243 Notice of Continued Obligations/Restrictions
- DOC 07-039 Notice to Immigration Authority of Incarcerated Alien Status Change
- DOC 07-053 Release/Transfer Needs Survey
- DOC 09-028 Certificate and Order of Discharge
- DOC 09-128 Request for Discharge
- DOC 09-265 Court - Special Closure Ineligible for Supervision
- DOC 11-012 Release/Transfer Sponsor Orientation Checklist
- DOC 11-013 Sponsor Letter
- DOC 20-414 Intake Questionnaire
- DOC 21-761 Prohibited Contact Review

COUNTY OF ORIGIN

COUNTY OF ORIGIN DETERMINATION

The county of origin is the county of the individual's residence at the time of the individual's first felony conviction, including a juvenile conviction, in Washington State.

- If at the time of the first felony conviction the individual is homeless or the residence is unknown or out of state, the county of origin will be the county of the individual's first felony conviction, including a juvenile conviction, in Washington State.
- Vacated convictions will not be considered when determining the county of origin (e.g., individual's 2nd felony conviction will be used to determine the county of origin if the first felony conviction was vacated).

The case manager will determine the county of origin using available resources:

- At the Reception Diagnostic Center for individuals who arrive with less than 6 months to the Earned Release Date (ERD), or
- During the next regularly scheduled classification review for individuals with 6 months or more to the ERD.

The county of origin, supporting information, and the date the individual was notified of the determination and appeal process will be documented as a Chronological Event (chrono) in the individual's electronic file.

ALTERNATE COUNTY OF ORIGIN REASONS

Individuals who require an approved release address may transfer from confinement to an alternate county of origin if approved per RCW 72.09.270(8)(a).

Unless the individual has a qualified sponsor (e.g., family member, organization), alternative release plans will be explored by Section, then Region, and then Statewide. There must be no known victim safety concerns or prohibitions ordered by the court in the proposed alternate county of release.

Reason 1: Proposed address is appropriate based on a court-ordered condition(s)

The Judgment and Sentence or a court-ordered condition(s) prohibits the individual from returning to the county of origin.

The case manager will document specific information related to the prohibition in the Comments section of the release plan and as a chrono in the electronic file.

Reason 2: Victim safety concerns exist in the county of origin that cannot be mitigated

There are victim safety concerns, as indicated in the Community Concerns field in the electronic file, in the county of origin that cannot be mitigated, as determined by the Community Victim Liaison in consultation with the Victim Services Program Manager.

The case manager will consult with the assigned Community Victim Liaison, as appropriate, and consider the following:

- Likelihood that harm to specific persons and/or new criminal offenses will occur if released to the county of origin, based on previous behavior patterns or current behavior/statements.
- Information indicating that increased geographic separation between the individual and the person(s) targeted will reduce the risk of harm and/or new criminal offenses.
- Strategies/resources available to reduce specific risks in the county of origin (e.g., geographic restrictions, electronic monitoring, daily reporting, imposed conditions, treatment or other programming, surveillance).

The assigned Community Victim Liaison will consult the Victim Services Program Manager and document the decision in the electronic file.

Reason 3: Factors that increase opportunities for successful reentry and long-term support

Individual has a verified release plan outside the county of origin that includes sustainable, prosocial, and tangible support to assist with successful reentry. Factors may include:

- Supportive housing (i.e., housing vendor that has a designated house manager or democratically ran process with a manual/policy and procedures, structured house rules, including sobriety requirements)
- Employment
- Training/education
- Programming/treatment
- Location of family or other sponsoring person(s)/organization(s)
- Location of tribal services/Urban Indian organizations

The case manager does not have to consider resources in the county of origin first if the individual has a verified release plan that includes a qualified sponsor(s).

AUTHORIZATION FOR ALTERNATE COUNTY OF ORIGIN

The release plan will be forwarded to the Superintendent, Reentry Center Administrator, Reentry Senior Administrator or their designee for review and approval to submit outside the county of origin.

The decision and justification will be documented in the Comments section of the release plan.

If the Field Administrator approves the release plan, the Field Administrator will notify the Law and Justice Council in the county of release for approved exceptions.

RETURN TO COUNTY OF ORIGIN

Individuals who released outside the county of origin may be returned to the county of origin if the justification for the alternate county is no longer present and results in prolonged homelessness without any foreseeable change in status.

For approved exceptions, the Field Administrator in the county of release will notify the Law and Justice Council.

RELEASE PLAN DETERMINATION

Release plans will be based on the prefix of the cause with the longest running period of confinement. Instructions will be provided to report to the assigned Field Community Corrections Officer/Specialist for any cause requiring community supervision.

SUPERVISION REQUIREMENTS	UPON RELEASE	RELEASE PLAN TYPE
Community supervision not required as determined by screening	End of Department jurisdiction on cause	Notification release plan
Community supervision required as determined by screening	Community supervision ordered on cause	Investigation release plan
	Consecutive causes with community supervision ordered	Investigation release plan
	Release to Out-of-State, Federal, or Immigration and Customs Enforcement (ICE) detainer(s)	Notification release plan
	Release to In-State detainer(s) with less than 120 days confinement ordered or an unknown sentence, or consecutive detainers	Investigation release plan
	Release to In-State detainer(s) with 120 days or more confinement ordered	Notification release plan
	Release on Maximum Expiration (Max Ex) date	Notification release plan
Community Custody Prison (CCP) Return	Release on Max Ex date	Notification release plan



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POLICY

APPLICABILITY
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7/22/22

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NUMBER
DOC 350.240

TITLE
TEN DAY RELEASE

REVIEW/REVISION HISTORY:

Effective: 10/1/92 DOC 950.825	Revised: 4/20/07
Revised: 7/1/93 DOC 350.240	Revised: 6/26/08
Revised: 8/1/94	Revised: 10/1/09
Revised: 8/14/95	Revised: 12/7/09
Revised: 12/31/95	Revised: 9/26/11
Revised: 6/30/96	Revised: 7/30/12
Revised: 12/18/98	Revised: 8/10/12
Revised: 1/14/00	Revised: 9/14/15
Revised: 9/11/01	Revised: 4/22/21
Revised: 5/27/03	Revised: 7/22/22

SUMMARY OF REVISION/REVIEW:


II.A.2.g. - Adjusted language for clarification
Removed II.A.2.j. that individuals will be denied 10-day release if releasing to the ERD Housing Voucher Program

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

7/8/22
Date Signed

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	<p>TITLE TEN DAY RELEASE</p>		

REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.728](#); DOC 350.200 Transition and Release

POLICY:


- I. The Department will ensure individuals releasing from total/partial confinement and/or transferring to community custody are considered for release up to 10 days before the Earned Release Date (ERD) on their current commitment(s).
- II. Approval, adjustment, or denial of 10-day release will be based on the individual's assessed risk and compliance with the Custody Facility Plan and recommendation of the Facility Risk Management Team.
- III. An individual will not be released more than 10 days before the ERD under this policy.

DIRECTIVE:

- I. Eligibility
 - A. Individuals will be eligible for release up to 10 days before their ERD, except:
 1. Individuals sentenced to a mandatory minimum term equal to their ERD, or Life Without Parole.
 2. Individuals under the jurisdiction of the Indeterminate Sentence Review Board (Board).
 3. Community Custody Prison (CCP) Returns,
 4. Community Custody Inmate (CCI)/Work Ethic Program (WEP) Terminates,
 5. Prison Drug Offender Sentencing Alternative (DOSA) Reclassifications, or
 6. Special Sex Offender Sentencing Alternative (SSOSA) individuals serving original jail time in Prison.
 - B. Individuals sentenced to Residential DOSA, Family and Offender Sentencing Alternative (FOSA), or SSOSA not under Board jurisdiction who are revoked and sent to Prison will be eligible for release up to 10 days before their ERD.
- II. Review

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- A. The case manager will approve/deny 10-day release anytime a release plan is submitted per DOC 350.200 Transition and Release and update the Release Notification Status screen in the individual’s electronic file.
1. Individuals will be granted approval for 10 day-release unless there are existing community safety concerns.
 2. Individuals will be denied 10-day release for any of the following reasons:
 - a. Found guilty of a Category A serious violation within 2 years of release.
 - b. Found guilty of a Category B serious violation within one year of release.
 - c. Alleged to have committed a Category A or B serious violation and is pending the disciplinary process.
 - 1) The hearings process will be expedited for releasing individuals eligible for 10-day release.
 - d. Convicted of felony escape committed during the current period of incarceration.
 - e. Was housed in Restrictive Housing for a crime that resulted in a conviction and occurred during the current period of incarceration.
 - f. Release address is not approved or was not provided in sufficient time to notify law enforcement or others as required by law.
 - g. Has a sex offense and releasing homeless.
 - h. Is classified High Violent Property and Drug or High Violent Felony Risk and has local victim safety concerns in the county of release.
 - 1) If the Community Concerns field in the electronic file indicates “Yes”, the case manager will consult the assigned Community/Board Victim Liaison to determine if compelling community safety reasons exist.
 - a) If a liaison is not identified, the case manager will contact the Victim Services Program.
 - i. Mandatory minimum sentence is equal to the ERD.

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j. 10-day release would not contribute to establishing an approved, sustainable release plan.

B. If an individual is denied 10-day release after being previously approved, the case manager will immediately:

1. Notify the appropriate Records Office,
2. Notify the individual, and
3. Update the Release Notification Status screen in the electronic file.

III. Adjustments

A. The planned release date may be adjusted for eligible individuals without approval for the entire 10-day release in order to:

1. Avoid release on a Saturday, Sunday or State holiday/furlough day.
2. Comply with notification requirements for law enforcement and victim(s)/witness(es).
3. Address community safety issues.
4. Accommodate:
 - a. Specific requirements of the approved release plan,
 - b. Transportation arrangements, or
 - c. Release to a state or veteran's hospital.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Conviction. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

None



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NUMBER
DOC 350.255

POLICY

TITLE
REGISTRATION NOTIFICATION

REVIEW/REVISION HISTORY:

- Effective: 7/27/90
- Revised: 1/15/92
- Revised: 4/4/95
- Revised: 12/22/95
- Revised: 10/30/96
- Revised: 3/15/98
- Revised: 7/8/99
- Revised: 12/14/06
- Revised: 1/29/08
- Revised: 10/15/08
- Revised: 6/10/10
- Revised: 6/7/12
- Revised: 8/18/14
- Revised: 7/24/15
- Revised: 9/24/20
- Revised: 11/3/21

SUMMARY OF REVISION/REVIEW:

II.B.1.a. - Updated terminology


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

10/29/21

Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 4.24.550](#); [RCW 9.68A](#); [RCW 9.94A](#); [RCW 9A.28](#); [RCW 9A.44](#); [RCW 72.09.270](#); DOC 310.100 Intake; DOC 350.200 Transition and Release; DOC 350.750 Warrants, Detainers, and Holds; DOC 420.390 Arrest and Search; DOC 460.130 Response to Violations and New Criminal Activity

POLICY:

- I. The Department will provide written notification of registration requirements to all individuals convicted of an offense that requires registration per RCW 9A.44.130. The Department will register all individuals meeting registration requirements before release from any Department facility or transfer to partial confinement.

DIRECTIVE:

- I. Offenses Requiring Registration
 - A. Individuals with the following offenses must register:
 1. Child molestation 1, 2, or 3,
 2. Commercial sexual abuse of a minor,
 3. Communication with a minor for immoral purposes,
 4. Criminal trespass against children,
 5. Custodial sexual misconduct 1,
 6. Dealing in depictions of a minor engaged in sexually explicit conduct 1 or 2,
 7. Failure to register as a sex offender or kidnapping offender, except for first conviction,
 8. Incest 1 or 2,
 9. Indecent liberties, though convictions before 1988 may require review by End of Sentence records employees,
 10. Kidnapping 1 or 2 if the victim is a minor and the individual is not the minor's parent,
 11. Possession of depictions of a minor engaged in sexually explicit conduct 1 or 2,



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12. Promoting commercial sexual abuse of a minor,
13. Promoting prostitution 1 or 2, except for first conviction,
14. Promoting travel for commercial sexual abuse of a minor,
15. Rape 1, 2, or 3,
16. Rape of a child 1, 2, or 3,
17. Sending/bringing into state depictions of a minor engaged in sexually explicit conduct 1 or 2,
18. Sexual exploitation of a minor,
19. Sexual misconduct with a minor 1 or 2,
20. Sexually violating human remains,
21. Trafficking 1 if the individual caused the victim to engage in a sexually explicit act or a commercial sex act,
22. Unlawful imprisonment if the victim is a minor and the individual is not the minor's parent,
23. Viewing depictions of a minor engaged in sexually explicit conduct 1 or 2,
24. Voyeurism,
25. Any felony conviction for a criminal attempt, criminal solicitation, or criminal conspiracy to commit a Class A or Class B felony sex offense,
26. Any gross misdemeanor conviction for a criminal attempt, criminal solicitation, or criminal conspiracy to commit a Class C felony sex offense,
27. Any felony conviction with a finding of sexual motivation,
28. Any conviction for a felony offense in effect at any time before July 1, 1976 that is comparable to a felony sex offense listed above,
29. Any federal, out of state, or tribal kidnapping or sex offense conviction which would require registration in the state of conviction, and
30. Any federal, military, foreign, or out of state conviction for an offense that meets the definition of an offense which requires registration in Washington State.


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- II. Registration of Individuals Releasing from any Department Facility or Transferring to Partial Confinement - Non-Violator
- A. At the time of transfer or release, employees will provide written notification of the registration requirements to all individuals required to register. Within 3 business days of transfer/release, the individual will register with the Sheriff's office in the county of transfer/release.
1. To prepare for transfer/release, the Correctional Records Supervisor/designee will confirm the individual's registration requirements by reviewing the Register Offender screen in the electronic file. The registration flag should be set to "Y".
 - a. If the flag is not set, requirements may be confirmed using the registration determination tool on the Statewide Records SharePoint site or by contacting the End of Sentence Correctional Records Supervisor/designee.
 2. For individuals transferring to partial confinement, the assigned case manager will verify that the registration process with the county Sheriff has been completed.
- B. The facility Correctional Records Supervisor/designee or partial confinement case manager will:
1. Enter a complete physical transfer/release address on the Register Offender screen not less than 5 days and not more than 30 days before the individual's transfer/release.
 - a. For transfers to partial confinement, the physical transfer address is the physical address of the approved partial confinement option (e.g., emergency medical placement, electronic home monitoring, Reentry Center, furlough).
 - b. For releases, the physical release address is the actual location where the individual intends to physically reside upon release, which will be developed/identified per DOC 350.200 Transition and Release. A "mailing/contact only address" or post office box is not an acceptable release address.
 - 1) If the individual refuses to provide a physical release address or cooperate in the release address documentation process, the employee will document the release address in

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the Register Offender screen as homeless in the county of origin.


2. Notify the individual that failing to register to a physical release address or cooperate with the registration requirements:
 - a. Before transfer will result in denial of partial confinement placement.
 - b. Before release may constitute a new charge of failure to register as a sex offender.
3. Complete and print the Register Offender screen form, witness the individual's signature, provide the individual with a copy, and enter the registration date on the Register Offender screen.
4. Review DOC 07-023 Registration Notification with the individual and have the individual sign it.
 - a. If the individual refuses to sign, the employee will note "individual refuses to sign", and have a witness verify the individual was notified of the registration requirement.
 - 1) For transfers to partial confinement, the transfer will be cancelled if the individual refuses to sign.
 - 2) For releases, the employee will notify law enforcement of the individual's stated intent of refusal to register as a sex offender using DOC 07-032 Letter to Law Enforcement for Failure to Register at Time of Release.
 - 3) Failure to sign does not constitute failure to register.
5. Instruct the individual to report in person to the Sheriff's office in the county in which the individual intends to reside within 3 business days of transfer/release.
6. Attach a current photo and a certified copy of the individual's current commitment fingerprint card to the original signed Register Offender screen form and send the completed packet to the Sheriff's office in the county of release, transfer, or in-state detention no later than 3 business days following the individual's transfer.

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- a. For individuals who will be released to Immigration and Customs Enforcement (ICE), reside out of state, or be detained out of state, the packet will be sent to the Washington State Patrol.
- C. If the transfer/release address or date changes after the documentation and notification process is completed, but before the individual's transfer/release, the facility Correctional Records Supervisor/designee or partial confinement case manager will provide the updated address and transfer/release date to the End of Sentence Review Program at doceosr@doc.wa.gov and relevant law enforcement agencies as soon as possible.
 - 1. If the address or receiving facility changes, but remains in the same county, the employee will reinitiate the Register Offender screen form with the new address and forward to law enforcement.
 - 2. If the new address or receiving facility changes to another county, the employee will reinitiate the Register Offender screen form with the new address and forward to law enforcement in the original county of transfer/release. The employee will also complete a new registration packet and forward it to law enforcement in the county of the new address.

III. Registration of Community Custody Violators

- A. If an individual releasing from a Department facility is required to register, a records employee will:
 - 1. Complete and print the Register Offender screen, witness the individual's signature, provide the individual with a copy, and enter the registration date on Register Offender screen.
 - a. If the individual refuses to sign, the records employee will note "individual refuses to sign", and have a witness verify the individual was notified of the registration requirement. Failure to sign does not constitute a failure to register.
 - 2. Notify the End of Sentence Review Program with the subject line "Registerable Violator Release" and include the individual's name, DOC number, release date, and release address, if known.
- B. If an individual releasing from a Department-contracted jail bed space is required to register, and the jail sanction is more than 30 days, the records employee will notify the End of Sentence Review Program with the subject line "Registerable Violator Release" and include the individual's name, DOC number, release date, and release address, if known.

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C. If an individual's release date or release address changes, the records employee will promptly notify the End of Sentence Review Program.

IV. Notification of Registration Requirements for Individuals in Partial Confinement

A. Upon arrival at a partial confinement placement, the case manager/designee will notify and provide written notification to all individuals required to register. Within 3 business days of arrival, the individual will register with the Sheriff's office in the county where the partial confinement placement is located.

1. The case manager will review DOC 07-023 Registration Notification with the individual and have the individual sign it.

a. If the individual refuses to sign, the case manager will note "individual refuses to sign" and have a witness verify the individual was notified of the registration requirement. Refusal to sign the form will result in a return to Prison.

b. Failure to sign the form does not constitute failure to register.

B. Within one week of arrival, the case manager/designee will verify the individual registered and confirm law enforcement assigned the community notification level, if applicable. The case manager/designee will:

1. Update the County Sex Offender Level in the electronic file to reflect the community notification level set by law enforcement. If the notification level set by law enforcement makes the individual ineligible to remain at the assigned partial confinement, the individual will be returned to Prison.


2. Make an attempt to bring the individual into compliance if the individual has not registered.

C. If the individual escapes from the approved partial confinement placement, the case manager/designee will notify the Sheriff's office.


1. Escape from a partial confinement placement may be grounds for new failure to register charges.

D. The partial confinement case manager/designee will notify the Sheriff's office, as well as the Law Enforcement Notification Program via email at doceosr@doc.wa.gov, if the individual is:

1. Terminated from partial confinement status, or

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2. Returned to Prison, in which case the Sheriff's office notification will be made within 3 business days using DOC 07-036 Return to Prison Letter to Law Enforcement.
- E. At the time of release from partial confinement to the community, employees will follow registration procedures as outlined in this policy for individuals releasing from a Department facility.
- V. Notification of Registration Requirements for Individuals Supervised in the Community
- A. The assigned case manager will notify and provide written notification to all individuals required to register with supervision requirements. The notification will occur at the time of intake or at the time the Department accepts supervision and has legal authority under the terms and conditions of the Interstate Compact agreement.
 1. The case manager will review DOC 07-023 Registration Notification with the individual and have the individual sign it.
 - a. If the individual refuses to sign, the case manager will note "individual refuses to sign", and have a witness verify the individual was notified of the registration requirement.
 - b. Failure to sign the form does not constitute failure to register.
 - B. Within one week of intake completion per DOC 310.100 Intake, the case manager will verify the individual registered and confirm law enforcement assigned the community notification level, if applicable. The case manager will:
 1. Update the County Sex Offender Level in the electronic file to reflect the community notification level set by law enforcement.
 2. Make an attempt to bring the individual into compliance if the individual has not registered.
 - C. The case manager will follow DOC 350.750 Warrants, Detainers, and Holds, DOC 420.390 Arrest and Search, and DOC 460.130 Response to Violations and New Criminal Activity to address a violation of failure to register.
 - D. If the individual moves to a new address or becomes homeless, the case manager will confirm with the Sheriff's office that the individual updated registration.

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- E. If the individual absconds from supervision, the case manager will notify the Sheriff's office.

DEFINITIONS:

The following words/terms are important to this policy and defined in the glossary section of the Policy Manual: Child. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

- DOC 07-023 Registration Notification
- DOC 07-032 Letter to Law Enforcement for Failure to Register at Time of Release
- DOC 07-036 Return to Prison Letter to Law Enforcement



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DOC 350.300

POLICY

TITLE
MUTUAL REENTRY PROGRAM

REVIEW/REVISION HISTORY:

- Effective: 2/28/89
- Revised: 9/1/92
- Revised: 12/8/04
- Revised: 7/9/07
- Revised: 7/9/08
- Revised: 3/1/10
- Revised: 3/1/12
- Revised: 7/14/20
- Revised: 11/17/21

SUMMARY OF REVISION/REVIEW:

Policy Statement II. - Adjusted for person-centered language
Directive I.E.2. and II.C.3. - Updated terminology


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

11/4/21

Date Signed

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	<p>TITLE MUTUAL REENTRY PROGRAM</p>		

REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 9.95](#); [RCW 72.04A](#); [RCW 72.09.050](#); DOC 300.380 Classification and Custody Facility Plan Review; DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment

POLICY:

- I. The Department has established a reentry planning process for individuals committed for Murder 1, continuously confined for 10 years or more, or otherwise identified as needing a more structured transition to lower levels of custody.
- II. This policy is not intended to create an obligation of placement in a specific facility, even if all requirements are met.

DIRECTIVE:

- I. Requirements
 - A. An individual who meets the following criteria must have an approved Mutual Reentry Plan (MRP) to transition through lower levels of custody:
 1. Serving a sentence for Murder 1, or
 2. Under the jurisdiction of the Indeterminate Sentence Review Board (Board) and found eligible for parole/release.
 - B. The case manager may refer an individual to the Headquarters Community Screening Committee (HCSC) for MRP development if:
 1. The individual has been continuously confined for 10 years or more, and
 2. After reviewing the individual’s risks, needs, and incarceration history, the multidisciplinary Facility Risk Management Team (FRMT) has concerns about placement in a stand-alone Level 2 facility or partial confinement.
 - C. In addition, the individual must:
 1. Be eligible for Minimum (MI) 2 custody per DOC 300.380 Classification and Custody Facility Plan Review.
 2. Have served the mandatory minimum term and be eligible for MI1 custody.

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- D. An individual may decline to participate and will not receive a violation or lose good conduct/earned time for refusing to participate.
 - 1. The Headquarters Corrections Specialist 4 will refer an individual under the Board's jurisdiction back to the Board.

- E. MRPs will be approved by the MRP Review Committee. The committee will be chaired by the Assistant Secretary for Reentry/designee and include the following:
 - 1. Assistant Secretary for Community Corrections/designee,
 - 2. Deputy Assistant Secretary for Prisons/designee,
 - 3. Board Chair/designee,
 - 4. Headquarters Corrections Specialist 4,
 - 5. Victim Services Program Manager, and
 - 6. Program Administrators, as appropriate.


II. Development and Approval

- A. MRP development will begin no earlier than 48 months before the Earned Release Date (ERD).
 - 1. For individuals under the Board's jurisdiction, the plan will be submitted within 30 days of receiving notice that the Board has found the individual eligible for parole/release.

- B. The case manager will contact the Headquarters Corrections Specialist 4 before developing the MRP with the individual, and:
 - 1. Identify programming needs.
 - 2. Consider community/family support who may be release resources or advocates.
 - 3. Collaborate with medical and mental health employees/contract staff to determine the individual's needs and impact on facility placement.
 - 4. Submit an End of Sentence Review referral per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment.
 - 5. Contact the Victim Services Program to obtain or determine victim and community concerns.
 - a. Victim Services Program employees will work with community stakeholders and the Board to provide input.

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- C. The proposed MRP will be documented in the custody facility/case plan and:
1. Summarize the individual's risk level and needs.
 2. Identify an appropriate facility with programming to address areas assessed as moderate or high in the risk and needs assessment.
 3. Address eligibility and suitability for partial confinement (e.g., Reentry Center, Graduated Reentry, electronic home monitoring).
 4. Identify services to assist in successful reentry/transition.
 5. Include, at a minimum, the following standard conditions and any other expectations for conduct:
 - a. Incur no serious violations. Violations resulting in a guilty finding will be immediately reported to the Headquarters Corrections Specialist 4 and/or Board, as applicable.
 - b. Follow the requirements of the case plan, and directions and recommendations of the case manager, FRMT, and/or Board, if applicable.
- D. The plan will be reviewed by a multidisciplinary FRMT per DOC 300.380 Classification and Custody Facility Plan Review and forwarded to the Correctional Program Manager (CPM)/Community Corrections Supervisor (CCS) for each facility targeted in the plan to review.
1. Recommendations may be made to add requirements to the plan.
 2. The CPM/CCS at the receiving facility, as outlined in the MRP, will forward the plan to the Headquarters Corrections Specialist 4.
- E. The Headquarters Corrections Specialist 4 will review the MRP and refer appropriate cases to the HCSC and MRP Review Committee.
- F. The HCSC will review the MRP and refer the plan back to the facility for needed modifications or to the MRP Review Committee for final approval.
1. A Board representative will be included during the review for individuals under the Board's jurisdiction.
- G. The MRP Review Committee will approve/deny/modify the plan, including eligibility for partial confinement.

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1. A reason(s) for denial will be documented in the custody facility/case plan.

III. Implementation and Plan Changes

- A. Upon approval from the MRP Review Committee, the Headquarters Corrections Specialist 4 will:
 1. Assign the appropriate custody level, and
 2. Approve and finalize all appropriate transfer orders.
- B. The case manager will ensure compliance with the approved plan (e.g., targeted custody dates, addressing identified risks/needs) and document the individual's progress in the electronic file.
- C. The case manager will submit a custody facility/case plan to the Headquarters Corrections Specialist 4 for approval and assignment approximately 30 days before any targeted promotion and/or transfer.
- D. The Headquarters Corrections Specialist 4 may suspend the MRP and refer the case to the MRP Review Committee to determine if the plan should be modified/terminated. The committee's decision will be final.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

None



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POLICY

TITLE
**END OF SENTENCE REVIEW/SEXUALLY VIOLENT
PREDATOR CIVIL COMMITMENT**

REVIEW/REVISION HISTORY:

- Effective: 5/15/90
- Revised: 7/1/93
- Revised: 3/15/96
- Revised: 6/28/02
- Revised: 4/15/08
- Revised: 8/4/08
- Revised: 12/21/09
- Revised: 4/20/15
- Revised: 1/1/19
- Revised: 3/7/19
- Revised: 6/11/19
- Revised: 3/17/22

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout
II.A.2.a., III.B., and V.B.2.c.1) & 2) - Updated for person-centered language
II.A.1.k. - Added language for clarification


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

3/7/22

Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 4.24.550](#); [RCW 9.94A.507](#); [RCW 9.95.140](#); [RCW 9.95.420](#); [RCW 9A.44.130](#); [RCW 10.77](#); [RCW 71.09](#); [RCW 72.09.340](#); [RCW 72.09.345](#); [WAC 137-48-020](#); DOC 350.200 Transition and Release; DOC 350.600 Law Enforcement Notification; DOC 630.590 Reentry Community Services Program

POLICY:

- I. The Department has established an End of Sentence Review Committee (ESRC) for the purpose of recommending risk levels, reviewing available release plans, and making appropriate referrals and notifications for individuals preparing for release from confinement who have been adjudicated, convicted, or found not guilty by reason of insanity or incompetent to stand trial per RCW 10.77 for:
 - A. A current sex offense or kidnapping/unlawful imprisonment offense that may require registration per RCW 9A.44.130.
 - B. A current Sexually Violent Offense (SVO) or other current offense with sexual elements/motivation when the individual has a prior SVO as defined per RCW 71.09.020 and Attachment 1.
- II. The Department has established a Law Enforcement Notification (LEN) Program per DOC 350.600 Law Enforcement Notification to notify law enforcement and other agencies before an individual is released from Department confinement.
- III. Individuals under Department jurisdiction who appear to meet Sexually Violent Predator (SVP) criteria will be identified and referred to the appropriate prosecuting authority for civil commitment consideration per RCW 71.09.

DIRECTIVE:

- I. End of Sentence Review Referrals
 - A. Case managers will make End of Sentence Review (ESR) referrals by completing DOC 05-411 End of Sentence Review Referral as follows:
 1. Individuals will be referred 24 months before their Earned Release Date (ERD).
 - a. Only one referral is required for each term of confinement for Community Custody Board (CCB) individuals. CCB revokes will require a new referral on the first term of the new confinement.
 2. Immediate referral will be made for:



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- a. Individuals with less than 6 months to ERD upon admission to a Reception Diagnostic Center,
 - b. Individuals with less than 24 months to ERD,
 - c. Pre-Sentencing Reform Act (PAR) individuals before a .100 hearing, and
 - d. Long Term Juvenile Board (LTJUVBRD) individuals who have a petition accepted by the Indeterminate Sentence Review Board (Board).
3. The ESR section of the General Status screen will be completed in the individual's electronic file by updating Status, Reviewer, and Review Date.
- B. LEN Program employees who initiate an ESR referral will update the General Status screen.
- C. Employees will forward any new information that becomes available after the initial ESR referral is emailed to the [DOC EOSR](#) shared mailbox, including:
- 1. Sexual misconduct or infractions, including alleged or attempted sexual offenses and/or threats to sexually reoffend,
 - 2. Possession of inappropriate items that may relate to sexual deviancy (e.g., sexual letters, drawings, photographs, magazines, sexually explicit materials as defined per WAC 137-48-020),
 - 3. Disclosure of previously unreported victims,
 - 4. Change in status relating to treatment programs,
 - 5. Violation of protective/no-contact order,
 - 6. Acts or threats of violence, and/or
 - 7. Psychological/psychiatric reports.
- D. Upon request from an LEN Program records employee, the most recent Community Corrections Officer (CCO) will submit the ESR referral for individuals serving a Community Custody Prison (CCP) return/revoke in a violator facility. The CCO will ensure the following information is in the electronic imaging file:
- 1. Notice of Violation/Arrest,
 - 2. Stipulated Agreements,
 - 3. Treatment reports/notes,
 - 4. Polygraphs, and
 - 5. Investigative reports from law enforcement or the Washington State Department of Children, Youth, and Families (DCYF) not yet scanned into the electronic imaging file.

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- E. An LEN Program employee will enter an ESR Referral Received at ESRC check date in the electronic file, which will update the General Status screen to “Referral Received”.
- F. LEN Program records employees will:
 - 1. Review referral packets, determine if additional information is needed, and update the Sex/Kidnap Registration screen in the electronic file.
 - a. If additional information is needed, the employee will make at least 2 attempts to retrieve it unless documentation is received from the agency of record that the information is no longer available.
 - 2. Prioritize/assign files for the LEN Program.
- G. In the event an emergency ESR is required within 35 days of a CCB individual’s planned release date, the assigned LEN Program employee will notify the Board of the scheduled review date and any significant changes to the actuarial risk assessments.

II. Preparation for End of Sentence Review

- A. The assigned LEN Program Specialist will:
 - 1. Review the available documents and prepare a detailed draft file review narrative, including:
 - a. A summary of the current offense
 - b. Sex offense history
 - c. Other criminal history
 - d. Psychological history
 - e. Treatment history
 - f. Infractions during current incarceration
 - g. Education/Employment history
 - h. Adolescent conduct problems
 - i. Relationship history
 - j. Potential additional/modified conditions of community custody for CCB individuals
 - k. The actuarial risk assessments score using the Static 99R Coding Job Aide maintained on the Department’s internal website
 - 2. Initiate DOC 07-031 End of Sentence Review Committee Decisions for sex offenders who are required to register per RCW 9A.44.130.

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- a. Narratives for current kidnapping/unlawful imprisonment individuals with a requirement to register will only be forwarded for ESRC review when the individual also has a current sex offense, SVO, or other current offense with sexual elements/motivation and a prior SVO per Attachment 1.

III. End of Sentence Review Committee


- A. The LEN Program Manager will manage ESRC processes and procedures. Committee membership will include representatives from local law enforcement and Washington State agencies which either have jurisdiction over the release of sex offenders or are significantly impacted by their release.
- B. Unless otherwise prohibited by law, the ESRC will have access to all relevant public agency records and information relating to the individual under review. Records and information requested and obtained will only be disclosed outside the committee when authorized by law.
- C. The ESRC will review each individual under its authority before release from confinement or start of the community custody term to:
 1. Classify the individual into a recommended risk level for the purposes of public notification.
 2. Report to the Board the results of actuarial risk assessments for CCB individuals recognized by experts in the prediction of sexual dangerousness, including a prediction of the probability that the individual will engage in sex offenses if released and recommend any additional/modified conditions of community custody.
 3. Review the proposed release plan.
 4. Make appropriate referrals.
- D. Prepared cases will be prioritized for ESRC review according to the ERD, before a .100 hearing, or when a petition has been accepted by the Board.
- E. Each committee member will review the ESRC packet, which will include copies of the draft file review narrative, draft DOC 07-031 End of Sentence Review Committee Decisions, and supporting case documents.

IV. End of Sentence Review Committee Decisions

- A. The ESRC will direct LEN Program employees to:

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1. Notify the Developmental Disabilities Administration for individuals identified as intellectually disabled.
 2. Notify the DCYF of reviewed individuals who are proposing to reside in or are releasing to a residence where a minor victim (i.e., under age 18) or victim-aged child(ren) resides, or the DCYF is already involved or has a special interest.
 3. Notify the Victim Services Program of potential victims who did not have an opportunity to enroll in the program or when current substantiated threats are made.
 4. Refer cases to the Reentry Community Services Program for review and appropriate action per DOC 630.590 Reentry Community Services Program.
 5. Notify other state agencies or organizations based on their need to know necessary and relevant information.
- B. If the ESRC determines the individual appears to meet criteria for civil commitment as a SVP, the case will be referred to the ESR SVP Subcommittee.
- C. Following an ESRC review, an LEN Program employee will:
1. Document ESRC decisions and/or referral to the ESR SVP Subcommittee in the electronic file.
 2. Scan the ESRC packet to the electronic imaging file.
 3. For CCB individuals:
 - a. Approximately 45 days before a .420 hearing, prepare a letter to the Board with the results of the actuarial risk assessments, recommendations for additional/modified conditions of community custody, and any updates since the initial ESRC review.
 - b. Scan the letter to the electronic imaging file, including a redacted and un-redacted ESRC packet.
 - c. Notify the Board, case manager, and facility records employees when the packets are available for review.
 4. For PAR and JUVBRD individuals, notify the Board when the ESRC packet is available for review.

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V. End of Sentence Review Sexually Violent Predator Subcommittee

- A. Following referral to the ESR SVP Subcommittee, the LEN Program Records Supervisor will identify and request un-redacted copies of all available records and files.
- B. The ESR SVP Subcommittee will review and decide whether to recommend a Forensic Psychological Evaluation (FPE) to determine if the individual meets SVP criteria.
 - 1. An LEN Program employee will document the ESR SVP Subcommittee's decision in the electronic file as follows:
 - a. If an FPE is recommended, an ESR 71.09 SVP Civil Commitment Referral check date will be added.
 - b. If an FPE is not recommended, the ESR Referred to ESR Subcommittee check date status will be completed as "Not Determined".
 - 2. If the ESR SVP Subcommittee has determined that the individual appears to meet the definition of an SVP:
 - a. The individual will not be assigned a less restrictive custody than Minimum Custody MI3.
 - b. Release plans will be reviewed per DOC 350.200 Transition and Release.
 - c. An FPE will be processed and assigned for CCB individuals as follows:
 - 1) If the individual has a 5-year or 10-year statutory Max Ex date, the FPE will be initiated one year before the statutory Max Ex date. The Board may submit a request to a LEN Program employee to process the FPE before finding the individual eligible for release.
 - 2) If the individual has a statutory Max Ex date of life, the FPE will be initiated when the Board emails a request to an LEN Program employee to process the FPE before finding the individual eligible for release.

VI. Sexually Violent Predator Forensic Psychological Evaluations

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- A. When an FPE is recommended, an LEN Program employee will:
1. Organize, scan, and convert the compiled legal discovery into a PDF file and add Department batch numbering.
 2. Create and document the status of all legal discovery requests on a Master Discovery sheet for the ESRC Chair's review and signature.
 3. Print the Chronological Event (chrono) record, contact narratives, Behavior Observation Entries, and Legal Face Sheet from the electronic file.
 4. Submit the supporting referral materials and signed Master Discovery sheet to the appropriate prosecuting authority via a secured transfer site.
- B. The FPE will be assigned to an expert evaluator by the prosecuting authority.
- C. Upon notification an FPE has been assigned, an LEN Program employee will submit the assigned evaluator's FPE consent form to a designated contact person (e.g., case manager).
1. The contact person will review the consent form with the individual and ask the individual to sign and date the form, indicating willingness to participate in an FPE interview with the assigned evaluator.
 - a. If the individual agrees to participate, the LEN Program employee will provide the evaluator with directions to the appropriate facility and the contact person's name and phone number in order to make interview arrangements.
 - b. If the individual declines to participate and/or refuses to sign the consent form, the contact person will ensure the individual is informed that the evaluation will be completed without the individual's input via records review only.
 - 1) The contact person will write "Refused to Sign" on the individual's signature line, if applicable.
 2. The contact person will sign and date the consent form as the witness and return the original to the LEN Program employee.
 - a. The LEN Program employee will forward a signed copy to the prosecuting authority and assigned evaluator.

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- D. Upon receiving the completed FPE, an LEN Program employee will forward a signed copy to the prosecuting authority and ESRC Chair and enter a chrono and update the check date screens.

VII. Sexually Violent Predator Civil Commitment Referrals

- A. Individuals under Department jurisdiction who appear to meet the criteria of an SVP will be referred, in writing, to the prosecuting attorney of the county where the individual was charged and/or adjudicated.
 - 1. The referral will be signed by the ESR Chair and submitted by a Civil Commitment Program employee and, when possible, 3 months before the anticipated release from total confinement per RCW 71.09.025.
 - a. If the most recent SVO was adjudicated in another state, the referral will be submitted to the prosecuting attorney of the county where the most recent sex offense was charged and/or adjudicated in Washington State.
 - 2. The original referral will be scanned into the electronic imaging file.
- B. An LEN Program employee will enter a chrono and update the check date screens on the date the referral is submitted to the appropriate prosecuting attorney.
- C. Employees will direct all questions and concerns regarding the status of an individual's civil commitment referral to an LEN Program employee. Employees will not directly contact the King County Prosecutor's Office or the Washington State Attorney General's Office.
- D. LEN Program employees will monitor release dates and movements to ensure appropriate actions are taken within allowed timeframes. All actions and completion dates will be documented in the electronic file.
- E. Once the prosecuting authority elects or declines to file a probable cause petition, an LEN Program employee will notify appropriate Department employees of the decision, enter a chrono, and update the check date screens.

VIII. Subject to Notification Upon Release

- A. When possible, the assigned LEN Program Specialist will request any additional relevant information (e.g., treatment summaries, release address, release conditions) from employees at least 30 days before an individual subject to

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notification by the ESRC/LEN Program is transferred to partial confinement or released to the community.

B. The assigned LEN Program Specialist will review the Release Plan, update the ESR file, and complete notifications.

1. The narrative notices will identify the individual, describe the criminal history, and include the ESRC's justification for recommended risk level, where applicable.

2. The narrative notice will be distributed to the following:

- a. Prosecutor's Office in the county of sex offense conviction(s)
- b. Prosecutor's Office in the county of release
- c. Sheriff's Office in the county of residence
- d. Tribal law enforcement in the county of residence
- e. Local law enforcement in the city in which the individual will reside
- f. Homicide Information Tracking System (HITS) Unit
- g. United States Department of Homeland Security
- h. Department Field Office that will supervise the individual
- i. Assigned CCO, if applicable
- j. Out-of-state assigned parole/probation officer, if approved to release to another state under the Interstate Compact
- k. Additional agencies as requested by the ESRC


C. Employees will immediately report any changes to the release date and/or Release Plan to the LEN Program Records Supervisor and the assigned LEN Program Specialist to allow amended notifications.

D. An LEN Program employee will enter a chrono and update the check date screens.

IX. Recent Overt Act Sexually Violent Predator Civil Commitment Referrals


A. Employees will immediately contact the [Civil Commitment Program](#) and discuss with their supervisor when it appears that an individual has:

1. At any time been previously adjudicated, convicted, or found not guilty by reason of insanity or incompetent to stand trial for an SVO as defined per Attachment 1, and
2. Committed any act, threat, or combination that has either caused harm of a sexually violent nature or creates a reasonable suspicion of such harm

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in the mind of an objective person who knows of the history and mental condition of the person engaging in the act/behaviors per RCW 71.09.020.

- B. The employee will forward DOC 07-021 Recent Overt Act Screening, including any supporting documentation, and document action(s) taken as a chrono.
- C. A Civil Commitment Program employee will:
 - 1. Review and request additional information as needed.
 - 2. Notify the appropriate prosecuting authority when it appears that a potential recent overt act has occurred.
 - 3. Process legal discovery and the civil commitment referral, enter a chrono, and update the check date screens.
 - a. Referrals will be submitted to the prosecuting authority where the recent overt act occurred.
- D. Once the prosecuting authority elects or declines to file a probable cause petition, a Civil Commitment Program employee will notify appropriate employees of the decision and enter a chrono.
- X. Detained Pending Sexually Violent Predator Civil Commitment Proceedings
 - A. Following release to an SVP civil commitment probable cause detainer, facility records employees will:
 - 1. Enter the Pending Civil Commitment release code on the Prison Movement screen in the electronic file on the date the individual is released from Department confinement.
 - 2. Email the Civil Commitment Program to notify of the release and whether the individual has community supervision time remaining.
 - B. When notice of release pending civil commitment proceedings is received, a Civil Commitment Program employee will:
 - 1. Gain previous and/or current causes to the Civil Commitment Program Administrator's caseload and begin tolling on the date of release from Department or jail confinement, using the Start Civil Commitment activity type on the Supervision Activities screen in the electronic file.
 - 2. Notify facility and/or Field records employees to archive files (i.e., central and previous Field).

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DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Sexually Violent Offenses (Attachment 1)

DOC FORMS:

- DOC 05-411 End of Sentence Review Referral
- DOC 07-021 Recent Overt Act Screening
- DOC 07-031 End of Sentence Review Committee Decisions

SEXUALLY VIOLENT OFFENSES

Sexually Violent Offenses (SVOs) include:

1. Offenses that are sexual in nature:

- Rape 1
- Rape 2, only if it was charged as having been committed with forcible compulsion
- Rape of a Child 1 or 2
- Child Molestation 1 or 2
- Statutory Rape 1 or 2
- Indecent Liberties, only if it was charged as having been committed with forcible compulsion or against a child under age 14
- Incest, only if it was charged as having been committed against a child under age 14
- A felony offense in effect at any time prior to July 1, 1990 that is comparable to any of the above offenses

2. Offenses that are not sexual in nature by title, but are committed with sexual motivation/elements (i.e., one of the purposes for which the individual committed the crime was for the purpose of sexual gratification), include:

- Murder 1 or 2
- Assault 1 or 2
- Assault of a Child 1 or 2
- Kidnapping 1 or 2
- Burglary 1
- Residential Burglary
- Unlawful Imprisonment

A sexual motivation finding or enhancement on the Judgment and Sentence is not required to be an SVO. The circumstances surrounding the offense and the individual's history will be considered when determining whether the offense was sexually motivated.

3. If convicted of attempting, soliciting, or conspiring to commit any of the above offenses

4. Any federal or out-of-state conviction for a felony offense which the prosecuting authority finds comparable to an SVO



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POLICY

TITLE
**IMMIGRATION INFORMATION AND
DEPORTATION HEARINGS**

REVIEW/REVISION HISTORY:

Effective: 1/16/95
 Revised: 8/22/01
 Revised: 11/7/03
 Reviewed: 2/12/07
 Revised: 6/26/08
 Reviewed: 6/21/10
 Revised: 6/24/11
 Revised: 7/9/12
 Revised: 1/22/16
 Revised: 3/26/24

SUMMARY OF REVISION/REVIEW:

Major changes to include updated title, terminology, person-centered changes throughout, and alignment with updated statute. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

2/28/24

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.685](#); [RCW 10.93.160](#); DOC 450.500 Language Services for Limited English Proficient Individuals

POLICY:

- I. The Department will not deny services, benefits, privileges, or opportunities for incarcerated individuals based on the presence of an immigration detainer, hold, notification request, or civil immigration warrant unless required by law or as necessary for classification or placement purposes.
- II. The Department will not:
 - A. Enter into any immigration detention agreement or contract for the provision of language services from federal immigration authorities.
 - B. Accept language services from federal immigration authorities, including free language services.
- III. The Department has established procedures for providing immigration information and notification of immigration deportation hearings.
- IV. Nothing in this policy prohibits the collection, use, or disclosure of information that is required to comply with state or federal law or in response to a court order.

DIRECTIVE:

- I. General Requirements
 - A. Individuals arriving at a Reception Diagnostic Center who may have deportation proceedings initiated against them will be provided a copy of this policy at orientation. An orientation employee will:
 1. Ensure individuals with a language barrier/disability that impacts the ability to read or understand English is provided the opportunity to request interpretation and/or translation services per DOC 450.500 Language Services for Limited English Proficient Individuals.
 2. Advise individuals that requests by them or their attorney for access to the individual's records must be made in a timely manner and:
 - a. Of the requirement to sign a release of information to allow an attorney access to their records.

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- b. That sufficient notice is required prior to a scheduled deportation hearing to ensure access to the file.
3. Have the individual sign DOC 05-433 Immigration and Deportation Hearing Information Acknowledgement.

II. Federal Immigration Interviews

- A. Federal immigration authorities may only be granted an interview for federal immigration violations with an incarcerated individual when required by state/ federal law or court order and/or the individual provides written consent.
- B. Written consent by the individual must be obtained on DOC 07-052 Consent to be Interviewed by Immigration and Custody Enforcement with a verbal explanation, using an interpreter when needed, of the following:
 1. The purpose of the interview.
 2. That the interview is voluntary, and the individual may choose to be interviewed with or without an attorney present or can decline to be interviewed.
 3. That the individual will not be punished or retaliated against for declining an interview.
- C. DOC 07-051 Certification of Criminal Investigation by Immigration and Customs Enforcement must be completed and signed by the investigating officer and approved by the Governor's General Counsel before access to any incarcerated individual is allowed.

III. Deportation Hearings

- A. Whenever a deportation hearing is scheduled at a Department facility, employees will:
 1. Notify the individual within one business day of the date the facility receives the order and notice,
 2. Attempt to provide actual translation of the order and notice into the individual's primary language within a reasonable period upon receipt of the order and notice,
 3. Document in the individual's electronic file that an attorney requesting access to records has a valid release signed by the individual, and

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4. Make a reasonable effort to provide the individual or the individual's attorney access for timely inspection of the individual's central file in preparation for the deportation hearing after either party has given reasonable notice.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- DOC 05-433 Immigration and Deportation Hearing Information Acknowledgement
- DOC 07-051 Certification of Criminal Investigation by Immigration and Customs Enforcement
- DOC 07-052 Consent to be Interviewed by Immigration and Custody Enforcement



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POLICY

TITLE
**SOCIAL MEDIA AND ELECTRONIC DEVICE
MONITORING FOR SUPERVISION**

REVIEW/REVISION HISTORY:

Effective: 5/2/19
Revised: 1/12/22

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

12/29/21
Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; DOC 280.100 Acceptable Use of Technology; DOC 280.510 Public Disclosure of Records; DOC 420.365 Evidence Management for Work/Training Release; DOC 420.390 Arrest and Search; DOC 420.395 Evidence/Property Procedures for Field; DOC 460.130 Response to Violations and New Criminal Activity; DOC 460.135 Disciplinary Procedures for Work Release; DOC 850.030 Relationships/Contacts with Individuals

POLICY:

- I. The Department has established procedures for the use of internet social media and monitoring/filtering software as a tool in the supervision and case management of individuals assigned to Reentry Centers, partial confinement, or community supervision.
- II. For the purposes of this policy:
 - A. Monitoring of internet social media involves unconcealed use (e.g., use of an account which identifies the user as a Department employee) to review an individual’s internet social media content as a part of general case management. This level of engagement includes no interaction between the employee and any other user.
 1. For Department imposed conditions, only internet social media content that is considered public domain data (i.e., open to the public) will be monitored.
 - B. Investigation using internet social media involves unconcealed use to review an individual’s internet social media content for approved information gathering if there is reasonable cause to believe the individual has committed a new crime or violated a condition of confinement/supervision. This level of engagement may include interacting with other internet social media users.
- III. Exceptions to allow the use of an account which does not identify the user as a Department employee or concealed use of internet social media for case management require approval from the appropriate Assistant Secretary/designee through the chain of command.
- IV. This policy does not cover use of social media sites for community engagement or an employee’s personal use of social media while off duty.

DIRECTIVE:

- I. General Requirements



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**SOCIAL MEDIA AND ELECTRONIC DEVICE
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- A. Internet social media accounts used for case management will comply with DOC 280.100 Acceptable Use of Technology.
- B. Only Department-approved monitoring/filtering software will be used for case management activities.
- C. Employees will comply with all Department security and confidentiality requirements and related Terms of Service and Privacy policies.
- D. Information obtained through monitoring and/or investigations will only be used for purposes of case management, supporting allegations for violations, and maintaining public safety.
- E. Computer and internet social media use may be restricted, but not prohibited, unless ordered by a court or Indeterminate Sentence Review Board (Board).
- F. No authorization is required for online searches of public domain data outside internet social media (e.g., Google, Bing).
- G. Before using internet social media or monitoring/filtering software for case management activities, authorized employees must complete Department approved training on their use.
- H. Before being given access to a social media application, authorized employees must accept the conditions established by the third party provider for the social account application.

II. Responsibilities


- A. The following employees are authorized to monitor and/or investigate individuals assigned to Reentry Centers, partial confinement, or community supervision through internet social media and use of monitoring/filtering software:
 - 1. Case managers
 - 2. Community Corrections Specialists
 - 3. Community Corrections Supervisors (CCSs)
 - 4. Field Administrators
 - 5. Reentry Center Administrator
 - 6. Regional Administrators
 - 7. Assistant Secretaries for Community Corrections and Reentry
- B. Employees will not:
 - 1. Use information obtained through monitoring/investigating internet social media use for unauthorized purposes.

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2. Monitor and/or investigate an individual's internet social media activity:
 - a. While the employee is off duty, or
 - b. Using unauthorized means, including personal accounts, internet service providers, devices, and/or software.
3. Have contact with individuals under Department jurisdiction through social media beyond what is required in the performance of official Department duties per DOC 850.030 Relationships/Contacts with Individuals.
4. Look up an individual's internet social media profile solely because the individual is under Department jurisdiction.
5. Modify any Department-approved internet social media account, including changing the user name or using an alias.
6. Collect or maintain information on an individual's political, religious, or social views, associations, or activities unless there is a legitimate public safety purpose.

III. Monitoring

- A. Internet social media and monitoring/filtering software will only be used for monitoring purposes as follows:
 1. Case managers will monitor conditions that order the monitoring of internet social media, the use of monitoring/filtering software, and/or restriction on the use of internet social media by:
 - a. A court or the Board, or
 - b. The sending state, for individuals being supervised in Washington State under the Interstate Compact.
 2. Case managers may impose a Department condition for internet social media monitoring, use of monitoring/filtering software, and/or restriction on the use of internet social media for individuals:
 - a. With a current sex offense.
 - b. With a prior sex offense that directly involved internet use or the use of a computer, computer related equipment, or communications device and service.
 - c. On partial confinement other than a Reentry Center (e.g., Family and Offender Sentencing Alternative, Graduated Reentry).

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- B. For individuals being monitored through internet social media or monitoring/filtering software, regular intervals for monitoring will be established. Monitoring frequency will comply with any requirements outlined in the condition, when applicable. Monitoring will be documented in chronological entries in the electronic file.
 - C. When monitoring/filtering software is used, the individual must complete and sign DOC 11-080 Social Media and Electronic Device Monitoring Agreement, which includes a complete and accurate inventory of all electronic devices they own/access.
 - 1. Failure to declare a device will be addressed as a violation per DOC 460.135 Disciplinary Procedures for Work Release or DOC 460.130 Response to Violations and New Criminal Behavior when the device can reasonably be determined to have been used by the individual. The device will be added to the individual's inventory, and monitoring/filtering software will be installed.
 - 2. Monitoring/filtering software will not be used on publicly accessible devices (e.g., internet cafes, public libraries, individual's employer).
 - D. Monitoring and/or filtering software must allow for:
 - 1. Conducting initial and periodic reviews.
 - 2. Identification of prohibited data and software changes once the monitoring/filtering software is installed.
 - 3. Confirmation that the monitoring software is functioning correctly.
 - 4. Detection of attempts to circumvent the monitoring software.
- IV. Investigations
- A. Use of internet social media for pre-sentence investigations and risk assessment reports ordered by a court is allowed without CCS approval.
 - B. With CCS approval, internet social media may be used for investigation purposes for any individual assigned to a Reentry Center, partial confinement, or community supervision.
 - 1. The requesting employee must specify the reason for the request. The approval will specify the approved duration of use, which will not exceed 10 business days.

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2. The CCS will document the approval, reason, and approved duration in a chronological entry in the individual's electronic file.

V. Evidence

- A. If information gathered through internet social media or monitoring/filtering software will be used as evidence of a violation, the case manager will authenticate and validate the information in one or more of the following ways:
 1. Self-admission
 2. Screen shots
 3. Polygraph
 4. Account profile owner and internet protocol (IP) address identification information
 5. Corroborating information
 6. Electronic metadata
 7. Digital Exchangeable Image File Format (EXIF) data, for photographs
 8. Electronic devices
 9. Email addresses
 10. Supplemental reports (e.g., law enforcement, change of custody, transcripts)
- B. Reentry Center infractions will be addressed per DOC 460.135 Disciplinary Procedures for Work Release. Violations of supervision will be addressed per DOC 460.130 Response to Violations and New Criminal Activity.
- C. Information retained by Department employees as evidence of violations and/or new criminal activity will be collected, managed, stored, and retrieved per DOC 280.510 Public Disclosure of Records, DOC 420.365 Evidence Management for Work/Training Release, DOC 420.395 Evidence/Property Procedures for Field, and DOC 420.390 Arrest and Search, as applicable.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Monitoring and Filtering Devices, Public Domain Data, Social Media. Other words/terms appearing in this policy may also be defined in the glossary section.

ATTACHMENTS:

None

DOC FORMS:



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POLICY

TITLE
VEHICLE USE IN PARTIAL CONFINEMENT

REVIEW/REVISION HISTORY:

- Effective: 7/17/03
- Revised: 7/31/06
- Revised: 7/31/07
- Revised: 9/24/08
- Reviewed: 6/12/09
- Revised: 12/26/11
- Revised: 2/3/14
- Revised: 11/25/20
- Revised: 11/16/21
- Revised: 8/9/23

SUMMARY OF REVISION/REVIEW:


Applicability and title change
 Policy statement I. and Directive II.A.4 - Added clarifying language
 I.A., I.E., I.F., II.A.3., and II.B. - Adjusted language for clarification
 I.C.2. and II.A.1. - Removed language for clarification
 Added II.A.1.b. that individuals must have authorization to use an employer owned vehicle
 Added II.A.4.b. that the CCS may approve an individual with pending charges
 Added II.C. that the CCS will document approval/denial

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

7/7/23
 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; DOC 420.325 Searches in Reentry Centers; DOC 420.390 Arrest and Search; DOC 420.555 Key Control for Work/Training Release (RESTRICTED)

POLICY:

- I. The Department has established guidelines for incarcerated individuals to use vehicles not owned by the Department while housed in partial confinement.

DIRECTIVE:

- I. General Requirements
 - A. Individuals may request to use personally owned vehicles for approved purposes using DOC 02-371 Personal Vehicle Use Authorization.
 - B. Individuals may request to use employer owned vehicles for legitimate employment purposes using DOC 02-024 Employer Vehicle Use Authorization.
 - C. Individuals will operate vehicles in a responsible and safe manner, comply with all traffic laws and regulations, and be legally and financially responsible for any costs incurred for vehicle operation and maintenance, including traffic/parking fines and damage to property/others.
 - 1. Individuals must immediately notify the case manager when a traffic violation or vehicle accident occurs.
 - 2. The Community Corrections Supervisor (CCS) will reevaluate approval for vehicle use upon receipt of the notification.
 - D. Vehicles are subject to search per DOC 420.325 Searches in Reentry Centers or DOC 420.390 Arrest and Search.
 - E. When the vehicle is parked at a Reentry Center, vehicle keys will be secured per DOC 420.555 Key Control for Work/Training Release (RESTRICTED).
 - F. The case manager will require individuals to maintain and document each authorized use on DOC 02-022 Partial Confinement Mileage Log. The log will be provided to the case manager upon request.
- II. Approval
 - A. Vehicle use must be approved by the CCS and the individual must:

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1. Be the registered owner of the vehicle unless approval is documented on:
 - a. DOC 02-371 Personal Vehicle Use Authorization to use an immediate family member/friend's vehicle, or
 - b. DOC 02-024 Employer Vehicle Use Authorization to use an employer owned vehicle.
2. Provide proof of adequate liability insurance coverage in compliance with state statutes.
3. Have a valid driver's license unless the individual is approved vehicle use to obtain a Washington State driver's license (e.g., driving with a permit, driving test, driving school).
4. Not have a current crime of conviction involving driving a motor vehicle.
 - a. This does not include driving while license suspended/revoked.
 - b. The CCS may approve an individual with pending charges.
- B. In Reentry Centers, space may be limited for parking a vehicle.
- C. The CCS will document approval/denial using DOC 02-371 Personal Vehicle Use Authorization or DOC 02-024 Employer Vehicle Use Authorization.
 1. Use may be denied by the CCS if the individual is not following the conditions and expectations.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Immediate Family, Partial Confinement. Other words/terms appearing in this policy may also be defined in the glossary section.

ATTACHMENTS:

None

DOC FORMS:

- DOC 02-022 Partial Confinement Mileage Log
- DOC 02-024 Employer Vehicle Use Authorization
- DOC 02-371 Personal Vehicle Use Authorization



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TITLE
WASHINGTON STATE IDENTIFICATION/SOCIAL SECURITY CARDS

REVIEW/REVISION HISTORY:

- Effective: 6/15/01
- Revised: 1/2/04
- Revised: 2/6/06
- Revised: 12/28/06 AB 06-020
- Revised: 2/28/07
- Revised: 5/21/08
- Revised: 9/2/08 AB 08-023
- Revised: 1/14/09 AB 09-001
- Reviewed: 1/18/11
- Revised: 3/4/21
- Revised: 11/3/21
- Revised: 5/16/22

SUMMARY OF REVISION/REVIEW:

I.D. - Added language for clarification
Added I.D.1. that case managers will notify DSHS to request an identification card for an LRA
II.C. - Removed that the Social Security Administration will be provided with documentation to verify the individual's identity


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

5/2/22

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; DOC 440.020 Transport of Property

POLICY:

- I. To facilitate transition to the community, the Department will assist individuals under the Department’s jurisdiction in obtaining a Washington State identification card from the Department of Licensing and/or a replacement social security card from the Social Security Administration.

DIRECTIVE:

- I. Identification Card Application
 - A. Individuals must provide a Washington State mailing/residential address to receive an identification card.
 - B. In Prisons, the case manager will initiate applications for individuals who need Washington State identification up to one year before the earliest transfer date to partial confinement, the release date, or any known court date for individuals impacted by sentence reform.
 1. Applications will be initiated through the Department of Licensing application portal via dol.wa.gov.
 2. For individuals with less than 30 days before transferring to partial confinement or to the Earned Release Date (ERD), the case manager will initiate DOC 21-777 DLE-520-090A Post-Release Application.
 - C. In Prisons, facility records employees will:
 1. Photograph the individual using the background provided by the Department of Licensing and obtain the individual’s signature.
 2. Update the application with the current photograph and signature and submit via dol.wa.gov.
 3. Document the application status in the individual’s electronic file as a chronological event.
 - D. If an application has not been previously submitted, the case manager/designee will initiate DOC 21-777 DLE-520-090A Post-Release Application during intake for individuals housed in partial confinement or on community supervision.

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1. For sexually violent predators released to a court-ordered Less Restrictive Alternative, the case manager will notify Department of Social and Health Services to initiate the application.

II. Social Security Card Application

- A. Individuals who have never had a social security card may apply for an original card with the Social Security Administration upon release.
- B. Individuals who are United States citizens may request a replacement social security card within 180 days to the earliest transfer date to partial confinement, the release date, or any known court date for individuals impacted by sentence reform.
 1. Requests will be submitted using [SS-5 Application for a Social Security Card](#) and [SSA-3288 Consent for Release of Information](#).
 2. The individual's signature is required and should reflect the legal name, not the court/committed name. All aliases and social security numbers used should be listed under "Other Names Used".
 3. The DOC number should be included in the address.
- C. At least monthly, completed applications and supporting documentation will be mailed to the Social Security Administration with a cover letter on Department letterhead.
 1. The Superintendent/designee will provide the Social Security Administration with current Department letterhead and signatures of Department employees authorized to sign the cover letter.

III. Storage and Issuance

- A. Identification and social security cards received by the Department will be:
 1. In Prisons, stored in a secure area (i.e., a locked drawer, cabinet, or safe) accessible only by authorized employees pending placement of the card in the central file.
 - a. Social security cards will be returned to the Social Security Administration for disposition if:
 - 1) They cannot be associated with the proper individual within 30 days.

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- 2) The individual is unavailable to receive the card (e.g., death, released).
2. Transported per DOC 440.020 Transport of Property.
 3. Provided to the individual upon arrival at a Reentry Center, placement on electronic home monitoring, or release to the community.
- B. Individuals will acknowledge receipt of identification and/or social security cards on DOC 02-335 Acknowledgment of Receipt of Identification/Social Security Card.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 02-335 Acknowledgment of Receipt of Identification/Social Security Card
 DOC 21-777 DLE-520-090A Post-Release Application



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POLICY

TITLE
INTERSTATE COMPACT

REVIEW/REVISION HISTORY:

- Effective: 12/20/01
- Revised: 5/7/04
- Revised: 9/29/04
- Revised: 5/9/06
- Revised: 5/9/07
- Revised: 6/14/07 AB 07-018
- Revised: 1/1/08 AB 07-038
- Revised: 7/18/08
- Revised: 10/6/08 AB 08-027
- Revised: 3/27/09 AB 09-010
- Revised: 8/1/10
- Revised: 10/1/11
- Revised: 11/21/11
- Revised: 3/24/14
- Revised: 4/13/15
- Revised: 1/1/19
- Revised: 12/20/21
- Revised: 7/1/22
- Revised: 9/19/23

SUMMARY OF REVISION/REVIEW:

V.C. - Adjusted language for clarification
IX.F. - Removed unnecessary language


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

9/15/23

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.130](#); [RCW 9.94A.745](#); [RCW 72.74](#); DOC 310.100 Intake; DOC 310.610 DNA Samples; DOC 350.750 Warrants, Detainers, and Holds; DOC 380.200 Supervision of Individuals in the Community; DOC 380.650 Travel for Individuals Supervised in the Community; DOC 390.600 Imposed Conditions; DOC 420.390 Arrest and Search; DOC 460.130 Response to Violations and New Criminal Activity; DOC 580.655 Drug Sentencing Alternative; [Interstate Commission for Adult Offender Supervision \(ICAOS\) Rules](#)

POLICY:

- I. An individual who is eligible for transfer under the Interstate Compact cannot relocate to another state except as provided by the Interstate Commission for Adult Offender Supervision (ICAOS).
- II. The Department will supervise all felony and qualifying misdemeanor individuals transferred to Washington State under ICAOS.

DIRECTIVE:

- I. General Requirements
 - A. Employees must have Interstate Compact Offender Tracking System (ICOTS) access to take any action on an Interstate Compact case. Instructions for obtaining ICOTS access are available under Resources on the Interstate Compact SharePoint site.
 1. Employees will report any ICOTS issues to the Interstate Compact Unit.
 - B. Per ICAOS Rule 2.101, all written, electronic, and oral communication regarding a From Out-of-State (FOS) individual will be made only through the Interstate Compact Unit and/or ICOTS unless approved by the Deputy Compact Administrator/designee.
 - C. The ICAOS website, www.interstatecompact.org, provides information about the compact. The Interstate Compact SharePoint site provides helpful information on the ICAOS rules, Washington processes, and using ICOTS.
- II. Assigning From Out-of-State Cases
 - A. The Interstate Compact Unit employees will process:
 1. Reporting instructions within 2 business days,
 2. Interstate violation reports within 3 business days, and

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3. Transfer requests and progress reports within 5 business days.

B. Reporting instruction assignments will be made within one business day of receipt from the Interstate Compact Unit. Transfer investigation assignments will be made within 3 business days of receipt from the Interstate Compact Unit.

1. Reporting instructions and transfer investigations for the same individual should be assigned to the same case manager.

2. Each FOS individual must be assigned to the same case manager in the electronic file and ICOTS upon approval of the transfer request.

C. The case manager or Assignment Coordinator will follow the Request for Reporting Instructions (FOP - From Out-of-State Pending) Checklist maintained on the Department's website for individuals with approved reporting instructions or an approved transfer request.

1. DOC 20-314 From Out-of-State (FOS) Face Sheet will be submitted only when an individual reports to the Field Office for the first time.

III. Travel Permits

A. Individuals relocating to another state will only be issued travel permits with the permission of the receiving state per ICAOS rules.

B. Travel for individuals in Washington State under approved reporting instructions or a transfer request will be completed per DOC 380.650 Travel for Individuals Supervised in the Community.


IV. Reporting Instructions

A. Individuals relocating to another state under the Interstate Compact require reporting instructions per ICAOS rules.


B. When sex offense reporting instructions have been assigned, the case manager will conduct a residence visit within 3 business days of the assignment by the Interstate Compact Unit.

1. A recommendation to deny the reporting instructions must be approved by a Community Corrections Supervisor (CCS), and justification for the denial placed in the electronic file before the denial is submitted to the Interstate Compact Unit.

V. Outgoing Transfer Requests

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- A. Employees will refer to ICAOS Rule 3.101 to determine an individual's eligibility for transfer to another state.
- B. Case managers will use DOC 02-301 Outgoing Transfer Checklist to complete the transfer request.
 1. When an individual has been sentenced under a Special Sex Offender Sentencing Alternative or residential drug sentencing alternative is requesting to transfer out of state, the court must sign and return DOC 09-286 Court Special - Interstate Compact Transfer Request and DOC 09-292 Report for Court Approval to Apply for Interstate Transfer before the case manager submits the transfer request.
 2. When individuals under Indeterminate Sentencing Review Board (Board) jurisdiction request to transfer out of state, the Board must approve the request before the individual is allowed to leave Washington State.
 3. For an individual sentenced under a drug sentencing alternative, the case manager will review the individual's compliance per DOC 580.655 Drug Sentencing Alternative before submitting the request.
- C. Prison and Reentry Center case managers will submit a transfer request through ICOTS no earlier than 120 days prior to the individual's Earned Release Date (ERD) when:
 1. The individual has Department supervision from the Prison cause and/or any tolling causes,
 2. The individual requests to release to another state, and
 3. The plan has been verified by the case manager and appears to be legitimate.
- D. Once the transfer request has been approved, and the notice of arrival has been submitted indicating the individual has reported to the receiving state, the ICOTS case will be transferred to the Interstate Compact Unit unless the individual is pending retake (i.e., sending state is taking the individual back).
 1. For Prison releases, the Interstate Compact Unit will create or retrieve the individual's Field file. For all other individuals, the Field file will be transferred to the Interstate Compact Unit.
 2. Prior to transferring the case, the case manager will conduct a review per the Interstate Compact Electronic/Field File Transfer Checklist maintained on the Department's website.

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- E. If a transfer request has been submitted in ICOTS, and the individual is later found not eligible for supervision, the case manager will notify the individual and the Interstate Compact Unit and withdraw the case in ICOTS.

VI. Incoming Transfer Requests

- A. Case managers will use the Transfer Investigation Checklist maintained on the Department's website when conducting Interstate Placement Investigations (IPIs) for incoming transfer requests from other states.
1. IPIs must be completed within 30 days of receipt from the Interstate Compact Unit.
 2. The case manager will complete and document in the electronic file a residence visit with the individual and/or collateral within 10 days of the IPI assignment. If the individual or a collateral is available, the visit will satisfy the residence verification visit required by DOC 380.200 Supervision of Individuals in the Community.
- B. Before submitting the Reply to Transfer Request through ICOTS, the case manager will document actions taken and justification for the decision in the electronic file. Per ICAOS Rule 4.103:
1. All conditions that Washington State will impose must be noted in the "Supervision Conditions Imposed by the Receiving State" section of the Reply to Transfer Request.
 2. Any conditions that Washington State cannot comply with or monitor due to Department policies and practices must be noted in the "Conditions State Cannot Comply With" section of the Reply to Transfer Request.
- C. Denials must be approved by the CCS and the reason(s) must be documented in the electronic file before being submitted to the Interstate Compact Unit.

VII. Victim Sensitive Cases

- A. Outgoing cases should be marked victim sensitive in ICOTS only if:
1. Victim Sensitive is marked "Yes" in the electronic file,
 2. The case manager has received information that the victim has requested to be notified of changes in the individual's interstate status and has verified that the Victim Services Program has the victim's contact information, or

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3. The electronic file indicates there are victim-related community safety concerns. The case manager will review all information under Safety Concerns and contact the Victim Services Program, or the Board Victim Liaison for Board individuals, to verify they have the victim's contact information.

B. In cases identified as victim sensitive by the sending state, the case manager will complete victim notification per ICAOS Rule 3.108.

VIII. Notice of Departure and Arrival

A. Upon an individual's arrival in/departure from Washington State, the case manager will submit a notice of departure/arrival as appropriate in ICOTS per ICAOS Rule 4.105.

IX. Supervision in Washington

A. A case manager will only assume supervision for the FOS case once the individual reports to the Field Office in response to approved reporting instructions or an approved transfer request.


1. Individuals being supervised on granted reporting instructions should be directed to report at least once per week to the case manager assigned to the investigation until the transfer request has been approved. For individuals already on supervision in Washington State, the case manager will continue the current supervision contact expectations.

a. Upon initial contact with the individual, the case manager will review with and have the individual sign the following documents:

- 1) DOC 07-023 Registration Notification, if applicable
- 2) DOC 07-024 Conditions, Requirements, and Instructions
- 3) DOC 09-274 Notification of Department Violation Process
- 4) DOC 14-035 Acknowledgment of Drug/Alcohol Testing - Field, if testing is required

2. After the transfer has been approved, the assigned case manager will complete intake per DOC 310.100 Intake.


B. FOS individuals will be charged the same supervision intake fees as Washington State individuals per ICAOS Rule 4.107.

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- C. The case manager will ensure a DNA sample is taken per DOC 310.610 DNA Samples when requested by the sending state. The sample will be mailed to the sending state for testing.
- D. FOS cases will be supervised the same as similar Washington State cases.
- E. The case manager may impose appropriate conditions per DOC 390.600 Imposed Conditions. The case manager will complete a progress report to notify the sending state of any conditions imposed by the case manager that were not identified in the Reply to Transfer Request.
- F. The case manager may issue a Secretary's Warrant through Violator Management per DOC 350.750 Warrants, Detainers, and Holds.


X. Violations

- A. Response to violation behavior will be determined by whether or not a retake will be requested of the sending state. Retakes will only be requested by the case manager for:
 - 1. A new felony or violent misdemeanor conviction(s),
 - 2. Absconding, as defined in DOC 350.750 Warrants, Detainers, and Holds,
 - a. Before submitting an interstate violation report for absconding, the case manager must first:
 - 1) Conduct a field contact at the last known residence,
 - 2) Contact the last known place of employment, if applicable, and
 - 3) Contact known family members and other collateral contacts.
 - 3. Violation behaviors that pose a risk to officer or public safety, or
 - 4. Violation behavior which demonstrates the individual is not amenable to supervision (i.e., an act or pattern of non-compliance with conditions of supervision that could not be successfully addressed through the use of documented corrective action or graduated responses and would result in a request for revocation of supervision in the receiving state).
- B. If a retake is not being requested, the case manager will report the violation behavior to the sending state via a progress report and attach all supporting


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documentation. The case manager will address the violation per DOC 460.130 Response to Violations and New Criminal Activity.

- C. If the case manager is requesting the individual be retaken by the sending state, the case manager will arrest the individual per DOC 420.390 Arrest and Search and submit an interstate violation report through ICOTS within 2 business days of arrest. The case manager will attach all supporting documentation.
1. The case manager will staff the violation report with the CCS and document in the electronic file.
 2. The case manager will serve the individual DOC 02-399 Interstate Compact Notice of Probable Cause Hearing, Rights, and Waiver and necessary discovery materials no later than 24 hours before the scheduled Probable Cause (PC) hearing.
 - a. For the purposes of establishing jurisdiction, the case manager will include in the discovery materials the signed Interstate Application, and either the approved:
 - 1) Transfer Request, or
 - 2) Request for Reporting Instructions if the Transfer Request has not been completed.
 - b. If the individual refuses to sign the waiver section of the form, the case manager will proceed with a PC hearing per ICAOS Rule 5.108.
 - 1) The case manager will present the alleged violation(s) at the hearing using the printed interstate violation report from ICOTS. DOC 09-228 Report of Alleged Violation will not be acted at a PC hearing.
 - 2) The Hearing Officer will specify on the record whether Probable Cause is found and document the finding on DOC 09-233 Hearing and Decision Summary Report. The Hearing Officer will not impose or recommend any sanction.
 - a) If probable cause is found, the Hearing Officer will provide the jail a copy of the form, notify them the individual is subject to a retake, and instruct them to hold the individual on the Department's detainer.

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- b) If probable cause is not found, the individual will be released from jail, and the case manager will resume supervision.
 - 3) The case manager will forward any hearing results to the sending state through an Interstate Violation Report Addendum in ICOTS within 2 business days.
- c. If the individual signs the waiver section of the form, thereby admitting guilt to one or more violations, the case manager will:
 - 1) Cancel the PC hearing.
 - 2) Provide the jail a copy of the form, notify them the individual is subject to a retake, and instruct them to hold the individual on the Department's detainer.
 - 3) Submit a copy of the form to the sending state in an Interstate Violation Report Addendum through ICOTS within 2 business days.
- 3. Upon receiving the sending state's response to the Interstate Violation Report:
 - a. If the sending state declines to retake the individual, the case manager will address the violation per DOC 460.130 Response to Violations and New Criminal Activity and resume supervision. The case manager will forward any hearing results to the sending state in an Interstate Violation Report Addendum through ICOTS within 2 business days.
 - b. If the sending state agrees to retake the individual by warrant, the case manager will notify the jail and instruct them to hold the individual on the Department's detainer until the sending state's fully extraditable warrant has been entered into the National Crime Information Center (NCIC) system.
 - c. Once the Interstate Compact Unit notifies the case manager that the sending state's warrant has been entered into NCIC, the case manager will notify the jail to locate the sending state's warrant so the sending state can begin the extradition process. The case manager will document the notification in the electronic file.

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- d. If the sending state agrees to retake the individual by Return Reporting Instructions, the case manager will submit a Request for Return Reporting Instructions through ICOTS. Once the Sending State has approved the Request for Return Reporting Instructions, the individual will be provided or notified of the Reporting Instructions, and the Department’s detainer will be cancelled.

XI. Absconding

- A. In the event an individual absconds from supervision, the case will remain open in the electronic file, and the Secretary’s Warrant will remain in place until the sending state’s fully extraditable warrant is entered into the NCIC system.
 1. Once the Interstate Compact Unit submits the Interstate Violation Report and Case Closure Notice, Interstate Compact Unit employees will run weekly NCIC checks until the sending state has entered its warrant.
 2. Once the warrant has been entered into NCIC, the Interstate Compact Unit will update the electronic file and notify the case manager, who will cancel the Secretary’s Warrant and close the case in the electronic file.
- B. Once the Interstate Compact Unit is notified that an individual has been apprehended in Washington State on a sending state’s absconder warrant, an Interstate Compact Unit employee will notify the CCS of the last supervising unit. The electronic file will be reopened, and the case manager will request a PC hearing to address the absconding violation.
- C. The case manager will forward the absconder’s PC hearing results to the sending state in an ICOTS Compact Action Request and email the results to the Interstate Compact Unit within 2 business days.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- DOC 02-301 Outgoing Transfer Checklist
- DOC 02-399 Interstate Compact Notice of Probable Cause Hearing, Rights, and Waiver



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- DOC 07-023 Registration Notification
- DOC 07-024 Conditions, Requirements, and Instructions
- DOC 09-228 Report of Alleged Violation
- DOC 09-233 Hearing and Decision Summary Report
- DOC 09-274 Notification of Department Violation Process
- DOC 09-286 Court Special - Interstate Compact Transfer Request
- DOC 09-292 Report for Court Approval to Apply for Interstate Transfer
- DOC 14-035 Acknowledgment of Drug/Alcohol Testing - Field
- DOC 20-314 From Out-of-State (FOS) Face Sheet



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POLICY

TITLE
VICTIM/OFFENDER FACILITATED COMMUNICATION

REVIEW/REVISION HISTORY:

Effective: 12/26/02
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 Revised: 5/28/08
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 Revised: 6/11/15
 Revised: 7/20/21

SUMMARY OF REVISION/REVIEW:

Major changes to include title and terminology. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

6/22/21

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; DOC 200.900 Travel Regulations; DOC 450.300 Visits for Incarcerated Individuals

POLICY:

- I. The Department recognizes the value of allowing crime victims, including survivors in homicide cases, to participate in facilitated communication with the perpetrator of the offense through established, structured processes.
- II. The Department has established guidelines to allow victims/survivors to communicate with offenders housed in a Washington State Prison. The safety of all participants will be the priority in Department decision-making.
- III. Participation will not affect the offender’s legal or custody status, release date, or other conditions of incarceration, and should not be used or considered in any process to facilitate release.
- IV. The Department will provide general information about the facilitated communication processes to victim organizations to share with victims/survivors and their families. Additional information and training will be provided to victim service providers, as needed.

DIRECTIVE:

- I. General Requirements
 - A. Facilitated communication may occur for any crime that has been either charged or addressed in a plea agreement, for which all legal proceedings have been concluded, whether the offender is convicted through a guilty plea or a guilty verdict.
 - B. Participants will voluntarily consent to participate in facilitated communication. Either party may discontinue participation at any time.
 1. The victim/survivor must be at least 18 years of age to participate.
 - C. Communication must not violate any court order (e.g., protective/no contact/restraining order).
 1. Participants will be required to disclose any court orders. Department records will be reviewed to determine whether any court orders exist.

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- D. Communication may be terminated at any time and will be terminated if perceived as manipulative, or any party becomes physically/verbally abusive or poses an imminent threat of becoming abusive.

II. Victim/Offender Facilitated Dialogue Meeting

- A. A facilitated victim/offender dialogue meeting provides a one-time opportunity for a victim/survivor to meet with the offender in a secure and supervised environment. The meeting is intended to assist the victim/survivor in dealing with the impact of the crime, not to promote any agreement between the victim/survivor and the offender.

B. Meeting Process

1. Facilitated dialogue meetings require Superintendent approval. A meeting will not be authorized if:
 - a. The offender is denying or minimizing responsibility for the crime, as assessed by the Victim Services Program (VSP).
 - b. It compromises the protection of any participant or facility safety/security.
2. The victim/survivor will request a dialogue meeting through the VSP.
 - a. Requests will only be initiated by the victim/survivor and will not be considered if there is any indication the request was initiated by anyone other than the victim/survivor.
3. The VSP Manager will coordinate with the case manager and, if appropriate, facility mental health employees/contract staff and/or Sex Offender Treatment and Assessment Program clinical personnel, to review all available file material for any information regarding potential harm to the victim/survivor, including Behavior Observation Entries and the Safety Concerns banner in the electronic file.
 - a. The VSP Manager will make an initial determination of the offender's ability to participate.
4. VSP employees will provide the victim/survivor:
 - a. A copy of this policy,
 - b. DOC 16-172 Victim/Offender Facilitated Dialogue Meeting Letter,
 - c. DOC 02-195 Victim/Survivor Dialogue Meeting Application, and


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d. DOC 09-242 General Authorization for Release of Information.

5. The victim/survivor will complete and submit the application and authorization to release information to the VSP.
6. Applications will be reviewed by VSP and Office of Crime Victims Advocacy (OCVA) employees before Superintendent final approval/denial. Clarification may be requested if needed.

C. Facilitators

1. The VSP Manager/designee will identify a 2-person facilitator team to assist in the dialogue meeting process.
2. The facilitator(s) will:
 - a. Complete and submit DOC 02-394 Facilitator Dialogue Meeting Application to the VSP.
 - b. Meet with VSP and OCVA employees if clarification is needed.
 - c. Be willing to submit to a background check.
 - d. Comply with visitor guidelines per DOC 450.300 Visits for Incarcerated Individuals.
 - e. Be approved by the VSP Manager and the OCVA based on the following criteria:
 - 1) Level of specialized training and experience, and
 - 2) Willingness to acknowledge and agree to this policy.
 - a) At least one facilitator must have training and/or demonstrated experience/skill in:
 - (1) Specific training and/or experience facilitating meetings between victims/survivors and offenders in a correctional setting.
 - (2) Holding a position with the primary job responsibility of providing services to victims/survivors of crime.
 - f. Set and adhere to clear objectives for the meeting and ensure the discussion stays on topic.

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3. Facilitators will be reimbursed for actual travel costs involved in the preparation and facilitation of dialogue meetings per DOC 200.900 Travel Regulations.

D. Offender Participation and Approval

1. The Correctional Program Manager (CPM)/designee will arrange for the VSP Manager/designee to meet with the offender as soon as possible to provide information about the dialogue process and inquire about the offender's willingness to participate.
 - a. Facility employees/contract staff will not disclose specific information regarding the meeting to the offender (e.g., purpose, name/position of visitor).
2. The meeting will not occur if the offender does not want to participate.
3. The VSP Manager/designee will notify the CPM/designee, victim/survivor, and facilitator(s) of the offender's decision. If willing to participate, the VSP Manager/designee will:
 - a. Have the offender sign DOC 09-242 General Authorization for Release of Information, and
 - b. Provide a description of the proposed meeting to the Superintendent for final approval/denial.
 - 1) The Superintendent may conditionally approve the meeting subject to successful completion of additional conditions.
 - a) The VSP Manager/designee will notify the Superintendent once the additional conditions are met.

E. Meeting Preparation

1. Participants will each meet with the facilitator(s) separately a minimum of 3 times in preparation for the meeting.
2. The facilitator(s) will maintain contact with the CPM/designee and Captain, or Lieutenant at stand-alone Level 2 facilities, regarding meeting preparation.
3. When all preparations for the meeting have been completed, the facilitator(s) will notify the VSP Manager, who will:

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- a. Request approval from the Superintendent to schedule the meeting.
- b. If approved, contact the CPM/designee and Captain, or Lieutenant at stand-alone Level 2 facilities, to schedule the meeting and identify a location within the facility where the meeting will occur.
 - 1) Employees will consider safety, security, and privacy when selecting the meeting location.

F. Day of the Meeting

1. On the day of the meeting, the facilitator(s) will meet separately with each of the participants for a pre-meeting.
2. Options will be provided for the physical configuration of the meeting within the limitations of the facility's design and, when possible, should include:
 - a. A room without a barrier and a custody employee present, or
 - b. A barrier between the participants to allow visual and auditory contact, but no physical contact, and a custody employee present.
3. The victim may request the meeting configuration be modified for safety and/or comfort. Employees will make the final determination based on the safety/security of all participants and the facility.
4. If the meeting is terminated for adverse reasons, the employee(s) present will complete DOC 21-917 Incident Report and document the circumstances as a Behavior Observation Entry and in the Safety Concerns Narrative section under the Safety Concerns banner in the electronic file.

G. Debriefing

1. Immediately following the meeting, the facilitator(s) will meet separately with each participant for debriefing sessions.
2. The need for additional offender debriefing/counseling after the facilitator(s) has left the facility will be assessed by classification, mental health, or health services employees/contract staff and provided by qualified personnel.

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3. The facilitator(s) will provide a verbal briefing on the outcome of the meeting to the VSP Manager, who will verbally brief OCVA employees.

H. Recordkeeping

1. In the event of a rule/procedure or law violation, or if parties report that they were adversely affected by the meeting process, all participants will be asked to give a written statement regarding what occurred. Reports will be submitted to the Superintendent with a copy to the VSP.
2. VSP employees will maintain documents related to the meeting, including the dates and locations. Specific information about the content of the meeting will not be maintained.

III. Accountability Letter Bank (ALB)

- A. The VSP will maintain the ALB to provide offenders an opportunity to communicate to the victims/survivors:
 1. Acknowledgment of fault and responsibility for the injury, insult, and pain caused.
 2. Their understanding of the harm caused by the crime(s), and
 3. The steps the offender has taken toward accountability for their criminal behavior.
- B. The content of the letter will not offer excuses or request forgiveness. Offenders may refer to [Accountability Letter Bank - A Writing Guide](#).
- C. Offender Participation
 1. Before submitting a letter, offenders will be encouraged to discuss the process with a support person (e.g., case manager, treatment provider, Religious Coordinator) and receive feedback on the letter's content.
 2. Letters will be submitted to the VSP with DOC 02-395 Accountability Letter Bank - Request to Participate.
 - a. Letters may be written to more than one victim/survivor. DOC 02-395 Accountability Letter Bank - Request to Participate must be submitted with each letter.
 - b. Letters must never be sent directly to victims/survivors, victim advocates, or other intermediary.

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3. VSP employees will review the letter(s) before acceptance for deposit in the ALB. Letters will be returned if they do not meet the intended purpose or are inappropriate and may be reconsidered with revisions.
4. Letters accepted for deposit will be logged and stored until the letter is received by the victim/survivor or the offender submits a written request to withdraw the letter.

D. Victim/Survivor Participation

1. Victims/survivors may register to receive notification when a letter addressed to them is deposited in the ALB.
2. Facilitated communication between the participants during incarceration will be coordinated and approved by the VSP Manager.
 - a. The victim/survivor may:
 - 1) Accept the letter by email or mail,
 - 2) Meet with a VSP employee to read and discuss the letter, or
 - 3) Deny the letter but choose to accept at a later date, if available.
3. VSP employees will provide information to victims/survivors about potential effects from reading the letter and referrals to local support services, as needed.
4. The victim/survivor will decide if the offender will be notified that the letter was received.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- DOC 02-195 Victim/Survivor Dialogue Meeting Application
- DOC 02-394 Facilitator Dialogue Meeting Application
- DOC 02-395 Accountability Letter Bank - Request to Participate
- DOC 09-242 General Authorization for Release of Information



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DOC 16-172 Victim/Offender Facilitated Dialogue Meeting Letter
DOC 21-917 Incident Report



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POLICY

TITLE
COMMUNITY PARENTING ALTERNATIVE

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Effective: 7/25/11
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 Revised: 11/12/15
 Revised: 11/20/20
 Revised: 2/8/21
 Revised: 6/19/24

SUMMARY OF REVISION/REVIEW:

Major changes. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

5/15/24

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.130](#); [RCW 9.94A](#); DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 280.500 Records Management for Individuals; DOC 350.200 Transition and Release; DOC 380.450 Electronic Monitoring; DOC 380.540 Vehicle Use in Partial Confinement; DOC 380.550 Washington State Identification/Social Security Cards; DOC 420.080 Escape from Partial Confinement; DOC 420.380 Drug/Alcohol Testing; DOC 460.135 Disciplinary Procedures for Work Release; DOC 590.200 Marriages and State Registered Domestic Partnerships; DOC 650.035 Medications for Transfer and Release; [Community Parenting Alternative Handbook](#); [Resolution Program Handout](#); [Sponsor Support Guide](#)

POLICY:

- I. If determined that the Community Parenting Alternative (CPA) is appropriate and in the best interest of the minor child(ren), the Secretary may transfer an individual to home detention for no more than the final 12 months of an individual’s sentence.
- II. Nothing contained in this policy provides the Department with the authority to determine placement of a minor.

DIRECTIVE:

- I. General Requirements
 - A. An individual may be eligible if the individual:
 1. Is serving a sentence where the high end of the range is greater than one year,
 2. Has no current conviction for a violent offense unless it has been determined that the individual is not at high risk to reoffend,
 3. Has no current sex or serious violent conviction(s),
 4. Has not been found guilty of any serious violation for a minimum of 6 months before transfer,
 - a. Serious violations that are not related to safety concerns may be approved by the Parenting Program Administrator/designee.
 5. Signs all release of information forms, and
 6. Meets one of the following criteria:

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- a. An expectant parent,
- b. A parent with guardianship or legal custody of a minor child, or
- c. A biological/adoptive parent, custodian, or stepparent with a proven, established, ongoing, and substantial relationship with a minor child that existed at the time of the offense.

B. Individuals will not be eligible if the individual:

1. Was sentenced under the Family and Offender Sentencing Alternative (FOSA) and has been revoked and sent to total confinement,
2. Has a current conviction for a crime against a child,
3. Has an open felony/warrant detainer,
4. Is or will become subject to a deportation detainer/order during the current confinement term,
5. Was denied FOSA participation at the time of sentencing by the court and case manager,
 - a. Exceptions may be considered for individuals who have served a minimum of 2 years in total confinement during the current confinement term.
6. Commits a Category A violation during the current confinement term,
7. Had their Drug Offender Sentencing Alternative (DOSA) reclassified while incarcerated,
8. Has been returned to total confinement while housed in a Reentry Center during the current confinement term,
9. Has a requirement to register per RCW 9A.44.130, or
10. Only has children age 18 or older and graduated high school.
 - a. Exceptions may be considered if medical documentation of a developmental disability is provided.

C. Prior juvenile adjudications are not considered when determining eligibility unless the individual has been convicted for a sex/serious violent offense.

D. Individuals sentenced under a DOSA may be required to:

1. Submit to weekly urinalysis testing for the first 90 days of electronic monitoring.
2. Complete Phase 4 before transfer if participating in the Therapeutic Community at the time of screening.

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II. Referrals and Screening

A. Referrals may be submitted within 30 months of the Earned Release Date (ERD) by the:

1. Case manager by email to DOCPSAlternative@doc.wa.gov,
2. Individual by submitting a kite to their case manager who will forward the request by email,
3. Family by contacting the case manager or Parenting Program Manager/designee, or by email, or
4. Department of Children, Youth, and Families (DCYF) by contacting the Parenting Program Administrator or Parenting Program Supervisor, or by email.

B. Referrals will be prioritized by date received and ERD, and include the following signed forms:

1. DOC 02-363 DCYF - Authorization for Release of Information
2. DOC 02-409 Community Parenting Alternative Goals
3. DOC 02-410 Community Parenting Alternative Screening
4. DOC 14-029 Mental Health/Criminal Justice System Multi-Party Authorization for Release of Information
5. DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information
6. [DCYF 14-012 Consent](#)
7. [DSHS 17-063 DSHS Authorization](#)
8. [HCA 80-0001 Authorization for Release of Information](#)

C. The Parenting Program Manager/designee will screen from a target eligibility list provided by the Research and Data Analytics Unit to review for eligibility based on law and policy.

1. The individual will be contacted via kiosk to determine interest in the application.
2. If the individual wants to apply, a CPA packet, including all required releases of information will be sent to their case manager for the individual to complete, sign, and return.


D. If all requirements are met, the Parenting Program Manager/designee will:

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1. Forward the signed forms to the DCYF Children’s Administration and Behavioral Health Administration at the Health Care Authority,
 - a. If there is tribal involvement, the referral information will be forwarded to the applicable tribe.
2. Verify that a current or past adjudicated victim or persons with an existing No Contact Order does not live at the proposed residence,
3. Develop DOC 02-366 Community Parenting Alternative Transfer Plan,
 - a. Gather other information which may affect the decision (e.g., history of domestic violence, prior criminal history, visitation, programming, infractions, child custody changes).
 - b. If the Community Concerns flag in the individual’s electronic file indicates “Yes”, consult with the assigned Community Victim Liaison/Victim Services Program Manager to determine if specific safety concerns exist that cannot be mitigated. The specific concerns will be incorporated into the transfer plan.
4. Interview the individual and collateral contacts, and
5. Assign the home investigation to a CPA case manager.

III. Approved Residence and Program Approval

- A. Eligible individuals must have an approved residence and living arrangement prior to transfer to electronic monitoring.
- B. Individuals may not reside with a victim of the individual’s current offense(s) or any previous adjudicated offense.
 1. Exceptions may be approved for immediate family members by the Parenting Program Administrator in consultation with the Victim Services Program Manager.
- C. Individuals may not reside with a sponsor who has an active warrant.
- D. Residences that can be moved (e.g., recreational vehicles, 5th wheel) will not be approved.
- E. Individuals will be returned to their county of origin/alternate county of origin, which will be determined and approved per DOC 350.200 Transition and Release.

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1. The Parenting Program Manager/designee will submit DOC 11-036 Partial Confinement Alternate County of Origin Request to the appropriate Field Administrator.
- F. The CPA case manager will conduct a home investigation and:
1. Verify that an independent, operable telephone line exists or will be installed prior to the individual residing in the home,
 2. Verify there is no alcohol, drugs, ammunition, or firearms in the residence and/or that the sponsor is willing to remove prohibited items,
 - a. The case manager will verify all prohibited items are removed.
 3. Provide the sponsor(s) with Sponsor Support Guide and Community Parenting Alternative Handbook,
 4. Complete and forward DOC 02-323 Home Investigation Report to the Parenting Program Manager/designee, and
 5. Complete a criminal history background check for all adult household members.
- G. The Parenting Program Manager/designee will forward the individual's packet to the CPA Screening Committee for review. The committee will meet monthly, and:
1. Include the Parenting Program Administrator and/or Parenting Program Manager, and other stakeholders with experience in child welfare, family dynamics, and/or transitional services (e.g., retirees, volunteers).
 - a. Each member will sign DOC 14-003 Confidentiality Statement.
 2. Assist in determining if the individual's placement in the CPA is in the best interest of the child.
 3. Make recommendations for each application.
- H. The individual's packet and recommendations will be forwarded for review to the:
1. Regional Administrator if denial is recommended.
 2. Assistant Secretary for Community Corrections if approval is recommended.
- I. The decision is final and not subject to appeal.

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J. If an application is denied:

1. The assigned case manager will inform the individual,
2. The CPA case manager will inform the involved family members, and
3. The Parenting Program Manager/designee will document the reason for denial in the electronic file.

IV. Transfer to Electronic Monitoring

A. The Parenting Program Manager/designee will:

1. Initiate the transfer order in the electronic file.
2. Notify the Headquarters Classification Unit to finalize transport.
3. Provide an orientation, to include completion of:
 - a. DOC 02-322 Receipt of Handbook,
 - b. DOC 02-354 Care and Use of Radio Frequency Equipment,
 - c. DOC 20-073 Standard Rules,
 - d. Resolution Program Handout, and
 - e. Community Parenting Alternative Handbook.


B. Headquarters classification employees will provide a copy of the transfer order to the Regional Correctional Records Supervisor/designee.

C. Regional records employees will notify:

1. Business Services to initiate account closure per DOC 200.000 Trust Accounts for Incarcerated Individuals.
2. Health Services to prepare release medications per DOC 650.035 Medications for Transfer and Release.

D. The CPA case manager will:

1. Conduct an intake using DOC 05-512 Partial Confinement Orientation Checklist and complete the following:
 - a. DOC 02-328 Partial Confinement Conditions of Placement
 - b. DOC 02-361 Partial Confinement Conditions,
 - c. DOC 02-364 Daily Itinerary - Community Parenting Alternative,
 - d. DOC 02-368 Home Visitor Log, and
 - e. DOC 02-374 Personal Property Disposal if the individual is residing in transitional housing

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2. Initiate the application process for an identification card per DOC 380.550 Washington State Identification/Social Security Cards, if needed.
 3. Transport the individual to the approved residence.
 - a. The minor child may accompany the individual during transport with prior approval from the Parenting Program Administrator or Parenting Program Supervisor.
 4. Complete DOC 02-381 Community Parenting Alternative Case Management Plan within 30 days of intake.
- E. The CPA case manager may refer eligible individuals for financial housing assistance using DOC 02-337 Housing Payment Request.

V. Conditions of Placement

- A. Individuals will be placed on electronic monitoring at the Department's expense and monitored per DOC 380.450 Electronic Monitoring. Individuals:
 1. Will participate in programming and treatment identified by the CPA Screening Committee as necessary in consideration of the individual's needs.
 2. Will be restricted to the residence for up to 48 hours (i.e., blackout period) upon transfer to electronic monitoring.
 3. Will be confined to the approved residence for a substantial portion of each day (i.e., at least 8 hours).
 4. May request to use a personal vehicle per DOC 380.540 Vehicle Use in Partial Confinement.
- B. The case manager will supervise the individual and complete contacts per Attachment 1. Only the case manager may authorize changes to the schedule (e.g., child-related activities, contact standards, programming, outings, visits, employment).
- C. Drug and alcohol testing will be conducted per DOC 420.380 Drug/Alcohol Testing.
- D. Individuals may only enter a contract (e.g., layaway, cell phone purchase) with prior authorization from the case manager and Parenting Program Supervisor.
 1. Lease and rental agreements will be made on a case-by-case basis.

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- a. The individuals can provide proof they have the funds to pay the remainder of rent while on electronic monitoring, or
- b. The individual can provide proof of employment income that they can sustain the payments.

E. Individuals must have prior approval to marry or enter a state registered domestic partnership per DOC 590.200 Marriages and State Registered Domestic Partnerships before transferring to CPA.

VI. Violations

A. Employees/contract staff will follow escape procedures per DOC 420.080 Escape from Partial Confinement.

B. An individual is deemed to have escaped when:

- 1. The individual fails to return to the approved residence,
- 2. The individual leaves the approved residence without authorization, or
- 3. The individual's whereabouts are unknown.

C. Violations will be responded to per DOC 460.135 Disciplinary Procedures for Work Release.


- 1. DOC 09-186 Order of Suspension, Arrest, and Detention will be used to detain an individual pending a hearing being held at the local jail or Department facility. Out of custody hearings will be held at the nearest Field Office or Reentry Center.
- 2. DOC 09-230 Partial Confinement Notice of Allegations, Hearings, Rights and Waiver will be served to the individual.

- a. If an individual is administratively returned, the Hearing Officer will be informed at the hearing during preliminaries or in the recommendation section.

D. The case manager will enter the alleged violations on the Prison Discipline Screen immediately after being notified of the hearing date and time.

E. Individuals found guilty of a serious violation, and remain in partial confinement, will be reduced by one phase for a minimum of 30 days.

VII. Termination


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- A. The Parenting Program Administrator may return an individual at any time to total confinement if the:
 - 1. Circumstances of placement create a risk to the community, participant, child, or family, or
 - 2. Individual self-terminates, is no longer suitable, or fails to maintain placement requirements (e.g., no longer has viable housing options, medical condition, financial hardship, failing to maintain an operable telephone line).
- B. If CPA privileges are terminated, the case manager will initiate the Custody Facility Plan prior to their return to Prison and route to the Parenting Program Administrator/Supervisor for review and the Administrator/Supervisor routes to Headquarters Classification Unit.

VIII. Release

- A. The case manager will develop the release plan and initiate release procedures at least 90 days before the ERD for notification and/or investigation purposes. Within 30 days of the ERD, records employees will send the applicable release documents to the case manager per DOC 350.200 Transition and Release.
- B. Upon release, the case manager will:
 - 1. Have the individual sign DOC 20-311 Order of Release and documents received from records employees and update the electronic file.
 - 2. Coordinate the return of the electronic monitoring equipment.
 - 3. Provide the individual with information on [voting rights restoration](#) and a [Washington State Voter Registration form](#).
 - 4. Update earned time in the individual's electronic file.
 - 5. Send the signed DOC 20-311 Order of Release and release documents to the regional records unit office within 3 business days of release and place copies in the case manager file.
 - 6. Forward the supervision file to Headquarters per DOC 280.500 Records Management for Individuals.

DEFINITIONS:

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The following words/terms are important to this policy and defined in the glossary section of the Policy Manual: Expectant Parent, Legal Custody, Legal Guardian. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

Phase Requirements and Minimum Contact Standards (Attachment 1)

DOC FORMS:

- DOC 02-322 Receipt of Handbook
- DOC 02-323 Home Investigation Report
- DOC 02-328 Partial Confinement Conditions of Placement
- DOC 02-337 Housing Payment Request
- DOC 02-354 Care and Use of Radio Frequency Equipment
- DOC 02-358 Employer Letter
- DOC 02-361 Partial Confinement Conditions
- DOC 02-363 DCYF - Authorization for Release of Information
- DOC 02-364 Daily Itinerary - Community Parenting Alternative
- DOC 02-366 Community Parenting Alternative Transfer Plan
- DOC 02-368 Home Visitor Log
- DOC 02-374 Personal Property Disposal
- DOC 02-381 Community Parenting Alternative Case Management Plan
- DOC 02-409 Community Parenting Alternative Goals
- DOC 02-410 Community Parenting Alternative Screening
- DOC 05-512 Partial Confinement Orientation Checklist
- DOC 09-186 Order of Suspension, Arrest, and Detention
- DOC 09-230 Partial Confinement Notice of Allegations, Hearings, Rights and Waiver
- DOC 11-036 Partial Confinement Alternate County of Origin Request
- DOC 14-003 Confidentiality Statement
- DOC 14-029 Mental Health/Criminal Justice System Multi-Party Authorization for Release of Information
- DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information
- DOC 20-073 Standard Rules
- DOC 20-311 Order of Release

COMMUNITY PARENTING ALTERNATIVE CONTACT STANDARDS

Phase 1: 1 - 3 months	Phase 2: 4 - 8 months	Phase 3: 9 - 12 months
One office visit monthly as needed	One office visit monthly as needed	One office visit monthly as needed
One field visit weekly (2 visits monthly must include family/children)	Two field visits monthly (one visit must include family/children)	One field visit monthly, including family/children
One collateral monthly	One collateral monthly	One collateral monthly
One drug/alcohol test weekly	2 drug/alcohol tests monthly	One drug/alcohol test monthly
Daily phone calls for 30 days, including weekends	One phone call weekly or as needed	Phone calls as needed
3 phone calls weekly after initial 30 days		

- The individual will advance through phases based on length of enrollment and compliance with rules and conditions
 - The case manager may determine the number of months in each phase if the individual has less than 12 months on electronic monitoring
 - At a minimum, the first 3 months must be spent on Phase 1
- If the individual becomes employed, the case manager will provide DOC 02-358 Employer Letter to the individual's employer within 5 business days, followed by an in-person visit within the first 15 days of employment
- If the individual has an open Child Protective Services case, the case manager will:
 - Contact the social worker monthly, and
 - Conduct one residence visit quarterly with the social worker
- If the individual does not have a history of substance use disorder, the case manager may determine drug/alcohol testing (e.g., urinalysis, breathalyzer, oral swab) frequency after 30 days of case plan compliance
 - Drug/alcohol testing modifications will be staffed with the Parenting Program Administrator or Parenting Program Supervisor
- Drug testing will be waived, and face-to-face contacts will be replaced by one phone call per week with the individual and provider for the duration of the individual's inpatient treatment (i.e., residential treatment center)



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POLICY

TITLE

GRADUATED REENTRY

REVIEW/REVISION HISTORY:

Effective: 11/20/20
Revised: 6/16/22

SUMMARY OF REVISION/REVIEW:


Major changes to include updating terminology throughout and alignment with updated statute. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

5/23/22
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); DOC 100.500 Non-Discrimination for Individuals; DOC 300.500 Reentry Center Screening; DOC 350.200 Transition and Release; DOC 380.450 Electronic Monitoring; DOC 420.080 Escape from Partial Confinement (RESTRICTED); DOC 460.135 Disciplinary Procedures for Work Release; DOC 460.140 Hearings and Appeals; DOC 690.400 Individuals with Disabilities; [Graduated Reentry Handbook](#); [Graduated Reentry Screening Process](#); [Graduated Reentry Sex Offense Treatment and Assessment Program Referral and Screening Process](#); [Graduated Reentry Sponsor Support Guide](#); [Partial Confinement Options](#)

POLICY:

- I. Incarcerated individuals may be transferred from a Prison or Reentry Center to home detention in the community if it is determined that partial confinement is appropriate as part of Graduated Reentry to assist an individual with transitioning from incarceration to the community.
- II. The Department retains the authority to return an individual participating in Graduated Reentry to total confinement for any reason (e.g., Individual is not meeting expectations of the program).
- III. Graduated Reentry practices and decisions are made consistent with DOC 100.500 Non-Discrimination for Individuals.

DIRECTIVE:


- I. General Requirements
 - A. Individuals must participate in programming and treatment as determined by the Department and based on assessed needs.
 - B. While living in an approved residence, individuals participating in Graduated Reentry will be placed on electronic monitoring per DOC 380.450 Electronic Monitoring at the Department’s expense.
 - C. The Reentry Navigator will schedule Reentry Team meetings with the participant to plan for their transition from confinement to the community.
 1. Meetings will occur within 30 days of transfer or release and as needed to address any needs or changes and will be documented as a Chronological Event (chrono) in the individual’s electronic file.

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- D. The Graduated Reentry Administrator may administratively deny or terminate participation in Graduated Reentry when:
1. Circumstances of placement create a risk to anyone,
 2. The participant no longer wishes to participate, or
 3. The participant fails to maintain placement requirements (e.g., no longer has viable housing, fails to maintain electronic home monitoring equipment).
- E. In the event of an administrative return, the Graduated Reentry Community Corrections Supervisor will obtain approval from the Graduated Reentry Administrator before an individual is returned to total confinement.
- F. The Victims Services Unit or Indeterminate Sentencing Review Board (Board) Victim Liaison will be consulted when there are existing or suspected community concerns that may present a risk/harm to victims and/or potential victims.
- G. Eligible individuals will be placed on a waiting list until a case manager has an availability in their caseload or if there is no space available in the Reentry Center.
1. Although an individual is eligible, participation in Graduated Reentry is not guaranteed.
- H. Classification employees finalizing transfer orders to Graduated Reentry will ensure:
1. The Business Office is notified to initiate trust account closure for individuals transferring to electronic home monitoring,
 2. Health Services is notified to provide continuity of care (e.g., medications), and
 3. The individual has personal clothing or a set of state-issued clothing prior to transfer.
- I. The Department will post the number of individuals participating in Graduated Reentry on the external website monthly.
- J. More information about Graduated Reentry can be found in Partial Confinement Options.

II. Eligibility


- A. Individuals will not be eligible to participate in Graduated Reentry if they:

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1. Are currently designated as Close custody.
2. Are sentenced to a mandatory minimum sentence that must be served in total confinement per statute.
3. Have a felony warrant.
4. Have misdemeanor/felony detainer.
5. Have an out-of-state release plan.
6. Are subject to a deportation/Immigration and Customs Enforcement detainer or civil commitment order.
7. During the current confinement term:
 - a. Have been terminated from a partial confinement setting for the current sentence.
 - b. While in total confinement:
 - 1) Have a guilty finding for a WAC 762 infraction, or
 - 2) Have a guilty finding for a serious infraction in the previous 6 months.
 - a) Individuals may be reviewed for participation if it is determined that the infraction was not related to personal or community safety by the CS4.
8. Are under the jurisdiction of the Board as a Long Term Juvenile Board or revoked as a Community Custody Board individual. All other individuals under Board jurisdiction can only participate in Track 1 and must:
 - a. Be serving on the court minimum term,
 - b. Be determined releasable by the Board, and
 - c. Not be serving confinement time for a revocation.
9. Are incarcerated as the result of:
 - a. A revocation of the Special Sex Offender Sentencing Alternative, or
 - b. Being found guilty of Escape 1.
10. Are designated as a Level 3 sex offender.
11. Don't have at least 3 months left on the sentence at the time of transfer.

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12. Are denied custody promotion by the Headquarters Classification Screening Committee.
- B. Individuals may be eligible for Graduated Reentry if they meet requirements for one of the following tracks:
1. Track 1 - Individuals who have served at least 6 months in total confinement may:
 - a. Serve up to the last 5 months of the sentence in an approved residence on electronic home monitoring, or
 - b. Be transferred to a Reentry Center when there is up to 12 months left on the sentence with the expectation that up to the final 5 months of the sentence will be served in an approved residence on electronic home monitoring.
 - 1) The individual must meet eligibility requirements per DOC 300.500 Reentry Center Screening if transferring to a Reentry Center as part of participation.
 - 2) If participation in Graduated Reentry is no longer suitable for an individual in a Reentry Center, the decision for the individual to remain in the Reentry Center must be approved by the Graduated Reentry and Reentry Center Administrators.
 - a) If approved, the case manager will work with the Reentry Navigator to help the individual create a new transition plan.
 2. Track 2 - Individuals who have served at least 4 months in total confinement may serve up to the last 18 months of the sentence in an approved residence on electronic home monitoring.
 - a. Individuals will not be eligible for this option if they are:
 - 1) Under Board jurisdiction,
 - 2) Required to register, or
 - 3) Serving a sentence for a sexual/violent crime or crime against another person.
- C. Individuals who have already served time in partial confinement during the current Prison sentence and have been returned to total confinement as a


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Community Custody Prisons or Drug Offender Sentencing Alternative reclassification, may not be eligible for placement or for the full amount of participation time per statute.

- D. Previous jail time credit does not count toward the total confinement time requirement.
- E. Individuals will not be denied placement based solely on a disability or medical/mental health needs.
 - 1. The case manager will consult Health Services to determine if participation in Graduated Reentry is appropriate.
 - 2. Accommodations for placement and mitigating barriers will be considered per DOC 690.400 Individuals with Disabilities.
- F. Individuals with a history of arrests/convictions containing sexual elements will be referred to the Sex Offense Treatment and Assessments Program (SOTAP) unit for additional review and assessment of the individual's risk to commit future sex offenses. SOTAP will provide a recommendation for conditions of placement.
 - 1. More information can be found in the Graduated Reentry Sex Offense Treatment and Assessment Program Referral and Screening Process.

III. Referral Process

- A. Referrals to Graduated Reentry may be made up to 30 months before the Earned Release Date (ERD). The case manager will:
 - 1. Use DOC 11-039 Graduated Reentry Criteria to ensure the individual meets eligibility requirements.
 - 2. If applicable, conduct address verification and document as a chrono in the electronic file and on DOC 11-012 Release/Transfer Sponsor Orientation Checklist.
 - 3. Build the referral as a Transfer Order in the electronic file, and
 - 4. Have the individual sign DOC 11-065 Graduated Reentry Participant Agreement and scan it into the electronic imaging file.
- B. Eligible individuals may submit supporting documents (e.g., letters from family/employers, program certificates) to the case manager to forward to the Reentry Expansion at docreentryexpansion@doc1.wa.gov.

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C. Family members may provide supporting documents by:

1. Emailing them to docreentryexpansion@doc1.wa.gov, or
2. Providing them to the Graduated Reentry Corrections Specialist (CS) 3 during the home investigation.

IV. Screening

A. Graduated Reentry transfer orders will be screened by a Graduated Reentry CS4, who will determine participation eligibility and document in the electronic file.


1. DOC 11-042 Request for Denial of Graduated Reentry will be used to document denials of eligibility for electronic home monitoring.
2. The Classification Unit will confirm all denials.
3. Denials that are not policy-driven, or those that warrant additional review, will be scheduled for Headquarters Community Screening Committee (HCSC) review using DOC 07-026 Formal Headquarters Community Screening Committee (HCSC)/Life Without Parole Decision.

B. More information about Graduated Reentry screening can be found in the Graduated Reentry Screening Process.

V. Approved Residence

A. Eligible individuals must have an approved residence and living arrangement prior to transfer to electronic home monitoring.


1. Housing rental assistance may be requested by the Graduated Reentry case manager on DOC 02-337 Housing Payment Request and may be issued, for no more than 6 months, if an approved address cannot be obtained without the assistance of a voucher.
2. Individuals may not reside with a victim of the individual's current offense(s) or any previous adjudicated offense.
 - a. Exceptions may be granted for immediate family members by the Assistant Secretary for Reentry in consultation with the Victim Services Program Manager.
3. Participants may not reside with a sponsor who has an active warrant.

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4. Residences that can be moved (e.g., recreational vehicles, 5th wheel) will not be approved.
 5. Individuals will be returned to their county of origin/alternate county of origin, which will be determined and approved per DOC 350.200 Transition and Release.
- B. The Graduated Reentry CS4 will assign a home investigation to a Graduated Reentry CS3 as the case manager, who will:
1. Conduct a home investigation and interview the identified sponsor within 15 business days of assignment.
 2. Provide the sponsor with a copy of the Graduated Reentry Sponsor Support Guide.
 3. Verify that an operable telephone line/cell service is available or will be available before the individual transfers to home monitoring.
 4. Have the sponsor sign DOC 02-369 Search Waiver.
 5. Complete DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check NCIC/WACIC Check for each adult who will reside in the home.
 6. Verify there is no alcohol, drugs, or firearms in the residence and/or that the sponsor is willing to remove prohibited items and/or secure narcotic prescriptions (e.g., cannabis) before the individual transfers to home monitoring.
 - a. The case manager will verify all prohibited items are removed/ secured before transfer occurs.
 7. Document the results of the home investigation in the electronic file and notify the CS4, Prison case manager, and the Board if the individual is under Board jurisdiction.
 - a. If the investigation results in an address not being approved, the CS3 will notify the sponsor and the Prison case manager will notify the incarcerated individual.

VI. Participation Approval

- A. If participation is approved for an individual to transfer to electronic home monitoring from total confinement, the CS4 will:

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1. Provide the individual with the Graduated Reentry Handbook,
2. Conduct an orientation for the approved individual, and
3. Document the orientation and provision of the handbook in a chrono.

B. If participation is denied for an individual to transfer from total confinement to electronic home monitoring, a Graduated Reentry unit employee will:

1. Consult the Graduated Reentry Supervisor/designee,
2. Document the reason for the denial in the individual's electronic file, and
3. Notify the Prison case manager to inform the incarcerated individual.

VII. Transfer to Electronic Home Monitoring

A. Upon transfer to an approved residence on electronic home monitoring:


1. Individuals may be restricted by the case manager to the residence for up to 48 hours to ensure orientation/intake has been completed.
 - a. Individuals transferring from a Reentry Center with approved employment may be approved to work during this timeframe.
2. The case manager will conduct an intake within 48 hours of transfer to electronic home monitoring using DOC 05-512 Partial Confinement Orientation Checklist that includes:
 - a. Informing the individual of expectations,
 - b. Obtaining necessary signatures, and
 - c. Ensuring the individual has appropriate documentation.

B. The individual will be confined to the approved residence for at least 8 consecutive/nonconsecutive hours in a 24 hour period, with the remainder spent in the community per Graduated Reentry Contact Standards (Attachment 1).

VIII. Violations

A. The case manager will respond to violations of Graduated Reentry conditions per DOC 460.135 Disciplinary Procedures for Work Release.


1. The individual may be placed on home restriction pending a disciplinary hearing, where the individual will only be allowed to leave for employment, education, and/or health care needs.
2. DOC 09-186 Order of Suspension, Arrest, and Detention will be used to detain an individual pending a hearing being held at the local jail.

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3. A Transfer Order will be used for placement in a Prison pending a disciplinary hearing.
 - a. If a Graduated Reentry participant is returned to total confinement and there is a medical/mental health risk, the case manager will contact the Headquarters Nurse Desk before the Transfer Order is finalized and the individual is transported.
 4. Out of Custody hearings will be held where space is available at the nearest Field Office or Reentry Center.
 - a. The case manager will ensure a safety plan is in place.
 5. The case manager will consult with the Board for disciplinary actions resulting from violations made by individuals under Board jurisdiction.
- B. The case manager will enter the alleged infractions on the Prison Discipline Screen immediately after being notified of the hearing date and time.
- C. Case managers will update the following in the electronic file and forward applicable notification to the Statewide Records Unit:
1. The infraction on the Prison Discipline screen,
 2. Applicable earned/good conduct time, and
 3. Documentation of the hearing results.
- D. The Hearings Officer will update the electronic file no later than 2 business days per DOC 460.140 Hearings and Appeals.
- E. If an individual participating in Graduated Reentry has escaped, the case manager will initiate procedures per DOC 420.080 Escape from Partial Confinement (RESTRICTED).
- F. If Graduated Reentry privileges are terminated, the case manager will initiate the Custody Facility Plan.

IX. Release

- A. The assigned case manager will:
1. Initiate release procedures per DOC 350.200 Transition and Release.
 - a. The release plan must be completed and submitted at least 90 days before the individual's ERD.

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2. Update earned time in the individual's electronic file,
3. Meet with the individual on the day of release to obtain necessary signatures and collect the electronic home monitoring equipment, and
4. Document the release as a chrono in the individual's electronic file.

X. Appeals


- A. An individual may not appeal the decision regarding which track they will participate in.
- B. Individuals may appeal a denial for:
 1. A proposed address/sponsor, or
 - a. A review of the appeal will be assigned to a manager outside of the Reentry Division, who will make a final decision and document the decision, with specific reasoning, in the electronic file. The individual will be notified of the decision.
 2. Placement in Graduated Reentry when the individual feels the reason for denial conflicts with Department policy or additional information not previously known/submitted would make the individual eligible.
 - a. HCSC will make a final decision and document the decision, with specific reasoning, in the electronic file and the individual will be notified of the decision.
- C. Individuals denied placement in Graduated Reentry due to sexual risk can appeal their denial to the SOTAP Graduated Reentry Appeal Panel within 10 days of notification.
 1. Denials based on policy and conditions of placement may not be appealed.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Immediate Family. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

Graduated Reentry Contact Standards (Attachment 1)

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DOC FORMS:

- DOC 02-337 Housing Payment Request
- DOC 02-358 Employer Letter
- DOC 02-369 Search Waiver
- DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check NCIC/WACIC Check
- DOC 05-512 Partial Confinement Orientation Checklist
- DOC 07-026 Formal Headquarters Community Screening Committee (HCSC)/Life Without Parole Decision
- DOC 09-186 Order of Suspension, Arrest, and Detention
- DOC 11-012 Release/Transfer Sponsor Orientation Checklist
- DOC 11-039 Graduated Reentry Criteria
- DOC 11-042 Request for Denial of Graduated Reentry
- DOC 11-065 Graduated Reentry Participant Agreement

GRADUATED REENTRY CONTACT STANDARDS

Phase 1: Zero - 30 days	Phase 2: 31 - 60 days	Phase 3: over 61 days
3 face-to-face monthly (office/field)	2 face-to-face monthly (office/field)	One face-to-face monthly (office/field)
One collateral monthly	One collateral monthly	One collateral monthly
3 drug/alcohol testing monthly	2 drug/alcohol testing monthly	One drug/alcohol testing monthly
Phone calls as needed	Phone calls as needed	Phone calls as needed

- When an individual becomes employed, the Graduated Reentry case manager will call and provide DOC 02-358 Employer Letter to the participant's employer within 5 business days, followed by an in-person visit within the first 15 days of employment.
 - If the individual has remained employed by the same employer while at a Reentry Center, the case manager only needs to inform the employer of the change in case manager.
- If the participant has no history of substance abuse, the case manager may determine drug/alcohol testing (e. g., UA, BA, oral swab) frequency after 30 days of case plan compliance.
 - Drug testing modifications will be staffed with the Graduated Reentry Supervisor.
- Drug testing will be waived, and face-to-face contacts may be replaced by one phone call per week with the participant and provider for the duration of a participant's inpatient treatment (i.e., residential treatment center).
- Access to the community must relate to employment, education, programming, treatment, community/family connections, procuring essential needs, legal appointments, and personal self-care (e.g., gym, counseling, health services).
 - Individuals must provide verification of activities while in the community.
- The case manager will ensure home visits and drug/alcohol testing are random to avoid predictability.
- The case manager may use professional discretion to retain participants in Phase 1 for longer than the minimum standard based on the individual's needs.
- If unable to meet with the individual in person (e.g., weather, medical issue, unavoidable circumstance), the case manager may use electronic communication platforms (e.g., Facetime/video chat) as a means of face-to-face contact.



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POLICY

TITLE
IMPOSED CONDITIONS

REVIEW/REVISION HISTORY:

- Effective: 10/30/96 DOC 900.600
- Revised: 1/18/00 DOC 390.600
- Revised: 7/1/00
- Revised: 6/8/01
- Revised: 2/21/03
- Revised: 4/22/04
- Revised: 9/19/05
- Revised: 7/9/07
- Revised: 10/16/07 AB 07-030
- Revised: 3/24/08 AB 08-005
- Revised: 10/15/08
- Revised: 7/10/09
- Revised: 7/25/11
- Revised: 8/20/21
- Revised: 3/29/24

SUMMARY OF REVISION/REVIEW:

I.I. - Adjusted language for clarification


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

3/25/24

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94](#); [RCW 9.94A](#); DOC 380.200 Supervision of Individuals in the Community; DOC 380.605 Interstate Compact; DOC 390.300 Victim Services; DOC 460.130 Response to Violations and New Criminal Activity; DOC 580.655 Drug Sentencing Alternative

POLICY:


- I. The Department may impose conditions or request conditions on an eligible cause(s) that relates to the crime of conviction, the risk to re-offend, and/or community safety for purposes of risk reduction and monitoring compliance with supervision requirements.
- II. The Department may not impose conditions contrary to those ordered by the court or the Indeterminate Sentence Review Board (Board) and may not contravene or decrease court/Board imposed conditions.
- III. The case manager will consult with the Community Victim Liaison (CVL) or the Victim Services Program Manager per DOC 390.300 Victim Services regarding victims and/or potential victims.

DIRECTIVE:


- I. Department Jurisdiction
 - A. The Department may impose or modify conditions for the following individuals, including crime-related prohibitions and affirmative conduct requirements (e.g. obey all laws):
 1. Committed their crime(s) on or after July 1, 2000, including misdemeanor offenses under Department jurisdiction.
 2. Transferred From Out-of-State (FOS) through the Interstate Compact, regardless of the date of offense.
 - a. The case manager will notify the sending state of the imposed condition(s) through a Progress Report in the Interstate Compact Offender Tracking System (ICOTS) per DOC 380.605 Interstate Compact.
 - B. Imposed conditions will be limited to cases with minimum contact requirements per DOC 380.200 Supervision of Individuals in the Community.
 1. Exceptions for individuals with no minimum contact requirements must be time specific and approved by the Field Administrator/designee.

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- C. For conditions ordered by the court for a new commitment, the case manager will impose those conditions on all other active causes, unless otherwise ordered by the court.
- D. Mandatory conditions for individuals sentenced under the Drug Offender Sentencing Alternative (DOSA) are identified in DOC 580.655 Drug Sentencing Alternative.
- E. For individuals with community supervision requirements who are held until their Maximum Expiration date, the case manager will impose a condition restricting the individual from having contact with or residing within close proximity to the victim(s) or potential victim(s).
 - 1. The condition will remain in effect unless it is verified and documented that circumstances have changed.
- F. For individuals who committed a felony sex offense against a minor victim on or after June 6, 1996 and before July 1, 2000, the Department may impose conditions relating to contact with a minor victim or a child of similar age or circumstance as a previous victim.
- G. To impose Department conditions, the case manager will:
 - 1. Notify the individual of the condition(s) being imposed.
 - 2. Enter the condition in the electronic file as a Department imposed condition and include a scheduled end date, if appropriate.
 - 3. Obtain the individual's signature on a printout of the case plan that includes the imposed conditions and provide the individual with a copy of the signed case plan.
 - a. If the individual refuses to sign, the case manager will witness and document the refusal on the printout.
 - 4. Obtain approval as follows and document the approval in the individual's electronic file.
 - a. Department jurisdiction:
 - 1) Field Community Corrections Supervisor (CCS) for individuals with minimum contact requirements per DOC 380.200 Supervision of Individuals in the Community.

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- 2) Field Administrator/designee for individuals with no minimum contact requirements.
 - b. For individuals under Board jurisdiction, the Board will approve and enter Board imposed conditions in the individual's electronic file.
 - c. Court jurisdiction:
 - 1) Field Community Corrections Supervisor and the court for individuals with minimum contact requirements per DOC 380.200 Supervision of Individuals in the Community.
 - 2) Field Administrator/designee and the court for individuals with no minimum contact requirements.
 5. Notify the individual of the right to appeal the condition(s) and provide the individual with DOC 09-252 Request to Appeal Imposed Condition.
 - H. If an emergent situation requires a specific condition be imposed immediately, the case manager can give the individual a verbal directive.
 1. The condition(s) will be imposed and served at the first available opportunity.
 - I. Within 10 business days after receiving notice of a Department imposed or modified condition(s), the individual may appeal the condition(s) using DOC 09-252 Request to Appeal Imposed Condition.
 1. The condition(s) will remain in effect unless the individual's appeal is approved.
 - J. Failure to comply with a Department imposed condition will be addressed per DOC 460.130 Response to Violations and New Criminal Activity.
- II. Board Jurisdiction
- A. The case manager will forward the following to the Board for review:
 1. Proposed conditions that relate to the crime of conviction,
 2. The individual's risk to reoffend, and/or
 3. Community safety for purposes of risk reduction and monitoring compliance with supervision requirements.

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- B. The Department may impose emergency conditions on individuals released to the community as Community Custody Board (CCB) in order to intervene in the individual's crime-related behavior.
1. To impose emergency conditions, the case manager will:
 - a. Obtain approval from the CCS/designee and document the approval in the individual's electronic file.
 - b. Enter the emergency condition in the individual's electronic file with an end date of 7 business days after the date it was imposed.
 - c. Obtain the individual's signature on a printout of the case plan that includes the emergency condition(s) and provide the individual with a copy of the signed case plan.
 - 1) If the individual refuses to sign, the case manager will witness and document the refusal on the printout.
 - 2) Conditions will take effect immediately upon personally serving the individual with the conditions but will not remain in effect longer than 7 business days unless approved by the Board.
 - d. Email the signed case plan to ISRB@doc.wa.gov.
 - e. Update the individual's electronic file with the Board's decision.
- C. The individual may appeal the condition(s) imposed by contacting the Board with a written request.
1. All conditions of the release order will remain in effect unless the individual's appeal is approved.

III. Court Jurisdiction

- A. To request court imposed conditions, the case manager will submit DOC 09-061 Court - Special Imposed Conditions, or local version, and attach DOC 09-041 Order Modifying Sentence.
- B. Statewide Records will enter court imposed conditions in the electronic file upon receipt of the Order Modifying Sentence.
- C. For individuals who committed their crime(s) before July 1, 2000 and sentenced to community placement (i.e., CCI/PRS), the Department may recommend the

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sentencing court remove or modify any conditions of community placement so long as the condition is not more restrictive.

IV. Extending Conditions

- A. The court may impose and enforce an order extending any or all conditions imposed at any time prior to the completion of a sex offender's term of community custody if the court finds that public safety would be enhanced.
- B. To request extending conditions, the case manager will submit DOC 09-259 Court - Special & Order Extending Sex Offender Conditions to the sentencing court at least 90 days prior to the termination of the community custody term.
 1. The case manager will not recommend extending supervision past the term of community custody.
- C. If the court extends the conditions, the case manager will inform the individual that the extended conditions are in effect and enforceable up to the statutory maximum term for the crime.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Community Custody. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

DOC 09-041 Order Modifying Sentence
 DOC 09-061 Court - Special Imposed Conditions
 DOC 09-252 Request to Appeal Imposed Condition
 DOC 09-259 Court - Special & Order Extending Sex Offender Conditions