



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  
**DEPARTMENT WIDE**  
FACILITY/SPANISH MANUALS

REVISION DATE  
11/5/21

PAGE NUMBER  
1 of 9

NUMBER  
**DOC 400.025**

**POLICY**

TITLE  
**DEPARTMENT IDENTIFICATION CARDS**

**REVIEW/REVISION HISTORY:**

Effective: 3/15/96 DOC 400.225	Revised: 2/1/12
Revised: 8/31/99 DOC 400.025	Revised: 8/27/12
Revised: 3/15/00	Revised: 2/1/14
Revised: 2/5/04	Revised: 8/25/14
Revised: 8/8/05	Revised: 11/1/15
Revised: 8/27/07	Revised: 10/7/16
Revised: 6/28/08 AB 08-016	Revised: 9/25/18
Revised: 10/6/08 AB 08-028	Revised: 11/14/18
Revised: 8/9/10	Revised: 7/28/19
Revised: 11/21/11	Revised: 11/5/21

**SUMMARY OF REVISION/REVIEW:**


Added clarifying language to title and updated terminology throughout  
 II.B.1. - Removed unnecessary language  
 Added II.J. that requests for copies of ID cards will be submitted per DOC 280.510 Public Disclosure of Records  
 III.A.3., & 4., III.A.6.-8.- Adjusted language for clarification  
 III.A.3.a. Added that facilities other than Prisons will have the individual submit a money order and forward it to the Headquarters Business Office  
 III.C. - Removed contractors/vendors from being issued a yellow ID card  
 Added III.C.1.a. procedures for when a yellow ID card is issued to a contracted service provider authorized to provide services to more than one facility  
 III.D. - Added contractors/vendors as being issued red ID cards

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

10/8/21  
 \_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 11/5/21</p>	<p>PAGE NUMBER 2 of 9</p>	<p>NUMBER <b>DOC 400.025</b></p>
	<p>TITLE <b>DEPARTMENT IDENTIFICATION CARDS</b></p>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9.41.060](#); [RCW 9.41.300](#); [RCW 10.93.020](#); DOC 280.510 Public Disclosure of Records; DOC 560.200 Religious Programs

**POLICY:**


- I. The Department has established guidelines and procedures for developing, issuing, and maintaining official Department identification (ID) cards.

**DIRECTIVE:**

- I. General Responsibilities
  - A. Management Services in the Administrative Operations Division will be responsible for maintaining the official design of the ID card.
  - B. Information Technology will be responsible for programming security features against forgery and defacement in the Department electronic ID card database program.
  - C. Employees responsible for creating and issuing ID cards will document issuance, destruction, and expiration of ID cards in the electronic ID card database program.
    1. Appointing Authorities will designate an employee to conduct an annual audit of the electronic ID card database system to prevent duplicative records and ensure deactivation of invalid cards for their facility.
- II. General Requirements
  - A. Equipment and supplies to make and issue ID cards will be kept in a secure place and available only to employees designated by the issuing authority.
  - B. Cardholders will wear their Department ID card, so it is visible at all times per requirements established by the Appointing Authority. Cardholders will not alter/ obstruct the front of the card (e.g., sticker, marker) to ensure the name and photo can be seen.
    1. Supervisors will ensure employees, contract staff, and volunteers understand the requirements to wear their Department ID card at all times while on facility grounds.
  - C. Cardholders are required to use their Department ID card when accessing facilities and performing Department-related business.

 STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS  <h1 style="text-align: center;">POLICY</h1>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 3 of 9	<b>NUMBER</b> <b>DOC 400.025</b>
	<b>TITLE</b> <h2 style="text-align: center;">DEPARTMENT IDENTIFICATION CARDS</h2>		

1. Custody employees assigned to facility access or posts providing movement and perimeter security (e.g., control points, gates, towers) will make positive identification before allowing anyone to enter/exit their zone of control. Persons will be matched against the photo on the Department or government-issued ID card, as applicable.
  - a. In Level III, IV, and V facilities, the main entry point will be equipped with an electronic ID magnifier. Anyone entering/exiting the facility will place their Department ID card in the identified space and wait to be positively identified by the assigned custody employee.
2. Anyone encountering a person on facility grounds or in the building that is not wearing a Department ID card should ask the person to identify themselves.
  - a. If the person cannot produce a Department ID card, Control or building security personnel should be notified immediately and the person should be accompanied directly to Control or building security personnel.
- D. Employees may present their Department and/or Peace Officer ID card to law enforcement to verify employment/peace officer status only upon request.
- E. No other uses of the ID card are permitted. Misuse of the ID card may result in corrective and/or disciplinary action.
- F. When a cardholder no longer resembles the picture on the card, the cardholder may be required to get an updated ID card.
- G. ID cards are Department property and will be surrendered to the Appointing Authority/designee upon a change in eligibility, suspension or termination of employment, contract, assignment, or services, or upon request of the Appointing Authority/designee.
  1. These cards will be returned to the point of issuance to be destroyed, and the database updated accordingly.
- H. ID cardholders will report lost, stolen, or damaged cards as soon as possible to the Appointing Authority/designee(s). For lost or stolen ID cards, a report will be submitted via the Incident Management Reporting System (IMRS).
- I. Specialty Team members may be issued a second ID card, which will be documented in the electronic ID card database. The second card will be surrendered when a cardholder is no longer a Specialty Team member.


 STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS  <b>POLICY</b>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 4 of 9	<b>NUMBER</b> <b>DOC 400.025</b>
	<b>TITLE</b> <b>DEPARTMENT IDENTIFICATION CARDS</b>		

J. Requests for copies of ID cards will be submitted per DOC 280.510 Public Disclosure of Records.

### III. Department ID Cards Issued

A. Green ID cards will be issued to incarcerated individuals housed in Department facilities and will include the individual's legal first and last name and DOC number.

1. All newly printed cards will be laminated using the Department secure laminate.
2. Individuals will be required to remove any religious head coverings for their ID card picture unless authorized for continual wear per DOC 560.200 Religious Programs.
  - a. A picture of the individual without the head covering will be maintained in the electronic file.
3. In Prisons, if an individual loses or intentionally damages/destroys the ID card, the individual will complete DOC 06-075 Request to Transfer Funds in the amount of \$3 to replace the entire ID card.
  - a. All other facilities will have the individual submit a money order and forward to the Headquarters Business Office.
4. Individuals will retain their ID cards when transferred to other Washington Prisons or Reentry Centers and when released from confinement.
5. Requests for bar code information embedded in green ID cards must be submitted for authorization by executive management through the chain of command. Authorized uses of bar code information include:
  - a. To check out library materials from the Washington State Library.
  - b. To ensure diet compliance in the dining halls.
  - c. To clock individuals in and out of Correctional Industries/approved worksites to track movement and calculate pay.
6. An individual may request any of the following notices be printed on the ID card when verified as appropriate and will not be charged. The notice(s) will be placed between the name and DOC number:
  - a. Deaf or Hard of Hearing
  - b. Low Vision or Blind
  - c. Limited English

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 5 of 9	<b>NUMBER</b> <b>DOC 400.025</b>
	<b>TITLE</b> <b>DEPARTMENT IDENTIFICATION CARDS</b>		


d. Do Not Resuscitate

- 1) A Health Services practitioner will notify the Records Department when an individual submits a Do Not Resuscitate (DNR) order.

7. If a new ID card has been deemed necessary by the Accommodation Review Committee per DOC 690.400 Individuals with Disabilities, the individual will be issued a new ID at no cost.
8. If an individual has had a legal name change, or the Department is provided with legal documents from the court or a third party per DOC 400.280 Legal Name Change, the individual may request an updated ID card with the new legal name without being charged for the replacement from Records Department employees.
9. A green ID card may be issued if an individual supervised in the community needs assistance obtaining a Washington State Driver's License or Washington State ID.
  - a. The case manager/designee will email a request with the individual's name and DOC number to the nearest Department facility/office that issues IDs.
  - b. The individual will be scheduled to report to the facility/office to complete the process.

B. Blue ID cards will be issued to employees and will include the employee's legal first and last name.

1. In facilities, numbered temporary blue ID cards will be issued to employees who forget/misplace their permanent ID.
  - a. All employees issued a temporary ID card will provide government-issued photo ID, which will remain at the point of issuance until the temporary ID card is returned at the end of the work period.
    - 1) The Superintendent/Reentry Center Community Corrections Supervisor (CCS)/designee may authorize a chit in exchange for the government-issued photo ID if the employee is required to operate a motor vehicle or the employee's ID card has been lost or stolen.

 STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS  <b>POLICY</b>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 6 of 9	<b>NUMBER</b> <b>DOC 400.025</b>
	<b>TITLE</b> <b>DEPARTMENT IDENTIFICATION CARDS</b>		

2) A Peace Officer ID card may not be used in place of government-issued photo ID.

C. Yellow - Contract Staff, Except for Contractors/Vendors

1. Yellow ID cards may be issued to contracted service providers if approved for regular, unescorted visits to a facility/office.

a. When a contracted service provider is authorized to provide services for multiple facilities:

1) The issuing employee will:

a) Complete DOC 02-421 Contract Staff Who Provide Services for Multiple Facilities Checklist,

b) Ensure all required documentation is completed,

c) Maintain all related documentation, and

d) Forward copies of the documentation and completed checklist to all facilities where the service provider is authorized to provide services:

(1) Within 30 days of the initiation of services, and

(2) By July 15<sup>th</sup> of each subsequent year services are authorized.


2) The facility where services are provided will designate an employee who will maintain documentation and ensure compliance with the checklist.

2. A Department-approved orientation must be completed before a yellow ID card can be issued.

3. In facilities, contract staff may escort guests (i.e., pink ID) when authorized by the Superintendent/CCS/designee.

4. In facilities, numbered temporary yellow ID cards will be issued to contract staff who forget/misplace their permanent ID.

a. Contract staff issued a temporary ID card will provide government-issued photo ID, which will remain at the point of issuance until the temporary ID card is returned at the end of the work period.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 7 of 9	<b>NUMBER</b> <b>DOC 400.025</b>
	<b>TITLE</b> <b>DEPARTMENT IDENTIFICATION CARDS</b>		

D. Red - Volunteer/Sponsors/Interns and Contractors/Vendors

1. Red ID cardholders will provide government-issued photo ID, which will remain at the point of issuance until the red ID card is returned at the end of the visit.
  - a. The Superintendent/CCS/designee may authorize “no escort required” be added to a red ID card when applicable.
2. In facilities, volunteers may escort guests when authorized by the Superintendent/CCS/designee.
3. Employees/contract staff who are also volunteers will wear the red ID card while performing volunteer services.
  - a. “Staff” will be added behind the cardholder’s name on the red ID card and in the electronic ID card database.


E. Pink - Facility Guests

1. Pink ID cards will be issued to:
  - a. Facility guests, not including visitors of incarcerated individuals.
  - b. Occasional single or group service volunteers.
  - c. Contract staff/vendors who make infrequent or one-time visits to a facility/office.
  - d. Those who have not completed a Department-approved orientation.
2. Pink ID cardholders will provide government-issued photo ID, which will remain at the point of issuance until the pink ID card is returned at the end of the visit.
3. Those with pink ID cards must be under escort at all times by a Department employee or other facility-approved individual.

F. Orange - Headquarters Duty Officer

1. Orange ID cards will be issued in addition to the blue ID card and allow a Headquarters Duty Officer:
  - a. Unannounced, unrestricted access to any Department facility/office without delay.




 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 8 of 9	<b>NUMBER</b> <b>DOC 400.025</b>
	<b>TITLE</b> <b>DEPARTMENT IDENTIFICATION CARDS</b>		

- 1) Facilities/offices will establish procedures to ensure orange ID cardholders are allowed access without delay.
  - b. To bring a Department-issued cellular telephone and/or electronic devices inside any Department facility/office.
2. When gaining access to a Department facility/office, the Headquarters Duty Officer will:
  - a. Report directly to the highest ranking supervisor present and state the purpose of the visit.
  - b. Wear the blue ID card while onsite and present the orange ID card only upon request.
- G. Peace Officer ID cards may be issued to employees who qualify as Peace Officers per RCW 10.93.020.
  1. Employees will complete DOC 03-509 Peace Officer Identification (ID) Card Request and Authorization to request/renew a Peace Officer ID card.
  2. Criteria for determining eligibility will include, but not be limited to:
    - a. Job classification
    - b. Rank
    - c. Specialty assignment
    - d. Position description
    - e. Division/office
  3. For employees who have completed Department firearms training and are subject to annual criminal background checks, the ID card may include language showing compliance with RCW 9.41.060 and RCW 9.41.300.
  4. The Peace Officer ID card will not be used for secure facility access.
  5. The Peace Officer ID card will expire 5 years after date of issue.
    - a. Cardholders will not have to renew the Peace Officer ID card if transferred to an eligible assignment during the validation period.

**DEFINITIONS:**

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

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 9 of 9	<b>NUMBER</b> <b>DOC 400.025</b>
	<b>TITLE</b> <b>DEPARTMENT IDENTIFICATION CARDS</b>		

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 02-421 Contract Staff Who Provide Services for Multiple Facilities Checklist
- DOC 03-509 Peace Officer Identification (ID) Card Request and Authorization
- DOC 06-075 Request to Transfer Funds



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY/FIELD**  
FACILITY/SPANISH MANUAL

REVISION DATE  
11/5/21

PAGE NUMBER  
1 of 4

NUMBER  
**DOC 400.280**

**POLICY**

TITLE  
**LEGAL NAME CHANGE**

**REVIEW/REVISION HISTORY:**

- Effective: 2/24/97
- Revised: 2/22/02
- Revised: 2/25/02
- Revised: 2/12/07
- Revised: 4/1/08
- Revised: 1/6/09
- Revised: 1/3/11
- Revised: 5/19/14
- Revised: 9/25/18
- Revised: 12/21/18
- Revised: 11/5/21

**SUMMARY OF REVISION/REVIEW:**


Major changes. Please read carefully!

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

10/8/21  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 2 of 4	<b>NUMBER</b> <b>DOC 400.280</b>
	<b>TITLE</b> <b>LEGAL NAME CHANGE</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 4.24.130](#); [RCW 9A.44.130](#)

**POLICY:**

- I. Individuals under the Department’s jurisdiction may apply to a court of competent jurisdiction to change their name per RCW 4.24.130. The Department has established a process for managing legal name changes granted by the court.

**DIRECTIVE:**

- I. Name Change Request
  - A. An individual under Department jurisdiction who applies to a court to change a legal name will notify the Records Department of the intent before and after the name change is ordered/received.
    1. Legal name change documents may be received from any source but must include the Court Clerk stamp indicating the date the order was filed.
  - B. An individual under Department jurisdiction who receives an order changing the individual’s legal name will submit a copy of the order to the Superintendent/ Reentry Center Community Corrections Supervisor/Field Community Corrections Supervisor within 5 days of the order being entered.
    1. The copy will be scanned into the electronic imaging system and placed in the central file and/or Field file.
      - a. If the individual is being supervised on a cause for Community Placement (CP) or Community Custody Prison (CCP), the case manager will forward a copy of the order to the assigned regional records office.
    2. Facility/regional records employees will forward notification of the name change to Victim Services and update the electronic file to reflect the new legally-changed name as the individual’s primary name.
    3. If the individual is supervised in the community and required to register as a sex offender, the case manager will contact the Sheriff’s Office in the county where the individual resides to confirm that it has been notified of the name change.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 11/5/21	<b>PAGE NUMBER</b> 3 of 4	<b>NUMBER</b> <b>DOC 400.280</b>
	<b>TITLE</b> <b>LEGAL NAME CHANGE</b>		

C. If an individual fails to meet the requirements of RCW 4.24.130 and this policy, the Department may file a motion to set aside or strike the existing order or require the individual to obtain a new order.

II. Name Correction

A. When an amended/corrected Judgment and Sentence is received from the court correcting a clerical error in an individual's committed name, the facility/regional records employees will update the primary name in the electronic file.

III. Expectations

A. When the Department receives notification of a legal name change, the new name becomes the individual's primary name.

B. Individuals who obtain an order changing their name will use the name for:

1. All written or verbal communication with employees, contract staff, and volunteers,
2. All matters relating to their incarceration or community supervision, and
3. Use of the United States mail.

C. The name the individual was committed under will be listed as an "Also Known As" (AKA) designation in the electronic file.

1. AKA names will not be printed on identification cards or used in daily correspondence (e.g., callouts, mail, electronic messaging).

D. Department files (e.g., central file/medical/unit files) will be labeled with the new legal name.

E. Employees, contract staff, and volunteers will refer to individuals using their new legal name in all oral and written communications.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY/FIELD**  
FACILITY/SPANISH MANUAL

REVISION DATE  
11/5/21

PAGE NUMBER  
4 of 4

NUMBER  
**DOC 400.280**

**POLICY**

TITLE

**LEGAL NAME CHANGE**

**DOC FORMS:**

None



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY/FIELD**  
FACILITY/SPANISH MANUAL

REVISION DATE  
12/2/21

PAGE NUMBER  
1 of 8

NUMBER  
**DOC 400.360**

**POLICY**

TITLE  
**POLYGRAPH TESTING**

**REVIEW/REVISION HISTORY:**

- Effective: 9/28/00
- Revised: 3/9/01
- Revised: 5/3/05
- Revised: 9/13/07
- Revised: 7/22/08 AB 08-019
- Revised: 11/1/08
- Revised: 8/14/09
- Revised: 9/1/10
- Reviewed: 8/10/11
- Revised: 6/25/12
- Revised: 12/1/12
- Revised: 2/9/15
- Revised: 1/25/21
- Revised: 12/2/21

**SUMMARY OF REVISION/REVIEW:**


VIII.B.1. - Updated terminology

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

11/18/21  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 2 of 8	<b>NUMBER</b> <b>DOC 400.360</b>
	<b>TITLE</b> <b>POLYGRAPH TESTING</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; [RCW 10.99.020](#); DOC 390.600 Imposed Conditions; DOC 450.500 Language Services for Limited English Proficient Individuals; DOC 550.100 Resolution Program; DOC 810.015 Criminal Record Disclosure and Fingerprinting; Polygraph Standards; [PREA Standards](#); [Records Retention Schedule](#)


**POLICY:**

- I. The polygraph is a tool used in monitoring compliance with ordered/imposed conditions of supervision.
- II. Polygraph testing will supplement, not substitute, other forms of investigation. No adverse action will be taken solely on the basis of a polygraph test that indicates deception.
- III. Polygraph testing may be required per:
  - A. The Judgment and Sentence,
  - B. Conditions established by the Indeterminate Sentence Review Board (Board),
  - C. Interstate Compact condition(s)
  - D. Conditions imposed per DOC 390.600 Imposed Conditions, or
  - E. The internal investigation process.
- IV. Individuals who are alleged victims, reporters, or witnesses in a Prison Rape Elimination Act (PREA) investigation will not be asked or required to submit to a polygraph test regarding the alleged misconduct under investigation.

**DIRECTIVE:**

- I. General Requirements
  - A. Individuals conducting polygraph testing must have a current contract with the Department and comply with the Department's Polygraph Standards.
  - B. Polygraph testing used as part of a Prison investigation will be coordinated by the Intelligence and Investigations Unit.
  - C. Individuals will be provided with necessary interpreter services per DOC 450.500 Language Services for Limited English Proficient Individuals.
- II. Responsibilities
  - A. The Assistant Secretary for Community Corrections will designate a Polygraph Program Administrator to oversee Department polygraph issues and uniform



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> <b>FACILITY/SPANISH MANUAL</b>		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 3 of 8	<b>NUMBER</b> <b>DOC 400.360</b>
	<b>TITLE</b> <b>POLYGRAPH TESTING</b>		


implementation of the Polygraph Program statewide. The Polygraph Program Administrator will:

1. Confirm that polygraph examiners adhere to the Department's Polygraph Standards.
  2. Maintain a current list of approved polygraph examiners and make the list available upon request.
- B. Superintendents will designate a Polygraph Scheduler for their facility.
- C. Each Community Corrections Supervisor (CCS) will identify a Polygraph Scheduler who will:
1. Schedule appointments and coordinate with the polygraph examiner under direction of the CCS.
    - a. The CCS/scheduler will select polygraph examiners from the approved vendor list.

### III. Application Process for Polygraph Examiners

- A. To become a Department-contracted polygraph examiner, candidates must submit the following to the Polygraph Program Administrator:
1. Letter of interest
  2. Proof of qualification
  3. Certifications
  4. Credentials
  5. Certificate of liability insurance
  6. Business license
  7. A minimum of 3 references, 2 of which are law enforcement agencies.
- B. The Polygraph Program Administrator will evaluate applications and conduct reference and background checks on candidates when necessary.
- C. Polygraph examiners will submit to a criminal background check per DOC 810.015 Criminal Record Disclosure and Fingerprinting.
- D. The Polygraph Program Administrator will forward approved application packets to Contracts and Legal Affairs.


### IV. Testing in the Community

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 4 of 8	<b>NUMBER</b> <b>DOC 400.360</b>
	<b>TITLE</b> <b>POLYGRAPH TESTING</b>		


- A. Maintenance/monitoring polygraph testing will be conducted periodically to monitor compliance with treatment and/or identified restrictions.
- B. Maintenance/monitoring polygraph testing may also be conducted for individuals with a past sex offense(s) or a history of convictions that include a domestic violence finding per RCW 10.99.020.
- C. The case manager will impose a polygraph condition per DOC 390.600 Imposed Conditions for individuals subject to maintenance/monitoring polygraph testing, if not already ordered by the court/Board.
  - 1. A minimum of one maintenance/monitoring test will be completed every 6 months or as ordered by the court/Board.
    - a. Unless ordered by the court/Board, testing may be reduced to every 12 months with CCS approval if the individual has been supervised in the community for 5 years and has lifetime supervision.
  - 2. For individuals participating in sexual deviancy treatment, a maintenance/monitoring test may occur more frequently, but not more than every 3 months, unless otherwise ordered by the court/Board.
    - a. The case manager will consult with the treatment provider to determine the need for more frequent polygraphs and forward recommendations to the CCS for approval.
  - 3. Criminal issue/event specific polygraph testing does not meet the minimum requirement for maintenance/monitoring polygraphs.
- D. Sexual history polygraph testing will be conducted for individuals on supervision for a sex offense(s), as approved by the CCS.
  - 1. Testing will be conducted in conjunction with a certified Sex Offender Treatment Provider or Community Sex Offender Treatment Specialist to determine relevant issues to assist in formulating questions for the test.
- E. As approved by the CCS, criminal issue or event specific polygraph testing will be conducted for individuals on supervision upon reasonable suspicion that a violation of supervision has occurred.

V. Polygraph Testing Process


- A. The requester will:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 5 of 8	<b>NUMBER</b> <b>DOC 400.360</b>
	<b>TITLE</b> <b>POLYGRAPH TESTING</b>		

1. Obtain and witness the individual’s signature on DOC 05-753 Polygraph Testing - Authorization for Release of Information.
  2. Submit a request to the Polygraph Scheduler to schedule an appointment for a polygraph test.
    - a. The requester will inform the polygraph examiner of relevant issues to assist in formulating questions for the test.
    - b. For sexual history, criminal issue, and event specific testing in the community, the case manager will provide written approval from the CCS.
  3. Initiate DOC 05-507 Indigency Approval for Polygraphs.
    - a. In the community, the case manager will determine what portion of the polygraph testing fee the individual is responsible for, based on indigency level, and forward the form to the CCS for approval before the polygraph test.
    - b. In Prisons, the requester will indicate on the form that a co-payment is not required.
- B. The Polygraph Scheduler will:
1. Schedule a polygraph test with one of the Department contracted polygraph examiners and provide the requester with the name of the examiner and the date and time of the test. Any exceptions to the following must be authorized by the Polygraph Program Administrator:
    - a. The same examiner will not conduct more than 4 polygraph tests in a row on the same individual.
    - b. A polygraph examiner will not be scheduled to conduct more than 5 polygraph tests per day.
  2. Ensure that the Department office space available for the testing provides adequate safeguards for protecting the rights and privacy of the individual being tested.
    - a. For individuals supervised in the community, polygraph testing will typically be conducted at a Department facility/office or a county jail.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 6 of 8	<b>NUMBER</b> <b>DOC 400.360</b>
	<b>TITLE</b> <b>POLYGRAPH TESTING</b>		

- 1) The CCS may approve administering a polygraph in another location (e.g., polygraph examiner's office) under special circumstances if the office space provides adequate safeguards.
  - a) An employee/contract staff must be present for any off-site polygraph testing.
3. Inform the polygraph examiner of the type of polygraph needed and provide access to the individual's file.
4. Notify the individual of the scheduled polygraph test.
  - a. For individuals supervised in the community, DOC 05-754 Polygraph Letter will be used for notification.
    - 1) On the scheduled testing date, the scheduler will provide the completed DOC 05-507 Indigency Approval for Polygraphs to the polygraph examiner.
5. Document the following in the individual's electronic file:
  - a. Date of the scheduled polygraph
  - b. Date the individual was notified of the polygraph
  - c. Amount the individual is required to pay, if applicable
  - d. Any cancellations/rescheduling
  - e. Name of the polygraph examiner
  - f. Name of interpreter used, if applicable
  - g. Date and results of the test
  - h. The final decision and justification for testing conducted without full payment.
- C. If an individual supervised in the community fails to bring the full payment, the polygraph examiner will immediately contact the case manager/CCS for a decision on whether the testing will be conducted.
  1. If the decision is to not conduct the polygraph test, it will be considered a no show.
    - a. The case manager will document the individual's failure to submit to a polygraph and include the reason(s) the testing was not conducted in the individual's electronic file.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL</p>		
	<p>REVISION DATE 12/2/21</p>	<p>PAGE NUMBER 7 of 8</p>	<p>NUMBER <b>DOC 400.360</b></p>
	<p>TITLE <b>POLYGRAPH TESTING</b></p>		

b. The polygraph examiner will document the final decision and its justification on DOC 05-507 Indigency Approval for Polygraphs.

D. The polygraph examiner will immediately notify the requester of the findings and follow up with a written report.

#### VI. Cancellations

A. The requester or the individual being tested may cancel the polygraph by notifying the Polygraph Scheduler at least 24 hours in advance of the scheduled polygraph testing, excluding weekends and holidays.

B. The Polygraph Scheduler will notify the polygraph examiner of the cancellation.

1. If the polygraph test is not cancelled with 24 hours' notice, or the individual scheduled for testing fails to show for the scheduled appointment, the individual will pay for the unexcused/missed appointment at the no show rate.

#### VII. Billing Process

A. The polygraph examiner will forward the following to the CCS/Polygraph Scheduler for each test administered:

1. A [State of Washington A-19-1A Invoice Voucher](#) documenting:

- a. The date the testing was administered
- b. Name and DOC number of the individual tested
- c. Amount paid
- d. Amount billed


2. A completed, signed DOC 05-507 Indigency Approval for Polygraphs.

B. The CCS/Polygraph Scheduler will review the Invoice Voucher and Indigency Approval and, if approved, forward to the applicable Business Office for payment.

C. Copies of the Invoice Voucher and corresponding indigency forms will be maintained per the Records Retention Schedule.

#### VIII. Complaint Process

A. Resolution requests regarding polygraph examiners or testing procedures submitted by an individual being tested will be addressed per DOC 550.100 Resolution Program.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 8 of 8	<b>NUMBER</b> <b>DOC 400.360</b>
	<b>TITLE</b> <b>POLYGRAPH TESTING</b>		

- B. Other concerns regarding a polygraph or polygraph examiner must be submitted in writing to the Polygraph Scheduler or CCS, as appropriate.
1. The Polygraph Scheduler/CCS will review the complaint and, if appropriate, forward it to the Polygraph Program Administrator and Superintendent, Reentry Center Administrator, or Field Administrator, as applicable.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

DOC 05-507 Indigency Approval for Polygraphs  
 DOC 05-753 Polygraph Testing - Authorization for Release of Information  
 DOC 05-754 Polygraph Letter



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY/FIELD**  
FACILITY/SPANISH MANUAL

REVISION DATE  
12/14/21

PAGE NUMBER  
1 of 8

NUMBER  
**DOC 420.110**

**POLICY**

TITLE  
**ESCORTED LEAVES AND FURLOUGHS**

**REVIEW/REVISION HISTORY:**

Effective: 1/4/82 DOC 710.005	Revised: 9/1/08
Revised: 10/1/85	Revised: 6/25/09
Revised: 4/21/97	Revised: 7/21/09 AB 09-022
Revised: 4/11/00 DOC 340.000	Revised: 7/1/10
Revised: 5/8/01	Revised: 11/7/11 DOC 420.110
Revised: 11/5/01	Revised: 6/22/15
Revised: 5/24/04	Revised: 3/16/17
Revised: 11/27/06	Revised: 8/5/20
Revised: 3/4/08	Revised: 12/14/21

**SUMMARY OF REVISION/REVIEW:**


Updated terminology throughout  
II.C.3. - Adjusted language as person-centered

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

11/30/21  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> <b>FACILITY/SPANISH MANUAL</b>		
	<b>REVISION DATE</b> 12/14/21	<b>PAGE NUMBER</b> 2 of 8	<b>NUMBER</b> <b>DOC 420.110</b>
	<b>TITLE</b> <b>ESCORTED LEAVES AND FURLOUGHS</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into the policy; [RCW 9.94A.030](#); [RCW 72.01.365](#); [RCW 72.01.370](#); [RCW 72.01.375](#); [RCW 72.01.380](#); [RCW 72.66](#); [WAC 137-52](#); DOC 350.600 Law Enforcement Notification; DOC 350.750 Warrants, Detainers, and Holds; DOC 390.300 Victim Services; DOC 410.360 Escape Preparedness and Response (RESTRICTED); DOC 420.080 Escape from Work/Training Release; DOC 420.100 Transportation Standards (RESTRICTED); DOC 420.315 Hospital Watches (RESTRICTED); DOC 700.000 Work Programs in Prisons; DOC 700.500 Community Restitution Program


**POLICY:**

- I. Consistent with public interest, the Department has established guidelines for escorted leaves and furloughs for medical needs, deathbed visits, and funeral attendance.
- II. Work crews will be handled per DOC 700.000 Work Programs in Prisons and DOC 700.500 Community Restitution Program.

**DIRECTIVE:**

- I. General Requirements
  - A. Escorted leaves and furloughs must be within Washington State.
    1. The appropriate Assistant Secretary/Headquarters Duty Officer may approve an exception for:
      - a. An alternate transportation route due to inclement weather or road conditions, or
      - b. Out-of-state medical care in emergent situations, as approved by health services employees/contract staff, when the needed level of care is not available in a timely manner in-state.
    2. Approved exceptions will be communicated to the Capacity and Transportation Administrator.
  - B. Before an escorted leave/furlough:
    1. The Victim Services Program will be immediately notified per DOC 390.300 Victim Services.
      - a. The Superintendent/Community Corrections Supervisor (CCS)/ designee will immediately telephone the Victim Services Program



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/14/21	<b>PAGE NUMBER</b> 3 of 8	<b>NUMBER</b> <b>DOC 420.110</b>
	<b>TITLE</b> <b>ESCORTED LEAVES AND FURLOUGHS</b>		

and notify the Correctional Records Supervisor/designee when an emergency furlough is granted.

b. For after-hours notification, the Headquarters Warrants Unit will be contacted.

2. Law enforcement will be notified per DOC 350.600 Law Enforcement Notification.

C. Transportation will be conducted per DOC 420.100 Transportation Standards (RESTRICTED).

D. Individuals who commit violations while on escorted leave/furlough are subject to disciplinary action. Violations will be addressed per the applicable violation process.

1. Escapes will be reported per DOC 410.360 Escape Preparedness and Response (RESTRICTED), DOC 420.080 Escape from Work/Training Release, or DOC 350.750 Warrants, Detainers, and Holds.

E. Escorted leaves and furloughs will be documented in the incarcerated individual's electronic file as soon as possible.

## II. Escorted Leaves from Total/Partial Confinement

### A. Requirements

1. Escorted leaves may be granted:

a. To receive necessary medical or dental care that is not available at the facility.


b. To attend the funeral or visit the deathbed of an immediate family member.

c. For a mandatory court hearing.

d. For other reasons with Superintendent/CCS approval.

2. If required, prior arrangements will be made to house individuals in a jail, state facility, or other Department-supervised arrangement.


3. Requests for escorted leaves, except for necessary medical care or mandatory court hearings, must have verification that the individual:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/14/21	<b>PAGE NUMBER</b> 4 of 8	<b>NUMBER</b> <b>DOC 420.110</b>
	<b>TITLE</b> <b>ESCORTED LEAVES AND FURLOUGHS</b>		

- a. Has not escaped from a facility in the past year,
  - b. In total confinement, is mentally stable, as determined by facility employees/contract staff,
  - c. Has not had significant disciplinary problems in the past 6 months, and
  - d. Has not been found guilty of any of the following violations during the past 6 months: 501, 502, 511, 521, 553, 601, 602, 604, 611, 612, 633, 635, 636, 650, 651, 652, 663, 704, and/or 711.
4. The Superintendent/CCS will approve escorted leaves.
- a. If a request is denied that otherwise meets the requirements, the Superintendent/CCS will notify the appropriate Deputy Assistant Secretary for Prisons or Reentry Center Administrator, including the reasons for denial.

**B. Pre-Surgery/Medical Trips**


1. Facilities will develop special procedures to ensure the safe and timely transportation of individuals for medical, mental health, and dental clinic appointments and transfers (e.g., to the hospital, health care provider, or another correctional facility).
  - a. The Superintendent/CCS and, if applicable, facility Health Services Manager will ensure appropriate custody and health services employees/contract staff are informed of the procedures.
2. When access to services only available outside the facility is required, transportation will be timely and consider the following:
  - a. Individual's health condition,
  - b. Prioritization of medical need,
  - c. Urgency (e.g., ambulance versus standard transport),
  - d. Use of a medical escort to accompany transportation employees, and
  - e. Transfer of medical information.
3. To prevent interaction with others that might lead to escape, only employees/contract staff who have a legitimate need to know should be informed of the date, time, and location of an outside medical trip.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/14/21	<b>PAGE NUMBER</b> 5 of 8	<b>NUMBER</b> <b>DOC 420.110</b>
	<b>TITLE</b> <b>ESCORTED LEAVES AND FURLOUGHS</b>		

- a. Employees/contract staff will not disclose specific information regarding the trip to the individual at any point.
- b. If a trip is imminent, the Captain/Correctional Program Manager/CCS/designee must, before the procedure, review the individual's electronic file for specific risk factors indicating an escape risk.
  - 1) The individual may remain in the assigned housing unit unless medical procedures require inpatient treatment.
  - 2) When there is an increased concern regarding risk to escape, the individual should be placed in Administrative Segregation or an inpatient unit, depending upon medical need. Other conditions related to telephone access or contact with other incarcerated individuals may also be made.
4. The individual is responsible for following pre-surgery or preparation requirements.
  - a. Before leaving the facility, employees will ask if the individual has followed the requirements. If the requirements have not been followed, the individual will be subject to disciplinary action and any costs incurred for failing to keep the appointment.
5. Hospital watches will be conducted per DOC 420.315 Hospital Watches (RESTRICTED).

**C. Deathbed Visits or Funeral Attendance**


1. Employees will notify individuals in a timely manner of the verifiable death or critical illness of an immediate family member.
  - a. In total confinement, employees will use DOC 05-793 Funeral Trip/Deathbed Visit Worksheet and Checklist.
2. Individuals will be notified of any cost requirements (e.g., mileage, meals, lodging, employee salary) and that insufficient time to process a request may be reason for denial.
  - a. Individuals in total confinement will be provided instructions for payment via the trust account and/or a money order or certified check. Payment should be made before the scheduled departure.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/14/21	<b>PAGE NUMBER</b> 6 of 8	<b>NUMBER</b> <b>DOC 420.110</b>
	<b>TITLE</b> <b>ESCORTED LEAVES AND FURLOUGHS</b>		

- 1) DOC 05-673 Escorted Leave Reimbursement Request will be provided to the family member to complete.
- 2) Indigence will not be cause for denial.
  - b. Individuals in partial confinement must pay all costs as specified by the CCS, if applicable.
3. Funeral trips/deathbed visits will only exceed 48 hours, including travel, when additional time is pre-approved by the Superintendent/CCS.
4. Funeral trips/deathbed visits in a private residence require approval from:
  - a. For individuals assigned Minimum (MI)2 or MI1 custody, the Superintendent/CCS.
  - b. For individuals assigned MI3 or higher custody, the appropriate Deputy Assistant Secretary for Prisons.

### III. Emergency Medical Furloughs from Total Confinement

- A. An emergency medical furlough may be approved by the Assistant Secretary for Prisons/designee for hospital care if the individual is:
  1. Assigned MI2/MI1 custody,
  2. Seriously ill and requires a high level of health care services that are not available at the facility, as deemed appropriate by the Chief Medical Officer/designee, and
  3. Incapacitated by the seriousness of the illness and/or the extent of the treatment being provided, and there is a low risk to the community as determined by the Assistant Secretary for Prisons/designee.
- B. Once approved, the Superintendent/designee will coordinate with a Field Community Corrections Officer (CCO) to monitor the individual's status and determine continued placement.
  1. Health status and progress during treatment will determine contact requirements.
    - a. At a minimum, the CCO will make daily telephone contact.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/14/21	<b>PAGE NUMBER</b> 7 of 8	<b>NUMBER</b> <b>DOC 420.110</b>
	<b>TITLE</b> <b>ESCORTED LEAVES AND FURLOUGHS</b>		

2. The CCO will request medical personnel responsible for treatment to immediately notify the CCO when there is an emergency, or the individual is no longer incapacitated.

C. Upon receiving notification that health care services are complete, the Field CCO will coordinate transportation back to the facility.

#### IV. Furloughs from Partial Confinement

A. Before using furloughs, employees/contract staff will use local practices (e.g., point-to-point passes, escort, social outings) that best fit the situation.

B. Case managers will assess risk and complete DOC 01-007 Furlough Application and Plan and DOC 09-071 Order of Furlough. Furloughs require:

1. CCS approval, and

2. An approved sponsor, unless emergent or approved by the CCS.

a. Case managers will ensure the sponsor signs DOC 09-164 Responsibilities of Furlough Sponsors. Assistance may be requested by a Field CCO for an out-of-town sponsor.

C. Funeral Attendance or Deathbed Visit Furlough

1. Employees will notify individuals in a timely manner of the verifiable death or critical illness of an immediate family member.

a. Furloughs will not exceed 48 hours, including travel, unless approved by the CCS.

b. The individual must pay all costs to attend.


2. Case managers will:

a. Verify the death/illness and relationship to the individual.

b. Conduct post-furlough investigations and coordinate with a Field CCO for out-of-county investigations, as directed by the CCS.

D. Emergency Medical Furloughs

1. Case managers will:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/14/21	<b>PAGE NUMBER</b> 8 of 8	<b>NUMBER</b> <b>DOC 420.110</b>
	<b>TITLE</b> <b>ESCORTED LEAVES AND FURLOUGHS</b>		

- a. Obtain the individual's signature on DOC 01-007 Furlough Application and Plan, DOC 09-071 Order of Furlough, and DOC 13-035 Authorization for Disclosure of Health Information as soon as possible. Copies will be sent to the Nurse Desk.
- b. Verify with the health care provider the prognosis and estimated length of hospitalization, if known.
- c. Consider transporting the individual to a total confinement medical facility as soon as possible for continued monitoring and recovery, if appropriate.

V. Department Violators in Rented County Beds

- A. The Department does not provide escorted leave to community supervision violators in contracted jail beds. Individuals may request a furlough for a funeral trip/deathbed visit of an immediate family member per the jail's policy and procedure and interagency agreements.
  1. The CCS/designee in the county where the individual is housed will:
    - a. Verify the death/illness and relationship, and
    - b. Consult the CCS/designee where the individual will be located during the furlough to coordinate supervision, if needed.

**DEFINITIONS:**

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Escorted Leave, Furlough, Immediate Family. Other words/terms appearing in this policy may also be defined in the glossary.

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 01-007 Furlough Application and Plan
- DOC 05-673 Escorted Leave Reimbursement Request
- DOC 05-793 Funeral Trip/Deathbed Visit Worksheet and Checklist
- DOC 09-071 Order of Furlough
- DOC 09-164 Responsibilities of Furlough Sponsors
- DOC 13-035 Authorization for Disclosure of Health Information



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUAL

REVISION DATE  
1/6/23

PAGE NUMBER  
1 of 7

NUMBER  
**DOC 420.115**

**POLICY**

TITLE  
**SPECIAL ESCORTED LEAVE FOR FUNERALS/  
DEATHBED VISITS ON TRIBAL LANDS**

**REVIEW/REVISION HISTORY:**

Effective: 3/1/14  
Revised: 4/6/15  
Revised: 2/22/22  
Revised: 1/6/23

**SUMMARY OF REVISION/REVIEW:**


Added Women's facility throughout  
Policy statement I. & 2. and Directive VI.B.6. - Removed unnecessary language  
I.A., II.A. & B., III.A.1., III.B., IV.A.2.a., IV.B., V.C., V.C.1. & 2., and VI.A. - Adjusted language  
for clarification  
VI.C. - Added clarifying language

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

12/6/22  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/6/23	<b>PAGE NUMBER</b> 2 of 7	<b>NUMBER</b> <b>DOC 420.115</b>
	<b>TITLE</b> <b>SPECIAL ESCORTED LEAVE FOR FUNERALS/ DEATHBED VISITS ON TRIBAL LANDS</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into the policy; [RCW 9.94A.030](#); [RCW 72.01.365](#); [RCW 72.01.370](#); [RCW 72.01.375](#); [RCW 72.01.380](#); [WAC 137-52](#); DOC 390.300 Victim Services; DOC 400.100 Incident and Significant Event Reporting (RESTRICTED); DOC 410.020 Department Emergency Operations Center (RESTRICTED); DOC 410.040 Incident Command System (RESTRICTED); DOC 410.200 Use of Force (RESTRICTED); DOC 410.230 Use of Deadly Force (RESTRICTED); DOC 410.360 Escape Preparedness and Response (RESTRICTED)


**POLICY:**

- I. Consistent with tribal community interests, the Department allows specific individuals to be considered for special escorted leaves from Prison to attend funerals and/or deathbed visits for Squaxin Island tribal members and/or on Squaxin Island tribal lands.
- II. The Department has entered into a formal intergovernmental agreement with the Squaxin Island Tribe concerning the special escorted leave of an individual per this policy.

**DIRECTIVE:**

- I. Requirements
  - A. Individuals may be granted a special escorted leave to attend a funeral and/or deathbed visit of an immediate family member, on or near the Squaxin Island Reservation, if the individual or the individual’s immediate family member is an enrolled member of the Squaxin Island Tribe.
  - B. The special escorted leave must be within Washington State and the duration may only exceed 48 hours, including travel, when approved in advance by the Superintendent.
- II. Initiating a Request
  - A. The individual, the individual’s family, or the Squaxin Island Tribal Executive Leadership will initiate a request for a special escorted leave by contacting the Superintendent.
    1. If the Superintendent learns of the death or critical illness of an individual’s immediate family member before the individual is informed, the Superintendent will ensure the individual is notified in a timely manner.




 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/6/23	<b>PAGE NUMBER</b> 3 of 7	<b>NUMBER</b> <b>DOC 420.115</b>
	<b>TITLE</b> <b>SPECIAL ESCORTED LEAVE FOR FUNERALS/          DEATHBED VISITS ON TRIBAL LANDS</b>		

- B. The Superintendent will assign an employee to complete the checklist and Request section and ensure all approvals are obtained on DOC 21-506 Special Escorted Leave Worksheet and Checklist.


### III. Approval

- A. Special escorted leave requires Superintendent approval. The Superintendent will consider, at a minimum:
  - 1. If there is enough time to transport the individual to the funeral/deathbed visit.
  - 2. Whether attendance at the funeral/deathbed visit is likely to place the individual in proximity to a person who has:
    - a. Been the victim of a criminal act committed by the individual,
    - b. Been the target of threatening behavior exhibited by the individual, and/or
    - c. An active No Contact Order in place against the individual.
  - 3. Whether the Squaxin Island Tribal Executive Leadership:
    - a. Accepts or declines a special escorted leave for the individual, and
    - b. Is willing or unwilling to assume temporary custody during the special escorted leave.
  - 4. A risk assessment that considers, at a minimum:
    - a. Current custody/housing status
    - b. Escape history and probability to escape
    - c. Health care needs
    - d. Mental health
    - e. Behavior
    - f. Risk to reoffend
- B. A designated employee will notify the individual, family, and/or Squaxin Island Tribal Executive Leadership that insufficient time to process the request may be reason for denial.
- C. The Superintendent will notify the applicable Assistant Secretary for Prisons of the reasons for a denied request. The Assistant Secretary may review the denial and make a final determination.

### IV. Cost Requirements

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/6/23	<b>PAGE NUMBER</b> 4 of 7	<b>NUMBER</b> <b>DOC 420.115</b>
	<b>TITLE</b> <b>SPECIAL ESCORTED LEAVE FOR FUNERALS/          DEATHBED VISITS ON TRIBAL LANDS</b>		


- A. The individual, family, or Squaxin Island Tribal Executive Leadership will be notified of the cost requirements.
  - 1. The individual, family, or Squaxin Island Tribal Executive Leadership is responsible for the following costs:
    - a. Mileage for special, roundtrip transportation between the facility where the individual is housed and the Washington Corrections Center (WCC) or Washington Corrections Center for Women (WCCW).
      - 1) Mileage will be billed at the Office of Financial Management privately owned vehicle reimbursement rate and will include applicable charges (e.g., tolls).
    - b. Salary and benefits for the employee(s) escorting the individual, for the duration of the trip between the facility where the individual is housed and WCC/WCCW.
      - 1) Any overtime hours will be billed at time and one-half the employee's hourly rate.
  - 2. The Department will cover the following costs:
    - a. Mileage and employee escort costs if the individual is transferred to/from WCC/WCCW via chain bus.
    - b. General expenses for the individual while at WCC/WCCW (e.g., housing, meals, supervision).
- B. A designated employee will provide the individual, family, and/or the Squaxin Island Tribal Executive Leadership with instructions for payment via the individual's trust account, a money order, and/or a certified check. Payment should be made before the scheduled departure from the facility where the individual is housed.
- C. The individual, family, or Squaxin Island Tribal Executive Leadership will complete DOC 21-503 Special Escorted Leave Reimbursement Request.
- V. Notification Requirements
  - A. Upon approving an individual for a special escorted leave, the Superintendent of the facility where the individual is housed will notify the WCC/WCCW Superintendent.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/6/23	<b>PAGE NUMBER</b> 5 of 7	<b>NUMBER</b> <b>DOC 420.115</b>
	<b>TITLE</b> <b>SPECIAL ESCORTED LEAVE FOR FUNERALS/          DEATHBED VISITS ON TRIBAL LANDS</b>		

1. If the individual is victim/witness eligible, the Superintendent will also notify the Victim Services Program per DOC 390.300 Victim Services.
- B. The Superintendents/designees will determine the transportation arrangements for transferring the individual between the facilities.
- C. Once approved, the WCC/WCCW Superintendent will ensure notification of the special escorted leave is made to:
  1. Squaxin Island tribal law enforcement including:
    - a. Custody and restraint requirements,
    - b. Permitted attire, which will include personal clothes whenever possible,
    - c. Any health/medical requirements,
    - d. Approved itinerary, and
    - e. Any additional precautions applicable.
  2. Local law enforcement (e.g., Mason County Sheriff, Shelton Police Chief, State Patrol District 8 Commander) including the reasons for and terms of the leave and the approved schedule.

VI. Temporary Transfer of Custody


- A. The WCC/WCCW Superintendent will authorize the temporary transfer of custody of an approved individual from the Department to Squaxin Island tribal law enforcement officers using DOC 21-507 Temporary Transfer of Custody Between Washington State Department of Corrections and Tribal Executive Leadership.
- B. The Squaxin Island tribal law enforcement officers will be provided a Special Escorted Leave Packet, with a copy to WCC/WCCW Master Control to maintain while the individual is under temporary transfer of custody. The packet will contain, at a minimum, copies of:
  1. This policy
  2. The signed DOC 21-507 Temporary Transfer of Custody Between Washington State Department of Corrections and Tribal Executive Leadership
  3. The Special Escorted Leave Escape Response Emergency Checklist per DOC 410.360 Escape Preparedness and Response (RESTRICTED)
  4. A completed DOC 21-574 Control Card

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/6/23	<b>PAGE NUMBER</b> 6 of 7	<b>NUMBER</b> <b>DOC 420.115</b>
	<b>TITLE</b> <b>SPECIAL ESCORTED LEAVE FOR FUNERALS/          DEATHBED VISITS ON TRIBAL LANDS</b>		

- 5. The intergovernmental agreement between the Squaxin Island Tribe and the Department, including attachments
- 6. Facility contact information, including current facility Duty Officer
- 7. The legal face sheet from the individual's electronic file
- C. Squaxin Island tribal law enforcement officers will assume responsibility for custody and escort of the individual to and from Squaxin Island tribal lands and during the funeral/deathbed visit.
- D. Once the special escorted leave is concluded, Squaxin Island tribal law enforcement officers will return the individual to WCC/WCCW, which will reassume custody of the individual.
- E. All transfers of custody will be documented on DOC 21-507 Temporary Transfer of Custody Between Washington State Department of Corrections and Tribal Executive Leadership.

VII. Incident/Event Response

- A. In the event an incident or significant event occurs while the individual is under the temporary custody of Squaxin Island tribal law enforcement officers, including an escape or refusal to leave tribal lands, the Department and the Squaxin Island Tribal Executive Leadership will share concurrent jurisdiction.
- B. Upon receiving notification from the Squaxin Island Tribe that an incident/event has occurred, the WCC/WCCW Superintendent will activate the Incident Command Post (ICP) per DOC 410.040 Incident Command System (RESTRICTED) and notify the applicable Assistant Secretary for Prisons per DOC 400.100 Incident and Significant Event Reporting (RESTRICTED).
- C. The Department will activate the Department Emergency Operations Center (EOC) per DOC 410.020 Department Emergency Operations Center (RESTRICTED) in support of incident/event management and resolution.
- D. The Department will work cooperatively with the Squaxin Island Tribe in completing the steps outlined in the Special Escorted Leave Escape Response Emergency Checklist per DOC 410.360 Escape Preparedness and Response (RESTRICTED), when applicable.
- E. Both the Department and the Squaxin Island Tribal Executive Leadership agree to provide the necessary personnel, equipment, materials, and/or services, as determined by the Incident/Unified Commander.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/6/23	<b>PAGE NUMBER</b> 7 of 7	<b>NUMBER</b> <b>DOC 420.115</b>
	<b>TITLE</b> <b>SPECIAL ESCORTED LEAVE FOR FUNERALS/ DEATHBED VISITS ON TRIBAL LANDS</b>		

- F. Department employees will follow DOC 410.200 Use of Force (RESTRICTED) and DOC 410.230 Use of Deadly Force (RESTRICTED) while on tribal land.

**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:**

None

**DOC FORMS:**

- DOC 21-503 Special Escorted Leave Reimbursement Request
- DOC 21-506 Special Escorted Leave Worksheet and Checklist
- DOC 21-507 Temporary Transfer of Custody Between Washington State Department of Corrections and Tribal Executive Leadership
- DOC 21-574 Control Card



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUAL

REVISION DATE  
7/17/23

PAGE NUMBER  
1 of 7

NUMBER  
**DOC 420.140**

**POLICY**

TITLE  
**HOUSING AND CELL/ROOM ASSIGNMENT**

**REVIEW/REVISION HISTORY:**

Effective: 8/24/07  
 Reviewed: 10/15/08  
 Revised: 1/10/11  
 Revised: 12/1/13  
 Revised: 11/17/15  
 Revised: 9/23/21  
 Revised: 7/17/23

**SUMMARY OF REVISION/REVIEW:**


Major changes to include updated title, single cell assignment processes, and incorporation of content from DOC 490.700 Transgender, Intersex, and/or Non-Binary Individuals. Read carefully!

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

6/21/23  
 \_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 2 of 7	<b>NUMBER</b> <b>DOC 420.140</b>
	<b>TITLE</b> <b>HOUSING AND CELL/ROOM ASSIGNMENT</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; DOC 100.500 Non-Discrimination for Individuals; DOC 320.180 Separation and Facility Prohibition Management; DOC 470.500 Security Threat Groups; DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments; DOC 490.700 Transgender, Intersex, and/or Non-Binary Individuals; [Employee Manual for the Identification, Treatment, and Correctional Management of Transgender, Intersex, and Non-binary Individuals](#)

**POLICY:**

- I. Housing practices and decisions are made consistent with DOC 100.500 Non-Discrimination for Individuals and all applicable federal and state laws, regulations, and Executive Orders.
- II. Safety, security, and treatment and rehabilitative needs will be considered when making facility, unit, and cell/room assignments.
- III. Management will ensure that racial segregation is not an unintended consequence of the threat assessment process.

**DIRECTIVE:**

- I. General Requirements
  - A. Incarcerated individuals will be provided the opportunity to contact employees, contract staff, or volunteers to:
    1. Identify individuals or gangs/Security Threat Groups (STGs) who present a risk of violence if assigned to the same cell/room, and/or
    2. Provide information believed to affect the safety of the occupants of a cell/room.
  - B. Housing assignments will be made based on available information, including:
    1. Security issues
    2. Gang/STG affiliation per DOC 470.500 Security Threat Groups
    3. Medical, mental health, or American Disabilities Act (ADA) needs
    4. Length of incarceration/supervision
    5. Height, weight, and age



# POLICY

TITLE  
**HOUSING AND CELL/ROOM ASSIGNMENT**

- 6. Hygienic self-discipline
- 7. Risk assessment and housing assignment requirements per DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments and DOC 490.700 Transgender, Intersex, and/or Non-Binary Individuals
- 8. Known sexual or romantic relationship with another incarcerated individual
- 9. Self-disclosed concerns of the incarcerated individual
- 10. Refusal to provide information or providing false information to influence a cell/room assignment
- 11. Intelligence reports of vulnerability, impulsive behavior, or predatory behavior
- 12. Assessment of personality and interpersonal skills and ability to cope with cell/room cohabitants with a wide range of value deficits and impulsivity
- 13. Separation concerns per DOC 320.180 Separation and Facility Prohibition Management
- 14. Distance to facility services
- 15. Commitment offense
- 16. Criminal history
- 17. Incarceration history, including behavior and written/verbal statements
- 18. Predatory/victimization issues

C. All individuals will be assigned the first available and appropriate bed.


## II. Responsibilities

- A. Each Superintendent will designate an employee(s) who will be responsible for the cell/room assignments within the Prison.
- B. The Reentry Center Manager/designee will be responsible for the cell/room assignments within the Reentry Center.


## III. Single Cell Screening and Assignment

- A. Individuals will be screened for single cell assignment:



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 4 of 7	<b>NUMBER</b> <b>DOC 420.140</b>
	<b>TITLE</b> <b>HOUSING AND CELL/ROOM ASSIGNMENT</b>		

1. Within one business day after admission to any Prison.
    - a. This does not apply for individuals transferred from one facility to another.
  2. When recommended by Health Services for a medical, mental health or Americans with Disabilities Act (ADA) issue (e.g., vulnerable adult, recovery from surgery, infectious disease).
    - a. Health Services will notify the case manager to initiate a single cell screening with a recommended timeframe, if applicable.
  3. When it is determined that single cell assignment is no longer necessary and/or an established timeframe has lapsed (e.g., current single cell assignment previously approved for 3 months).
  4. For cause or if, during any period of incarceration in a congregate correctional facility, an individual commits a violent act resulting in, great bodily harm, the death, or a documented aggravated sexual assault of another incarcerated individual (e.g., a guilty finding for a 501, 502, 521, 635, 637 WAC violation), or similar incident(s) occurring in another jurisdiction.
    - a. For the purpose of single cell screening, documented aggravated sexual assault is defined as a guilty finding for a 635 WAC violation or felony conviction of any offense that includes sexual motivation related to an incident that occurred in a confinement facility.
    - b. Great bodily harm must be determined by Health Services by sending a request for assessment to [dochqsinglereview@doc1.wa.gov](mailto:dochqsinglereview@doc1.wa.gov).
- B. Case managers will complete the top portion of DOC 02-028 Single Cell Screening and Assignment for each individual.
- C. If the case manager determines single cell assignment should be considered, a facility Multidisciplinary Team (MDT) will meet to:
1. Include the Superintendent/Reentry Center Manager or designee with the rank of Correctional Program Manager (CPM) or higher rank to serve as Chair and the:
    - a. CPM
    - b. Captain

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 5 of 7	<b>NUMBER</b> <b>DOC 420.140</b>
	<b>TITLE</b> <b>HOUSING AND CELL/ROOM ASSIGNMENT</b>		

- c. Medical provider
- d. Mental health professional
- e. Intelligence and Investigations lead

2. Review and document on the DOC 02-028 Single Cell Screening and Assignment with a narrative specific to the MDT's recommendation.

D. The Headquarters Single Cell Committee will meet to:

1. Include the Classification and Case Management Administrator or designee with the rank of Statewide Classification Manager or higher rank to serve as Chair and the:

- a. Chief Medical Officer/designee
- b. Director of Mental Health/designee
- c. Custody/Security Specialist
- d. Deputy Assistant Secretary for Women's Prisons/designee when the single cell recommendation involves the Women's Prison division

2. Considering the factors in Single Cell Considerations (Attachment 1).

3. Review and document on the DOC 02-028 Single Cell Screening and Assignment with a narrative specific to the committee's recommendation.

E. If the Single Cell Screening Committee and facility MDT have conflicting recommendations, the Senior Director for Comprehensive Case Management Services will make the final decision for single cell assignment.


F. All single cell reviews/assignments will be documented in the Single Cell Screening section of the individual's electronic file.

G. During emergencies, the Incident Commander may initiate temporary, time-limited exceptions to single cell assignments.

H. Single cell assignment decisions may not be appealed.

#### IV. Housing for Transgender, Intersex, and/or Non-Binary Individuals

A. If an arriving individual who identifies as transgender and/or non-binary or is intersex does not have a PREA Risk Assessment and DOC 02-384 Housing Protocol for Transgender, Intersex, and Non-binary Individuals on file, the individual will be evaluated by appropriate personnel and temporarily assigned to


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 6 of 7	<b>NUMBER</b> <b>DOC 420.140</b>
	<b>TITLE</b> <b>HOUSING AND CELL/ROOM ASSIGNMENT</b>		

the least restrictive housing pending final outcome of a facility MDT per DOC 490.700 Transgender, Intersex, and/or Non-Binary Individuals.

1. In Prisons, an individual who is at high risk for sexual victimization will be housed separately only if there is no available alternative means of separation from likely abusers.
  - a. Placement in general population is permitted with approval of the Deputy Assistant Secretary for Women’s Prisons/Gender Responsive Administrator.
    - 1) It must be documented in writing as a statement or on DOC 02-420 Preferences Request signed by the individual that they feel safe to remain in general population.
2. In Reentry Centers, the individual will be housed in a single person room or a room with an individual(s) assessed as “No Risk”.
3. Individuals in transit through a Reception Diagnostic Center (RDC) will be asked by the sending facility if they feel safe in general population while at the RDC, and ensure it is documented on DOC 02-420 Preferences Request.
  - a. If the individual does not feel safe, housing will be assigned to the least restrictive alternative available pending transfer to the assigned facility.
  - b. A referral to mental health will be made and/or follow-up will occur if necessary.
- B. If an individual requests to be transferred to a gender-affirming facility, the case manager will use the Employee Manual for the Identification, Treatment, and Correctional Management of Transgender, Intersex, and Non-binary Individuals per DOC 490.700 Transgender, Intersex, and/or Non-Binary Housing and Supervision.

V. Cell/Bed Moves

- A. The facility may initiate a cell/bed move for administrative reasons (e.g., safety/security concerns, part of an incentive program, a privilege based on set criteria or specific program requirement).

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 7 of 7	<b>NUMBER</b> <b>DOC 420.140</b>
	<b>TITLE</b> <b>HOUSING AND CELL/ROOM ASSIGNMENT</b>		

- B. Cell/bed courtesy moves may be requested by incarcerated individuals by completing DOC 21-595 Cell/Bed Change Request and submitting to the unit/facility designee.
1. Requesting individuals must:
    - a. Be housed at a facility for at least 30 days before requesting a cell/bed move.
    - b. Have no guilty findings for general infractions in the 60 days prior to the request.
    - c. Have no guilty findings for serious infractions in the 90 days prior to the request.
  2. All individuals who will be residing in the cell must sign DOC 21-595 Cell/Bed Change Request, indicating they agree to the move.
  3. Individuals may only request one cell/bed move every 6 months.

**DEFINITIONS:**

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

**ATTACHMENTS:**

Single Cell Considerations (Attachment 1)

**DOC FORMS:**

- DOC 02-028 Single Cell Screening and Assignment
- DOC 02-384 Housing Protocol for Transgender, Intersex, and Non-binary Individuals
- DOC 02-420 Preferences Request
- DOC 21-595 Cell/Bed Change Request

## **SINGLE CELL CONSIDERATIONS**

The following factors should be considered and documented when determining if single cell assignment is appropriate, if verifiable and known.

### **Aggravating Factors**

- The aggressor of the incident has a history of committing other violent acts
- The victim of the aggressor's act has verifiable information supporting they are vulnerable, (e.g., mobility issues, age, hearing/sight impaired, developmental delayed, intellectually disabled) or other characteristic that limits the ability to protect themselves or get help to avoid a similar situation
- Supporting evidence shows the aggressor committed the act without provocation
- The victim was assigned to the same cell/room/dorm as the individual
- Supporting evidence shows the aggressor is targeting a specific set of civilly protected individuals
- The aggressor expressed no remorse

### **Mitigating Factors**

- The aggressor has a violent criminal or infraction history that is minimal
- The aggressor was a participant in group violence and evidence supports they had a minimal role act that resulted in harm to the victim
- Evidence supports that the victim initiated the conflict and the aggressor acted out in self-defense
- The aggressor expressed remorse for the act
- The aggressor's act was committed more than 15 years ago
- The aggressor's physical condition has changed (e.g., since the time of the incident the aggressor has lost physical mobility)



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
7/6/23

PAGE NUMBER  
1 of 4

NUMBER  
**DOC 420.155**

**POLICY**

TITLE  
**MOVEMENT IN PRISONS**

**REVIEW/REVISION HISTORY:**

- Effective: 2/15/06
- Reviewed: 2/15/07
- Revised: 4/2/08
- Revised: 2/13/09
- Revised: 3/4/10
- Revised: 12/13/10
- Revised: 10/17/11
- Revised: 1/2/13
- Revised: 8/18/14
- Revised: 1/24/22
- Revised: 7/6/23

**SUMMARY OF REVISION/REVIEW:**

I.A.1. - Adjusted language for clarification  
Added Restricted Movement to Definitions section


**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

6/9/23

\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/6/23	<b>PAGE NUMBER</b> 2 of 4	<b>NUMBER</b> <b>DOC 420.155</b>
	<b>TITLE</b> <b>MOVEMENT IN PRISONS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; DOC 320.255 Restrictive Housing; DOC 320.260 Secured Housing Units

**POLICY:**

- I. Movement of incarcerated individuals in Prisons will be regulated to maintain facility control and security.
- II. The Superintendent/designee will be responsible for facility movement.

**DIRECTIVE:**

- I. Scheduled Movement of Individuals
  - A. Each facility will use the statewide callout system for scheduled movement, which identifies periods of time that individuals are authorized to move from one location to another, except within Intensive Management Units (IMUs), Intensive Treatment Units (ITUs), Segregation, Mental Health Segregation, or Secured Housing.
    1. Each facility will develop procedures detailing how scheduled movements will be conducted (e.g., movements to/from living units, program/work areas, and activity/event areas).
    2. Movement within IMUs, ITUs, Segregation, Mental Health Segregation, or Secured Housing will be restricted per DOC 320.255 Restrictive Housing and DOC 320.260 Secured Housing Units.
  - B. The movement schedule will be posted in appropriate locations within the facility, including the living units.
  - C. Employee, contract staff, and volunteer names will not be displayed on callout reports or in the callout system.
- II. Statewide Callout System
  - A. Responsibilities
    1. The Callout Administrator/designee will oversee the statewide callout system.
    2. The Superintendent will designate a facility Callout Coordinator who will:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 7/6/23</p>	<p>PAGE NUMBER 3 of 4</p>	<p>NUMBER <b>DOC 420.155</b></p>
	<p>TITLE <b>MOVEMENT IN PRISONS</b></p>		

- a. Grant security access to the statewide callout system,
  - 1) Employees/contract staff/volunteers will complete DOC 08-082 Callout Systems Access Request for access to the statewide callout system.
- b. Provide callout system training,
- c. Act as the contact person for callout related issues, and
- d. Ensure compliance of the callout system.

B. The statewide callout system will automatically fill with the following information from the electronic file:

- 1. Incarcerated individual and facility demographics
- 2. Programs
- 3. Medical appointments

C. The callout system will be updated and posted on a daily basis.

- 1. Movements will be entered in the electronic file at least daily, by the end of each shift when possible, to ensure callout accuracy.

D. Daily callout lists will be published to identify individuals who are scheduled for appointments, programs, events, meetings, work, and activities. Lists will include the time, reason, and location of the appointment/activity.

E. Processes will be established to notify appropriate employees/contract staff when an individual does not report to a scheduled callout or appointment.

### III. Non-Scheduled Movement

A. Non-scheduled movements require Shift Commander/designee approval and should be kept to a minimum. Processes will be established to conduct non-scheduled movement.

### IV. Limited Movement

A. Written procedures will be developed for the following limited movement situations:

- 1. Recall
- 2. Restricted movement
- 3. Movement of incarcerated individuals and work crews during limited visibility
- 4. Lockdown



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/6/23	<b>PAGE NUMBER</b> 4 of 4	<b>NUMBER</b> <b>DOC 420.155</b>
	<b>TITLE</b> <b>MOVEMENT IN PRISONS</b>		

5. Stop in place (i.e., emergency incidents)
  6. Formal count
- B. The procedures must include information regarding who can authorize and who can rescind limited movement procedures and where specific procedures can be located.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

DOC 08-082 Callout Systems Access Request



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUALS

REVISION DATE  
7/17/23

PAGE NUMBER  
1 of 7

NUMBER  
**DOC 420.310**

# POLICY

TITLE  
**SEARCHES OF INCARCERATED INDIVIDUALS**

## REVIEW/REVISION HISTORY:

- Effective: 3/31/91
- Revised: 3/7/01
- Revised: 6/6/06
- Revised: 9/6/07
- Reviewed: 10/15/08
- Revised: 8/17/09
- Revised: 1/16/12
- Revised: 6/25/12
- Revised: 12/1/12
- Revised: 6/1/13
- Revised: 1/1/14
- Revised: 7/17/23

## SUMMARY OF REVISION/REVIEW:

Major changes to include applicability and updated terminology, processes, and responsibilities throughout. Read carefully!


## APPROVED:

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

6/23/23

\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 2 of 7	<b>NUMBER</b> <b>DOC 420.310</b>
	<b>TITLE</b> <b>SEARCHES OF INCARCERATED INDIVIDUALS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; DOC 310.000 Orientation; DOC 420.311 Dry Cell Search/Watch; DOC 420.312 Body Cavity Search; DOC 420.360 Searches by Canines; DOC 420.365 Evidence Management for Work/Training Release; DOC 420.375 Contraband and Evidence Handling (RESTRICTED)

**POLICY:**

- I. The Department has established procedures to search incarcerated individuals to control contraband and provide for its proper disposition.
- II. All searches will be conducted in a professional, sensitive, respectful, and humane manner, while recognizing privacy needs and avoiding unnecessary force, embarrassment, or indignity to the individual being searched in the least intrusive manner as much as possible.

**DIRECTIVE:**

- I. General Requirements
  - A. Incarcerated individuals will be provided information on searches during orientation per DOC 310.000 Orientation.
  - B. Searches will be conducted by trained employees/contract staff as directed and/or required and may include:
    1. Electronic searches (e.g., metal detector/body scanner)
    2. Pat searches
    3. Using a canine per DOC 420.360 Searches by Canines
      - a. Reentry Center Manager (RCM) approval is required to conduct a canine search.
    4. The safe recovery of internally concealed contraband per DOC 420.311 Dry Cell Search/Watch
    5. Body cavity/strip searches
      - a. Searches of the rectal and/or vaginal cavity in Prisons will be conducted per DOC 420.312 Body Cavity Search.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 3 of 7	<b>NUMBER</b> <b>DOC 420.310</b>
	<b>TITLE</b> <b>SEARCHES OF INCARCERATED INDIVIDUALS</b>		

- b. Body scanners should be used in lieu of a strip search if one is available and operational.
  - 1) Employees viewing scanner images must meet gender requirements for strip searches.
- c. Searches for individuals in a Reentry Center must be approved by the Reentry Center Operations Administrator and the individual may be transported to a Prison to conduct the body cavity or strip search when possible.


- C. Items being carried/transported by an individual are subject to search.
- D. Contraband found during a search will be processed per DOC 420.375 Contraband and Evidence Handling (RESTRICTED) and DOC 420.365 Evidence Management for Work/Training Release.
- E. Employees will wear appropriate protective equipment (e.g., gloves) when searching any person or article, or the surface of any item.
- F. When possible, searches will be conducted within view of the facility's electronic surveillance system(s) without obstructing the search.

## II. Routine Searches

- A. A routine search may include an electronic, canine, or pat search and will be conducted:
  - 1. Regularly at designated movement/transfer/control points
  - 2. At random throughout the facility
  - 3. For safety/security concerns (e.g., suspicion of contraband) with supervisor approval

## III. Pat Searches

- A. Male individuals may be searched by an employee/contract staff of any gender and will not be considered a cross-gender search.
- B. Unless there is an emergent situation:
  - 1. Females will be searched by a female employee/contract staff.
  - 2. Searches of an individual who is transgender and/or non-binary or is intersex will be conducted by the gender requested on the individual's

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 4 of 7	<b>NUMBER</b> <b>DOC 420.310</b>
	<b>TITLE</b> <b>SEARCHES OF INCARCERATED INDIVIDUALS</b>		

DOC 02-420 Preferences Request and are not considered a cross-gender search.

- C. Emergent situations are limited to:
1. When a delay might result in the loss of dangerous contraband or an imminent threat to anyone's safety/security,
  2. Apprehension of an escaped individual,
  3. Following an emergent use of force, and/or
  4. Critical incident/significant event where evacuation must occur immediately (e.g., fire, natural disaster, crime scene) but a pat search is required for safety/security.
- D. The Superintendent/RCM/Duty Officer will approve/deny a cross-gender search and consider appropriate alternatives.
- E. A pat search includes the following:
1. Patting/sliding the hands along the fully clothed body of the individual
  2. Removing the coat, hat, and/or shoes
  3. A visual inspection of nasal passages, hands, hair, ears, and mouth
  4. A search of belongings in the individual's immediate possession

#### IV. Strip Searches

- A. Strip searches in a Prison will be conducted:
1. When entering and exiting a restrictive housing unit.
  2. When entering and/or exiting other secure areas, as identified by the Superintendent.
  3. At Level 3 and higher facilities after direct contact with the public, to include:
    - a. Returning from a location outside the secure perimeter of the facility,
    - b. Returning from a contact visit of any type, or
    - c. Arriving from a non-Department facility or in transit from another Department facility.



# POLICY

TITLE  
**SEARCHES OF INCARCERATED INDIVIDUALS**

- B. Strip searches may be conducted when a reasonable suspicion has been established that an individual may be carrying dangerous contraband that may disrupt the orderly operations of the facility.
- C. A strip search must be conducted by 2 employees and meet the following gender requirements, unless a delay would result in the loss of dangerous contraband or an imminent threat to anyone’s safety/security:
  - 1. Searches of females will be conducted by female employees.
  - 2. Searches of males require that one of the employees conducting the search be male.
    - a. If the second person conducting the strip search is not male, the employee will be positioned to observe the male employee conducting the strip search but will not be in direct line of sight with the undressed incarcerated individual.
    - b. If both employees conducting the strip search are not male, the search will be considered a cross-gender search.
  - 3. Searches of an individual who is transgender and/or non-binary or is intersex will be conducted by the gender requested on the individual’s DOC 02-420 Preferences Request and will not be considered a cross-gender search.
    - a. Strip searches will not be conducted for the purpose of examining an individual’s genitals.
  - 4. The Superintendent/RCM/Duty Officer will approve/deny a cross-gender search and consider appropriate alternatives.
- D. Removal of prosthetic device(s), other than hearing aids, dentures, and/or eyeglasses, will be treated and documented as a strip search.
  - 1. Health Services will be consulted to avoid injury to the individual and/or damage to the device.
- E. Strip searches will be conducted out of view of other individuals to ensure privacy. Only one individual will be searched at a time.
- F. A strip search is a visual inspection requiring the individual to:
  - 1. Remove all clothing and personal belongings, which will be searched,
  - 2. Face the employee and spread feet to shoulder width,



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUALS

REVISION DATE  
7/17/23

PAGE NUMBER  
6 of 7

NUMBER  
**DOC 420.310**

# POLICY

TITLE  
**SEARCHES OF INCARCERATED INDIVIDUALS**

3. Raise arms to shoulder level and open hands, spread fingers, and rotate hands to expose palms and back of hands,
4. Bend at the waist and run hands through hair vigorously (e.g., beard)
  - a. Loose braids and ponytails must be removed to allow hair to be searched.
  - b. Braids close to the scalp must be removed when directed by an employee and approved by the Correctional Unit Supervisor/ Lieutenant or RCM.
5. Spread and swivel hands a second time,
6. Permit visual inspection of the ear canal and remove hearing aid, if present,
7. Pull ears forward to check behind ear and lobe,
8. Tilt head back for inspection under chin and in nasal passages,
9. Open the mouth, lift tongue, and pull cheeks and lips away from gum line,
10. Remove any dentures or false teeth,
11. Spread and swivel hands a third time,
12. Raise arms to expose underarms,
13. Show chest and stomach area,
14. Raise all excess or rolled flesh (e.g., breasts),
15. Expose genitals (e.g., lifting penis and then scrotum),
16. Assume a squatting position and cough,
17. Expose bottoms of feet and between toes by turning away from the employee, and
18. Separate buttocks to expose anus.


G. The Shift Commander/RCM may approve modified search procedures if the individual requires accommodation (e.g., post medical procedure, disability).

## V. Documentation

A. Strip searches will be documented and must contain, at a minimum:

1. Date, time, and location of the search
2. Name and DOC number of the individual being searched
3. Reason for the search
4. Name of employee approving the search
5. Name and gender of employees conducting the search
6. Type and disposition of any contraband found

B. Strip searches in a Reentry Center will be documented as a confidential report in the Incident Management Reporting System (IMRS).

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 7 of 7	<b>NUMBER</b> <b>DOC 420.310</b>
	<b>TITLE</b> <b>SEARCHES OF INCARCERATED INDIVIDUALS</b>		

1. If the individual is transported to a designated facility for a strip/body cavity search, the report will be completed by the sending facility.
- C. If gender requirements cannot be met for a pat/strip search, a confidential report will be completed in IMRS and must contain, at a minimum:
1. Date, time, and location of the search
  2. Name and DOC number of the individual being searched
  3. Reason for the search, including justification for an emergent situation
  4. Name of employee approving the search
  5. Name and gender of employee(s) conducting the search, including steps taken to obtain an employee(s) of the same/requested gender
  6. Type and disposition of any contraband found

#### VI. Monitoring and Training

- A. All custody employees and applicable contract staff will receive training in effective and proper search techniques, including methods of documentation.
1. Employees/contract staff who may conduct searches will be trained in searches of individuals who are transgender and/or non-binary or is intersex.
  2. Training will be documented in the employee/contract staff's training record.
- B. Supervisors will monitor search techniques and provide feedback and training to correct any deficiencies.

#### DEFINITIONS:

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

#### ATTACHMENTS:

None

#### DOC FORMS:

DOC 02-420 Preferences Request





STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
9/9/21

PAGE NUMBER  
1 of 9

NUMBER  
**DOC 420.311**

# POLICY

TITLE  
**DRY CELL SEARCH/WATCH**

## REVIEW/REVISION HISTORY:

Effective: 12/3/02  
Revised: 10/16/07  
Revised: 3/5/09  
Revised: 12/12/11  
Revised: 3/1/15  
Revised: 9/9/21

## SUMMARY OF REVISION/REVIEW:

Major changes to include updated terminology throughout. Read carefully!


## APPROVED:

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

8/6/21

\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 9/9/21	<b>PAGE NUMBER</b> 2 of 9	<b>NUMBER</b> <b>DOC 420.311</b>
	<b>TITLE</b> <b>DRY CELL SEARCH/WATCH</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94.040](#); [RCW 9.94.041](#); [RCW 69.50](#); DOC 320.200 Administrative Segregation; DOC 420.250 Use of Restraints; DOC 420.310 Searches of Offenders; DOC 420.375 Contraband and Evidence Handling; DOC 420.380 Drug/Alcohol Testing; DOC 440.050 State-Issued Clothing/Linen; DOC 470.150 Confidential Offender Information; [Records Retention Schedule](#)

**POLICY:**


- I. The Department has established procedures for placing an incarcerated individual in a secure room/cell for the safe recovery of suspected swallowed or internally concealed contraband/foreign object to ensure the individual's safety and health and safeguard facility security.

**DIRECTIVE:**

- I. General Requirements
  - A. A dry cell search/watch will only be authorized when the Superintendent/designee with the rank of Captain or higher determines reasonable suspicion exists that an individual is concealing contraband/foreign objects internally.
    1. When reasonable suspicion is based on information supplied by a confidential informant, the reliability of the informant and the information provided will be assessed and documented per DOC 470.150 Confidential Offender Information before placement.
      - a. After normal business hours, the Duty Officer may assess the reliability of the informant and information through the Shift Commander.
  - B. DOC 21-408 Dry Cell Search/Watch Authorization must be completed and approved before placing an individual on a dry cell search/watch.
    1. After normal business hours, verbal authorization may be provided and must be documented as soon as possible on the authorization.
    2. Individuals approved for dry cell search/watch will be assigned Administrative Segregation status per DOC 320.200 Administrative Segregation.
  - C. In Level 3 and higher facilities, the dry cell search/watch will be conducted in a room/cell located in the facility hospital/infirmarary/Close Observation Area.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 9/9/21	<b>PAGE NUMBER</b> 3 of 9	<b>NUMBER</b> <b>DOC 420.311</b>
	<b>TITLE</b> <b>DRY CELL SEARCH/WATCH</b>		

1. In Level 2 facilities, the Superintendent/designee will make arrangements to transport the individual to a facility with the necessary resources.
- D. Initial placement on a dry cell watch must be concluded within 72 hours or after 3 consecutive normal bowel movements, whichever occurs first.
1. The appropriate Deputy Director may authorize a 24 hour extension in writing up to 3 times after initial placement if:
    - a. The individual has not had 3 consecutive normal bowel movements within 72 hours.
    - b. The individual has had 3 consecutive normal bowel movements, but internally concealed contraband/foreign objects is still suspected.
    - c. There is reasonable suspicion that the individual is concealing the item(s) in a vaginal cavity.
    - d. There is reasonable suspicion that the individual has re-ingested or reinserted the contraband/foreign object or taken evasive or extraordinary steps to prevent passing the contraband/foreign object.
      - 1) Before the extension is authorized, health services employees/contract staff will complete an immediate assessment and notify the Facility Medical Director/designee of the results.
      - 2) The Deputy Director will notify the Chief Medical Officer of the decision.
  2. If it is determined that the dry cell watch should exceed 7 days:
    - a. Written authorization from the Assistant Secretary for Prisons/designee must be obtained. The Assistant Secretary for Prisons/designee will notify the Chief Medical Officer of the decision.
    - b. A mental health assessment will be conducted.
  3. Extension requests must include specific and reliable information to justify the request.
- E. When being escorted to/from the dry cell watch room/cell:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 9/9/21	<b>PAGE NUMBER</b> 4 of 9	<b>NUMBER</b> <b>DOC 420.311</b>
	<b>TITLE</b> <b>DRY CELL SEARCH/WATCH</b>		

1. Wrist restraints will be used per DOC 420.250 Use of Restraints.
2. The individual will be escorted by 2 custody employees.
3. Pant legs will be tightly taped, allowing for circulation, so contraband will not be lost down the pant leg.

F. A urine drug test will be conducted per DOC 420.380 Drug/Alcohol Testing upon initial placement, if the dry cell watch is extended past 72 hours, and at the conclusion of the watch.

1. Urine drug tests may be conducted throughout the dry cell watch to monitor the presence of drug/alcohol substances.

## II. Initial Placement

A. Upon notification that a dry cell watch is being initiated, the individual's health record and any current health status reports will be reviewed by a facility Registered Nurse, Nurse Practitioner, Physician, or Physician's Assistant to ensure a continuation of medically necessary prescriptions, modalities, and/or medical devices, and to address any medical and/or mental health complaints the individual may have.

1. X-ray examinations will only be performed when medically required.


B. The individual will be:

1. Provided mental health services upon request.
2. Given the opportunity to voluntarily retrieve the contraband/foreign object.
  - a. The request for voluntary retrieval and the results will be documented in the dry cell search/watch logbook.
3. Strip searched and/or searched via electronic body scanner per DOC 420.310 Searches of Offenders.
4. Provided a copy of this policy by the Shift Commander.


## III. Conduct of the Watch

A. An employee will be designated as the Watch Officer, who will:

1. Be of the same gender as the individual.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 9/9/21</p>	<p>PAGE NUMBER 5 of 9</p>	<p>NUMBER <b>DOC 420.311</b></p>
	<p>TITLE <b>DRY CELL SEARCH/WATCH</b></p>		

- a. Individuals who identify as transgender, intersex, or gender non-conforming will be assigned a Watch Officer who is the same gender as the individual identifies with, whenever possible.
2. Be provided with:
  - a. The individual's conditions of confinement.
  - b. Restroom relief at least every 4 hours.
  - c. Means to contact the Shift Commander without leaving the post.
  - d. A post operations manual for a dry cell search/watch and logbook to record all information pertaining to the watch.
    - 1) The Watch Officer will not allow completing entries in the log to distract from watching the individual's activities
3. Maintain constant visual observation of the individual.
4. Ensure unauthorized persons are not allowed in the immediate area of the dry cell watch and contact the Shift Commander before entering or allowing entry into the room/cell.
5. Notify the Shift Commander:
  - a. Before the individual is moved/removed from the cell/room.
  - b. When the authorized time limits have expired,
  - c. When contraband has been retrieved, and/or
  - d. When the individual has had the 3 required consecutive normal bowel movements.
- B. Health services will:
  1. Conduct physical assessments, monitor vital signs, and document behavioral observations for individuals placed on a dry cell search/watch.
    - a. Assessments will be conducted at least:
      - 1) Every hour on the first day
      - 2) Every 2 hours on the second day
      - 3) Every 3 hours on the third day
      - 4) Every 4 hours on the fourth and subsequent day(s)
    - b. Health services checks will be documented in the watch logbook and on DOC 13-528 Infirmery/Extended Observation Unit Dry Cell


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 9/9/21	<b>PAGE NUMBER</b> 6 of 9	<b>NUMBER</b> <b>DOC 420.311</b>
	<b>TITLE</b> <b>DRY CELL SEARCH/WATCH</b>		

Watch Assessment or DOC 13-594 Close Observation Dry Cell Watch Assessment, as appropriate.

- c. If the individual refuses assessment, it will be documented on DOC 13-435 Primary Encounter Report.
  - d. Stimulants and/or laxatives will only be provided with approval from the Facility Medical Director and Superintendent/designee.
- C. The individual will keep hands in plain sight at all times except when sleeping.
- D. The Shift Commander will:
- 1. Make at least one post inspection every 4 hours to confirm that the Watch Officer is properly briefed, and the dry cell watch is being conducted properly including required entries in the watch logbook.
  - 2. Check and log the room/cell temperature.
  - 3. Document each inspection in the watch logbook and note any deficiencies and/or corrective actions.
- E. Custody employees/contract staff will not restrict medications that have been ordered by a health care provider before or during the dry cell watch.
- 1. If restrictions are made by health services employees/contract staff, the decision(s) and the reason(s) will be documented in the health record.


#### IV. Searches

- A. Employees will use extreme caution and vigilance when involved in a dry cell search/watch to ensure the individual does not re-ingest the contraband/foreign object, secretly remove an object which may be used as a weapon or cause self-injury.
- B. Searches will be conducted by officers, other than the Watch Officer, with reasons for the search and results documented in the watch logbook.
  - 1. All items removed from or placed in the room/cell will be searched.
    - a. Feces, toilet paper, and feminine hygiene pads will be thoroughly checked for contraband using appropriate protective equipment.
      - 1) Employees will dispose of feces and urine by flushing it down a toilet other than the one in the dry room/cell.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 9/9/21	<b>PAGE NUMBER</b> 7 of 9	<b>NUMBER</b> <b>DOC 420.311</b>
	<b>TITLE</b> <b>DRY CELL SEARCH/WATCH</b>		

## POLICY

2. The room/cell will be searched at least once every 8 hour shift.
  3. The individual will be strip searched before being removed from the room/cell for any activity.
  4. The individual will be strip searched and the cell searched at each exchange of clothing, and at the conclusion of the dry cell watch.
  5. Other searches may be performed anytime there is suspicious activity.
- C. Any contraband found will be processed per DOC 420.375 Contraband and Evidence Handling.
- V. Conditions of Confinement (COC)
- A. Individuals placed on a dry cell watch will be provided COCs per Attachment 1 unless safety or security considerations dictate otherwise.
1. Except in emergency situations, modifications to COCs must be documented and approved by the Superintendent/designee on DOC 21-632 Restrictive/Secured Housing Unit Conditions of Confinement Modification Approval.
  2. Modifications imposed for emergency situations will be reviewed by the Superintendent/designee.
- VI. Release from Dry Cell Watch
- A. The release of an individual from dry cell watch will be determined and authorized by the Superintendent/designee per DOC 320.200 Administrative Segregation and documented on DOC 21-408 Dry Cell Search/Watch Authorization and in the watch logbook.
1. After normal business hours, verbal authorization may be provided and must be documented as soon as possible on the authorization.
  2. A copy of the completed authorization will be given to the individual upon release from the dry cell watch.
    - a. All confidential information that could lead to the identification of informant sources will be removed or redacted/blacked out.
- VII. Documentation

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 9/9/21</p>	<p>PAGE NUMBER 8 of 9</p>	<p>NUMBER <b>DOC 420.311</b></p>
	<p>TITLE <b>DRY CELL SEARCH/WATCH</b></p>		

- A. A report will be completed in the Incident Management Reporting System (IMRS) upon initial placement, when contraband is recovered, and at the conclusion of the dry cell watch.
- B. The Watch Officer will ensure at least the following is documented in the watch logbook:
  - 1. Any statements the individual may make concerning the circumstances that resulted in their placement on dry cell watch,
  - 2. Any unusual behavior,
  - 3. What and when the individual eats and drinks,
  - 4. The times the individual urinates and defecates, including the consistency and approximate quantity of feces,
  - 5. Exercise periods,
  - 6. Health services employees/contract staff assessments,
  - 7. Any contraband recovered,
  - 8. Availability of hygiene items and whether the individual used them,
  - 9. All searches conducted,
  - 10. Room temperature readings twice per shift, and
  - 11. Conditions of confinement, any changes to the conditions of confinement, and who authorized the changes.
- C. At the end of the dry cell watch, the watch logbook will be maintained in the Captain/Senior Custody Officer's office per the Records Retention Schedule.

**DEFINITIONS:**

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

**ATTACHMENTS:**

Conditions of Confinement for Dry Cell Watch (Attachment 1)





STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
9/9/21

PAGE NUMBER  
9 of 9

NUMBER  
**DOC 420.311**

**POLICY**

TITLE

**DRY CELL SEARCH/WATCH**

**DOC FORMS:**

- DOC 13-435 Primary Encounter Report
- DOC 13-528 Infirmary/Extended Observation Unit Dry Cell Watch Assessment
- DOC 13-594 Close Observation Dry Cell Watch Assessment
- DOC 21-408 Dry Cell Search/Watch Authorization
- DOC 21-632 Restrictive/Secured Housing Unit Conditions of Confinement Modification Approval

## CONDITIONS OF CONFINEMENT FOR DRY CELL WATCH

Individuals placed on a dry cell watch will be provided the following Conditions of Confinement (COC) 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 (i.e., between 68 and 78 degrees Fahrenheit), 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.
  - a. The Superintendent/designee will consult with health services employees/contract staff if there are questions about an appropriate diet for the individual during the dry cell watch.
4. The individual will remain in coveralls at all times, worn over undergarments with the zipper locked and plastic restraints secured in the wrist channels.
  - a. All personal clothing will be searched, inventoried, placed in a bag, and stored in a secure place until the individual is released from dry cell watch.
  - b. Undergarments will be boxers/briefs and a T-shirt for males and briefs, bra/binder, and a T-shirt for women. Alternative clothing may be provided per DOC 440.050 State-Issued Clothing/Linen.
  - c. An officer, other than the Watch Officer, will unlock and unzip the coveralls:
    - 1) To permit bowel movements/urination
    - 2) For medical requirements
    - 3) For showering, when authorized
5. Access to personal hygiene items, as appropriate based on security and safety needs.
  - a. Boxers/briefs will be exchanged daily.
  - b. Feminine hygiene pads will be provided to menstruating individuals.
  - c. A bedpan and/or urinal and toilet paper will be provided upon request of the individual.
  - d. The following will be offered by an officer, other than the Watch Officer, before each meal and after each bowel movement/urination. All hygiene items will be assembled and maintained directly by the officer to ensure availability.
    - 1) Washcloth
    - 2) Towel
    - 3) Bar of soap

- 4) A basin of water
  - e. A toothbrush and toothpaste will be provided after each meal.
  - f. All personal hygiene items will be searched and removed from the cell after a reasonable amount of time.
6. The following items may be maintained in the dry watch cell/room. Unauthorized items will be removed.
    - a. One mattress and one pillow that have been searched and checked for rips/tears
    - b. One blanket
    - c. One wedding ring
    - d. One religious medallion/necklace, worn under the coveralls
    - e. One paperback book/magazine or paper and pencil as long as they are not used to hide actions designed to remove any contraband/foreign object. Items will be removed when not being used.
  7. Opportunity to shower if placed on a watch for over 7 days. The Shift Commander will ensure that adequate security precautions are taken to prevent the loss of any contraband.
  8. Emergency or legal phone call requests will be logged and allowed with approval from the Shift Commander.
  9. Only first class mail will be delivered to the individual with all other mail held until the individual is released from the dry cell watch.
    - a. The individual will be given one piece of mail to read at a time, then searched and stored with the individual's personal clothing to be returned to the individual when released from dry cell watch.
  10. If the individual has a court-imposed deadline, the individual must notify the Watch Officer, who will log the information and notify the Superintendent/designee, through the chain of command.
    - a. The Superintendent/designee will determine appropriate action(s), including delivery of legal mail.
  11. The individual may have the opportunity to exercise in the room/cell.
  12. Access to health services.
  13. Visitors will not be allowed.
  14. Any windows will be closed and locked.
  15. Running water will be turned off during the entire watch procedure.
  16. The toilet bowl will be flushed, covered, and taped to prevent the individual from disposing of any objects.



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
12/14/20

PAGE NUMBER  
1 of 5

NUMBER  
**DOC 420.312**

# POLICY

TITLE  
**BODY CAVITY SEARCH**

## REVIEW/REVISION HISTORY:

- Effective: 7/30/99
- Revised: 12/3/01
- Revised: 6/6/06
- Reviewed: 6/6/07
- Revised: 6/6/08
- Revised: 5/29/09
- Revised: 8/2/10
- Revised: 10/27/14
- Revised: 12/14/20

## SUMMARY OF REVISION/REVIEW:


Major changes to include updated terminology throughout. Read carefully!

## APPROVED:

Signature on file

\_\_\_\_\_  
**STEPHEN SINCLAIR**, Secretary  
Department of Corrections

11/18/20  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/14/20	<b>PAGE NUMBER</b> 2 of 5	<b>NUMBER</b> <b>DOC 420.312</b>
	<b>TITLE</b> <b>BODY CAVITY SEARCH</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; DOC 420.110 Escorted Leaves and Furloughs; DOC 420.310 Searches of Offenders; DOC 420.311 Dry Cell Search/Watch; DOC 420.375 Contraband and Evidence Handling (RESTRICTED); DOC 610.010 Offender Consent for Health Care

**POLICY:**

- I. The Department has established guidelines to conduct a body cavity (i.e., rectal or vaginal) search to recover contraband which is believed to be carried/secreted internally by an incarcerated individual.
- II. Unless a health care practitioner determines a body cavity search is emergent as a lifesaving procedure, body cavity searches will occur at a local community healthcare facility.
  - A. Body cavity searches will be conducted in a non-abusive manner and outside the presence of other incarcerated individuals and unnecessary employees/contract staff.

**DIRECTIVE:**


- I. Voluntary Assistance
  - A. At any time, individuals may request assistance from Health Services to recover concealed/secreted items. Voluntary removal of items from a body cavity is not considered a body cavity search and will be considered a medical procedure.
    1. Consent will be documented per DOC 610.010 Offender Consent for Health Care and the procedure will be documented using DOC 13-435 Primary Encounter Report.
      - a. The health care practitioner will determine if the removal is safe to conduct onsite or if best completed at a local community healthcare facility in consultation with the Facility Medical Director/designee.
    2. Recovered items are considered voluntarily surrendered, will be handled and disposed of per DOC 420.375 Contraband and Evidence Handling, and may be subject to disciplinary action.
- II. Authorization When Consent Is Not Obtained
  - A. A body cavity search may be authorized when there is reasonable suspicion that an individual is concealing contraband internally, and:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/14/20	<b>PAGE NUMBER</b> 3 of 5	<b>NUMBER</b> <b>DOC 420.312</b>
	<b>TITLE</b> <b>BODY CAVITY SEARCH</b>		

1. The concealment is an imminent threat to life or security,
  2. All other means, including a dry cell search, have been exhausted or are inappropriate, and
  3. The search will occur at a local community healthcare facility, unless emergent.
- B. To help determine the presence and risk of contraband, non-invasive and minimally invasive procedures (e.g., blood tests, x-rays, body scanner) may be ordered by a health care practitioner without the individual's consent.
- C. Employees/contract staff will submit DOC 21-998 Body Cavity Search Authorization to the Superintendent for review and approval/denial.
1. The Superintendent will obtain approval from the Assistant Secretary for Prisons/designee to determine a body cavity search is safe and to specify any requirements.
    - a. Assistant Secretary for Prisons/designee approval may be given verbally, which will be documented on DOC 21-998 Body Cavity Search Authorization and signed within one business day after receiving approval.

### III. Body Cavity Search Procedure

- A. If conducted onsite for emergent purposes, all participants in a body cavity search process will be the same gender as the individual being searched. If the same gender is not available, a chaperone will be present.
  1. If time and circumstances allow, the Superintendent will assign a member of the facility management team to monitor the body cavity search procedure.
- B. The Superintendent will ensure a custody employee documents all elements of the search using DOC 21-999 Body Cavity Search Procedure.
- C. The procedure will be video recorded, except for the search of the body cavity, starting with all events leading to the search. The recording should be continuous to record as much of the search as possible.
  1. Away from the incarcerated individual, a custody employee will record the following opening statement:
    - a. Date and time,

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/14/20	<b>PAGE NUMBER</b> 4 of 5	<b>NUMBER</b> <b>DOC 420.312</b>
	<b>TITLE</b> <b>BODY CAVITY SEARCH</b>		

- b. Name and DOC number of the individual being searched,
- c. Names of all employees/contract staff involved, and
- d. Special instructions.

D. Individuals will be escorted to a local community healthcare facility, as approved by the Superintendent, to retrieve the item(s) per DOC 420.110 Escorted Leaves and Furloughs.

- 1. A strip search will be conducted before transport per DOC 420.310 Searches of Offenders.
- 2. A custody employee must remain with the individual at all times.
- 3. Body cavity searches will be conducted by medical personnel at the local community healthcare facility.

E. If the medical personnel does not recommend retrieval, the individual will be returned to or placed on dry cell search/watch per DOC 420.311 Dry Cell Search/Watch.

F. If any contraband is expelled/retrieved, the search may be continued to verify the presence of additional contraband.

- 1. Recovered contraband will be handled per DOC 420.375 Contraband and Evidence Handling (RESTRICTED).

#### IV. Documentation

A. Incident documents will be completed and forwarded to the Superintendent through the chain of command.

- 1. A copy of the completed DOC 21-998 Body Cavity Search Authorization will be forwarded to the appropriate Deputy Director after the search.

B. A report will be completed in the Incident Report Management System.

#### DEFINITIONS:

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

#### ATTACHMENTS:

None



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
12/14/20

PAGE NUMBER  
5 of 5

NUMBER  
**DOC 420.312**

**POLICY**

TITLE

**BODY CAVITY SEARCH**

**DOC FORMS:**

DOC 13-435 Primary Encounter Report

DOC 21-998 Body Cavity Search Authorization

DOC 21-999 Body Cavity Search Procedure





STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
12/2/21

PAGE NUMBER  
1 of 7

NUMBER  
**DOC 420.320**

**POLICY**

TITLE  
**SEARCHES OF FACILITIES**

**REVIEW/REVISION HISTORY:**

- Effective: 3/7/01
- Revised: 3/9/05
- Revised: 9/22/05
- Revised: 11/21/06
- Revised: 1/28/08
- Revised: 4/19/10
- Revised: 1/16/12
- Revised: 9/1/15
- Revised: 3/4/19
- Revised: 12/2/21

**SUMMARY OF REVISION/REVIEW:**


III.A. - Added clarifying language  
IV.D.2., V.C.1., V.C.1.a.3), and V.C.2. - Adjusted language for clarification  
V.C.3. - Removed unnecessary language

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

11/18/21  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 2 of 7	<b>NUMBER</b> <b>DOC 420.320</b>
	<b>TITLE</b> <b>SEARCHES OF FACILITIES</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [WAC 137-28-160](#); DOC 410.240 Armory/ Firearms Management (RESTRICTED); DOC 420.240 Personal Firearms (RESTRICTED); DOC 420.375 Contraband and Evidence Handling (RESTRICTED); DOC 420.280 Canine Teams (RESTRICTED); DOC 420.120 Facility Access Searches and Allowable Items; DOC 560.200 Religious Programs; DOC 650.020 Pharmaceutical Management; DOC 850.150 Drug and Alcohol Free Workplace

**POLICY:**

- I. Searches will be conducted professionally, thoroughly, and frequently on a scheduled and random basis in an effort to:
  - A. Minimize the introduction or flow of contraband, and
  - B. Enhance the security in Department facilities and the safety of employees, incarcerated individuals, and the public.
- II. Explosives, weapons, alcoholic beverages, illegal drugs and drug paraphernalia, and controlled substances are prohibited on facility grounds with the exception of:
  - A. Controlled substances authorized per DOC 420.280 Canine Teams (RESTRICTED), DOC 650.020 Pharmaceutical Management, and DOC 850.150 Drug and Alcohol Free Workplace.
  - B. Department weapons and related materials per DOC 410.240 Armory/Firearms Management (RESTRICTED) and other applicable Emergency Management System policies.
  - C. Personal weapons per DOC 420.240 Personal Firearms (RESTRICTED).

**DIRECTIVE:**

- I. General Requirements
  - A. Areas within the secure perimeter of a facility will be routinely searched. Additional attention should be given to employees and areas where contraband control is more critical, including:
    - 1. The mailroom
    - 2. The visit room
    - 3. Public access areas
    - 4. Visitor restrooms
    - 5. The property room

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 3 of 7	<b>NUMBER</b> <b>DOC 420.320</b>
	<b>TITLE</b> <b>SEARCHES OF FACILITIES</b>		

6. Perimeter boundaries
7. Vehicle entrance(s)
8. Living units
9. Work/program areas

B. All items brought into a facility will be thoroughly searched for contraband.

C. All lockers/storage containers are subject to search at any time.

D. Searches of employee/contract staff offices and lockers will be conducted per DOC 420.120 Facility Access Searches and Allowable Items.

## II. Search Processes

A. Each facility will develop a plan to search the entire facility at once in an effective and efficient manner applicable in the event of an emergency or critical incident.

1. The plan will include at a minimum:

- a. Estimated time of search
- b. Staffing resources needed
- c. Movement restrictions
- d. Notifications
- e. Documentation requirements


2. Shift Commanders and other necessary employees will be trained in this search process.

B. When an incarcerated individual is suspected of a new crime, only the Superintendent/designee will authorize appropriate searches, unless immediate action is necessary. The Superintendent/designee will be informed as soon as possible following an immediate search.

C. Searching employees will be alert to the possibility of disturbing a crime scene during a cell or activity area search.

1. If a suspected crime scene is discovered, the scene will be secured, and law enforcement notified through the chain of command.

2. The chain of evidence, which accounts for the preservation of evidence from the moment it is collected from the crime scene to the trial/hearing, must be protected.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 12/2/21</p>	<p>PAGE NUMBER 4 of 7</p>	<p>NUMBER <b>DOC 420.320</b></p>
	<p>TITLE <b>SEARCHES OF FACILITIES</b></p>		


- D. All contraband which can be used to escape, or cause serious bodily injury, will be immediately reported via the chain of command to the Superintendent/designee.
- E. Employees will not inform incarcerated individuals of planned searches before they are conducted.
- F. Employees will wear protective gloves and/or other personal protective equipment when searching any person or article, or the surface of any item, to lessen the possibility of becoming contaminated with blood or body fluids.

III. General Areas

- A. Areas of the facility that are accessed by the public will be searched before and after each use and before incarcerated individuals are allowed access to the areas again.
- B. Areas outside the secure perimeter will be periodically searched for contraband.

IV. Living Areas

- A. Cells/dorms/living areas will be inspected daily to ensure cleanliness and compliance with facility regulations and identify any safety hazards.
  - 1. The inspections will be documented, and discrepancies that pose a safety hazard will be reported in a timely manner.
- B. Searches of general population cells will occur, at a minimum, once every 60 days.
- C. Searches of restricted housing cells will occur, at a minimum, once every 7 days.
- D. Correctional employees may enter and search a housing area at any time without prior notice or an incarcerated individual's approval and without the individual's presence.
  - 1. Cell searches should be conducted with a minimum of 2 employees.
  - 2. The incarcerated individual will be instructed to exit the cell, pat searched, and directed to the waiting area so that the individual does not interfere with search activities.
  - 3. The search will include a systematic, thorough, and objective search of the area, equipment, fixtures, and incarcerated individual's property.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 12/2/21</p>	<p>PAGE NUMBER 5 of 7</p>	<p>NUMBER <b>DOC 420.320</b></p>
	<p>TITLE <b>SEARCHES OF FACILITIES</b></p>		

4. Reasonable effort will be made to restore the area to its original condition. Bedding will be left folded on the bunk.

E. A documented search of unoccupied cells/dorms/living areas will be conducted before an individual is moved in.

V. Property Searches

A. Personal property searches may be conducted by one employee if in a visible area outside the cell. However, the preference is for at least 2 employees to conduct searches.

B. Documents marked and identified as personal legal documents/papers may be examined but will not be read, except as necessary to confirm:


1. They are generally legal in nature,
2. They do not create a threat to facility order and security, and
3. Contraband is not concealed in the materials.

C. Personal religious items identified as requiring special handling per DOC 560.200 Religious Programs will be searched with respect.

1. Authorized items stored in a religious items box will be listed on a copy of the individual's property record stored inside the box. The box and the form do not require special handling. Items which require special handling may be searched by lifting the box cover and conducting a visual search (i.e., tier checks) without touching the items.

a. If an employee believes an adequate search cannot be conducted in this manner and a more detailed search is necessary, the individual should be present during the search.

- 1) Employees may empty the entire contents of the religious items box and spread them on a flat, clean surface so the items requiring special handling can be easily observed and searched without being touched.
- 2) The individual may be directed to show a specific item(s) to an employee for closer inspection.
- 3) If the individual refuses to comply with the instructions of an employee during the search process, the contents will be sealed in the box, and the individual will be provided with a copy of DOC 05-384 Search Report as a receipt. With the


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 6 of 7	<b>NUMBER</b> <b>DOC 420.320</b>
	<b>TITLE</b> <b>SEARCHES OF FACILITIES</b>		

approval of the Shift Commander or higher authority, the contents will be inspected by an employee with a Religious Coordinator present.

- b. If an employee believes there is an immediate threat to facility security, safety, or health involving explosives, weapons, or illegal drugs, a search may be conducted by an employee without the individual present. Prior authorization for the search must be obtained from the Shift Commander/Correctional Unit Supervisor.
  2. If contraband or an item(s) not listed on the individual's property record is discovered in the box:
    - a. The item(s) will be returned to the box which will be sealed with tape, signed and dated by the employee, and stored in the evidence room.
    - b. The Religious Coordinator, Correctional Unit Supervisor, or Shift Commander will review the item and approve or recommend necessary action.
    - c. The individual will be provided a copy of DOC 05-384 Search Report as a receipt for confiscated property.
  3. Individuals with a medicine bag will, as instructed by employees, present its contents for view. If an illegal item(s) is found, the medicine bag and illegal item(s) will be confiscated, and the individual will receive a copy of DOC 05-384 Search Report as a receipt.
  4. Tarot cards will be removed from their wrap or bag by the individual and displayed for the search.
- D. Identifying individual ownership of confiscated property should be attempted in multiple occupancy cells/dorms, if possible.
1. If employees are unable to identify individual ownership of confiscated property/contraband or other discovered violation(s), all individuals assigned to the area will be issued the infraction(s). Individuals will be given an opportunity to contest ownership at the disciplinary hearing.

## VI. Common Areas

- A. Searches of areas used by incarcerated individuals will be systematic and thorough.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/2/21	<b>PAGE NUMBER</b> 7 of 7	<b>NUMBER</b> <b>DOC 420.320</b>
	<b>TITLE</b> <b>SEARCHES OF FACILITIES</b>		

B. Recreation yards will be searched at the beginning and end of daily activities to ensure no individuals, weapons, and/or contraband are present.

1. Results of the searches will be documented per local procedures.
2. A schedule for an electronic search of the yard should be established to ensure weapons are not buried in the ground.

#### VII. Documentation

A. All searches must be documented in the unit/area logbook, indicating:

1. Cells and areas searched,
2. Date and time of search, and
3. Names of employees involved.

B. Before leaving the area, employees must complete DOC 05-384 Search Report describing all items confiscated from the cell or search area.

1. A copy of the completed form will be left in the cell or handed directly to the individual as a receipt.
2. Evidence for infractions will be handled per DOC 420.375 Contraband and Evidence Handling (RESTRICTED).

#### VIII. X-ray Searches

A. An x-ray/imaging search of packages or inanimate objects may be conducted with devices engineered for this purpose. No person will be scanned or searched with these devices.

#### DEFINITIONS:

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

#### ATTACHMENTS:

None

#### DOC FORMS:

DOC 05-384 Search Report



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**REENTRY**  
FACILITY MANUAL

REVISION DATE  
7/17/23

PAGE NUMBER  
1 of 4

NUMBER  
**DOC 420.325**

**POLICY**

TITLE  
**SEARCHES IN REENTRY CENTERS**

**REVIEW/REVISION HISTORY:**

- Effective: 7/17/03
- Revised: 3/25/04
- Revised: 1/4/07
- Revised: 1/25/08
- Revised: 3/11/09
- Reviewed: 11/9/09
- Revised: 3/26/12
- Revised: 6/1/13
- Revised: 4/20/15
- Revised: 1/8/20
- Revised: 7/17/23

**SUMMARY OF REVISION/REVIEW:**

Major changes to include updated terminology throughout and removal of content to DOC 420.310 Searches of Incarcerated Individuals. Read carefully!


**APPROVED:**

Signature on file

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**CHERYL STRANGE**, Secretary  
Department of Corrections

6/23/23  
\_\_\_\_\_  
Date Signed



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>REENTRY</b> FACILITY MANUAL</p>		
	<p>REVISION DATE 7/17/23</p>	<p>PAGE NUMBER 2 of 4</p>	<p>NUMBER <b>DOC 420.325</b></p>
	<p>TITLE <b>SEARCHES IN REENTRY CENTERS</b></p>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 72.09.530](#); DOC 420.310 Searches of Incarcerated Individuals; DOC 420.365 Evidence Management for Work/Training Release

**POLICY:**

- I. The Department has established search procedures in Reentry Centers to minimize the introduction or flow of contraband and enhance security and safety.

**DIRECTIVE:**

- I. General Requirements
  - A. Employees and contract staff will be trained in search techniques before conducting searches.
  - B. Searches will be conducted on a frequent, unannounced, and random basis. Except as outlined in this policy, the Reentry Center Manager (RCM) will determine the types and frequency of searches conducted within the facility and on facility grounds, including areas where a handheld scanner may be used.
    1. When possible, searches will be conducted within view of the facility's electronic surveillance system(s) without obstructing the search.
    2. Handheld scanners may be used to search personal belongings.
    3. Searches of incarcerated individuals will be conducted per DOC 420.310 Searches of Incarcerated Individuals.
  - C. Anyone entering the facility grounds of a Reentry Center is subject to search at any time. Items taken out of the facility by incarcerated individuals will be searched on a random basis.
  - D. Employees/contract staff will wear appropriate personal protective equipment (e.g., gloves) when searching any person or article, or the surface of any item.
  - E. Excess money and contraband confiscated/collected will be handled per DOC 420.365 Evidence Management for Work/Training Release.
- II. Searches of Facility and Facility Grounds
  - A. Incarcerated individuals do not have to be present for any area/room or vehicle search.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>REENTRY</b> FACILITY MANUAL</p>		
	<p>REVISION DATE 7/17/23</p>	<p>PAGE NUMBER 3 of 4</p>	<p>NUMBER <b>DOC 420.325</b></p>
	<p>TITLE <b>SEARCHES IN REENTRY CENTERS</b></p>		

- B. Each living, common, and/or activity area will be searched at least once per month. Employees/contract staff conducting the search will make every effort to restore the area to its original condition.
  - 1. Each shift will be responsible for completing searches of one common area and one activity area per day.
  - 2. Personal religious items will be handled with respect. Search procedures will reflect an awareness of and sensitivity to individual religious beliefs, practices, and objects/symbols.
  - 3. Legal material will not be read but may be examined for contraband.
- C. Vehicles of incarcerated individuals will be searched when they are initially brought onto facility grounds and weekly thereafter.

III. Documentation

- A. Employees/contract staff will document searches within the facility and on facility grounds using DOC 05-384 Search Report and maintain a log, including when, by whom, and the results of the search.
  - 1. Search reports will be reviewed to ensure compliance with policy and facility procedures:
    - a. Weekly by the Sergeant/Contract Director.
    - b. Monthly by the RCM.
  - 2. Identified and corrected deficiencies will be reported to the RCM or Reentry Center Operations Administrator.
- B. A copy of DOC 05-131 Evidence/Property Record - Reentry Centers and DOC 05-384 Search Report will be provided to the individual if any of their property is removed during a search.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**REENTRY**  
FACILITY MANUAL

REVISION DATE  
7/17/23

PAGE NUMBER  
4 of 4

NUMBER  
**DOC 420.325**

**POLICY**

TITLE

**SEARCHES IN REENTRY CENTERS**

**DOC FORMS:**

DOC 05-131 Evidence/Property Record - Reentry Centers

DOC 05-384 Search Report



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
7/17/24

PAGE NUMBER  
1 of 7

NUMBER  
**DOC 420.340**

**POLICY**

TITLE  
**SEARCHING AND DETAINING FACILITY VISITORS**

**REVIEW/REVISION HISTORY:**

- Effective: 3/31/91
- Revised: 3/13/01
- Revised: 8/23/02
- Revised: 3/1/05
- Revised: 4/8/08
- Revised: 6/4/09 AB 09-018
- Revised: 3/12/12
- Revised: 3/1/15
- Revised: 1/4/22
- Revised: 7/17/24

**SUMMARY OF REVISION/REVIEW:**


Policy statement I., Directive I.A.3., I.B.2.a.I.B.5.a., II.B., III.A., III.C.1., III.D.1.a., III.D.1.b., III.D.2., and III.D.2.b. - Removed unnecessary language  
 Policy statement II., Directive I.A.1., I.A.2.a., I.A.4. & 5., I.A.5.a., I.B.1.a.-c., I.B.2.a.1), I.B.3.a & b., I.B.3.b.2)-4), I.B.4.a., I.B.5.b. & c., I.B.5.b.2), I.C.1., II.A., III.B., III.C., and IV.A. & B. - Adjusted language for clarification  
 I.B.2.a.2), I.B.3.c., I.B.4.c., I.B.5.b.2)a) & b), I.B.5.c., and IV.C. - Added clarifying language  
 Added I.B.3.a.1) that the Shift Commander will consider appropriate alternatives if the visitor does not consent to a cross-gender search  
 Added I.B.3.b.1) that a pat search will include patting/sliding the hands along the fully clothed body of the visitor

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

6/17/24  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/24	<b>PAGE NUMBER</b> 2 of 7	<b>NUMBER</b> <b>DOC 420.340</b>
	<b>TITLE</b> <b>SEARCHING AND DETAINING FACILITY VISITORS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 72.02](#); [RCW 72.09.650](#); DOC 410.200 Use of Force (RESTRICTED); DOC 410.320 Threats, Bombs, and Suspicious Objects (RESTRICTED); DOC 420.250 Use of Restraints (RESTRICTED); DOC 420.330 Searches of Vehicles (RESTRICTED); DOC 420.360 Searches by Canines; DOC 420.375 Contraband and Evidence Handling (RESTRICTED)

**POLICY:**

- I. The Department requires searches of contract staff, volunteers, vendors, and other visitors on facility grounds.
- II. Searches will be conducted, as required, to maintain and enhance the security and safety of personnel, incarcerated individuals, and the public by minimizing the introduction of contraband into Department facilities.
- III. The Department may detain any visitor who enters or remains on facility grounds without permission, appears to have committed or is attempting to commit a crime on facility grounds, or is found in possession of contraband.

**DIRECTIVE:**


- I. Searching Visitors
  - A. Notification
    1. Notices will be clearly posted along facility perimeter boundaries and at all entrances to inform all visitors that they are subject to search.
    2. Before being searched, visitors must be informed of the type of search that will be conducted and the consequences of refusing a search.
      - a. When a group has been approved for a tour of a facility, the Superintendent/designee may determine in advance if tour group members will be searched and the type of search(es) that will be conducted. This decision will be communicated to public access employees/contract staff and employees/contract staff escorting the tour.
    3. All visitors will be provided the opportunity to read this policy.
    4. Each visitor must sign DOC 21-575 Acknowledgment of Visitor Search Requirements the first time they visit. The form will be retained by the facility. A copy will be given to the visitor upon request.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/24	<b>PAGE NUMBER</b> 3 of 7	<b>NUMBER</b> <b>DOC 420.340</b>
	<b>TITLE</b> <b>SEARCHING AND DETAINING FACILITY VISITORS</b>		


5. Visitors refusing a search will be escorted from the facility and law enforcement may be notified of any suspected criminal activity.
  - a. A visitor who refuses a search may be denied access to the facility for a period of 90 days. A second refusal may result in permanent denial of access.

**B. Searches**

1. **Electronic Search**
  - a. Visitors to Level 3, 4, and 5 facilities will be scanned using a handheld or stationary electronic metal detector/body scanner.
  - b. Visitors to Level 2 facilities may be scanned using a handheld or stationary electronic metal detector/body scanner.
  - c. If an electronic search detects the presence of metal (e.g., screws, pins, plates, artificial joints or other medical appliances, underwire bra), a pat search will be required.
2. **Container Search**
  - a. Handbags, briefcases, and any other containers or hand-carried items brought in by visitors will be searched. These searches may be conducted in a public area.
    - 1) The visitor will be present during the search unless ownership cannot be established or there is a compelling security reason for proceeding with the search in the visitor's absence. Items of unknown ownership should be handled as suspicious objects per DOC 410.320 Threats, Bombs, and Suspicious Objects (RESTRICTED).
    - 2) A canine search may be used to conduct or supplement a container search.
3. **Pat Search**
  - a. Pat searches will be conducted in a private setting by an employee/contract staff of the same gender as the visitor being searched, when possible.
    - 1) If the visitor does not consent to a cross-gender search, the Shift Commander will consider appropriate alternatives.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/24	<b>PAGE NUMBER</b> 4 of 7	<b>NUMBER</b> <b>DOC 420.340</b>
	<b>TITLE</b> <b>SEARCHING AND DETAINING FACILITY VISITORS</b>		

- b. A pat search will include:
  - 1) Removing the coat, hat, and shoes
  - 2) Patting/sliding the hands along the fully clothed body of the visitor
  - 3) A visual inspection of nasal passages, hands, hair, ears, and mouth
  - 4) A search of belongings in the visitor's immediate possession
- c. For a pat search of a child in diapers, the diaper will be removed by the accompanying adult and replaced with a clean diaper that has been searched by employees/contract staff. The accompanying adult will also be pat searched.
- 4. Locker Search
  - a. A search of state-provided lockers may be conducted using master keys or combinations owned or controlled by the facility.
  - b. A locker search does not require the presence of the person using the locker.
  - c. A canine search may be used to conduct or supplement a locker search.
- 5. Canine Search
  - a. A canine search of visitors may be conducted per DOC 420.360 Searches by Canines.
  - b. When a canine has alerted on a visitor, a pat search will be conducted. A vehicle search may also be conducted per DOC 420.330 Searches of Vehicles (RESTRICTED).
    - 1) Access to the facility may be permitted if contraband is not discovered.
    - 2) If suspicion remains, management strategies may include:
      - a) Assigning employees/contract staff to escort the visitor,

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/24	<b>PAGE NUMBER</b> 5 of 7	<b>NUMBER</b> <b>DOC 420.340</b>
	<b>TITLE</b> <b>SEARCHING AND DETAINING FACILITY VISITORS</b>		

- b) Seating the visitor and incarcerated individual directly in front of visit room employees/contract staff, and/or
- c) No contact visiting.

c. If the canine alerts on a visitor or there is specific intelligence related to the visitor/individual, the visit may be temporarily suspended pending further investigation.

- 1) Documentation to support the temporary suspension will be submitted to the Superintendent no later than the next business day.

**C. Safety**

- 1. Employees/contract staff will wear appropriate protective equipment (e.g., gloves) when searching any visitor, article, or the surface of any item to lessen the possibility of becoming contaminated with blood or body fluids.

**II. Contraband**

A. Contraband found during a search will not be permitted inside the facility, and the visitor will be denied access pending review by the Superintendent/designee. Any visitor found in possession of contraband may be subject to permanent denial of access.

- 1. Contraband will be documented and disposed of per DOC 420.375 Contraband and Evidence Handling (RESTRICTED).

B. Local law enforcement will be notified if a visitor is found in possession of contraband that is an illegal item.


**III. Detaining Visitors**

A. The Shift Commander has the authority to detain or remove visitors who:

- 1. Enter or remain within a facility or on the grounds without permission,
- 2. Appear to have committed or are attempting to commit a crime, when probable cause has been established, or
- 3. Possess contraband.


B. Employees/contract staff observing a violation or having probable cause to believe that a violation has occurred or is about to occur, will notify the Shift



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/24	<b>PAGE NUMBER</b> 6 of 7	<b>NUMBER</b> <b>DOC 420.340</b>
	<b>TITLE</b> <b>SEARCHING AND DETAINING FACILITY VISITORS</b>		

Commander as soon as possible. Employees/contract staff will inform the Shift Commander of the following:

1. Name of person(s) involved
  2. Location of incident
  3. Nature of incident
  4. Number of individuals involved
  5. Number of employees/contract staff involved
  6. Number of citizens/visitors involved
  7. Injuries, and
  8. Weapons involved
- C. The Shift Commander will provide direction to on-scene employees/contract staff and will send additional employees/contract staff, as necessary.
1. If the violation occurs during visitation, the visit will be terminated by separating the visitor and individual and removing them from the visiting area.
- D. The Shift Commander will immediately notify local law enforcement. Any contraband that is confiscated will be seized, handled, and documented per DOC 420.375 Contraband and Evidence Handling (RESTRICTED).
1. If law enforcement is responding:
    - a. The Shift Commander will direct that the visitor be detained for law enforcement in a location previously designated by the Superintendent. The visitor will be:
      - 1) Under constant observation until law enforcement arrives and assumes custody,
      - 2) Afforded reasonable accommodations (e.g., restroom, water), and
      - 3) Subject to any search method(s) mentioned in this policy.
    - b. If the visitor becomes combative, a threat to themselves or others, or damages property, use of force is authorized including restraints per DOC 410.200 Use of Force (RESTRICTED) and DOC 420.250 Use of Restraints (RESTRICTED) to protect the safety of visitors and personnel or the security of the facility or state property. The Shift Commander will be notified as soon as practical.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/24	<b>PAGE NUMBER</b> 7 of 7	<b>NUMBER</b> <b>DOC 420.340</b>
	<b>TITLE</b> <b>SEARCHING AND DETAINING FACILITY VISITORS</b>		

2. If law enforcement is not responding, the visitor will be:
  - a. Subject to any search method(s) authorized in this policy,
  - b. Advised that the incident has been reported to law enforcement and the visitor will be contacted by that agency,
  - c. Instructed to contact the facility to request the status of visitation privileges, and
  - d. Escorted to the facility exit and directed to leave facility grounds.

#### IV. Training and Monitoring

- A. All new correctional employees/contract staff will receive training in effective and proper search techniques and methods of documentation, including methodology, liabilities, and policy review.
- B. Training will be documented in the employee/contract staff's training record.
- C. Supervisors will monitor and review employee/contract staff search techniques and provide training to correct any deficiencies.

#### DEFINITIONS:

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

#### ATTACHMENTS:

None

#### DOC FORMS:

DOC 21-575 Acknowledgment of Visitor Search Requirements



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUAL

REVISION DATE  
1/12/22

PAGE NUMBER  
1 of 4

NUMBER  
**DOC 420.360**

**POLICY**

TITLE  
**SEARCHES BY CANINES**

**REVIEW/REVISION HISTORY:**

Effective: 8/16/01  
 Revised: 4/15/05  
 Revised: 5/25/07  
 Revised: 6/27/08  
 Reviewed: 9/8/10  
 Revised: 7/14/14  
 Revised: 1/12/22  
 Reviewed: 5/22/23

**SUMMARY OF REVISION/REVIEW:**


Reviewed only. No changes made.

**APPROVED:**

Signature on file

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**CHERYL STRANGE**, Secretary  
 Department of Corrections

5/17/23  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/12/22	<b>PAGE NUMBER</b> 2 of 4	<b>NUMBER</b> <b>DOC 420.360</b>
	<b>TITLE</b> <b>SEARCHES BY CANINES</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 69.50](#); [WAC 137-36-020](#); [WAC 139-05-915](#); DOC 420.280 Canine Teams (RESTRICTED); DOC 420.320 Searches of Facilities; DOC 420.330 Searches of Vehicles (RESTRICTED); DOC 420.340 Searching and Detaining Facility Visitors; DOC 420.375 Contraband and Evidence Handling (RESTRICTED)

**POLICY:**

- I. Handler-controlled canine searches of persons, buildings, vehicles, and property under Department control may be conducted to minimize the introduction of contraband and enhance the security and safety of everyone.

**DIRECTIVE:**

- I. Canine Searches
  - A. Canine teams will provide canine resources to Department facilities/offices that do not maintain canine teams per DOC 420.280 Canine Teams (RESTRICTED).
  - B. Canines may not be used to search an individual during strip or body cavity searches.
  - C. The Superintendent will designate the employees who have authority to assign the canine team to search details.
  - D. The security of the search is of the utmost importance. All information concerning the search will be confidential and communicated on a need to know basis so incarcerated individuals are not alerted.
  - E. When possible and practical, cell searches will be done with another employee present.
  - F. The canine handler will direct the search and maintain control of the canine at all times.
    1. Appropriate care will be taken to ensure the canine’s safety and the safety of persons and property being searched.
    2. The canine handler will observe the canine for any alert while conducting a search.
  - G. The canine handler will promptly submit DOC 21-917 Incident Report and forward copies to the area supervisor and the canine team supervisor if any damage occurs or is alleged to have occurred during the search.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/12/22	<b>PAGE NUMBER</b> 3 of 4	<b>NUMBER</b> <b>DOC 420.360</b>
	<b>TITLE</b> <b>SEARCHES BY CANINES</b>		

## II. Building Searches

- A. Immediately before a planned search, the area supervisor may be requested to assist in coordinating movement and supervision if incarcerated individuals are expected to be present during the search. Incarcerated individuals in a search area may not observe a canine search of housing, work, or activity areas.
- B. Before a search begins, the following actions will occur:
  - 1. All windows will be shut,
  - 2. Ventilation fans, heaters, etc. will be turned off if possible and practical,
  - 3. Lockers will be unlocked when possible, and/or
  - 4. Electrical appliances, except computers, will be unplugged and the cord put with the appliance to keep the canine from getting tangled.

## III. Vehicles


- A. A narcotic detection canine may be used for searching vehicles per DOC 420.330 Searches of Vehicles (RESTRICTED).
- B. During a canine assisted search of a vehicle, occupants will be instructed to follow the directions of the canine handler.
- C. The canine handler will notify the Shift Commander of any alert and/or contraband found in or on a vehicle.

## IV. Personal Search

- A. Only trained and certified handlers and canines will be authorized to perform personal searches.
- B. DOC 420.340 Searching and Detaining Facility Visitors will be followed when a canine alerts on a visitor.
- C. The canine handler will submit DOC 21-917 Incident Report if the canine displays aggressive tendencies or makes aggressive, physical contact with any person.

## V. Contraband Processing and Documentation

- A. Confiscated contraband/unauthorized property will be documented and processed per DOC 420.375 Contraband and Evidence Handling (RESTRICTED) by the employee assisting in the search.
  - 1. The chain of evidence must be maintained on all contraband.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/12/22	<b>PAGE NUMBER</b> 4 of 4	<b>NUMBER</b> <b>DOC 420.360</b>
	<b>TITLE</b> <b>SEARCHES BY CANINES</b>		

2. The canine handler will:
    - a. Confiscate and process any narcotics and/or drug paraphernalia found, and
    - b. Initiate any narcotics and/or related paraphernalia violations.
  3. Local law enforcement will be notified of misdemeanor/felony violations through the chain of command.
- B. Upon completion of a search, the canine handler will relay relevant information to the unit/area supervisor and/or Investigator and will complete all reports pertaining to the search.
  - C. If any item(s) is confiscated during a canine search, the searching employee must complete DOC 05-384 Search Report per DOC 420.320 Searches of Facilities.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

DOC 05-384 Search Report  
 DOC 21-917 Incident Report



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/WORK RELEASE/FIELD**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
7/20/21

PAGE NUMBER  
1 of 10

NUMBER  
**DOC 420.380**

# POLICY

TITLE  
**DRUG/ALCOHOL TESTING**

## REVIEW/REVISION HISTORY:

- Effective: 8/31/98
- Revised: 8/20/99
- Revised: 5/27/03
- Revised: 1/21/05
- Revised: 3/26/07 AB 07-008
- Revised: 12/5/07
- Revised: 12/18/07 AB 07-039
- Revised: 10/4/10
- Revised: 9/24/12
- Revised: 6/1/14
- Revised: 7/20/21

## SUMMARY OF REVISION/REVIEW:


Major changes to include updated terminology throughout. Read carefully!

## APPROVED:

Signature on file

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**CHERYL STRANGE**, Secretary  
Department of Corrections

6/25/21  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/20/21	<b>PAGE NUMBER</b> 2 of 10	<b>NUMBER</b> <b>DOC 420.380</b>
	<b>TITLE</b> <b>DRUG/ALCOHOL TESTING</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; DOC 200.000 Trust Accounts for Offenders; DOC 420.310 Searches of Offenders; DOC 420.325 Searches and Contraband for Work/Training Release; DOC 420.385 Presumptive Drug Testing; DOC 420.390 Arrest and Search; DOC 620.380 Offender Medical Cannabis Use; DOC 890.620 Emergency Medical Treatment


**POLICY:**

- I. The Department will use drug/alcohol testing as a management/treatment tool to enhance supervision and deter drug use.
- II. Testing of suspected illegal/unauthorized drugs will be handled per DOC 420.385 Presumptive Drug Testing.

**DIRECTIVE:**

- I. Responsibilities
  - A. The Assistant Secretaries for Prisons, Reentry, and Community Corrections will designate an employee(s) to coordinate training and monitor quality assurance for drug/alcohol testing.
  - B. Each Superintendent, Field Administrator, Reentry Senior Administrator, and Work/Training Release Administrator will appoint a Drug Testing Coordinator to coordinate, monitor, and provide drug/alcohol testing services.
- II. General Requirements
  - A. Employees/contract staff will only use drug/alcohol testing methods and instruments approved by the Department.
    1. Training must be completed before conducting drug/alcohol tests and will cover the use of all approved methods and instruments.
  - B. Upon initial orientation/intake in total/partial confinement, individuals will sign DOC 14-002 Acknowledgment of Drug/Alcohol Testing - Total/Partial Confinement.
  - C. In the Field, during intake or at the time a condition is imposed, individuals will sign DOC 14-035 Acknowledgment of Drug/Alcohol Testing - Field or DOC 14-035A Less Restrictive Alternative Acknowledgment of Drug/Alcohol Testing who have:



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS</p>		
	<p>REVISION DATE 7/20/21</p>	<p>PAGE NUMBER 3 of 10</p>	<p>NUMBER <b>DOC 420.380</b></p>
	<p>TITLE <b>DRUG/ALCOHOL TESTING</b></p>		

1. A condition prohibiting drug/alcohol use,
2. A condition to submit to drug/alcohol testing, or
3. Affirmative conduct involving drugs/alcohol.

D. The tester will verify the appropriate acknowledgment has been signed before any drug/alcohol test is conducted. An acknowledgment will be completed if one is not already documented in the individual's electronic file.

E. Individuals will be tested according to the Judgement and Sentence, imposed conditions, Indeterminate Sentence Review Board (Board) Order of Release, and case plan.

F. New admissions, re-admissions, and community custody violators will only be tested for Tetrahydrocannabinol (THC) in the first 45 days when there is an imposed condition that prohibits use or is testing for cause.

G. Individuals may also be tested:

1. Upon return from an absence (e.g., court appearance, offsite work crew, offsite medical appointment).
2. For cause.


### III. Testing for Cause

A. In total confinement, the Superintendent will identify employees/contract staff authorized to approve testing for cause.

B. In partial confinement or the Field, Community Corrections Officers or higher rank may test for cause.

C. Testing for cause will include, but will not be limited to:

1. Direct observation by an employee/contract staff or reliable source that provides reasonable suspicion that the individual has used, possessed, or possesses a drug/alcohol.
2. When a canine officer observes a behavior change in their canine that signifies suspicion of the presence of a drug. All individuals in the suspected area will be tested.
3. Involvement in an on-the-job accident, unsafe practices, or violent behavior.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/20/21	<b>PAGE NUMBER</b> 4 of 10	<b>NUMBER</b> <b>DOC 420.380</b>
	<b>TITLE</b> <b>DRUG/ALCOHOL TESTING</b>		


4. Documented history of drug/alcohol-related disciplinary reports or violation behavior.

#### IV. Testing in Total Confinement

- A. Each month, a minimum of 2 percent of the average daily population at each Prison will be randomly tested for drugs.
  1. By the 5<sup>th</sup> of each month, the Drug Testing Coordinator will ensure a list of individuals is generated from the electronic file and provided to testing employees/contract staff.
- B. Testing will be conducted before an individual is transferred to a Level 2 facility or partial confinement.
  1. Upon receipt of a transfer manifest, the Correctional Records Supervisor will notify the Drug Testing Coordinator/designee to schedule an onsite test. Testing will occur at least 24 hours before transfer.
  2. If the test result is positive, the transfer will be delayed/cancelled pending laboratory confirmation or the outcome of the disciplinary hearing.
- C. Testing will be conducted 24-72 hours before and up to 72 hours after Extended Family Visits (EFVs).
  1. Additional testing may be conducted during the visits.
  2. Visits will be suspended/terminated for positive or abnormal test results pending laboratory confirmation or the outcome of the disciplinary hearing. Appropriate employees/contract staff and visitors will be notified.
- D. Individuals participating in substance use disorder treatment will be subject to drug/alcohol testing upon admission to treatment and at the discretion of the treatment professional.

#### V. Testing in Work/Training Release

- A. Each month, a minimum of 2 percent of the average daily population at each Work/Training Release will be randomly tested for drugs.
- B. Individuals transferring to a Work/Training Release directly from the community will be tested within 24 hours of admission.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS</p>		
	<p>REVISION DATE 7/20/21</p>	<p>PAGE NUMBER 5 of 10</p>	<p>NUMBER <b>DOC 420.380</b></p>
	<p>TITLE <b>DRUG/ALCOHOL TESTING</b></p>		

## VI. Testing in the Community

- A. Drug Offender Sentencing Alternative (DOSA) individuals will be tested:
  - 1. At the treatment provider's discretion while in community-based residential treatment.
  - 2. Weekly for the first 90 days following release to the community or from community-based residential treatment.
    - a. Additional testing will be conducted per the case plan.
- B. Individuals on community supervision will be tested within 30 days of intake. Individuals serving original jail time will be tested within 30 days of release.
  - 1. Individuals classified as High risk will be tested at least monthly. With Community Corrections Supervisor approval, testing may be reduced to at least quarterly after 3 consecutive negative tests.
    - a. Drug/alcohol-related violation behavior will result in a return to monthly testing.
  - 2. Individuals classified as Moderate and Low risk with reporting requirements will be tested at least quarterly.

## VII. Specimen Collection


- A. Trained employees/contract staff will conduct drug/alcohol testing.
- B. The breathalyzer is the preferred option when testing for alcohol.
- C. Individuals who are not directly involved in the collection process will not be permitted in the collection area.
- D. Oral Fluid Collection
  - 1. An oral fluid test will be conducted when:
    - a. Individuals are receiving kidney dialysis.
    - b. A limitation/concern exists that prevents urine collection (e.g., emergency, physical plant limitations, safety/security concerns).

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/20/21	<b>PAGE NUMBER</b> 6 of 10	<b>NUMBER</b> <b>DOC 420.380</b>
	<b>TITLE</b> <b>DRUG/ALCOHOL TESTING</b>		

- c. There is no same/preferred gender employee/contract staff available, as indicated on DOC 02-420 Preferences Request, to collect a urine specimen.
- 2. The tester will visually inspect the individual's mouth for foreign objects before conducting an oral fluid test and follow the manufacturer instructions and Oral Fluid Testing Job Aid.

E. Urine Collection


- 1. The tester will be the same gender as the individual unless a preference has been indicated on DOC 02-420 Preferences Request.
  - a. If there is no same/preferred gender employee/contract staff available, the individual will be tested using an oral fluid test.
- 2. Individuals will be searched before collecting a urine specimen.
  - a. In total confinement, an electronic body scan, if available and circumstances permit, or strip search will be conducted per DOC 420.310 Searches of Offenders. The individual will be allowed to dress before urine collection.
  - b. In partial confinement and the Field, the individual will remove outer garments, expose midriff, and roll up long sleeves. Searches will be conducted per DOC 420.325 Searches and Contraband for Work/Training Release and DOC 420.390 Arrest and Search.
- 3. Individuals will be allowed one hour to provide a urine specimen.
  - a. Incarcerated Individuals will sign DOC 14-174 Acknowledgment of Urine Testing Time Requirements before the collection process begins.
  - b. Individuals who are not able to provide a urine specimen within one hour and have documentation from a medical provider in the community or a current Health Status Report (HSR) documenting a medical/mental health condition that causes difficulty urinating (e.g., parauresis/shy bladder, post-traumatic stress disorder) will be tested using an oral fluid test.
    - 1) Claiming a medical/mental health condition at the time of collection will not be sufficient reason for failing to produce a specimen.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/20/21	<b>PAGE NUMBER</b> 7 of 10	<b>NUMBER</b> <b>DOC 420.380</b>
	<b>TITLE</b> <b>DRUG/ALCOHOL TESTING</b>		

4. Adulterant test strips will be used on a random basis or when there is suspicion that a specimen has been substituted/altere/diluted.
5. An oral fluid test will be conducted if a cup is determined to be invalid (i.e., no control line appears per the manufacturer instructions). Invalid cups will be reported to the employee(s) designated by the Assistant Secretaries for Prisons, Reentry, and Community Corrections through the chain of command.
6. The tester will follow the manufacturer instructions, Urine Testing Job Aid - Total Confinement, Urine Testing Job Aid - Partial Confinement, and/or Urine Testing Job Aid - Field.
  - a. During collection, pants/skirt and underwear must remain at the individual's ankles and the midriff must remain exposed for visual observation of the urine collection process and the individual's hands and genital area.
  - b. Individuals who sit during collection will be provided a urine collection container (i.e., hat).

**F. Breath Alcohol Testing**

1. Accuracy checks and calibrations will be documented on DOC 14-311 Breathalyzer Accuracy/Calibration Record. The Drug Testing Coordinator/Community Corrections Supervisor (CCS)/designee will maintain testing equipment records.
  - a. Accuracy checks will be conducted monthly.
  - b. Calibrations will be conducted by certified personnel as needed.
    - 1) Certified personnel will be responsible for the accuracy readings of the instruments they calibrate and may be called to a court or Department hearing to declare they have had the required training.
  - c. The designated employee(s) will maintain a current list of certified personnel authorized to conduct instrument calibration.
2. Breathalyzer testing and maintenance procedures will be consistent with the manufacturer's recommendations.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/20/21	<b>PAGE NUMBER</b> 8 of 10	<b>NUMBER</b> <b>DOC 420.380</b>
	<b>TITLE</b> <b>DRUG/ALCOHOL TESTING</b>		

- a. The tester will visually inspect the individual's mouth for foreign objects before conducting a breathalyzer test and follow the Breath Alcohol Testing Job Aid.

- G. Job aids will be available on the Security Management page of the Department's internal website and facilities will make them available for review in designated areas/locations.

### VIII. Test Results

- A. The tester will inform the individual of onsite test results.
- B. If an onsite test result is positive or abnormal:
  - 1. In total confinement and Work/Training Releases, the tester will have a witness confirm the test result.
  - 2. The tester will provide the individual an opportunity to admit using drugs/ alcohol.
    - a. If the individual admits, the use will be documented on DOC 14-021 Drug/Alcohol Use Admission.
    - b. In total/partial confinement, the individual may request confirmation from the contracted laboratory using DOC 14-204 Request for Laboratory Confirmation.
      - 1) If the results are confirmed positive, the individual will reimburse the Department for testing costs. Reimbursement will be processed as a withdrawal/debt per DOC 200.000 Trust Accounts for Offenders.
        - a) The Drug Testing Coordinator will ensure the deduction is processed.
  - 3. The tester may order offsite screening and/or confirmation through the contracted laboratory with justification and approval from the Superintendent/CCS/designee (e.g., confirm suspicious results, monitor decreasing substance levels, confirm prescribed use, subject to Board hearing).
- C. For specimens being sent to the contracted laboratory, chain of custody will be documented on DOC 14-038 Drug/Alcohol Test Chain of Custody Log and follow the Processing Specimens for Contracted Laboratory Job Aid.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/20/21	<b>PAGE NUMBER</b> 9 of 10	<b>NUMBER</b> <b>DOC 420.380</b>
	<b>TITLE</b> <b>DRUG/ALCOHOL TESTING</b>		

1. Specimens not transported within 24 hours of collection must be refrigerated and stored in a secure location.

D. Individuals will be subject to disciplinary action who have:

1. Refused to submit to a drug/alcohol test,
2. A positive test result, unless positive for THC use and approved per DOC 620.380 Offender Medical Cannabis Use,
3. Substituted/altered the specimen,
4. Diluted the specimen, unless the individual has a current HSR documenting a medical condition that causes diluted urine, or
5. Received an FST breathalyzer result higher than .005.

E. Violations will be addressed per the applicable violation process.

F. Testing and results, including required witnesses, will be documented in the individual's electronic file. Data may be collected using DOC 14-037 Drug/Alcohol Testing Onsite Collection - Total/Partial Confinement or DOC 14-166 Drug/Alcohol Testing Onsite Collection - Field.

IX. Medical Response to Positive Test Results in Total Confinement


A. DOC 14-036 Medication Certification Request will be completed for positive test results.

B. Individuals who are suspected to be intoxicated and showing obvious signs of distress will be assessed by health services employees/contract staff.

1. Facilities that do not have Health Services onsite will consult with the local Medical Duty Officer.
2. Individuals who are suspected to be intoxicated and are not medically stable will be provided emergent medical services per DOC 890.620 Emergency Medical Treatment.

X. Medical Response to Positive Test Results in Work/Training Release

A. Individuals who are suspected to be intoxicated and showing obvious signs of distress will be assessed by community-based health care providers.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/WORK RELEASE/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/20/21	<b>PAGE NUMBER</b> 10 of 10	<b>NUMBER</b> <b>DOC 420.380</b>
	<b>TITLE</b> <b>DRUG/ALCOHOL TESTING</b>		

- B. Work/Training Release employees/contract staff will refer to the facility procedure manual for local medical response information.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 02-420 Preferences Request
- DOC 14-002 Acknowledgment of Drug/Alcohol Testing - Total/Partial Confinement
- DOC 14-021 Drug/Alcohol Use Admission
- DOC 14-035 Acknowledgment of Drug/Alcohol Testing - Field
- DOC 14-035A Less Restrictive Alternative Acknowledgment of Drug/Alcohol Testing
- DOC 14-036 Medication Certification Request
- DOC 14-037 Drug/Alcohol Testing Onsite Collection - Total/Partial Confinement
- DOC 14-038 Drug/Alcohol Test Chain of Custody Log
- DOC 14-166 Drug/Alcohol Testing Onsite Collection - Field
- DOC 14-174 Acknowledgment of Urine Testing Time Requirements
- DOC 14-204 Request for Laboratory Confirmation
- DOC 14-311 Breathalyzer Accuracy/Calibration Record





STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
10/13/23

PAGE NUMBER  
1 of 9

NUMBER  
**DOC 440.000**

**POLICY**

TITLE  
**PERSONAL PROPERTY IN PRISONS**

**REVIEW/REVISION HISTORY:**

- Effective: 9/29/95
- Revised: 4/15/96
- Revised: 12/27/99
- Revised: 5/24/04
- Revised: 7/28/05
- Revised: 11/15/06
- Revised: 3/5/08
- Revised: 3/1/09
- Revised: 3/23/09 AB 09-009
- Revised: 12/1/09
- Revised: 1/1/10
- Revised: 4/19/10
- Revised: 9/1/10
- Revised: 8/1/11
- Revised: 9/15/12
- Revised: 1/1/13
- Revised: 9/1/23
- Revised: 10/13/23

**SUMMARY OF REVISION/REVIEW:**


Attachment 1 - Removed unnecessary language  
Added I.C.5. that accommodation equipment may be approved and issued through the ADA Manager/Coordinator

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

10/6/23  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 10/13/23	<b>PAGE NUMBER</b> 2 of 9	<b>NUMBER</b> <b>DOC 440.000</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN PRISONS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 11.04.015](#); [RCW 11.08](#); [RCW 11.62.005](#); [RCW 63.42](#); [RCW 72.02.045](#); [WAC 137-36-040](#); DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 320.255 Restrictive Housing; DOC 320.260 Secured Housing Units; DOC 420.320 Searches of Facilities; DOC 420.375 Contraband and Evidence Handling (RESTRICTED); DOC 440.020 Transport of Property; DOC 440.050 State-Issued Items; DOC 450.100 Mail for Individuals in Prison; DOC 540.105 Recreation Programs in Prisons; DOC 560.200 Religious Programs; DOC 590.500 Legal Access for Incarcerated Individuals

**POLICY:**

- I. Retention of personal property will follow Department guidelines to meet safety, security, discipline, sanitation, accountability, and storage needs.
- II. All property authorized by this policy will be retained at the incarcerated individual's risk.
- III. Personal property for individuals in restrictive housing will be handled per DOC 320.255 Restrictive Housing or DOC 320.260 Secured Housing Units.
- IV. The type and amount of religious items an individual may possess, including storage, is identified in DOC 560.200 Religious Programs.
- V. Gender-affirming basic items will be issued per DOC 440.050 State-Issued Items.

**DIRECTIVE:**

- I. General Requirements
  - A. The Maximum Allowable Personal Property Matrix for Prisons (Attachment 1) identifies the type and amount of personal property authorized depending on the facility and unit's designated custody level. Exceptions require appropriate Assistant Secretary approval.
    1. New property items will be reviewed and approved by the Statewide Security Advisory Committee (SSAC) before being added to the matrix.
    2. Newly admitted individuals at a Reception Diagnostic Center will receive a copy of Attachment 1 during orientation.
    3. Individuals may only possess the amounts allowed for their unit's designated security level.
  - B. Authorized funds arriving with individuals will be processed per DOC 200.000 Trust Accounts for Incarcerated Individuals.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 10/13/23	<b>PAGE NUMBER</b> 3 of 9	<b>NUMBER</b> <b>DOC 440.000</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN PRISONS</b>		

C. Personal property may be obtained through the following sources:

1. Commissary
2. Department approved vendors
3. Education or religious programs
4. Hobby craft items made by the individual and authorized for retention
5. Accommodation equipment approved and issued through the Americans with Disabilities Act (ADA) Manager/Coordinator
  - a. The ADA Manager/Coordinator will ensure new items are reviewed and approved by SSAC before being issued.
6. Digital media (e.g., compact disks) received from the Veteran's Administration containing personal information will be retained in the individual's central file.
  - a. Access for individuals will be coordinated by the individual's assigned case manager.


D. Individuals may not trade, sell, buy, barter, loan, receive, possess, or give away any personal property to another incarcerated individual, another individual's family and/or friends, or an employee, contract staff, or volunteer.

E. Property will be transported per DOC 440.020 Transport of Property.

## II. Unauthorized Property

A. The following items will be considered contraband when found in an individual's possession (e.g., in their cell/room, bunk, on their person) and may result in a violation:

1. Birth certificates, passports, driver's licenses, social security cards, and similar identifying documentation.
  - a. The document will be confiscated immediately and placed in the individual's central file if it belongs to the individual.
2. Negotiable instruments (i.e., cash/coin, checks, credit/gift cards, money orders).
  - a. The negotiable instrument will be confiscated immediately, and any funds will be deposited in the Incarcerated Individual Betterment Fund.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 10/13/23	<b>PAGE NUMBER</b> 4 of 9	<b>NUMBER</b> <b>DOC 440.000</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN PRISONS</b>		

1) Individuals will be advised in writing of their right to request review of the decision to place the funds in the Incarcerated Individual Betterment Fund. The request must be made in writing to the Superintendent within 10 days. The Superintendent will make the final decision.

3. Envelopes found in an individual's possession that are unmarked, altered, or marked as belonging to another individual.

4. Any items found in the individual's possession having distorted or altered markings and/or are substantially modified from the manufacturer's original configurations or broken.

5. Items not listed in Attachment 1 or documented in the individual's electronic property record.

a. Photographs, books, newspapers, catalogs, and other publications will not be documented, but must comply with DOC 450.100 Mail for Individuals in Prison and be clearly marked with the individual's DOC number.

B. Illegal items found in the possession of an individual will be confiscated per DOC 420.320 Searches of Facilities.

C. Individuals will be notified on DOC 21-139 Property Disposition when any portion of their personal property listed on their property matrix is restricted and confiscated.


### III. Property Inventory

A. All personal property retained by an individual will be itemized and documented in the individual's electronic property record.

1. Items will be marked with the individual's DOC number for identification, when possible.

a. Items that cannot be marked (e.g., glasses) must be thoroughly described and identified as unmarked in the property record.


2. When possible, individuals will be permitted to review the completed property record before signing. An employee will witness the signature.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 10/13/23</p>	<p>PAGE NUMBER 5 of 9</p>	<p>NUMBER <b>DOC 440.000</b></p>
	<p>TITLE <b>PERSONAL PROPERTY IN PRISONS</b></p>		

- B. Any inventory of personal property will be completed in the presence of the individual when possible. All items will be listed using accurate, descriptive information, including:
  - 1. Size
  - 2. Color
  - 3. Make or brand
  - 4. Serial or identification number
  - 5. Condition of the item
- C. Individuals will ensure their property record remains accurate and current.
- D. Employees will handle property with care to avoid damage, destruction, or misrouting.
- E. Incarcerated individuals will not conduct inventory of another individual's property (e.g., pack up).
- F. Each facility will establish written procedures to ensure each individual's property is inventoried at least annually and before an individual is transferred to another facility.

#### IV. General Housing Units

- A. In addition to the items listed in Attachment 1, the following are authorized for in-cell retention for general population:
  - 1. Books, newspapers, catalogs, and other publications, which must be stored in a space not to exceed 18" x 12" x 10" as identified by the facility, except when in use.
  - 2. Legal materials, which must comply with DOC 590.500 Legal Access for Incarcerated Individuals and be stored in a space not to exceed 18" x 12" x 10".
  - 3. Unframed photographs, personal mail/papers, pre-franked envelopes, journals or diaries, writing pads, pencils, and pens, which must be stored in a space not to exceed 0.25 cubic feet (e.g., 12" x 6" x 6").
    - a. The DOC number must be marked on the back center of each photograph or at the bottom of the page, either written in ink by the individual or stamped by the mailroom.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 10/13/23	<b>PAGE NUMBER</b> 6 of 9	<b>NUMBER</b> <b>DOC 440.000</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN PRISONS</b>		

b. Upon receipt, individuals will write their full legal name and DOC number on the front of the envelope, in the top left corner.

4. Hygiene items authorized for sale in the commissary, which must be stored in a space not to exceed 0.25 cubic feet (e.g., 12" x 6" x 6").

B. Musical instruments must be authorized per DOC 540.105 Recreation Programs in Prisons.

C. Completed hobby craft items may be retained by the individual who completed it when it is an authorized religious item per DOC 560.200 Religious Programs and added to the electronic property record.

1. All other hobby craft items are considered complete as determined by the individual or the Correctional Unit Supervisor (CUS) and must be mailed out of the facility at the individual's expense.

a. Individuals may appeal the CUS's decision that an item has been completed by writing to the designated employee.

V. Major Non-Consumable Items

A. Individuals will be responsible for the cost of shipping certain major non-consumable items (i.e., CD player/radio, musical instrument, television, and/or typewriter) when transferring to another facility or mailing the item out.


1. Each time an item is purchased/received, including when an individual transfers to another facility, the individual must complete DOC 02-003 Postage Transfer and a DOC 06-075 Request to Transfer Funds for \$15.00 to cover the shipping charges for the item(s).

a. If a carrier is not chosen, employees will mail the item via the carrier that is the lowest cost to the individual.

b. If the actual shipping cost exceeds \$15.00, the individual must pay the difference.

c. Individuals being transferred to another facility will not need to pay shipping charges for a CD player/radio that can be packed with other property items in a standard property box. The initial shipping charges will remain on file for use when the items are shipped out.

B. Major non-consumable(s) will be inspected for operability and condition in the individual's presence before shipping/receiving using DOC 19-081 Major Non-

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 10/13/23	<b>PAGE NUMBER</b> 7 of 9	<b>NUMBER</b> <b>DOC 440.000</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN PRISONS</b>		


Consumables Inspection. If the individual is not available, another employee will witness the inspection.

## VI. Property Storage

- A. Personal property will be stored per facility requirements.
- B. Facilities will only store personal property when an individual:
  - 1. Temporarily loses control of their personal property (e.g., restrictive housing, hospital, out to court).
    - a. Property for individuals placed in temporary restrictive housing will be inventoried and stored until a custody placement decision is made.
  - 2. Has legal materials that exceed the amount allowable for in-cell retention.
- C. In the event of an extended absence, the individual's personal property will be inventoried, boxed, taped, and stored in a secure area. Large items that cannot be boxed will be tagged.
- D. In the event of an escape, personal property will be secured as evidence per DOC 420.320 Searches of Facilities until released for storage.

## VII. Disposition

- A. Individuals will have 30 days to dispose of property identified as unauthorized or which exceeds the property transport limit, including restricted incoming and outgoing property, using DOC 21-139 Property Disposition.
  - 1. The property may not be shipped/transferred to another incarcerated individual.
  - 2. If the individual lacks funds, refuses to pay the required postage, or refuses to designate a person to receive the property, the items will be:
    - a. Donated to a charitable organization per WAC 137-36-040, or
    - b. Considered contraband and destroyed per DOC 420.375 Contraband and Evidence Handling (RESTRICTED).
- B. An individual may appeal a property decision by submitting DOC 21-141 Property Appeal to the Superintendent/designee within 5 working days of receiving DOC 21-139 Property Disposition.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 10/13/23	<b>PAGE NUMBER</b> 8 of 9	<b>NUMBER</b> <b>DOC 440.000</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN PRISONS</b>		

1. Property will be retained until the appeals process is completed.
  2. Appeals will be responded to within 15 days of receipt unless there are extenuating circumstances or more information gathering is necessary.
  3. When a decision is upheld, the property will be disposed of as identified on DOC 21-139 Property Disposition.
  4. When a decision has been reversed, the property will be returned to the individual within 3 days.
  5. Property appeal decisions are final.
- C. Abandoned personal property will be disposed of per WAC 137-36-040.
- D. In the event of death, personal property will be disposed of as follows:
1. Any person claiming to be a successor, as defined in RCW 11.62.005, must submit DOC 05-698 Affidavit for Disposition of Personal Property and provide proof of qualification before the Superintendent may transfer property. A copy of the electronic property record will be provided to the successor with any property released.
    - a. Incarcerated individuals may not receive a deceased individual's property.
    - b. A copy of the affidavit will be mailed, along with the deceased individual's social security number, to the Washington State Department of Social and Health Services Office of Financial Recovery.
  2. Property not released to a successor or disposed of as abandoned per WAC 137-36-040 will be disposed of per RCW 11.08.

#### VIII. Personal Property Upon Release

- A. Authorized personal property will be provided to the individual upon release from confinement.
1. Individuals will acknowledge return of all personal property upon release by signing a printed copy of the electronic property record. The signed record will be scanned into the electronic imaging file.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 10/13/23	<b>PAGE NUMBER</b> 9 of 9	<b>NUMBER</b> <b>DOC 440.000</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN PRISONS</b>		

- B. Individuals will be issued one set of state-issued clothing or other suitable, appropriate clothing for release per DOC 440.050 State-Issued Items no more than 30 days before release.
1. Release clothing may be sent or brought in by family or friends, or individuals may order new release clothing from an approved vendor.
  2. The clothing will be stored in the property room until the day of release.

**DEFINITIONS:**

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Contraband, Illegal Items, Legal Materials, Individual's Expense. Other words/terms appearing in this policy may also be defined in the glossary.

**ATTACHMENTS:**

Maximum Allowable Personal Property Matrix for Prisons (Attachment 1)

**DOC FORMS:**

- DOC 02-003 Postage Transfer
- DOC 05-698 Affidavit for Disposition of Personal Property
- DOC 06-075 Request to Transfer Funds
- DOC 19-081 Major Non-Consumables Inspection
- DOC 21-139 Property Disposition
- DOC 21-141 Property Appeal

# MAXIMUM ALLOWABLE PERSONAL PROPERTY MATRIX FOR PRISONS

All items must be purchased through an approved vendor

## Personal Clothing

Item	Description	MIN	MED	CLS	MAX	REC
Baseball hat	Khaki	1	1	1	0	0
Raincoat	Clear plastic; may be hooded	1	1	1	0	0
Shirt	Gray long sleeve t-shirt	2	2	1	0	1
Shoes/sneakers	Sneakers or dress shoes; 6" or less from bottom of heel to top of shoe/sneaker; heel 1" thick or less for non-continuous soled shoes (including tennis shoes); all shoes must pass metal detector	2	2	1	0	1
Shower shoes/ Sandals	Pair	1	1	1	1	1

## Healthcare Items

Item	Description	MIN	MED	CLS	MAX	REC
Contacts, prescription	Contacts will be clear disposable/non-disposable, as prescribed; 6 month supply	← See description				
Glasses, prescription	Must be state-issue or purchased through approved vendor	2	2	2	2	2
Glasses/contacts cases	One each glasses and contacts; contacts case must be clear	← See description				
Reading glasses		1	1	1	1	1
Sunglasses	Non-reflective type; no mirrored	1	1	1	0	0
Intense Pulsed Light (IPL) hair removal device	Includes protective glasses	1	1	1	0	0

## Durable Medical Equipment (DME)

Item	Description	MIN	MED	CLS	MAX	REC
CPAP machine/mask		1	1	1	0	1
Hearing aid(s)	Single or pair	1	1	1	1	1
Wheelchair		1	1	1	0	1

## Jewelry

Item	Description	MIN	MED	CLS	MAX	REC
Earrings	Pair; post type; no gems/stones; 8 mm maximum	1	1	1	0	1
Ring	No gems/stones; authorized only if married or in a state registered domestic partnership	1	1	1	1	1
Wristwatch	Time, day, date, alarm, stopwatch, and step count functions only; no gems/stones	1	1	1	0	1

# MAXIMUM ALLOWABLE PERSONAL PROPERTY MATRIX FOR PRISONS

## Major Non-Consumables

Item	Description	MIN	MED	CLS	MAX	REC
Alarm clock	Wind-up and plug-in only; no battery operated	1	1	1	0	0
CD player/radio	AM/FM radio or CD player, single CD only; 18" x 10" x 6" maximum; Only operable CD player may be retained; no new or replacement permitted	1	1	1	0	0
Electric fan	12" maximum	1	1	1	0	0
Electric razor	As authorized by facility	1	1	1	0	0
Hair trimmer	As authorized by facility	1	1	1	0	0
Headphones/earbuds	Wired; no wireless or Bluetooth	2	2	2	0	0
Securus media player with earbuds and charger	State-issued; wired; no wireless or Bluetooth; earbuds replacement permitted	1	1	1	1	1
Television; no remote	Portable with earplug or earphone attachment capability; 19" screen maximum; CRT or flat panel	1	1	1	0	0
Typewriter and accessories	Portable; electric, manual, or memory; no disks or memory expansion card; no batteries allowed; limit 4 ribbons with machine and one spare print apparatus/wheel; limit 6 rolls correction tape	1	1	1	0	0

## Miscellaneous

Item	Description	MIN	MED	CLS	MAX	REC
AC adapter	One each for each approved electrical device; 5 maximum	← See description				
Awards/plaques/medals	State-issue	2	2	2	0	2
Bowl	Plastic	1	1	1	0	0
Brush, hair	Plastic; one piece	1	1	1	0	0
Cable splitter, 2-way	As authorized by facility	1	1	1	0	0
Calculator		1	1	1	0	0
Cards, playing	Deck; Standard and Pinochle	2	2	2	0	0
CD cleaner	No solvent-based cleaning fluids; permitted only with operable CD player	1	1	1	0	0
CD holder	Plastic; may hold only the maximum number of tapes/CDs allowed; permitted only with operable CD player	1	1	1	0	0
CDs	Clear case, glued or screwed, or glued opaque; pre-recorded commercial CDs or authorized letter CDs; permitted only with operable CD player	20	20	20	0	0

# MAXIMUM ALLOWABLE PERSONAL PROPERTY MATRIX FOR PRISONS

## Miscellaneous

Item	Description	MIN	MED	CLS	MAX	REC
Comb	Plastic; no rattail	1	1	1	0	0
Cup	Plastic; no thermal or insulated unless clear	1	1	1	0	1
Ear plugs	Set; noise protection	1	1	1	0	0
Games	Board and electronic	2	2	2	0	0
Hair clips/ accessories	6" total length when closed; no complete metal clips; no removable lace/materials	6	6	6	0	0
Hair dryer		1	1	0	0	0
Hair rollers/curlers	Set; plastic; low heat	1	1	1	0	0
Hair straightening comb	Low heat only	1	1	0	0	0
Headphone extension cord	12 feet maximum	1	1	1	0	0
Hot pot	Plastic; as authorized by facility	1	1	1	0	0
Hot water bottle	As authorized by facility; 20.80 oz. maximum	1	1	1	0	0
Mesh laundry bag	As authorized by facility	1	1	1	0	0
Mirror	Plastic; 4" x 6" maximum; one piece	1	1	1	0	0
Musical instrument and accessories	Must possess an approved in-cell music permit to purchase per DOC 540.105 Recreation Program in Prisons	1	1	1	0	0
Nail clipper, large	Without file	1	1	1	0	0
Nail clipper, small	Without file	1	1	1	0	1
Photo album	Photos only; no metal binders; not for newspaper or magazine clippings; 8½"x 11" maximum; no scrapbooks	1	1	1	0	0
Pick	Plastic; no rattail	1	1	1	0	0
Pitcher	Plastic; no thermal or insulated; clear; 2 quart maximum	1	1	1	0	0
Power strip	UL approved; as authorized by facility per local Fire Marshal requirements	1	1	1	0	0
Reading lamp	Plastic; plastic clamp	1	1	1	0	0
Soap dish	Plastic	1	1	1	0	0
Television cable	As authorized by facility	1	1	1	0	0
Toothbrush holder	Plastic; clear	1	1	1	0	0
Tumbler	Plastic; no thermal or insulated unless clear	1	1	1	0	1
Tweezers	3½" maximum size	1	1	1	0	0
Y adapter	3.5mm connections only	1	1	1	0	0

# MAXIMUM ALLOWABLE PERSONAL PROPERTY MATRIX FOR PRISONS

## Additional Maximum Allowable Personal Property Matrix for Incarcerated Individuals who are Pregnant or Nursing

In addition to the allowable personal property for women, the following items and quantities will be authorized only for individuals while pregnant, actively nursing, or pumping breast milk.

### Clothing

ITEM	DESCRIPTION	MIN	MED	CLS	MAX	REC
Maternity blouses/ shirts	No half shirts or see-through material; no epaulets; no sleeveless	2	2	2	0	0
Maternity pants/ skirts/dresses	Pants/jeans: straight or boot cut leg; no cargo or reversible; no invisible pockets or pockets on legs; no hip huggers Skirts/dresses: at least knee length	2	2	2	0	0
Maternity shorts	No cutoffs or altered; no less than 4" inseam; non-reversible; no open fly boxer-style	2	2	2	0	0
Nursing bras	No transparent or see-through materials; white/non-white and non-prohibited colors allowed	2	2	2	0	0
Nursing pajamas or nursing gowns	Set; no transparent or see-through material	1	1	1	0	0

### Healthcare Items

ITEM	DESCRIPTION	MIN	MED	CLS	MAX	REC
Breast cream		As needed				
Breast pads	Disposable	As needed				



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**REENTRY**  
FACILITY/SPANISH MANUAL

REVISION DATE  
4/5/22

PAGE NUMBER  
1 of 4

NUMBER  
**DOC 440.010**

**POLICY**

TITLE  
**PERSONAL PROPERTY IN REENTRY CENTERS**

**REVIEW/REVISION HISTORY:**

- Effective: 11/17/04
- Revised: 5/29/07
- Revised: 9/19/07 AB 07-029
- Revised: 7/22/08
- Revised: 6/29/09
- Revised: 4/19/10
- Revised: 8/1/11
- Revised: 7/9/12
- Revised: 9/1/13
- Revised: 4/5/22

**SUMMARY OF REVISION/REVIEW:**


Major changes to including updating terminology throughout. Read carefully!

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

3/15/22  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 4/5/22	<b>PAGE NUMBER</b> 2 of 4	<b>NUMBER</b> <b>DOC 440.010</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN REENTRY CENTERS</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; [RCW 11.08](#); [RCW 11.62.005](#); [RCW 11.62.010](#); [RCW 63.42](#); [WAC 137-36-040](#); DOC 420.365 Evidence Management for Work/ Training Release; DOC 440.000 Personal Property for Offenders; DOC 420.510 Tool Control for Work/Training Release (RESTRICTED); DOC 440.020 Transport of Property; DOC 490.700 Transgender, Intersex, and/or Non-Binary Housing and Supervision; DOC 560.200 Religious Programs

**POLICY:**

- I. Individuals in Reentry Centers will be allowed personal property that supports reentry and transition to the community in compliance with local program rules and storage limits.

**DIRECTIVE:**

- I. Requirements
  - A. The Maximum Allowable Personal Property Matrix (Attachment 1) identifies the type, value, and amount of personal property authorized in Reentry Centers.
    1. The types and amount of religious items an individual may possess, including storage, are identified in DOC 560.200 Religious Programs.
    2. Property will not contain/reference offensive, derogatory, or inappropriate content (e.g., alcohol/drugs, Security Threat Groups, violence, sexual).
    3. The Reentry Center Community Corrections Supervisor (CCS) will make the final determination for unauthorized property.
  - B. During initial orientation, individuals will be informed that they are solely responsible for their own personal property and provided a copy of the Maximum Allowable Personal Property Matrix.
  - C. Clothing will be properly fitted and worn in a manner that maintains modesty and privacy consistent with an individual’s identified gender per DOC 490.700 Transgender, Intersex, and/or Non-Binary Housing and Supervision.
  - D. Individuals will launder their own clothing and linens.
  - E. Individuals will not be allowed to trade, sell, buy, barter, loan, or give away personal property to another incarcerated individual, another incarcerated individual’s family/friends, an employee, a contract staff, or a volunteer.



# POLICY

TITLE  
**PERSONAL PROPERTY IN REENTRY CENTERS**

F. Facilities will establish written procedures for individuals to receive personal property from community members.

## II. Inventory

- A. Personal property will be inventoried and documented in the individual’s electronic property record.
- B. Illegal items owned by and/or found in the possession of an individual will be confiscated per DOC 420.365 Evidence Management for Work/Training Release.
- C. Each facility will establish written procedures to ensure an individual’s property is inventoried before transferring to another facility or the community.

## III. Storage

- A. Property will be stored per facility requirements and may be adjusted based on space and facility security.
  - 1. The amount of property an individual may possess will be limited to the amount that may be stored in the individual’s assigned storage area.
    - a. Excess property will be removed from the facility as determined by the case manager.
- B. The CCS may approve the storage of an individual’s tools at the facility when related to employment/education/training per DOC 420.510 Tool Control for Work/Training Release (RESTRICTED).
- C. Property of substantial value should not be stored at the facility. Individuals will be provided a means to safeguard (e.g., padlock) their personal property upon request.


## IV. Property Transfer

- A. Property will be transported per DOC 440.020 Transport of Property.
  - 1. For individuals transferring to Prison, only property allowed per DOC 440.000 Personal Property for Offenders will be sent to the facility.

## V. Disposition

- A. Individuals will complete and sign DOC 02-374 Personal Property Disposal to identify how property will be handled if the individual escapes or is transferred. Property will be inventoried and secured for up to 90 days.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 4/5/22	<b>PAGE NUMBER</b> 4 of 4	<b>NUMBER</b> <b>DOC 440.010</b>
	<b>TITLE</b> <b>PERSONAL PROPERTY IN REENTRY CENTERS</b>		

1. Employees/contract staff will contact the person designated to pick up any property left at the facility.
  2. Property of an escapee will only be released when approved by the CCS.
- B. Abandoned personal property will be donated/disposed of per WAC 137-36-040.
- C. In the event of an individual's death, personal property will be disposed of as follows:
1. Any person claiming to be a successor, as defined in RCW 11.62.005, must submit DOC 05-698 Affidavit for Disposition of Personal Property and provide proof of qualification before the CCS may release property.
    - a. Incarcerated individuals may not receive a deceased individual's property by Will.
    - b. A copy of the affidavit will be mailed, along with the deceased individual's social security number, to the Washington State Department of Social and Health Services Office of Financial Recovery.
  2. Property not released to a successor or disposed of as abandoned per WAC 137-36-040 will be disposed of per RCW 11.08.

**DEFINITIONS:**

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Illegal Items, Individual's Expense. Other word/terms appearing in this policy may also be defined in the glossary.

**ATTACHMENTS:**

Maximum Allowable Personal Property Matrix (Attachment 1)

**DOC FORMS:**

DOC 02-374 Personal Property Disposal  
 DOC 05-698 Affidavit for Disposition of Personal Property

# MAXIMUM ALLOWABLE PERSONAL PROPERTY MATRIX

## CLOTHING

ITEM	DESCRIPTION	QUANTITY	VALUE (\$ each)
Athletic support	Standard design	1	20.00
Bra/binder/camisole/slips	Non-transparent; includes nursing bras; no underwires or adhesives; bras with pockets for breast prosthetics must have medical basis	7	45.00
Belt	Plain leather or cotton mesh; open buckle no larger than 2" x 2"; unlined	3	30.00
Coat, winter weight	Heavy lining; no longer than mid-thigh	2	65.00
Gloves	Foul weather or work gloves	3	20.00
Handkerchiefs	White only; no larger than 12" x 12"	5	5.00
Hat/cap	Stocking; baseball	2	25.00
Jacket/coat, lightweight	Light lining; sweaters/sweatshirts with zipper, snap, or button-front; waist length	2	45.00
Long underwear	Standard 2 piece set, top and bottom; no one-piece	2	30.00
Pajamas/nightshirt/nightgown	Includes nursing pajamas and nightgowns; no transparent or see-through materials	2	30.00
Rain gear	Top and bottom set; top no longer than mid-thigh and no zip-out lining	1	50.00
Robe	Standard tie waist; ¾ length only	1	50.00
Scarf	Includes nursing scarf	2	25.00
Shirts	No half shirts or see-through material	7	25.00
Shoes/sneakers/sandals/winter footwear	Heel 1" thick or less for non-continuous soled shoes (including tennis shoes)	4	100.00
Shorts	No tight-fitting; no low rise; no cutoffs or altered; no less than 4" inseam; no invisible pockets; non-reversible; no open-fly boxer-style	4	25.00
Slippers	Includes shower shoes	2	30.00
Socks	Pair	10	5.00
Sweat clothes	2 piece set	2	40.00
Sweater	Knit pullover; crew or v-neck; snap, turtleneck, button front	2	35.00
Trousers/pants/skirts/dresses	Pants/jeans - sized proportionately; straight leg or boot cut leg; no tight-fitting; no invisible pockets or cargo; non-reversible; no hip-huggers or low-rise Skirts/dresses - at least knee length; no tight-fitting, slits, or invisible pockets; non-reversible	7	35.00
Undershirts	Standard short-sleeved plain white t-shirt; crew or v-neck	10	5.00
Underwear	Non-transparent	10	5.00

## EMPLOYER-ISSUED WORK CLOTHING

ITEM	DESCRIPTION	QUANTITY	VALUE (\$ each)
Coveralls		2	75.00
Pants		3	30.00
Shirts		3	30.00
Work boots/shoes		1	125.00

## HEALTH CARE ITEMS

ITEM	DESCRIPTION	QUANTITY	VALUE (\$ each)
Breast pump and accessories	Manual or electric; single or double	1	75.00
Contacts, prescription	Clear, disposable/non-disposable, as prescribed	See Description	
Glasses, prescription		2	
Glasses/contacts case	Contact case must be clear	1 each	
Maternity/postpartum	Breast cream, breast pads	As needed	
Sunglasses	Non-reflective; no mirrored	3	25.00

**JEWELRY** - Combined maximum total value for all jewelry is \$300.00

ITEM	DESCRIPTION	QUANTITY	VALUE (\$ each)
Earrings	Post type only; no gems/stones; 8mm maximum	2 pairs	25.00 pair
Medallion	2"; no gems/stones	1	50.00
Neck chain	24" maximum; no gems/stones	1	50.00
Wedding band/ring	no gems/stones	1	100.00
Wristwatch	no gems/stones	1	100.00

**MAJOR CONSUMABLES - PERSONAL HYGIENE PRODUCTS**

NOTE: Limited to personal hygiene products in an amount not to exceed the capacity of a 6" x 6" x 12" box

ITEM	DESCRIPTION	QUANTITY	VALUE (\$ each)
Grooming	Aftershave product - 12 oz.; fragrance/perfume	3	
	Cotton swabs - box of up to 300	1	
	Disposable razors	10	15.00 total
	Face cleanser	1	
	Face cream	1	
	Lip balm - limited to "Chapstick-like" products	1	
	Make-up: Blush, concealer, eye liner, eye shadow, face powder, foundation, lip liner, lipstick, and mascara; if packaged in a compact with a mirror, must be disposed of when empty	2 each	
	Shaving Cream - 12 oz. can	1	
Hair care products	Any combination of, not to exceed allowance, no more than 32 oz. each: shampoo, conditioner, pump hairspray (non-aerosol), grease, activator, leave-in treatment	5	
Hand, foot, and/or body products	Any combination of, not to exceed allowance: Hand products: cream, lotion, emery boards (one pack), cuticle remover Foot products: anti-fungal, soak, cream, stone Body products: oil, lotion, spray, gel, powder, sunscreen	8	50.00 total

**MAJOR NON-CONSUMABLES**

ITEM	DESCRIPTION	QUANTITY	VALUE (\$ each)
Alarm clock		1	20.00
Cassette/CD player/ media player/radio	AM/FM radio and/or cassette player/recorder, single cassette only; CD player, single CD only; 18" x 10" x 6" maximum; batteries as authorized by facility; not DVD compatible	1	70.00
Cell phone and accessories	Charger; must be approved by the case manager	1	125.00
Electric fan	12" maximum size	Per facility	25.00
Electric razor or hair trimmer	As authorized by facility	1	50.00
Head/earphones		1	20.00
Laptop and accessories	Charger; one flash drive; must be approved by the case manager for school/work	1	500.00
Television and accessories	Portable with earplug/earphone attachment capability; 15" screen maximum; CRT or flat panel; TV cable if approved	Per facility	100.00

## MISCELLANEOUS

ITEM	DESCRIPTION	QUANTITY	VALUE (\$ each)
AC adapter	Up to one each for each approved electrical device	5	10.00
Backpack		1	40.00
Bicycle		1	300.00
Bicycle helmet		1	35.00
Bicycle lock		1	20.00
Bowl	Plastic	2	3.00
Brush, hair		1	5.00
Calculator		1	20.00
Cards, playing	Deck; standard and Pinochle	2	2.00
Cassette tape/CD holder	Plastic; may hold only the maximum number of tapes/CDs allowed	1	10.00
Cassette tapes/CDs	Clear case, glued or screwed, or glued opaque; pre-recorded commercial tapes/CDs or authorized letter tapes/CDs	20	15.00
Comb	Plastic	1	2.00
Cup/water bottle	Plastic	1	5.00
Curling/straightening iron		1	20.00
Do-rag		1	5.00
Earplugs	Noise protection	2 sets	3.00
Games	Dominos, Chess, or Checkers only	2	15.00
Hair clips/accessories	6" total length; no complete metal clips; no removable materials	6	10.00
Hairdryer		1	20.00
Hangers	Plastic	20	2.00
Headphone extension cord	12 feet maximum	1	10.00
Laundry bag		1	10.00
Mirror	Plastic; 4" x 6" maximum; one piece	1	5.00
Musical instrument and accessories	As authorized by each facility	Per facility	400.00
Nail clipper, large		1	1.00
Nail clipper, small		1	0.50
Photo album	Photos only; no metal binders; not for newspaper or magazine clippings; 8½" x 11" maximum	1	10.00
Pick	Plastic; no rattail	1	0.50
Power strip/surge protector	UL approved; as authorized by facility per local Fire Marshal requirements	1	25.00
Reading lamp	Plastic	1	10.00
Soap dish	Plastic	1	2.00
Toothbrush and holder	Plastic	1	5.00
Tumbler	Plastic; no thermal or insulated unless clear	1	2.50
Tweezers	3½" maximum size	1	10.00
Umbrella		1	20.00
Wallet/purse		1 each	35.00



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUALS

REVISION DATE  
5/22/23

PAGE NUMBER  
1 of 5

NUMBER  
**DOC 440.020**

**POLICY**

TITLE  
**TRANSPORT OF PROPERTY**

**REVIEW/REVISION HISTORY:**

- Effective: 5/24/04
- Revised: 9/26/07
- Revised: 12/9/08
- Revised: 1/8/10
- Revised: 11/22/10
- Revised: 9/10/12
- Revised: 10/1/15
- Revised: 9/2/19
- Revised: 5/22/23

**SUMMARY OF REVISION/REVIEW:**


I.B.2., I.B.4., I.C.1., and II.A.1.-3. - Adjusted language for clarification  
 I.C.1. - Updated what will be contained in the transport bag  
 I.C.5. - Added clarifying language  
 Added I.C.5.a. that no personal property will be placed in a state-issued clothing bag  
 Added I.C.9. that Department-issued tablets will be placed in a paper bag with the individual's DOC number and placed in a sturdy, secured container  
 Added I.D. that transportation employees will ensure all records, clothing, property, medicine, and valuables envelope are present before transports

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

4/18/23  
 \_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/23	<b>PAGE NUMBER</b> 2 of 5	<b>NUMBER</b> <b>DOC 440.020</b>
	<b>TITLE</b> <b>TRANSPORT OF PROPERTY</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; DOC 440.000 Personal Property in Prisons; DOC 440.010 Personal Property in Reentry Centers; DOC 440.050 State-Issued Items; DOC 590.500 Legal Access for Incarcerated Individuals; DOC 650.035 Medications for Transfer and Release

**POLICY:**

- I. The Department has established guidelines for transporting a limited amount of authorized personal property and state-issued items for incarcerated individuals. Items will be transported in the most efficient and cost-effective manner.


**DIRECTIVE:**

- I. Property Transport Requirements
  - A. Personal property will be inventoried and secured before transfer.
  - B. Authorized personal, religious, and legal property items will be transported at Department expense in no more than 2 shipping boxes, 18" x 12" x 10" in size. Each box cannot exceed 25 pounds.
    1. Employees/contract staff will clearly label boxes using DOC 21-329 Property - ID Label.
    2. A copy of the electronic property record or equivalent, identifying the items, will be included in one of the boxes.
    3. Boxes may be transported in the vehicle with the incarcerated individual depending on available space.
      - a. For transfers to partial confinement, boxes will be transported on the same day or in the vehicle.
      - b. For all other transfers, boxes not transported in the vehicle or on the same day will be transported/shipped as soon as possible.
    4. Incarcerated individuals will be responsible for arranging the disposition or shipment, at their own expense, of authorized property that exceeds the transport limit and/or certain non-consumable items per DOC 440.000 Personal Property in Prisons and DOC 440.010 Personal Property in Reentry Centers.
      - a. Property may not be shipped to another incarcerated individual.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 5/22/23</p>	<p>PAGE NUMBER 3 of 5</p>	<p>NUMBER <b>DOC 440.020</b></p>
	<p>TITLE <b>TRANSPORT OF PROPERTY</b></p>		

C. The following items will be transported in the vehicle with the incarcerated individual, but will not be included in the 2-box limit:

1. A transport bag, clearly marked with the individual's name and DOC number, and inspected and sealed by the transporting employee. The transport bag may contain only the following items, which will be documented using DOC 02-398 Transport Bag Inventory:
  - a. Purchased Over the Counter (OTC) items and Keep on Person (KOP) prescription medications, if applicable
  - b. Personal address book no larger than 3" x 5"
  - c. Five pre-franked envelopes
  - d. Soap with clear container
  - e. Toothbrush with clear container
  - f. Toothpaste
  - g. Dental floss
  - h. Shampoo
  - i. Deodorant
  - j. Comb or hair pick
  - k. Razor, single blade only
  - l. Shower shoes
  - m. Bowl
  - n. Tumbler
  - o. Spork/spoon
  - p. Issued glucometer and supplies
  - q. Additionally, for individuals housed in Reception Diagnostic Centers:
    - 1) Commissary items
    - 2) Unframed personal/family photographs, personal mail/papers, journals/diaries, writing pads, pencils, and pens
2. Authorized health care equipment/devices (e.g., glasses, hearing aids, shoes, braces, supports) and/or items with documented approval on DOC 13-508 Accommodation Status Report labeled using DOC 21-329 Property - ID Label, if appropriate.
3. Legal documents/papers needed to meet a court-imposed deadline per DOC 590.500 Legal Access for Incarcerated Individuals, boxed/bagged and labeled using DOC 21-329 Property - ID Label.
4. Pill line medications, if applicable, placed in a secure transfer medication packet by Health Services at the sending facility and transported per DOC 650.035 Medications for Transfer and Release.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/23	<b>PAGE NUMBER</b> 4 of 5	<b>NUMBER</b> <b>DOC 440.020</b>
	<b>TITLE</b> <b>TRANSPORT OF PROPERTY</b>		

5. State-issued clothing issued per DOC 440.050 State-Issued Items, inventoried and placed in a state-issued clothing bag.
  - a. No personal property will be placed in a state-issued clothing bag.
6. Central file and health record.
7. Department-issued identification card.
8. For transfers to partial confinement, a valuables envelope containing the individual's government-issued identification (e.g., social security card, driver license), if applicable.
9. An individual's Department-issued media tablet will be placed in a paper bag clearly marked with the individual's DOC number on the outside and placed in a sturdy, secured container labeled "Media Tablets".
  - a. The tablet will be reissued to the individual by comparing the DOC number on the paper bag with the individual's identification card.
- D. Employees/contract staff may transport more than the 2 box limit for Graduated Reentry participants when transferring to transitional housing.
- E. Transportation employees will ensure all records, clothing, property, medicine, and valuables envelope, if applicable, are present before transport and document verification on DOC 05-139 Required Items for Transport.

## II. Delivery

- A. Upon arrival at the receiving facility/office:
  1. The Transportation Sergeant will review DOC 05-139 Required Items for Transport with the receiving facility and sign to confirm that items were received. The following items will be distributed to the individual the same day of arrival:
    - a. Transport bag
    - b. Department-issued identification card
    - c. Authorized healthcare equipment/devices
    - d. Legal documents/papers
    - e. For transfers to partial confinement, state-issued clothing bag
  2. Transfer medication packets will be immediately picked up by health services employees/contract staff per DOC 650.035 Medications for Transfer and Release.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 5/22/23</p>	<p>PAGE NUMBER 5 of 5</p>	<p>NUMBER <b>DOC 440.020</b></p>
	<p>TITLE <b>TRANSPORT OF PROPERTY</b></p>		

3. Envelopes containing government-issued identification will be immediately picked up by a Records employee in Prisons or incarcerated individual if transferring to partial confinement.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

DOC 02-398 Transport Bag Inventory  
 DOC 05-139 Required Items for Transport  
 DOC 13-508 Accommodation Status Report  
 DOC 21-329 Property - ID Label



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUAL

REVISION DATE  
8/17/23

PAGE NUMBER  
1 of 7

NUMBER  
**DOC 440.050**

**POLICY**

TITLE

**STATE-ISSUED ITEMS**

**REVIEW/REVISION HISTORY:**

- Effective: 5/24/04
- Revised: 3/27/07
- Revised: 1/23/09
- Revised: 1/30/09 AB 09-003
- Revised: 5/14/09 AB 09-016
- Revised: 7/20/09 AB 09-023
- Revised: 8/6/10
- Revised: 7/2/12
- Revised: 4/13/21
- Revised: 2/11/22
- Revised: 5/24/22
- Revised: 7/17/23
- Revised: 8/17/23

**SUMMARY OF REVISION/REVIEW:**


Attachment 1, II.A., VII.B.1.a. - Adjusted language for clarification  
 Added II.B.1.a.1) that individuals may choose to measure themselves for proper fit  
 Added II.B.4. that individuals may wear basic state-issued or approved gender-affirming clothing

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

8/16/23  
 \_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL</p>		
	<p>REVISION DATE 8/17/23</p>	<p>PAGE NUMBER 2 of 7</p>	<p>NUMBER <b>DOC 440.050</b></p>
	<p>TITLE <b>STATE-ISSUED ITEMS</b></p>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 72.09](#); [WAC 137-28](#); DOC 320.255 Restrictive Housing; DOC 440.000 Personal Property in Prisons; DOC 440.010 Personal Property in Reentry Centers; DOC 440.020 Transport of Property

**POLICY:**

- I. The Department has established guidelines governing the issuance and retention of state-issued items, including access to laundry services and repairs as needed.

**DIRECTIVE:**


- I. State-Issued Items
  - A. Individuals arriving at the Reception Diagnostic Centers (RDCs) will be provided an initial basic issue per State-Issued Items (Attachment 1).
  - B. Individuals will be issued bedding and linen at each Prison and Reentry Center that includes:
    - 1. 2 sheets
    - 2. A pillow and pillowcase
    - 3. One mattress
    - 4. 3 towels
    - 5. 2 washcloths
    - 6. 3 blankets
  - C. When authorized by the Superintendent/Reentry Center Manager, quantities may be modified or restricted for one or more of the following reasons:
    - 1. Health and safety of incarcerated individuals
    - 2. Environmental factors
    - 3. Security and safety of unit/facility operations
    - 4. Emergencies
- II. Alternative State-Issued Items
  - A. Individuals requesting gender-affirming items will complete DOC 02-420 Preferences Request. The PREA Specialist will update the electronic property record for gender-affirming property.
  - B. All facilities will:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 8/17/23	<b>PAGE NUMBER</b> 3 of 7	<b>NUMBER</b> <b>DOC 440.050</b>
	<b>TITLE</b> <b>STATE-ISSUED ITEMS</b>		

1. Provide gender-affirming clothing including underwear, sports/support bras, and binders in an appropriate size for the individual.
  - a. Superintendents will designate an area that ensures privacy for changing/fitting and an employee, in consultation with the Gender Affirming Program Administrator, to measure individuals for proper fit.
    - 1) Individuals may choose to measure themselves for proper fit.
2. Make reasonable efforts to provide gender-affirming clothing within 72 hours of request.
  - a. Items that need to be ordered from an external vendor will be ordered within 5 business days from the date of the request for alternate clothing.
    - 1) When possible, items will be issued to the individual within 5 business days of receiving the item(s) at the facility.
3. Ensure they order enough stock to replace items as needed.
4. Allow individuals to wear basic state-issued or approved gender-affirming clothing.

### III. Laundering and Exchange

- A. Facilities will develop a process to allow individuals to exchange and/or replace lost/stolen state-issued clothing as needed.
  1. Returned clothing will be inspected and may be reissued if in serviceable condition. Clothing will be laundered before being reissued.
  2. Underwear that is stained/unserviceable will be replaced. Individuals will not be required to present stained/unserviceable underwear for inspection.
- B. Prisons will develop a process to launder state-issued clothing at least weekly.
  1. Individuals in restrictive housing will be allowed to exchange clothing per DOC 320.255 Restrictive Housing.
- C. In Prisons, sheet, pillowcase, and towel exchange or facility laundering will occur at least weekly for individuals who do not have access to laundry facilities, including individuals in RDCs and restrictive housing.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 8/17/23	<b>PAGE NUMBER</b> 4 of 7	<b>NUMBER</b> <b>DOC 440.050</b>
	<b>TITLE</b> <b>STATE-ISSUED ITEMS</b>		

1. A schedule will be developed to exchange blankets.
2. Individuals will turn in dirty, worn/damaged linen to the designated employee(s)/contract staff to exchange for a replacement.

D. Individuals housed in a Reentry Center will launder their own clothing and linen.

#### IV. Fit, Wear, and Accountability

A. Clothing will be worn in a manner to maintain individual modesty and privacy. Undergarments will be worn under approved clothing anytime the individual is outside of the cell.

B. Clothing will be properly fitted, durable, and suitable for the climate.

1. State-issued pants will be sized so they cannot be pulled down over the hips when worn without a belt.


2. State-issued coveralls will:

- a. Be issued in the appropriate size,
- b. Have a hem with no cuff, and
- c. Be of an appropriate length to not touch the floor/ground or be rolled up.

C. Incarcerated individuals will not alter or modify state-issued clothing in any way. Repairs and tailoring will be done through facility processes only.

D. State-issued clothing will be marked with the assigned DOC number in permanent, contrasting ink. The mark will be easily located, but not obtrusive, as follows:

1. Pants, sweatpants, pajama bottoms, shorts - rear waist area, just below belt line
2. Shirt, sweatshirt, pajama top, nightgown - underside center of outer collar
3. T-shirts - back, inside bottom of shirt
4. Briefs/boxers - inside of back band
5. Bras - inside of back strap
6. Binders - inside of back strap
7. Coat - underside center of outer collar
8. Belt - underside near buckle
9. Fleece hat - underside, near the top
10. Hard hat thermal liner - inside top of liner
11. Shower shoes - underside center recessed area of each
12. Sport shoes - inside tongue of each

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL</p>		
	<p>REVISION DATE 8/17/23</p>	<p>PAGE NUMBER 5 of 7</p>	<p>NUMBER <b>DOC 440.050</b></p>
	<p>TITLE <b>STATE-ISSUED ITEMS</b></p>		

13. Laundry bag - on flag

E. State-issued tumbler/mug and bowl with lid and spoon will only be issued one time as a consumable item and will not be documented in the electronic property record.

1. Individuals may purchase a replacement tumbler/mug and/or bowl with lid and spoon per DOC 440.000 Personal Property in Prisons.

F. Incarcerated individuals are responsible for maintaining their legible DOC number on issued clothing. If the DOC number becomes illegible:

1. The clothing may be confiscated.
2. Employees/contract staff will refer the individual to the clothing room to have their DOC number re-stamped on the item.

G. Incarcerated individuals may be held accountable for their state-issued clothing and linens and may receive a violation if any known intentional loss, damage, or unusual wear and tear occurs.

V. Specialty Issue Items for Prison Work Assignments

A. Individuals will be clothed per requirements of their work assignment. When appropriate, the facility will provide suitable personal protective equipment (e.g., face masks, gloves, protective helmets, goggles, boots, thermal underwear).


B. Additional/optional state-issued work clothing/items are listed in Attachment 1. Specialty issue items not listed may be approved by the Superintendent and Chief of Security.

1. Specialty issue items will be retained at the issuing facility and turned in and accounted for at the end of the individual's employment or when the item is no longer required. Items will not be transferred between facilities with the individual.

VI. Inventory and Storage

A. State-issued items, including bedding and linen, will be itemized and recorded in the Personal Characteristics - Property section in the individual's electronic file when possible.

1. When documentation in the electronic file is not possible, facilities will establish a local process to ensure an itemized inventory is maintained for each incarcerated individual.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL</p>		
	<p>REVISION DATE 8/17/23</p>	<p>PAGE NUMBER 6 of 7</p>	<p>NUMBER <b>DOC 440.050</b></p>
	<p>TITLE <b>STATE-ISSUED ITEMS</b></p>		

2. Individuals will receive a copy of their property record anytime a change is made. Discrepancies will be reported to and resolved through the designated employee(s).

B. Facilities will maintain extra clothing, bedding, and linen that exceed average monthly usage.

C. Excess reclaimed, serviceable state-issued items will be laundered, boxed, labeled with description, size, and quantity, and sent to the appropriate RDC.

VII. Transfer/Release

A. When individuals transfer between Prisons, state-issued items, except bedding and linen, will remain assigned to the individual and be transported per DOC 440.020 Transport of Property.

B. Facilities will ensure all state-issued items are present and accounted for before transfer/release.

1. The sending facility will ensure the individual has the maximum quantity of standard basic items per Attachment 1 before transfer. Standard basic items will be provided to individuals transferring to a Reentry Center.

a. Gender-affirming basic items will transfer with the individual.

2. Packed state-issued items will be documented in the electronic property record as in-transit. Upon arrival, items will be issued to the individual and documented in the electronic property record as in-cell.


a. If items are not packed, the items will be deleted from the electronic property record.

3. Bedding and linens will be deleted from the electronic property record upon transfer.

4. Discrepancies will be reported to and resolved through the designated employee(s).

C. Individuals in a Reentry Center may wear appropriate personal clothing per DOC 440.010 Personal Property in Reentry Centers.

1. Prisons will not accept personal clothing for individuals transferring to a Reentry Center. Personal clothing may be mailed/brought to the applicable Reentry Center.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 8/17/23	<b>PAGE NUMBER</b> 7 of 7	<b>NUMBER</b> <b>DOC 440.050</b>
	<b>TITLE</b> <b>STATE-ISSUED ITEMS</b>		

- D. Before release to the community, all state-issued clothing, bedding, and linen will be returned. Individuals with no personal/donated clothing will be issued one set of state-issued clothing or other suitable, appropriate clothing for release.
1. Reentry Centers will ensure unused state-issued clothing is returned to the appropriate RDC.
  2. Returned items will be deleted from the electronic property record.

**DEFINITIONS:**

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

**ATTACHMENTS:**

State-Issued Items (Attachment 1)

**DOC FORMS:**

DOC 02-420 Preferences Request



## STATE-ISSUED ITEMS

### State-issued clothing for the following facilities:

Airway Heights Corrections Center (AHCC)  
 Cedar Creek Corrections Center (CCCC)  
 Clallam Bay Corrections Center (CBCC)  
 Coyote Ridge Corrections Center (CRCC)  
 Larch Corrections Center (LCC)

Monroe Correctional Complex (MCC)  
 Olympic Corrections Center (OCC)  
 Stafford Creek Corrections Center (SCCC)  
 Washington Corrections Center (WCC)  
 Washington State Penitentiary (WSP)

<b>STANDARD BASIC ITEMS</b>	
<b>Description</b>	<b>Maximum Quantity</b>
Belt, khaki nylon with black buckle, adjustable	1 each
Coat, khaki denim with lining	1 each
Fleece hat	1 each
Laundry net bag with rubber closure, white, 36" x 40"	1 each
Male briefs or boxers, white (alternative may be issued in any combination, if approved. Combined total will not exceed maximum quantity)	7 total
Pants, khaki	3 each
Pants, sweatpants	2 each
T-shirts, gray (alternative may be issued in any combination for facility programs as approved by the appropriate Deputy Assistant Secretary)	7 each
Shorts	2 each
Shower shoes, tan or orange	1 pair
Sport shoes, white	1 pair
Sweatshirt	2 each
Tube work socks, white or natural	7 pairs
Watch cap, khaki colored	1 each
Work shirt, khaki, long sleeve	1 each
Work shirts, khaki, short sleeve	2 each
State property storage/transport bag, khaki colored, 23" x 16" x 12"	1 each
Bowl with lid and spoon (will only be issued at Reception Diagnostic Center)	1 each
Tumbler/mug (will only be issued at Reception Diagnostic Center)	1 each

<b>APPROVED GENDER-AFFIRMING BASIC ITEMS</b>	
<b>Description</b>	<b>Maximum Quantity</b>
Any combination of approved sports bra/fitted support bra, white or beige	7 total
Women's underwear briefs, white (any combination along with standard basic item not to exceed maximum quantity total)	7 total
Pajamas, long t-shirt and pants, gray	2 sets total

<b>OPTIONAL CLOTHING FOR DEPARTMENT OF NATURAL RESOURCES (DNR) WORKERS</b>	
<b>Description</b>	<b>Maximum Quantity</b>
Logger jeans, denim	3 pairs
Sweatshirt, red cotton or cotton blend	2 each

## STATE-ISSUED ITEMS

### State-issued clothing for the following facilities:

Mission Creek Correctional Center for Women (MCCCW)

Washington Corrections Center for Women (WCCW)

<b>STANDARD BASIC ITEMS</b>	
<b>Description</b>	<b>Maximum Quantity</b>
Belt, khaki nylon with black buckle, adjustable	1 each
Coat, khaki with lining	1 each
Fleece hat	1 each
Any combination of approved sports bra/fitted support bra, white or beige (alternative may be issued in any combination, if approved. Combined total will not exceed maximum quantity)	7 total
Underwear briefs, white (alternative may be issued in any combination, if approved. Combined total will not exceed maximum quantity)	7 total
Pants, any combination of khaki or sweatpants, to include at least one sweatpants	5 total
T-shirts, gray (alternative may be issued in any combination for facility programs as approved by the appropriate Deputy Assistant Secretary)	7 each
Laundry net bag with rubber closure, white, 36" x 40"	1 each
Pajamas, long t-shirt and pants, gray	2 sets total
Shorts	3 each
Shower shoes, tan	1 pair
Sport shoes, white	1 pair
Sweatshirt	2 each
Tube work socks, white or natural	7 pairs
Watch cap, khaki colored	1 each
Work shirt, khaki, long sleeve	1 each
Work shirts, khaki, short sleeve	2 each
State property storage/transport bag, khaki colored, 23" x 16" x 12"	1 each
Bowl with lid and spoon (will only be issued at Reception Diagnostic Center)	1 each
Tumbler/mug (will only be issued at Reception Diagnostic Center)	1 each

<b>APPROVED GENDER-AFFIRMING BASIC ITEMS</b>	
<b>Description</b>	<b>Maximum Quantity</b>
Any combination of approved sports bra, binder, or fitted support bra. Sports bra or fitted support bra may be white or beige. Binder may be white, beige, or gray.	7 total
Men's boxers, white (any combination along with standard basic item not to exceed maximum quantity total)	7 total

## STATE-ISSUED ITEMS

### Additional/optional state-issued clothing for Prisons:

WORK CLOTHING	
Description	Maximum Quantity
Bandanna, khaki color with black print	3 each
Gloves, cotton, 28 oz.	4 pairs
Hard hat thermal liner, non-wool	1 each
Hard hat, red full brim with ratchet type suspension OSHA/WISHA approved	1 each
Rainwear, hooded jacket and bib overalls, high visibility yellow nylon with Department logo stenciled on each piece	1 set
Specialty boot, 9" logger style with Vibram lug sole, no steel toe	1 pair
Suspenders, black, 2" with heavy duty clips	1 each
Thermal boot socks, gray non-wool	4 pairs
Thermal underwear, top and bottom sets, white or ecru non-wool	2 sets
Work boots, 6" brown with non-skid sole; <i>standard issue for all facilities</i>	1 pair
Work shirts, long sleeve, red cotton blend with Department logo above left pocket	3 each

### State-issued clothing for Reentry Centers:

STANDARD BASIC ITEMS	
Description	Maximum Quantity
Pants, khaki	2 pair
T-shirt, white or gray	2 each
Sweatpants	1 each
Sweatshirt	1 each
Coat, khaki denim with lining	1 each
Shoes	1 pair
Belt (as needed)	1 each
Underwear	7 each
Socks	7 pair



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUALS

REVISION DATE  
7/17/23

PAGE NUMBER  
1 of 6

NUMBER  
**DOC 440.080**

**POLICY**

TITLE  
**HYGIENE AND GROOMING FOR  
INCARCERATED INDIVIDUALS**

**REVIEW/REVISION HISTORY:**

- Effective: 12/31/96
- Revised: 8/18/99
- Revised: 10/30/03
- Revised: 4/10/06
- Revised: 8/10/06 AB 06-008
- Revised: 4/26/07
- Revised: 6/27/08
- Revised: 4/17/09
- Revised: 2/20/12
- Revised: 5/18/15
- Revised: 10/12/17
- Revised: 12/20/21
- Revised: 7/17/23

**SUMMARY OF REVISION/REVIEW:**


Added I.B.5. that a disposable razor will be issued as a basic hygiene item  
 Added I.F.2. that transgender, intersex, and/or non-binary individuals may shower separately  
 Added II.D. that Reentry Center will develop local procedures to allow transgender, intersex, and/or non-binary individuals in a to shower and dress/undress separately and out of view from other individuals

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

5/30/23  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 2 of 6	<b>NUMBER</b> <b>DOC 440.080</b>
	<b>TITLE</b> <b>HYGIENE AND GROOMING FOR INCARCERATED INDIVIDUALS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 440.000 Personal Property for Offenders

**POLICY:**


- I. Incarcerated individuals in Department facilities will have access to supplies necessary to maintain personal hygiene. State-issued hygiene supplies will be used in a prudent manner.
- II. Incarcerated individuals will make personal grooming choices that do not conflict with the facility's requirements for safety, security, identification, and hygiene.

**DIRECTIVE:**

- I. Personal Hygiene for Individuals in Prisons
  - A. Newly received individuals processed through Reception Diagnostic Centers will receive an initial issue of the following personal hygiene items:
    1. Bath soap - one 3 ounce bar
    2. Toothbrush - one
    3. Toothpaste - one
    4. Dental floss - one 5 meter roll container
    5. Comb/pick - one
    6. Shampoo - one 4 ounce bottle
    7. Deodorant - one ½ ounce stick
    8. Safety razor - one, as needed
    9. Denture cream and adhesive, if needed
    10. Denture storage container, if needed
    11. State-issued sanitary napkins and tampons for menstruating individuals, when requested
    12. An Over the Counter (OTC) starter kit containing small quantities of:
      - a. Ibuprofen
      - b. Acetaminophen
      - c. Clotrimazole (i.e., antifungal cream)
      - d. Hydrocortisone cream
      - e. Bismuth (e.g., Pepto-Bismol chewable tablets)
  - B. Individuals transferring from one facility to another or received at a facility (e.g., violator, boarder) will be issued one of each of the following basic hygiene items upon request and verification they do not currently possess or have access to:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 3 of 6	<b>NUMBER</b> <b>DOC 440.080</b>
	<b>TITLE</b> <b>HYGIENE AND GROOMING FOR INCARCERATED INDIVIDUALS</b>		

1. 3 ounce bar of soap
  2. Toothbrush
  3. Toothpaste
  4. 4 ounce bottle of shampoo
  5. A disposable razor
- C. After the initial issue, individuals will be responsible for replenishing their own personal hygiene supplies.
1. Personal hygiene supplies are available for purchase through the commissary.
  2. State-issued sanitary napkins and tampons will be provided without charge.
  3. Indigent individuals will not be denied access to personal hygiene items. However, a debt will be established and collected per DOC 200.000 Trust Accounts for Incarcerated Individuals.
    - a. Indigent individuals may incur a debt to purchase nail clippers in an amount that does not exceed the personal property limit per DOC 440.000 Personal Property for Offenders.
  4. If an individual is not indigent but lacks sufficient funds for a single item issue, any money available will be deducted and a debt for the balance will be established and collected per DOC 200.000 Trust Accounts for Incarcerated Individuals.
- D. Replenishment guidelines will be observed, and a uniform issuance procedure developed by quantity per item.
1. The guideline for each of the following personal hygiene items will be:
    - a. Bath soap - one in use and one in retention
    - b. Toothbrush - one in use and one in retention
    - c. Toothpaste - one in use and one in retention
    - d. Dental floss - one in possession at a time
      - 1) Individuals in maximum custody/intensive treatment units will be allowed dental floss bands only, one 30-count package in possession at a time.
    - e. Shampoo - one in use and one in retention
    - f. Conditioner - one in use and one in retention

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 4 of 6	<b>NUMBER</b> <b>DOC 440.080</b>
	<b>TITLE</b> <b>HYGIENE AND GROOMING FOR INCARCERATED INDIVIDUALS</b>		


- g. Deodorant - one in use and one in retention
- h. Denture cream or adhesive - one in use and one in retention
- i. Disposable razor - one in use and 3 in retention
  - 1) Individuals in maximum custody/intensive treatment units will not be allowed to maintain a razor. Individuals may have access to a safety razor while in the shower. The razor will be returned immediately after use.
  - 2) Individuals in Reception Diagnostic Centers will be allowed to maintain one disposable razor only.

2. Excess personal hygiene items will be considered contraband and disposed of per the disposition process in DOC 440.000 Personal Property for Offenders.

E. Superintendents may further restrict personal hygiene items due to security concerns in mental health, Segregation, and intensive management units and may develop processes to issue hygiene items.

F. Facilities will maintain clean and sufficient bathing facilities in housing areas to permit individuals to shower at least 3 times weekly.

- 1. The Superintendent, in consultation with a mental health provider, may require an individual to adhere to a showering schedule.
- 2. Transgender, intersex, and/or non-binary individuals may shower separately if requested by the individual or deemed necessary due to safety and security concerns.
  - a. Facilities will develop local procedures to allow transgender, intersex, and/or non-binary individuals the opportunity to shower and dress/undress separately and out of view from other individuals.
    - 1) This may include individual shower stalls, separate shower times, or other procedures based on facility design.
  - b. Individuals may notify the Superintendent/designee verbally or in writing if they have showering issues or concerns.
  - c. The Superintendent/designee will notify the applicable Correctional Unit Supervisor of any special shower arrangements.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 5 of 6	<b>NUMBER</b> <b>DOC 440.080</b>
	<b>TITLE</b> <b>HYGIENE AND GROOMING FOR INCARCERATED INDIVIDUALS</b>		

G. Facilities will develop processes for supplying toilet paper and medically indicated special hygiene needs.

## II. Personal Hygiene for Individuals in Reentry Centers

A. Individuals may be provided Community Service Revolving Fund loans per DOC 200.000 Trust Accounts for Incarcerated Individuals to assist in transitioning back into the community, which includes assuming responsibility for their personal care.

B. Indigent individuals will be provided an initial supply of items necessary to maintain proper personal hygiene including, at a minimum:

1. Bath soap
2. Toothbrush
3. Toothpaste
4. Dental floss
5. Comb
6. Shampoo
7. Deodorant
8. Disposable razor
9. Denture cleaner and adhesive, if needed
10. Sanitary napkins and tampons for menstruating individuals

C. Facilities will develop processes for supplying toilet paper.

D. Local procedures will be developed to allow transgender, intersex, and/or non-binary individuals the opportunity to shower and dress/undress separately and out of view from other individuals.


1. Individuals may notify the Reentry Center Manager/designee verbally or in writing if they have showering issues or concerns.

## III. Personal Grooming in Prisons

A. Incarcerated individuals will be provided hair care services that comply with applicable health requirements.

1. Individuals will use the facility barbershop/beauty shop for haircuts, except when the Superintendent allows the use of another area. Hair will only be cut under sanitary conditions and in an area that permits an appropriate level of observation by employees.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 7/17/23	<b>PAGE NUMBER</b> 6 of 6	<b>NUMBER</b> <b>DOC 440.080</b>
	<b>TITLE</b> <b>HYGIENE AND GROOMING FOR INCARCERATED INDIVIDUALS</b>		

2. The Superintendent may restrict hairstyles, (e.g., braids), when the hairstyle presents a security risk (e.g., suspicion of concealed contraband).

#### IV. Razor Disposal

- A. Used disposable razors will only be placed in a secure container located at key locations in the facility, including at least one per living unit.
  1. Razor disposal containers must be closable, puncture resistant, leak proof, labeled or color-coded, and maintained in an upright position.
- B. Razors will not be disposed of in trashcans or any other receptacle except an approved razor disposal container.
- C. Individuals should place their own used razors into the razor disposal container, when possible.
  1. If an individual cannot access the container, an employee/contract staff will carefully dispose of the razor.
  2. Employees/contract staff will minimize contact with the used razor and will not unnecessarily handle the used razor (e.g., attempting to cover, break the handle, remove the blades).
- D. Used/full razor disposal containers will be handled as non-regulated sharps and may be disposed of directly to the landfill.

#### DEFINITIONS:

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

#### ATTACHMENTS:

None

#### DOC FORMS:

None



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUAL

REVISION DATE  
12/21/21

PAGE NUMBER  
1 of 5

NUMBER  
**DOC 450.050**

**POLICY**

TITLE

**PROHIBITED CONTACT**

**REVIEW/REVISION HISTORY:**

- Effective: 6/30/96
- Revised: 4/21/97
- Revised: 12/1/99
- Revised: 12/2/02
- Revised: 4/27/07
- Revised: 5/9/08
- Revised: 4/30/09
- Revised: 8/30/10
- Revised: 4/1/12
- Revised: 6/15/15
- Revised: 11/21/15
- Revised: 12/21/21

**SUMMARY OF REVISION/REVIEW:**

Updated terminology throughout  
Il.C. - Adjusted as person-centered language


**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

12/7/21

\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL</p>		
	<p>REVISION DATE 12/21/21</p>	<p>PAGE NUMBER 2 of 5</p>	<p>NUMBER <b>DOC 450.050</b></p>
	<p>TITLE <b>PROHIBITED CONTACT</b></p>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [WAC 137-48](#); DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting

**POLICY:**

- I. Consistent with legitimate penological objectives and public safety, the Department will restrict an incarcerated individual’s contact in any form (e.g., visits, correspondence, telephone) with specific persons or classes of persons.

**DIRECTIVE:**

- I. Criteria
  - A. An individual’s contact with specific persons or classes of persons will be restricted or prohibited when:
    1. The individual’s Judgment and Sentence prohibits contact with the person or class of persons during incarceration or upon release.
    2. The person, or parent/legal guardian if the person is a minor, has requested in writing that contact be stopped or restricted.
    3. There is an active No Contact Order with the person.
  - B. An individual’s contact with specific persons or classes of persons may be denied or restricted for reasons including, but not limited to:
    1. The individual participated in a crime of conviction with the individual.
    2. A current Pre-Sentence Investigation recommends no contact.
    3. The nature of a specific treatment program requires prohibited contact with the person or class of persons.
    4. The person or class of persons has been victimized by the individual.
    5. Facility management has reason to believe that allowing contact would conflict with sound correctional practices or legitimate penological objectives.
    6. The person was found to have engaged in staff sexual misconduct against any individual as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/21/21	<b>PAGE NUMBER</b> 3 of 5	<b>NUMBER</b> <b>DOC 450.050</b>
	<b>TITLE</b> <b>PROHIBITED CONTACT</b>		

7. The person was found to have committed staff sexual harassment against any individual as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.

C. An individual may be prohibited from contact with the individual's own child(ren) only if the individual's Judgment and Sentence and/or a No Contact Order prohibits contact, or if necessary to protect the child(ren) from any specific and documented threat of harm. Documentation includes, but is not limited to:


1. A written opinion from a mental health professional or Child Protective Services, and
2. Specific verified incidents of harm to the child(ren) resulting from contact with the individual while the individual was incarcerated in a Department facility.

II. No Contact Process

A. Recommendations for no contact that are not a condition of the Judgment and Sentence will be submitted to the Correctional Program Manager (CPM)/Reentry Center Community Corrections Supervisor (CCS) for approval.

1. The case manager will initiate DOC 21-761 Prohibited Contact Review.
2. If the individual is receiving mental health treatment or participating in a sex offender treatment program, the mental health professional will review DOC 21-761 Prohibited Contact Review and provide a written opinion to the CPM/CCS.
3. If contact is prohibited, the CPM/CCS will ensure the DOC 21-761 Prohibited Contact Review is distributed to inform the individual and employees/contract staff.
4. Appropriate records employees will document court ordered prohibited contact information on the Conditions screen in the electronic file using the No Contact (NC) code.
5. In Prisons, employees/contract staff responsible for documenting visit information will enter prohibited contact information in the Public Access System.

B. Unless the no contact provision was ordered by the court, the individual may appeal the order in writing to the Superintendent/CCS at the facility which


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 12/21/21	<b>PAGE NUMBER</b> 4 of 5	<b>NUMBER</b> <b>DOC 450.050</b>
	<b>TITLE</b> <b>PROHIBITED CONTACT</b>		

initiated the order or the current facility, stating the circumstances surrounding the provision and why contact privileges should be restored.

- C. If the individual is transferred to another facility, reinstatement of contact will only occur when the Superintendent/CCS of both facilities agree.
  - 1. If both parties do not agree, a referral may be made to the appropriate Deputy Assistant Secretary or the Reentry Center Administrator.

### III. Restriction Process for Staff Sexual Misconduct/Harassment

- A. Presumptive restrictions for contact between a person found to have engaged in staff sexual misconduct and any individual, except an individual who is the staff's non-victim family member, are as follows:
  - 1. Substantiated allegations of sexual intercourse, as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting, will result in:
    - a. Permanent restriction on visitation, which may be appealed after 3 years.
    - b. An 18 month restriction on telephone and mail communication, including eMessaging.
  - 2. All other substantiated allegations of staff sexual misconduct will result in a one year restriction on telephone and mail communication, including eMessaging, and a 2 year restriction on visitation.
- B. At the time the allegation is substantiated, the Appointing Authority will ensure notification is made to the mailroom, Visiting, and the Intelligence Officer to ensure the restrictions are put in place.
- C. With Deputy Assistant Secretary or Reentry Center Administrator approval, the Appointing Authority may grant a request for an exception to the presumptive restrictions, but only when extraordinary circumstances support the request and granting the requested exception will not undermine the Department's zero tolerance of all forms of sexual misconduct.
  - 1. Before exception or lifting of restriction will be considered, the individual must submit a signed DOC 21-067 Request for Visitation/Release confirming the individual is freely participating in communication with the person.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUAL</p>		
	<p>REVISION DATE 12/21/21</p>	<p>PAGE NUMBER 5 of 5</p>	<p>NUMBER <b>DOC 450.050</b></p>
	<p>TITLE <b>PROHIBITED CONTACT</b></p>		

2. Appointing Authorities will consult with the Deputy Secretary for possible pursuit of a no contact order between the person and the individual.

D. Violation of restrictions may result in an extension of the restriction.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

DOC 21-067 Request for Visitation/Release  
DOC 21-761 Prohibited Contact Review



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
12/31/23

PAGE NUMBER  
1 of 13

NUMBER  
**DOC 450.100**

**POLICY**

TITLE  
**MAIL FOR INDIVIDUALS IN PRISON**

**REVIEW/REVISION HISTORY:**

Effective: 2/1/83 DOC 450.020	Revised: 7/30/07 AB 07-022
Revised: 9/1/83	Revised: 9/12/07 AB 07-028
Revised: 10/24/83	Revised: 5/19/08
Revised: 2/20/84	Revised: 8/11/08 AB 08-022
Revised: 11/6/87	Revised: 10/1/09
Revised: 1/1/92 DOC 450.100	Revised: 12/31/09
Revised: 11/1/92	Revised: 9/1/10
Revised: 11/1/93	Revised: 7/25/11
Revised: 12/27/93	Revised: 8/15/14
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Revised: 1/10/99	Revised: 11/21/15
Revised: 1/5/00	Revised: 12/27/17
Revised: 5/1/04	Revised: 1/20/20
Revised: 1/22/07	Revised: 9/8/20
Revised: 4/26/07 AB 07-013	Revised: 2/9/22
Revised: 6/7/07 AB 07-016	Revised: 12/31/23

**SUMMARY OF REVISION/REVIEW:**


Major changes to include updating requirements, process changes, and reorganization of content. Read carefully!

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

12/6/23  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 2 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; [RCW 72.02.260](#); [RCW 72.09.450](#); [WAC 137-36](#); [WAC 137-48](#); DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 320.255 Restrictive Housing; DOC 320.260 Secured Housing Units; DOC 420.375 Contraband and Evidence Handling (RESTRICTED); DOC 440.000 Personal Property in Prisons; DOC 450.120 Packages for Individuals in Prison; DOC 450.050 Prohibited Contact; DOC 450.300 Visits for Incarcerated Individuals; DOC 460.000 Disciplinary Process for Prisons; DOC 460.050 Disciplinary Sanctions; DOC 500.100 Correspondence Education in Prisons; DOC 590.500 Legal Access for Incarcerated Individuals; [USPS Domestic Mail Manual](#); [IRS Blue Bag Program](#)


**POLICY:**

- I. The Department recognizes the importance of mail and its role in supporting community connections as a critical component of success in reentry.
- II. The Department has established procedures to maintain safety and security governing mail to/from incarcerated individuals.
- III. Allowances and limits outlined in this policy may be restricted per DOC 320.255 Restrictive Housing and DOC 320.260 Secured Housing Units.
- IV. It is a federal offense to attempt to or use the United States Postal Service (USPS) or a private/commercial carrier to introduce contraband or illegal drugs into a correctional facility.

**DIRECTIVE:**

- I. General Requirements
  - A. Correspondence between incarcerated individuals and their correspondents will be limited to the USPS, United Parcel Service (UPS), Federal Express (FedEx), and the contracted electronic messages service provider.
  - B. Individuals will be responsible for informing their correspondents of the rules governing mail for incarcerated individuals, which can be reviewed on the [Family & Visitors Send Something](#) section of the Department’s external website.
  - C. The Superintendent/designee may place limits on the volume, length, content, or source of mail when necessary to maintain safety and security.
  - D. An individual’s writing privileges to a person or group may be restricted when:
    1. Court ordered



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 3 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		

2. Prohibited per DOC 450.050 Prohibited Contact
3. Sanctioned per DOC 460.050 Disciplinary Sanctions
4. Requested by a person/group in writing
5. The recipient is a minor and the minor's parent or guardian has submitted a written request that the privilege be terminated
6. Specific cause exists as supported by criteria in this policy

E. Excluding weekends, holidays, or emergency situations, approved mail will be processed within:

1. 2 business days for first class mail
2. 7 business days for electronic messages
3. 7 business days for mail requiring investigative review
4. 10 business days for publications
5. 5 business days for all other mail

F. Individuals will not process, distribute, and/or possess another individual's mail.

G. Packages will be processed per DOC 450.120 Packages for Individuals in Prison.


H. Employees will retain confidentiality of mail/electronic messages unless the material is needed for administrative purposes.

## II. Envelopes and Postage

A. Incarcerated individuals will use pre-franked envelopes purchased from the commissary or Correctional Industries, or may use direct return envelopes (e.g., metered, pre-paid, pre-addressed) if they are received from vendors, organizations, legal entities, or public agencies for the purpose of direct return mail.

1. Indigent individuals may receive 10 first class pre-franked envelopes per month.
2. Attempts to use an altered envelope for outgoing mail will result in the envelope and its contents being confiscated as contraband.
3. Direct return mail envelopes do not require pre-paid postage for an individual to receive and use it for the return of educational correspondence course materials.

B. Individuals will complete DOC 02-003 Postage Transfer and submit it with their letter/package to cover postage, fees, and shipping costs for:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 4 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		

1. USPS special services
2. Authorized greeting cards
3. Oversized/overweight envelopes
4. Packages, including shipping insurance
5. Direct return mail envelopes to return educational correspondence course material

C. Other than noted above, postage transfer submissions submitted with letters/packages that do not have pre-franked/pre-paid postage will be returned to the individual.

D. Except for USPS specialized services, postage debt may be incurred for outgoing legal mail or mail being sent to the Office of the Corrections Ombuds.

1. Postage debt does not include USPS specialized services or electronic messaging.

E. Mail arriving at the facility with postage due will be returned to the sender.

F. Electronic stamps will be purchased electronically through the electronic message provider.

### III. Inspection

A. Superintendents will designate employees to inspect and read mail to prevent sending/receiving contraband or other material that threatens facility order or security, and/or criminal activity.


1. Legal mail is subject to inspection and will be conducted per Legal Mail (Attachment 1).

B. Employees will take care not to damage mail when opening for inspection. Markings with the intention of identifying the individual's DOC number, housing, and/or authorized stamping of the envelope are acceptable.

1. Individuals will be notified when mail is received damaged, or the employee unintentionally damages mail during inspection/markings.

C. Mail will be rejected based on legitimate penological interests and per Unauthorized Mail (Attachment 4).


D. Contraband or illegal items/drugs uncovered during inspections will be handled per DOC 420.375 Contraband and Evidence Handling (RESTRICTED). The Mailroom Supervisor will ensure:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 5 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		


1. The rejection process is initiated,
  2. Original documents are placed in evidence with a copy maintained with the rejection notice in the mailroom, and
  3. The disciplinary process is initiated per DOC 460.000 Disciplinary Process for Prisons, as appropriate, and any sanction(s) imposed is enforced.
- E. Opinions critical of Department policy or personnel will not be censored.
- F. Cashier's checks and money orders must include the individual's name and DOC number.
1. If the check/money order is missing the DOC number, mailroom employees will ensure the DOC number is written on the check/money order if the individual's name matches the addressed envelope before forwarding to the facility Business Office for deposit per DOC 200.000 Trust Accounts for Incarcerated Individuals.

#### IV. Incoming Mail

- A. Employees will facilitate the delivery of mail and make a reasonable effort to find an intended recipient whenever possible. The individual's identity will be verified prior to delivery.
- B. Except for books, all incoming mail and publications will be date stamped the day received in the mailroom.
- C. Incoming mail must include:
1. The incarcerated individual's full legal name and DOC number. An Also-Known-As (i.e., AKA) name may be included below the legal name.
    - a. Mail that does not include the individual's full legal name and/or DOC number and received from the:
      - 1) Health Care Authority, the Washington Health Benefits Exchange, or a state approved managed care plan will be held and the Headquarters Medical Disbursement Unit will be contacted for information/direction.
      - 2) Veteran's Administration will be forwarded to the Reentry Division at Headquarters.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 6 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		

2. A return address per USPS Domestic Mail Manual, including an identifiable last name or name of a business/organization.
  - a. Address labels for incoming mail are allowed unless the facility can document an ongoing security concern.
  - b. Mail that does not contain an identifiable sender (e.g., last name or the name of a business/organization is missing/unclear) will not be opened and will be returned to the address without a rejection notice issued.
  - c. Mail with no return address will be rejected and any funds included with the mail will be deposited in the Betterment Fund.
  
- D. Mailroom employees will remove identifying documentation (e.g., social security card, marriage/birth/death certificate) and forward them to designated employees for processing/retention. The individual will receive a receipt for the removed item(s) and a notice of its disposition.
  
- E. In lieu of the original, photocopies of the envelope and/or contents may be provided to the individual for safety and security reasons. Providing photocopies does not require a mail rejection notice.
  1. Copies will not be made of photographs received on photo paper.
  
- F. Individuals may receive photographs if they meet the following criteria:
  1. The DOC number must be written in ink upon receipt by the individual on the back center of each photograph.
  2. For the purpose of this policy, pictures contained in newspaper or magazine clippings/articles are not considered photographs.
  3. Photographs are limited to the following in one mailing. Excess photographs/pages will be rejected.
    - a. Up to 25 photographs total (i.e., separate or multiple photos on a sheet).
      - 1) Each photograph must be no less than 3" by 5" and no larger than 8½" x 11".
      - 2) Polaroids, stickers, and layered photos are not allowed.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 7 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		

b. Up to 20 bound pages with multiple photographs sent directly from a vendor (e.g., Shutterfly, Snapfish) containing photos no less than 3" x 5".

4. Photographs received through an electronic message must be a single image (e.g., no collages or superimposed images).

G. Audio recordings and devices received through the mail must be sent from the Washington Talking Book and Braille Library.

H. Batch/bulk mailings must meet penological objectives and each item must be individually labeled with the individual's name, DOC number, and cell/room assignment.

1. Batch/bulk mailings may be accepted or rejected in whole as one mailing.

I. Tribal governments and Alaska Native villages (i.e., Indian Tribal Entity) may send paper ballots to incarcerated enrolled members for their governmental matters (e.g., elections).

1. The Department will not be responsible for the validity of, tracking, or maintaining any ballot cast by an individual or the individual's eligibility to vote.

J. For incoming certified/return receipt/signature confirmation mail, designated employees will:


1. Sign and date the receipt when requested by the delivering agent,
2. Inspect the mail and record it in the legal mail log,
3. Ensure the mail is delivered to the individual, and
4. Have the individual sign the log upon receipt.

## V. Outgoing Mail

A. Outgoing mail sent via USPS must have a complete return address that includes the individual's full legal name, DOC number, cell/room assignment, and the name and address of the facility.

1. An AKA name may be included below the legal name.

B. Individuals will be provided an opportunity to correct noncompliant outgoing mail in lieu of a rejection as long as the contents do not pose a safety or security concern or subject the individual to a violation.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 12/31/23</p>	<p>PAGE NUMBER 8 of 13</p>	<p>NUMBER <b>DOC 450.100</b></p>
	<p>TITLE <b>MAIL FOR INDIVIDUALS IN PRISON</b></p>		

1. Mailroom employees will send the mail back with a notice that identifies why the mail cannot be sent out.

C. Envelopes will be stamped with the following or similar message: "This was mailed by an individual confined at a Washington State Department of Corrections facility. Its contents are uncensored."

D. Address labels for outgoing mail are only allowed on pre-addressed envelopes used for direct return mail.

E. Individuals will use DOC 21-473 Kite, the kiosk, or USPS to correspond with employees, contract staff, and volunteers.

#### VI. Electronic Messages

A. Individuals must agree to the terms of service to use the electronic messaging system.

1. Individuals found to be using another individual's account, conspiring/ attempting to introduce contraband, or allowing another individual to use their account will be subject to disciplinary action and the possible suspension of all involved electronic messaging accounts.

B. Videograms (i.e., prerecorded video attached to an electronic message) may not contain content from third-party sites or previously recorded material from external sources (e.g., television, Facebook).

#### VII. The Office of the Corrections Ombuds Mail

A. Mail to/from the Office of the Corrections Ombuds will be treated as privileged and confidential.


B. Employees will follow the Office of the Corrections Ombuds guidelines when processing mail to/from the Office of the Corrections Ombuds and incarcerated individuals.

1. Mail will arrive in a light green envelope.

2. Incoming mail will be opened in the individual's presence, inspected, and issued by designated employees.

a. The individual may request a copy of the envelope, but the employee will maintain the original for disposal.

3. Outgoing mail must:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 9 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		

- a. Not be opened by employees.
  - b. Have a return address belonging to the sender.
  - c. Clearly show the correct address for the Office of the Corrections Ombuds.
4. Employees will not document (e.g., mail log) sending, receiving, or issuing mail to/from the Office of the Corrections Ombuds.

#### VIII. Legal Mail

- A. Incarcerated individuals have the ability to correspond by means of legal mail, which must meet requirements per Legal Mail (Attachment 1).
- B. Mail received that does not qualify as legal mail will be processed as general incoming mail.

#### IX. Mail not Written in English

- A. Incoming and outgoing correspondence written in a language other than English, including correspondence written in more than one language, will be reviewed by an employee who is a Department-certified translator, when available.
  1. If an employee who is a Department-certified translator is unavailable, the mail will be sent to the contracted vendor for translation.
  2. An online translation service will be used for electronic messages.

#### X. Rejecting Mail


- A. Employees/contract staff/volunteers are strictly prohibited from using mail rejections as a form of retaliation against individuals and/or their correspondents.
- B. Rejected mail/electronic messages will be processed per Mail Rejection Process (Attachment 2).

#### XI. Publications

- A. Individuals may receive publications (e.g., books, magazines) and appeal rejections per Publication Guidelines (Attachment 3).

#### XII. Forwarding Mail

- A. Individuals will be responsible for informing their correspondents, including publishers, of a change of address.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 12/31/23</p>	<p>PAGE NUMBER 10 of 13</p>	<p>NUMBER <b>DOC 450.100</b></p>
	<p>TITLE <b>MAIL FOR INDIVIDUALS IN PRISON</b></p>		

- B. Facilities will forward first class mail, consistent with the USPS Domestic Mail Manual, for a period of 90 days.
  - 1. Legal mail will be forwarded daily and all other mail at least weekly.
    - a. Mailroom employees will log forwarded legal mail and the addresses where they were sent.
  - 2. Mail for individuals out to court will be forwarded to the jail where they are being held.
  - 3. Legal mail for individuals transferred to a community health care facility will be delivered if they are able to personally accept it. Otherwise, it will be returned to sender marked "Incarcerated Individual Temporarily/ Currently Unable to Accept Mail".
    - a. All other mail for individuals transferred to a community health care facility will be held in the facility mailroom until they return.
  - 4. If first class mail is unopened, the new address will be noted on the envelope and returned to the USPS for forwarding. State funds will not be used to forward unopened mail.
  - 5. Opened first class mail will be placed in an envelope and mailed to the new address at the facility's expense.
- C. Publications received through the USPS will be forwarded when allowed per USPS Domestic Mail Manual.
- D. Non-profit mail will not be forwarded per USPS Domestic Mail Manual and will be discarded.

**XIII. Mail Between Incarcerated Individuals**

- A. Mail between individuals confined in any correctional facility will only be allowed when authorized by both Superintendents/facility administrators/designees.
  - 1. Mail can only be written material, photos, or cards and cannot contain property items (e.g., hobby craft).
    - a. Photos may only contain the approved corresponding individuals.
    - b. Only pre-manufactured greeting cards are permitted.
  - 2. An individual may communicate with a Special Commitment Center resident, which is not considered a correctional facility.




 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 11 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		

- B. Incarcerated individuals must meet at least one of the following requirements to be allowed to communicate with another incarcerated individual:
1. Are members of the same immediate family,
  2. Have a child together, as proven through a birth certificate and only if both individuals still have parental rights, and/or
  3. Are co-parties in an active legal case, or one individual is providing a witness statement in the other individual's active legal case.
    - a. Communication between authorized individuals must be legal in nature and will not be treated as legal mail.
- C. The requesting individual will complete and submit DOC 21-746 Approval for Mail between Incarcerated Individuals to the case manager with any supporting documentation.
1. The case manager will verify the request meets policy requirements and forward the request with any supporting documentation to the Superintendent/designee for a final decision.
  2. Approvals may be accepted by any receiving facility upon an individual's transfer at the discretion of the Superintendent/designee.
  3. Approvals for legal-related correspondence will not be handled as legal mail and will expire when:
    - a. Confirmation is received from the Attorney General's Office that the case has been resolved/closed or witness statements have been received, or
    - b. When either co-party releases from custody.
  4. Approvals may be revoked at any time by the Superintendent/facility administrator/designee.

#### XIV. Mail Records

- A. The Superintendent/designee will designate an employee(s) to manage mail delivery, receipt, and regulations, and maintain a continuous, chronological mail log. The log will:
1. Be maintained in the mailroom, living unit office, or mail sorting area for the following types of incoming/outgoing mail:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/31/23	<b>PAGE NUMBER</b> 12 of 13	<b>NUMBER</b> <b>DOC 450.100</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN PRISON</b>		

- a. Packages
  - b. Mail and publication rejections
  - c. Legal mail and certified/return receipt/signature confirmation mail
  - d. Items of monetary value (e.g., money order, cash, cashier's check)
2. For legal mail, be documented on DOC 21-286 Legal Mail Log or similar log, including:
- a. Source
  - b. Destination
  - c. Date received/sent
  - d. Description
  - e. Printed name and signature of employee distributing the mail
  - f. Signature of individual receiving/sending the mail

#### XV. Quality Assurance

- A. Quality assurance checks of electronic records relating to mailroom activities will be performed weekly.
- B. Onsite quality assurance checks will be performed yearly or as necessary at each facility mailroom. An auditing tool will be used and an action plan developed when necessary.

#### DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Contraband, Immediate Family, Indigent, Legal Mail, Legal Pleadings, Letters, Mail, Packages, and Retaliation. Other words/terms appearing in this policy may also be defined in the glossary section.

#### ATTACHMENTS:

Legal Mail (Attachment 1)  
 Mail Rejection Process (Attachment 2)  
 Publication Guidelines (Attachment 3)  
 Unauthorized Mail (Attachment 4)

#### DOC FORMS:

DOC 02-003 Postage Transfer  
 DOC 05-525 Rejection Notice  
 DOC 13-508 Accommodation Status Report  
 DOC 21-286 Legal Mail Log



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
12/31/23

PAGE NUMBER  
13 of 13

NUMBER  
**DOC 450.100**

**POLICY**

TITLE  
**MAIL FOR INDIVIDUALS IN PRISON**

- DOC 21-473 Kite
- DOC 21-746 Approval for Mail between Incarcerated Individuals
- DOC 21-757 Publication Rejection Appeal

# LEGAL MAIL

## Legal Mail Requirements

1. Legal mail must be correspondence to or from one of the following, as indicated in the mailing address or return address on the front of the envelope:
  - a) Any court/court clerk or opposing attorney/party
    - 1) Mail will not be treated as legal mail if the opposing party is another incarcerated individual
  - b) Washington State Bar Association
  - c) Indeterminate Sentence Review Board
  - d) Washington State Department of Enterprise Services Office of Risk Management
  - e) Prison Rape Elimination Act (PREA) auditors certified by the United States Department of Justice
  - f) Director of PREA Services
  - g) Just Detention International
  - h) PREA auditor leads certified by the United States Department of Justice when related to an audit in process at the individual's facility
  - i) The President or Vice President of the United States
  - j) Members of the:
    - 1) United States Congress
    - 2) Embassies and consulates
    - 3) United States Department of Justice
    - 4) Attorney General's Office
    - 5) State legislature
  - k) United States governors
  - l) Law enforcement officers in their official capacity
  - m) Any attorney corresponding with an individual concerning legal matters, including established groups of attorneys (e.g., American Civil Liberties Union, Disability Rights Washington, legal service corporations, public defender associations)
2. The front of the envelope must be clearly marked "Legal Mail", "Attorney/Client", or "Confidential"
  - a) Incoming mail readily identifiable as being from a court/court clerk will be handled as legal mail, regardless of whether it has been marked as such
  - b) Documents sent from any Public Disclosure Unit are not considered legal mail
3. Legal mail may only contain paper documents or authorized audio/video recordings that are legal in nature and must comply with DOC 590.500 Legal Access for Incarcerated Individuals
  - a) Legal mail does not include electronic messages or their attachments and will not be processed as legal mail

## LEGAL MAIL

4. Mail that contains contraband or any material that would threaten facility order/security will be rejected

### Incoming Legal Mail Procedures

1. Incoming legal mail will be opened in the individual's presence by designated employees
  - a) Once opened, the designated employee will confirm that the contents meet the criteria for legal mail and that there is no contraband
  - b) Employees will confiscate/retain the envelope for safety and security reasons and will:
    - 1) Not require a mail rejection notice
    - 2) Provide a photocopy of the envelope to the individual
  - c) Incoming legal mail may contain a postage paid, pre-addressed envelope for the individual to return documents/responses to the sender
  - d) An employee who inadvertently opens a piece of legal mail will stamp the front of the envelope that it was unintentionally opened and print the employee's name next to the stamp
  - e) If an individual refuses to sign and accept legal mail, including by callout, a designated employee(s) will document the refusal in the legal mail log with the time, date, sender's name, and individual's name
    - 1) After 2 attempts of unsuccessful delivery, the mail will be stamped "Refused by Incarcerated Individual - Return to Sender" and returned to the sender
      - (a) Prior to returning to sender, mailroom employees will verify that the individual is presently housed at that facility and has had the opportunity to attend the legal mail callouts
      - (b) Mailroom employees will document all returned legal mail in the log

### Outgoing Legal Mail Procedures

1. The individual will:
  - a) Present the documents and unsealed envelope to the designated employee, who will confirm that the documents meet the criteria for legal mail and there is no contraband
    - 1) If there is a question whether the mail qualifies as legal mail, it may be retained for no more than 24 hours excluding weekends, holidays, emergency situations, or investigative review
  - b) Place the documents in the envelope and seal it in the employee's presence

## LEGAL MAIL

2. The employee will:
  - a) Legibly print their name, date, and time and sign over the sealed flap of the envelope
  - b) Log out the mail in the individual's presence
3. When possible, the employee will observe the individual place the envelope in a legal mail container/drop box, or the individual will observe the employee place the envelope in the container/drop box
  - a) If unable to place the envelope in a legal mail container/drop box, the employee will secure the legal mail until delivered to the mailroom
4. The use of state-issued legal supplies for non-legal mail purposes is prohibited and will result in the mail being rejected

### Individuals with Disabilities

1. Individuals with a current DOC 13-508 Accommodation Status Report may receive, possess, and send out cassette tapes as legal mail
  - a) To receive a cassette tape, the legal entity sending it must notify the facility's Legal Liaison Officer (LLO), who will notify the mailroom
    - 1) If the legal entity does not notify the LLO before sending the cassette, it will be rejected by the mailroom
    - 2) Cassettes must meet the requirements in DOC 440.000 Personal Property in Prisons
    - 3) Cassettes will be processed as legal mail and visually inspected but will not be listened to as a part of the inspection
  - b) Individuals will contact the facility Americans with Disabilities Act (ADA) Coordinator to request to listen to or create a cassette
  - c) Cassettes will be stored per 590.500 Legal Access for Incarcerated Individuals

# MAIL REJECTION PROCESS

## Rejected Incoming Mail/Electronic Messages

1. DOC 05-525 Rejection Notice, or an equivalent automated notice through the electronic message provider, will be sent to the sender and incarcerated individual within 2 business days of the mail being rejected
  - a) Notices will include the name and address of the sender/recipient, and the detailed reason(s) for the rejection

## Appeals

1. Rejected incoming mail/electronic messages may be appealed by the incarcerated individual or sender to the Superintendent/designee by submitting a written request to the mailroom
  - a) Appeals must be received by the mailroom within 10 business days from the date of the rejection
2. The Superintendent/designee will review the appeal within 10 business days of receipt and either uphold the rejection or allow delivery
  - a) If the rejection is overturned, the Superintendent/designee will notify the individual/sender within 2 business days of the decision using the initial rejection notice or an equivalent notice through the electronic messaging system
    - 1) Mailroom employees will deliver the material within 5 business days from the date of the decision.
  - b) If the rejection is upheld, the Superintendent/designee will notify the individual/sender within 2 business days of the decision using the initial rejection notice or an equivalent notice through the electronic messaging system.
  - c) The Superintendent/designee's decision may be appealed by the individual/sender by submitting a written request to the mailroom within 10 business days from the date of the Superintendent/designee's decision
    - 1) Appeals will be forwarded by mailroom employees to the Headquarters Correctional Manager for review and final decision
    - 2) Appeals sent directly to the Headquarters Correctional Manager by the individual/sender will not be processed
3. The Headquarters Correctional Manager will review the Superintendent/designee decision within 20 business days of receipt and make a final decision.
  - a) The final decision will, if necessary, include rationale that serves as the basis for the rejection
  - b) If the rejection is overturned, the individual/sender will be notified within 2 business days of the decision using the initial rejection notice or an equivalent notice through the electronic messaging system

## MAIL REJECTION PROCESS

- 1) Mailroom employees will deliver the allowed material within 5 business days of the date of the decision
  - c) If the rejection is upheld, the mailroom will notify the individual/sender within 10 business days of the final decision using the initial rejection notice or an equivalent notice through the electronic messaging system
4. Individuals will be responsible for arranging disposal for unauthorized incoming mail within 30 days of the final decision
- a) The rejected material will be disposed of if arrangements are not made by the individual
  - b) If the individual does not request rejected funds to be sent back to the original sender, the funds will be deposited into the Betterment Fund
  - c) Exceptions may be made for incoming mail to be held for a lawsuit/tort claim if the individual submits a written request to the Mailroom Sergeant within the 30 days
    - 1) An extension up to 90 days may be allowed for the individual to provide proof that a lawsuit/tort claim has been filed and must be submitted to the Mailroom Sergeant, who will notify the facility Legal Liaison Officer (LLO) of the pending lawsuit/tort claim
    - 2) Once proof has been provided, the mail will be held until the lawsuit/tort claim has been resolved in the courts or by the Office of Enterprise Services Tort Claims Division

### Outgoing Mail/Electronic Messages

1. Rejected outgoing mail/electronic messages do not require an appeal request and are automatically reviewed by the Superintendent/designee within 10 business days from the date of the rejection
  - a) If the rejection is overturned, mailroom employees will forward the rejected material to the intended recipient within 5 business days
  - b) If upheld, the rejected material will be automatically reviewed by the Headquarters Correctional Manager within 20 business days for mail and 30 business days for electronic messages
    - 1) If the rejection is upheld by the Headquarters Correctional Manager, the facility will retain the mail in a separate file for 2 years, then destroyed
      - (a) Rejected mail will not be returned to the individual per RCW 72.02.260
      - (b) Exceptions may be made by the Headquarters Correctional Manager



## MAIL REJECTION PROCESS

### Incoming and Outgoing Tax-Related Correspondence

1. Tax-related correspondence will be screened by mailroom employees and forwarded to the Internal Revenue Service (IRS) for review per IRS Blue Bag Program procedures
  - a) Mailroom employees will provide the individual written notice for the intercepted mail using DOC 05-525 Rejection Notice
2. Appeal responses will be subject to IRS timeframes and outcome responses will be provided to the individual per directions from the IRS
3. Reviewed mail returned to the facility by the IRS will be distributed to the individual

# PUBLICATION GUIDELINES

## Requirements for Publications

1. Books, magazines, newspapers, calendars, and newsletters will only be treated as publications if they contain a publishing company/author, publication date, volume/issue number or other identifier, copyright notice/date, and publisher's address
  - a) Items that do not meet publication requirements will be processed as general incoming mail
  - b) Individuals housed in Reception Diagnostic Centers will only be allowed newspapers
2. Individuals may receive new books, magazines, newspapers, calendars, and newsletters in any language sent directly from the publisher(s) and/or verifiable business(es)
  - a) Stands received with calendars are not authorized
3. Individuals may receive used books in any language from non-profit organizations approved by the Director for Correctional Services
  - a) A list of approved non-profit organizations will be available on the Department's website
    - 1) Used publications from any other source are not authorized, with the following exceptions:
      - (a) When accepted by the Washington State Library (WSL)
      - (b) Books from the Monroe City Library for use in the Special Offender Unit/Intensive Management Unit at the Monroe Correctional Complex
      - (c) Publications approved per DOC 500.100 Correspondence Education in Prisons
4. Publications will only be accepted when delivered to the facility by the United States Postal Service (USPS), United Parcel Service (UPS), or Federal Express (FedEx) and are not considered first class mail per USPS Domestic Mail Manual
  - a) Front door courier delivery (e.g., newspapers) is not allowed
5. Publications in languages other than English must be reviewed by the Headquarters Correctional Manager
  - a) Publications written in Braille, except those received by facility libraries, will be limited to individuals with a documented vision disability
6. Books will be marked by the individual upon receipt with the individual's DOC number in the center of the inside front cover

## **PUBLICATION GUIDELINES**

7. Unauthorized items of value (e.g., CDs, DVDs) will be removed if doing so will not alter/damage the publication
  - a) If the item cannot be removed without altering/damaging the publication (e.g., tearing a page from the publication), the entire publication will be rejected
    - 1) Mailroom employees will complete DOC 05-525 Rejection Notice to notify individuals when an item of value is removed
  - b) Loose advertisement cards and product samples attached to a perforated page may be removed and do not require a rejection notice
8. No publications will be withheld solely on the basis of their appeal to a particular ethnic, racial, religious, political group, or sexual orientation
9. Individuals may not receive subscriptions and/or publications from another individual or the friends or family of another unrelated individual
  - a) Publications authored by a currently incarcerated individual are allowed if they have been published, unless the contents are a violation of this policy
10. Publications with unauthorized content will be referred to the Publication Review Committee for review
  - a) Mailroom employees will complete DOC 05-525 Rejection Notice to notify individuals when a publication is referred to the committee and a copy will be sent to the sender

### **Publication Review Committee**

1. The Publication Review Committee will meet at least monthly to review submitted material and:
  - a) Document their decision to uphold or overturn the rejection on the DOC 05-525 Rejection Notice and return the completed form to the facility
  - b) May approve publications for patently medical, artistic, anthropological, or educational purposes if initially rejected as sexually explicit material
  - c) May take up to an additional 2 weeks to complete the review if more information is needed
2. The facility will notify the individual and vendor/publisher of the committee's decision within 5 business days
3. The committee's decision will apply to subsequent publications that were held by any facility
  - a) Subsequent notices will not contain a signature from the chair of the committee

## PUBLICATION GUIDELINES

4. If the rejection is overturned, the publication will be held in the Mailroom for a maximum of 10 days to allow the Mailroom Sergeant to appeal to the Headquarters Correctional Manager before the publication is delivered to the individual
  - a) The Headquarters Correctional Manager will inform all facilities of the final decision

### Appeals

1. Publication Review Committee decisions may be appealed within 10 business days:
  - a) To the mailroom by the incarcerated individual on DOC 21-757 Publication Rejection Appeal
  - b) Via email or the USPS by the vendor/publisher
  - c) By the Mailroom Sergeant on DOC 21-757 Publication Rejection Appeal to the Headquarters Correctional Manager
2. A mailroom employee will forward the appeal request to the Headquarters Correctional Manager, who will provide a final decision to the requester within 20 business days
  - a) If upheld, the individual will be responsible for arranging disposal of unauthorized publications within 30 days of the final decision
    - 1) The rejected material will be disposed of if arrangements are not made by the individual
  - b) If the rejection is overturned, mailroom employees will forward the rejected material to the individual within 5 business days
3. The final decision will be binding for at least 3 years and will be documented in a database maintained by the Headquarters Correctional Manager

## UNAUTHORIZED MAIL

**Mail to or from incarcerated individuals, including publications and electronic messages/attachments may be rejected for any of the following reasons:**

1. Establishes or attempts to establish prohibited contact per DOC 450.050 Prohibited Contact or victim/witness information
2. Violates or plans to violate:
  - a) Sentencing conditions
  - b) Court order
  - c) Disciplinary sanction
  - d) State/federal law
  - e) Washington Administrative Code (WAC)
  - f) Department policy
  - g) Facility procedures
3. Depicts, displays, or describes:
  - a) Procedures for constructing or using weapons, ammunition, bombs, and/or other destructive devices or includes life-sized photograph(s)/graphic illustrations of these items
  - b) Instructions on martial arts, fighting/self-defense techniques, and/or how to disable/disarm others
  - c) Technical/detailed information on security systems, equipment, and practices and operations used in the correctional field
4. Mail that contains/appears to contain:
  - a) Written or typed material not specifically relevant to an incarcerated individual (e.g., internet printouts, photocopies, song lyrics) currently assigned to a Reception Diagnostic Center
  - b) Stickers/labels or a blank greeting card/postcard
  - c) Any item that is padded, laminated/layered, musical, and/or exceeds 12" x 18" storage dimensions without the item being folded
  - d) Pre-franked envelopes and/or non-cancelled postage stamps without prior approval from the Superintendent/designee
  - e) Cash or personal check(s)
  - f) Items that could be easily misidentified (e.g., written or drawn in crayon or gel pen, excessive ink)
  - g) Sending contraband in/out of the facility
  - h) Escape plans and/or other information related to escape
  - i) Detailed maps/charts within 50 miles of a Washington State Department of Corrections facility except those received by facility libraries

## UNAUTHORIZED MAIL

- j) Sexually explicit materials which are defined as:
  - 1) Any image intended for sexual gratification and which depicts:
    - (a) Visible female areola and/or female breast nipple(s) or visible genitals/anus (e.g., under or through translucent/thin materials providing physical detail)
    - (b) A sex act involving contact/penetration of sexual organs, anus, or mouth by the body part of another or an inanimate object, masturbation, or portrayal of actual or simulated human excretory functions including urination, defecation, or ejaculation
  - 2) Any image or written material intended for sexual gratification and which depicts or describes:
    - (a) Sadistic/masochistic abuse, bondage, bestiality, incest, and/or participant who appears to be nonconsenting, dominated, degraded, humiliated, or in a submissive role, and/or a participant who appears to be acting in a forceful, threatening, dominating or violent manner, or
    - (b) A minor, or model or cartoon/anime depicting a minor, in a sexually suggestive setting/pose/attire
- k) Information that could create a risk of physical harm to the individual or another person if the communication were allowed
- l) Threats or advocates violence or hatred against others and/or the overthrow of authority
- m) Code or intentionally using any method in an attempt to defeat electronic messaging security features, or displaying hand signs of an unknown representation
- n) Security Threat Group/gang language, markings, symbols, and other material which threatens the safety and security of the facility, as verified through the Intelligence and Investigations Unit or designated employee(s) at Level 2 stand-alone facilities
- o) Specific identifying information (e.g., social security number, date of birth) or details of a crime relating to another individual(s) currently incarcerated in Washington State
- p) More than 25 photographs or photograph(s) does not meet size requirements
- q) Duplicate copies of the same photograph or publication/subscription
- r) Photographs of an individual currently incarcerated unless authorized through approved correspondence or is a member of the individual's immediate family
- s) Unauthorized audio/video recording, including public disclosure Compact Disks (CDs)

## UNAUTHORIZED MAIL

- t) Clipping(s)/copies of copyrighted material, including books
    - 1) Single clippings or printouts from public domain websites are allowed
  - u) Used publications not sent from an approved nonprofit organization or publications that have been altered (e.g., pages torn/removed, additional/unnecessary markings)
  - v) A metal and/or inflexible binder
  - w) Solicitations or games of chance (e.g., sweepstakes, contests, lottery tickets)
    - 1) Publications containing a sweepstakes or contest entry will not be rejected, but individuals will not be allowed to participate/enter
  - x) Correspondence/property for or from a third party (i.e., correspondence to/from a person other than the original sender and recipient where the correspondence could be deemed to be a threat to legitimate penological objectives, or attempts to violate state/federal law, WAC, or Department policy)
  - y) Information considered to be a threat to the safety and security of the facility
5. Attempts or conveys unauthorized correspondence between incarcerated individuals
  6. Coerces or demands money or anything of value
  7. Requests/directs another person to provide money or anything of value to a third party
  8. Advocates that a class/group is inferior and makes them the object of ridicule and/or scorn
  9. A publication(s) is not in English and is under review by the Headquarters Correctional Manager to determine if it complies with Department policy and/or facility procedure
  10. Incoming mail meets the requirements for legal mail, but upon issuing to the individual is determined to be general correspondence
  11. The return address on the outer envelope has been verified to be fraudulent or the customer's name in an electronic messaging system is incomplete/inaccurate
  12. Misuses state resources by using blank forms for a purpose other than their intended use or misuse of Department-issued computers/equipment
  13. An electronic videogram does not comply with mail requirements or otherwise contains a display of nudity/partial nudity, behavior/actions that are sexual in nature, illegal drugs or related paraphernalia, weapons, graphics, or paraphernalia associated with any Security Threat Group/gang, or unlawful activity
  14. An outgoing photograph in the electronic messaging system clearly displays an employee/contract staff/volunteer or intentional inclusion of another incarcerated individual(s)



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**REENTRY**  
FACILITY/SPANISH MANUAL

REVISION DATE  
1/12/22

PAGE NUMBER  
1 of 7

NUMBER  
**DOC 450.110**

# POLICY

TITLE  
**MAIL FOR INDIVIDUALS IN REENTRY CENTERS**

## REVIEW/REVISION HISTORY:

Effective: 3/2/04  
 Revised: 2/26/07  
 Revised: 4/8/08  
 Revised: 1/23/09  
 Reviewed: 1/12/10  
 Revised: 3/26/12  
 Revised: 10/20/14  
 Revised: 11/21/15  
 Revised: 12/3/20  
 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



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/12/22	<b>PAGE NUMBER</b> 2 of 7	<b>NUMBER</b> <b>DOC 450.110</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN REENTRY CENTERS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 440.010 Personal Property in Reentry Centers; DOC 450.050 Prohibited Contact; DOC 590.500 Legal Access for Incarcerated Individuals; [USPS Domestic Mail Manual](#)

**POLICY:**

- I. The Department has established procedures governing mail services for individuals in a Reentry Center. Regulations concerning correspondence will be available to employees, contract staff, incarcerated individuals, and their correspondents.

**DIRECTIVE:**

- I. Inspection
  - A. Incarcerated individuals will not handle or possess other incarcerated individual's mail.
  - B. Incoming and outgoing mail may be opened and inspected for contraband. Mail may be read or rejected based on legitimate facility interests of order and security. The individual(s) will be notified when incoming mail is returned or outgoing mail is withheld.
  - C. Individuals may be permitted uncensored correspondence if it poses no threat to the safety and security of the facility, public officials, or the general public, and is not being used for illegal activities.
  - D. If money is included within the mail, it will be removed and handled per DOC 200.000 Trust Accounts for Incarcerated Individuals.
  - E. Packages will be opened by the individual in the presence of employees to prevent the introduction of contraband. Packages will comply with DOC 440.010 Personal Property in Reentry Centers.
    1. Letters inside packages will be forwarded to the case manager for review before issuing to the individual.
- II. Mail Between Incarcerated Individuals
  - A. Mail between individuals confined in any correctional facility will only be allowed when authorized by both Superintendents/Reentry Center Community Corrections Supervisors (CCSs)/facility administrator/designee. Individuals must meet at least one of the following requirements:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/12/22	<b>PAGE NUMBER</b> 3 of 7	<b>NUMBER</b> <b>DOC 450.110</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN REENTRY CENTERS</b>		

- a. Are members of the same immediate family,
- b. Have a child together, as proven through a birth certificate and only if both individuals still have parental rights, and/or
- c. Are co-parties in an active legal case, or one individual is providing a witness statement in the other individual's active legal case.

B. The requesting individual will complete and submit DOC 21-746 Approval for Mail between Incarcerated Individuals to the case manager with any supporting documentation.

1. The case manager will verify that the request meets policy requirements and forward the request with any supporting documentation to the Reentry Center CCS for a final decision.
2. Approvals may be accepted by any receiving facility upon an individual's transfer.

C. The approval may be revoked at any time by either Superintendent/Reentry Center CCS/facility administrator.

### III. Unauthorized Incoming Mail

A. Mail will not be allowed if it contains:


1. Threats of physical harm against any person or any other threats of criminal activity,
2. Sexually explicit materials, and/or
3. Any type of contraband.

B. The individual will be notified using DOC 05-826 Reentry Center Mail Rejection Notice if any portion of the mail is restricted/returned.

C. Substantiated allegations of staff sexual misconduct will result in mail, including eMessaging, restrictions between the employee/contract staff/volunteer and incarcerated individuals per DOC 450.050 Prohibited Contact.


### IV. Legal Mail

A. Incarcerated individuals have the ability to correspond by means of legal mail. Legal mail must meet the following requirements and is subject to inspection to ensure the contents qualify as legal mail:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/12/22	<b>PAGE NUMBER</b> 4 of 7	<b>NUMBER</b> <b>DOC 450.110</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN REENTRY CENTERS</b>		

1. Legal mail must be correspondence to or from one of the following, as indicated in the mailing address or return address on the front of the envelope:
  - a. Any court or opposing attorney/party, the Washington State Bar Association, the Indeterminate Sentence Review Board, the Washington State Department of Enterprise Services Office of Risk Management, Prison Rape Elimination Act (PREA) auditors certified by the United States Department of Justice, the Headquarters PREA Coordinator, and/or Just Detention International.
  - b. PREA auditor leads certified by the United States Department of Justice when related to an audit in process at the individual's facility.
  - c. The President or Vice President of the United States, members of the United States Congress, embassies and consulates, the United States Department of Justice, Attorney General's Office, governors, members of the state legislature, and law enforcement officers in their official capacity.
  - d. The attorney of record (i.e., defense attorney) in court cases that have been filed in a local, state, or federal court.
  - e. An attorney corresponding with an individual concerning legal advice, including established groups of attorneys representing the individual (e.g., American Civil Liberties Union, Disability Rights Washington, legal service corporations, public defender associations).
2. The front of the envelope must be clearly marked "Legal Mail", "Attorney/Client", "Confidential", or similar.
  - a. Incoming mail readily identifiable as being from a court will be handled as legal mail, regardless of whether it has been marked legal mail.
  - b. Documents sent from any Public Disclosure Unit are not considered legal mail.

B. Legal mail may only contain paper documents that are legal in nature and must comply with DOC 590.500 Legal Access for Incarcerated Individuals. Legal mail

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/12/22	<b>PAGE NUMBER</b> 5 of 7	<b>NUMBER</b> <b>DOC 450.110</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN REENTRY CENTERS</b>		

does not include eMessages or their attachments and will not be processed as legal mail.

C. Legal Mail Procedures


1. Incoming legal mail will be opened in the individual’s presence by the case manager. Contents that do not meet legal mail requirements and/or contain contraband or any material that would threaten facility order/ security will be rejected.
  - a. The case manager may confiscate/retain the envelope if necessary for safety and security reasons and will not require a mail rejection notice. The individual may request a copy of the envelope.
  - b. Incoming legal mail may contain a postage paid, pre-addressed envelope for the individual to return documents/responses to the sender.
  - c. An employee who inadvertently opens a piece of legal mail will write the employee’s initials and that it was unintentionally opened on the envelope.
  - d. If an individual refuses to accept legal mail, the case manager will document the refusal as a chronological entry in the electronic file with the time, date, sender’s name, and individual’s name. The mail will be stamped “Refused by Incarcerated Individual - Return to Sender”.

V. Outgoing Mail

- A. Individuals will be responsible for the postage costs of their outgoing mail, including legal mail.
- B. Individuals may be provided Community Services Revolving Fund (CSRF) loans per DOC 200.000 Trust Accounts for Incarcerated Individuals to assist in managing their transition back into the community, which includes assuming responsibility for postage costs for outgoing mail.

VI. The Office of the Corrections Ombuds Mail

- A. Mail to/from the Office of the Corrections Ombuds will be treated as privileged and confidential.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 1/12/22	<b>PAGE NUMBER</b> 6 of 7	<b>NUMBER</b> <b>DOC 450.110</b>
	<b>TITLE</b> <b>MAIL FOR INDIVIDUALS IN REENTRY CENTERS</b>		

B. Employees will follow the Office of the Corrections Ombuds guidelines when processing mail to/from the Office of the Corrections Ombuds and incarcerated individuals.

1. Mail will arrive in a light green envelope.
2. Incoming mail will be opened in the individual's presence, inspected, and issued by the case manager.
3. Outgoing mail must:
  - a. Clearly show the correct address for the Office of the Corrections Ombuds.
  - b. Have a return address belonging to the sender.
  - c. Not be opened by employees.
4. Employees will not document sending, receiving, or issuing mail to/from the Office of the Corrections Ombuds.

## VII. Forwarding Mail

A. Individuals will inform their correspondents of a change of address and provide the facility with the forwarding address.

1. Facilities will forward first class mail for a period of 90 days if a forwarding address is available.
  - a. If the mail is unopened, the new address will be noted on the envelope and returned to the United States Postal Service (USPS) for forwarding. State funds will not be used to forward unopened mail.
  - b. Opened first class mail will be placed in an envelope and mailed to the new address at the facility's expense.
2. Periodicals may be returned to the sender per USPS Domestic Mail Manual.

## DEFINITIONS:

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



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**REENTRY**  
FACILITY/SPANISH MANUAL

REVISION DATE  
1/12/22

PAGE NUMBER  
7 of 7

NUMBER  
**DOC 450.110**

# POLICY


TITLE  
**MAIL FOR INDIVIDUALS IN REENTRY CENTERS**

## ATTACHMENTS:

None

## DOC FORMS:

- DOC 05-826 Reentry Center Mail Rejection Notice
- DOC 21-746 Approval for Mail between Incarcerated Individuals

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 6/3/11	<b>PAGE NUMBER</b> 1 of 4	<b>NUMBER</b> <b>DOC 450.120</b>
	<b>TITLE</b> <b>PACKAGES FOR OFFENDERS</b>		

**REVIEW/REVISION HISTORY:**

Effective: 1/22/07  
Revised: 9/11/07 AB 07-026  
Revised: 4/17/08  
Revised: 3/1/09  
Revised: 11/9/09  
Revised: 9/1/10  
Revised: 6/13/11

**SUMMARY OF REVISION/REVIEW:**


Added II.A.1. regarding weight limit for monthly packages  
II.A.2. - Adjusted that packages will only be ordered through Access SecurePak or other Superintendent approved vendors  
II.A.3.a. - Added optional form usage  
Added II.E.1. that items purchased by another offender or another offender's family/friend will be rejected as contraband  
II.B. - Adjusted that holiday packages will only be ordered through Access SecurePak

**APPROVED:**

Signature on file

\_\_\_\_\_  
**ELDON VAIL**, Secretary  
Department of Corrections

5/11/11  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 6/3/11	<b>PAGE NUMBER</b> 2 of 4	<b>NUMBER</b> <b>DOC 450.120</b>
	<b>TITLE</b> <b>PACKAGES FOR OFFENDERS</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; [WAC 137-25-030](#); [WAC 137-36](#); [WAC 137-48](#); [ACA 4-4496](#); [DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations](#); [DOC 320.260 Secured Housing Units in Stand Alone Minimum Security Facilities](#); DOC 420.375 Contraband and Evidence Handling; [DOC 440.000 Personal Property for Offenders](#); [DOC 450.100 Mail for Offenders](#)


**POLICY:**

- I. The Department has established procedures governing incoming and outgoing packages for offenders per WAC 137-48.

**DIRECTIVE:**

- I. General Requirements
  - A. All packages must comply with DOC 450.100 Mail for Offenders. Package contents must comply with DOC 440.000 Personal Property for Offenders.
  - B. Incoming packages must have a complete return address that includes the full name and address of the sender.
  - C. Facilities may use DOC 20-069 Package Receipt for incoming packages.
- II. Monthly and Holiday Packages
  - A. Each month, an offender may receive one gift package or one prepaid vendor package, but not both.
    1. Packages will not exceed 15 pounds in weight.
    2. Packages may only be ordered through Access SecurePak or another vendor approved by the Superintendent.
      - a. Items available through Access SecurePak have been pre-approved and are listed in their catalog.
        - 1) CDs are limited to 5 per month.
        - 2) Each order has a \$10.00 minimum order with a \$4.00 shipping fee.
    3. Prepaid vendor packages will include merchandise ordered by the offender, prepaid from his/her facility trust account and approved by the Superintendent/designee.




 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 6/3/11	<b>PAGE NUMBER</b> 3 of 4	<b>NUMBER</b> <b>DOC 450.120</b>
	<b>TITLE</b> <b>PACKAGES FOR OFFENDERS</b>		

- a. Offenders may use DOC 21-626 Offender Generic Order when ordering merchandise.
- 4. Newly admitted offenders will not receive packages while assigned to any Reception Diagnostic Center.
- 5. Offenders in Intensive Management Unit/Segregation or Secured Housing will not receive monthly packages, except as provided in DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations and DOC 320.260 Secured Housing Units in Stand Alone Minimum Security Facilities.
- B. In addition to the monthly package, an offender may also receive one holiday package of food items through Access SecurePak.
  - 1. Holiday packages may only be ordered between October 15 and December 31.
  - 2. Packages will not exceed 20 pounds in weight.
- C. A replacement package may be sent during the same month for a damaged package returned to the sender by the offender.
- D. If a package contains contraband subject to criminal prosecution, the entire package will be secured as evidence and turned over to the facility Intelligence and Investigations Office as soon as possible for submission to the appropriate law enforcement agency.
- E. Packages containing contraband not subject to criminal prosecution will have the contraband removed and rejected. The remainder of the package will be delivered to the offender.
  - 1. Items purchased by another offender or another offender's family/friend will be rejected as contraband.
  - 2. Contraband items will be disposed of per DOC 420.375 Contraband and Evidence Handling.
  - 3. Each facility will establish an inventory log, identifying contraband items and the manner of disposal.

### III. Outgoing Packages

- A. Offenders may mail packages containing materials sent to them or gifts consisting of their own hobby craft or curio work. These packages must be mailed at the offender's expense.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER/SPANISH MANUALS		
	<b>REVISION DATE</b> 6/3/11	<b>PAGE NUMBER</b> 4 of 4	<b>NUMBER</b> <b>DOC 450.120</b>
	<b>TITLE</b> <b>PACKAGES FOR OFFENDERS</b>		

IV. [4-4496] Forwarding Packages

- A. Packages delivered via the United States Postal Service (USPS) for offenders who have been transferred or released will be forwarded for a period of 90 days, via USPS, if the facility has a forwarding address.
- B. Packages delivered via United Parcel Service (UPS) for offenders who have been transferred or released will be returned to sender, via UPS, as this delivery method does not allow forwarding. If offenders are aware of pending UPS package delivery at the time of their transfer to another facility or release to the community, they may notify the property and/or mail room as appropriate and make financial arrangements to have the package forwarded.
- C. If the package has been opened, it will be forwarded at facility expense.
- D. If the facility does not have a forwarding address or the 90 day period has expired, the package will be returned to the sender.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

- [DOC 20-069 Package Receipt](#)
- [DOC 21-626 Offender Generic Order](#)



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUALS

REVISION DATE  
5/16/22

PAGE NUMBER  
1 of 10

NUMBER  
**DOC 450.200**

# POLICY

TITLE  
**TELEPHONE USE BY INCARCERATED INDIVIDUALS**

## REVIEW/REVISION HISTORY:

Effective:	10/1/80 DOC 450.010	Revised:	3/5/09
Revised:	10/1/85	Revised:	1/12/10
Revised:	3/31/91 DOC 450.200	Revised:	1/9/12
Revised:	12/31/96	Revised:	1/13/14
Revised:	6/12/00	Revised:	3/16/15
Revised:	11/6/00	Revised:	11/21/15
Revised:	5/9/03	Revised:	1/23/19
Revised:	7/5/05	Revised:	6/14/21
Reviewed:	7/17/06	Revised:	5/16/22
Revised:	7/31/07		

## SUMMARY OF REVISION/REVIEW:


Policy statement IV., Directive II.A. - Adjusted language for clarification  
I.C.4., I.F.2., I.H.2., and I.H.6.d. - Adjusted for person-centered language  
II.C. - Added clarifying language  
Added II.D. for purchase and use of cell phones by individuals in Reentry Centers

## APPROVED:

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

5/5/22  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 2 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9.73.095](#); [RCW 43.06C.060](#); [WAC 137-25-030](#); [WAC 137-48-080](#); DOC 450.050 Prohibited Contact; DOC 460.050 Disciplinary Sanctions; DOC 690.400 Individuals with Disabilities

**POLICY:**


- I. Incarcerated individuals are provided access to public telephones subject to limitations and restrictions to ensure the security and orderly management of the facility and to protect the public.
- II. Incarcerated individuals will have access to reasonably priced telephone services. The Department will ensure that contracts involving telephone services used by incarcerated individuals:
  - A. Comply with all applicable state and federal regulations.
  - B. Negotiate and establish rates and surcharges that are comparable with those charged to the public for like services. Any deviation from ordinary consumer rates will reflect actual costs associated with providing services in a correctional setting.
  - C. Provide the broadest range of calling options determined by the Secretary to be consistent with the requirements of sound correctional management.
- III. Prisons use a telephone monitoring/recording system to enhance security, increase safety, and reduce criminal activity or activity that could threaten the orderly operation of the facility.
  - A. The constitutional rights of incarcerated individuals will be protected by providing for unmonitored legal phone calls.
- IV. Prison telephone systems will require incarcerated individuals to use an Individual Personal Identification Number (IPIN) when placing calls, so the caller can be identified in the event of a security concern or a complaint from the public.

**DIRECTIVE:**


- I. Telephone Use in Prisons
  - A. Incarcerated individuals will be assigned an IPIN during reception at a Reception Diagnostic Center.
    1. Violators returned to a facility will be issued their previous IPIN.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 3 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		


2. Each individual will sign DOC 21-421 Prison Telephone Use Acknowledgment.
    - a. Records employees will scan the completed form into the individual's electronic imaging file.
  3. Instructions will be provided in English or Spanish during orientation that shows how to use an IPIN.
  4. An individual's IPIN will remain the same throughout incarceration unless lost, stolen, or compromised.
  5. Individuals will be responsible for the security of their IPINs.
- B. Individuals should report non-working phones or IPINs by calling 555-1212, with the appropriate area code, or by submitting a completed DOC 21-754 Telephone Action to their case manager or Correctional Unit Supervisor (CUS).
1. The case manager/CUS:
    - a. Will contact the Special Investigations Services (SIS) Unit Telephone Site Administrator at Headquarters to have the problem resolved as soon as possible.
    - b. May email the vendor Site Administrator for issues with a phone used by incarcerated individuals at: [dociiphones@doc1.wa.gov](mailto:dociiphones@doc1.wa.gov).
  2. Individuals will be charged \$3.00 for a replacement IPIN unless indigent or proof of theft exists.
- C. Personal Allowed Number (PAN) List
1. An incarcerated individual will have a PAN list of up to 25 telephone numbers the individual will be allowed to call.
  2. An initial PAN list will include the telephone numbers of the first 25 successfully connected calls.
    - a. Up to 5 telephone numbers may be added every 30 days. There is no limit on deleting telephone numbers.
  3. Individuals approved to use Video Relay Services (VRS) will submit DOC 21-754 Telephone Action to request changes to their PAN list.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 4 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		

4. Per DOC 450.050 Prohibited Contact, in cases of substantiated staff sexual misconduct/harassment, the employee/contract staff/volunteer will be removed from any PAN list and will only be added to an individual's PAN list when the contact restrictions have been lifted.
  5. Individuals will be responsible for maintaining their PAN list. Printed PAN lists will not be provided.
  6. PAN lists will transfer with individuals when transferring to other Department Prisons.
- D. Personal Calls Initiated by Incarcerated Individuals
1. Signs will be posted advising incarcerated individuals that their calls may be monitored and recorded.
  2. Individuals will not:
    - a. Use the telephone system to continue or initiate criminal activity, or
    - b. Have unsupervised access to employee telephones.
  3. Superintendents will set hours of availability and limitations for personal calls.
  4. Individuals will have personal access to designated telephones located in accessible areas.
    - a. Telephones will place collect calls or allow prepaid or debit options when available.
    - b. Custom call features (e.g., 3-way calling, call forwarding) are not permitted.
  5. Individuals must enter their IPIN to initiate a telephone call and are responsible for all calls made using their assigned IPIN.
    - a. At the beginning of each call, a recorded message will be played to notify the recipient:
      - 1) That the call is originating from an individual incarcerated at a Washington State Department of Corrections facility,
      - 2) Of the name of the caller,


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 5 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		

- 3) To hang up if the recipient does not wish to receive the call or press the appropriate key to block the call, and
  - 4) That the call will be recorded and may be monitored.
6. Telephones are programmed to restrict calls to 20 minutes.
    - a. Individuals identified as having a hearing and/or speech disability that are using a Teletypewriter (TTY)/Telecommunications Device for the Deaf (TDD) or VRS are restricted to 30 minutes.
  7. Individuals with hearing and/or speech disabilities, and those who wish to communicate with parties who have such disabilities, will have access to a TTY/TDD or VRS.
    - a. Individuals must have an approved Accommodation Status Report per DOC 690.400 Individuals with Disabilities before being allowed to use a TTY/TTD or VRS.
    - b. Except for legal calls, telephone calls by incarcerated individuals placed from any telephone line on a TTY/TDD or VRS are subject to the same monitoring as all other telephone calls initiated by incarcerated individuals.
    - c. Deaf or hard of hearing individuals may be required to use a teletype roll of paper with the TTY/TDD. When the call is completed, the used teletype paper will be turned in to designated employees for monitoring purposes.
  8. An incarcerated individual who has an incarcerated spouse/state registered domestic partner may be allowed one non-IPIN, monitored State Controlled Area Network (SCAN) call 2 times per month.
    - a. The requesting individual will submit DOC 21-572 Request for Inter-Facility Telephone Communication.
    - b. The Superintendent/designee of each facility must approve.
    - c. These calls will be arranged, supervised, and documented by designated employees.
    - d. The individual must provide proof of marriage or state registered domestic partnership before SCAN calls are placed.
    - e. The call will not exceed 20 minutes.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 6 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		

9. Superintendents or designees may permit an individual the use of a non-IPIN SCAN telephone line under compelling circumstances (e.g., family emergencies). These calls will be placed and supervised by an employee.
  10. Any violations of this policy may result in the loss or suspension of telephone privileges via the disciplinary or classification process.
  11. An individual who is found guilty of an 882 violation will be sanctioned per DOC 460.050 Disciplinary Sanctions and the IPIN will be blocked.
    - a. To block the IPIN, the assigned Disciplinary Hearing Officer will contact the Intelligence and Investigations Unit employees at Level 3 and higher facilities or Lieutenant at Level 2 facilities.
- E. Calls to the Office of Correctional Ombuds (OCO), Attorneys, and Consular Officers
1. Calls on a telephone designated for incarcerated individuals to call their attorney or OCO will not be intercepted, recorded, or monitored. This includes calls placed on a TTY/TTD or VRS.
    - a. To ensure that calls from individuals are not recorded, attorneys will provide their telephone number to the Chief of Investigative Operations/designee, who will verify the number with the applicable bar association.
    - b. Individuals may call their attorney at another telephone number, but those calls may be recorded.
  2. Individuals who are foreign nationals will have access to a diplomatic representative of their country of citizenship. Calls to consular officers that meet the following requirements will not be intercepted, recorded, or monitored:
    - a. The individual will provide employees with the name, location, and telephone number of the consular officer.
    - b. Employees will verify the information provided. The verification need not be made in the individual's presence.
      - 1) Employees will call the Locator Operator of the U.S. Department of State at (202) 647-4000 to confirm the telephone number of the individual's nearest consular officer.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 7 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		


- c. All calls to consular officers will be placed by employees on a designated telephone.
  - 1) Employees will not listen to the conversation but will maintain visual contact with the individual when in an area where security or information may be compromised.

F. Telephone Use in Work Assignments

- 1. Superintendents must review and approve each incarcerated individual who will have access to telephones as part of an assigned work program. Access will be denied to individuals with a conviction for or history of:
  - a. A sex offense, or
  - b. Fraud or other predatory behavior where the individual demonstrated a process of grooming the victim through stalking or otherwise laying the groundwork for the criminal act.
- 2. Incarcerated individuals will only be allowed to access or place telephone calls from their work areas when:
  - a. An employee places the call and:
    - 1) The person receiving the call is notified that the person will be talking to an incarcerated individual, or
    - 2) The individual needs to speak to employees/contract staff or other incarcerated workers to conduct work-related discussions.
  - b. The call is part of a tele-answering program for Correctional Industries customers who are notified they will be talking to an incarcerated individual.
- 3. Exceptions to requirements for telephone use in work assignments may be approved in writing by the appropriate Deputy Assistant Secretary with a copy forwarded to the Assistant Secretary for Prisons.


G. Access to Telephone Numbers

- 1. Incarcerated individuals will not have unsupervised access to white page listings of any public telephone directory.
- 2. Telephone directories are not allowed in any common area for incarcerated individuals.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 8 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		

H. Telephone Monitoring


1. The Chief of Investigative Operations/designee has overall responsibility for the recording and monitoring of telephones used by incarcerated individuals.
2. The nature and capabilities of the telephone monitoring systems are considered confidential and will only be discussed in front of incarcerated individuals or with employees when they have a need to know.
3. The following employees are authorized to intercept, record, and divulge telephone calls from an individual using the monitored telephone system:
  - a. Chief of Investigative Operations,
  - b. Workplace Investigations Unit employees,
  - c. Security Threat Intelligence and Narcotics Group Investigators,
  - d. Intelligence and Investigations Unit (IIU) employees, and/or
  - e. Other specific employees designated by the Superintendent or Chief of Investigative Operations.
4. The Deaf Services Coordinator may translate calls made using the VRS when requested by the IIU.
5. Employees must successfully complete training before they can monitor or record incarcerated individuals' phone calls.
  - a. Training will be coordinated with the Headquarters Site Administrator.
  - b. Employees not attending formal training by the vendor will receive 4 hours of onsite training before monitoring or recording phone calls.
    - 1) The Chief of Investigative Operations/designee will provide the training and document on DOC 21-372 Acknowledgment of Training for Telephone Monitoring/Recording.
6. Disclosure
  - a. All recordings will be maintained per RCW 9.73.095.
  - b. The contents of an intercepted and recorded telephone conversation will be disclosed only as necessary to safeguard the orderly operation of the facility, in response to a court order, or in the prosecution or investigation of a crime.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 9 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		

- 1) The Attorney General’s Office will review all court orders before disclosure of recordings to ensure that they have been lawfully served.
- c. When the recording is used as evidence of an infraction, the infraction will start by indicating the incarcerated individual was overheard and include the information that was discussed and what was said to warrant the infraction.
  - 1) The Disciplinary Hearing Officer may listen to the telephone call before the hearing.
  - 2) An incarcerated individual will never have access to or listen to a recorded call.
- d. Employees authorized to intercept, record, and divulge telephone calls will only disclose copies of recordings from the telephone system with the Chief of Investigative Operations approval.
- e. IIU Investigators may disclose recordings to law enforcement agencies when related to a case initiated by the local IIU and changes from an administrative case to a criminal case.
  - 1) All recordings will be audited by the Chief of Investigative Operations/designee and must include supporting case documentation.
- f. An outside agency conducting a criminal investigation or prosecution of any crime may request a recording by submitting a signed, written request on agency letterhead to the Chief of Investigative Operations.
- g. Recording equipment will be installed per approved telecommunication guidelines.

II. Telephone Use by Incarcerated Individuals in Reentry Centers

- A. Pay phones are available for use by individuals in a Reentry Center.
- B. Individuals with hearing and/or speech disabilities, and those who wish to communicate with parties who have such disabilities, will have access to a TTY/TDD and/or VRS or comparable equipment.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/16/22	<b>PAGE NUMBER</b> 10 of 10	<b>NUMBER</b> <b>DOC 450.200</b>
	<b>TITLE</b> <b>TELEPHONE USE BY INCARCERATED INDIVIDUALS</b>		

- C. Public telephones with volume control will also be made available to individuals who are hard of hearing.
- D. Cell Phones
  - 1. With case manager approval, individuals may purchase or receive a cell phone while housed in a Reentry Center.
  - 2. Individuals will sign DOC 02-001 Cell Phone Agreement and violations of the agreement may result in the loss of cell phone privileges, which may include a formal behavior management intervention.
  - 3. Cell phones are subject to search at any time as authorized by the Community Corrections Supervisor/designee.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 02-001 Cell Phone Agreement
- DOC 21-372 Acknowledgment of Training for Telephone Monitoring/Recording
- DOC 21-421 Prison Telephone Use Acknowledgment
- DOC 21-572 Request for Inter-Facility Telephone Communication
- DOC 21-754 Telephone Action



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUALS

REVISION DATE  
5/22/24

PAGE NUMBER  
1 of 13

NUMBER  
**DOC 450.300**

**POLICY**

TITLE  
**VISITS FOR INCARCERATED INDIVIDUALS**

**REVIEW/REVISION HISTORY:**

- Effective: 1/7/00
- Revised: 2/20/03
- Revised: 11/15/06
- Revised: 4/18/07 AB 07-012
- Revised: 2/20/09
- Revised: 2/1/10
- Revised: 2/4/11
- Revised: 6/1/13
- Revised: 2/2/15
- Revised: 11/21/15
- Revised: 9/1/16
- Revised: 5/29/18
- Revised: 7/11/18
- Revised: 5/7/19
- Revised: 6/11/20
- Revised: 11/30/21
- Revised: 5/22/24

**SUMMARY OF REVISION/REVIEW:**


Attachment 1 - Updated eligibility requirements

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

5/22/24  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/24	<b>PAGE NUMBER</b> 2 of 13	<b>NUMBER</b> <b>DOC 450.300</b>
	<b>TITLE</b> <b>VISITS FOR INCARCERATED INDIVIDUALS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94.043](#); [RCW 9.94.045](#); [WAC 137-28](#); DOC 100.560 Non-Discrimination and Accessibility for Visitors/Guests with Disabilities; DOC 150.150 Visits and Tours of Department Facilities and Offices; DOC 320.255 Restrictive Housing; DOC 390.300 Victim Services Program; DOC 420.340 Searching and Detaining Facility Visitors; DOC 460.050 Disciplinary Sanctions; DOC 460.135 Disciplinary Procedures for Work Release; DOC 530.100 Volunteer Program; DOC 590.100 Extended Family Visiting; DOC 850.030 Relationships/Contacts with Individuals; [Facility-Specific Visit Guidelines](#); [Video Visit Expectations](#); [Visitor Guidelines for Reentry Centers](#)

**POLICY:**


- I. The Department recognizes the vital role family and friends play in providing meaningful connection during confinement and throughout the reentry process. The Department will support incarcerated individuals in maintaining prosocial ties with family, friends, and the community by engaging them and setting reasonable criteria for personal visits.
  - A. Visitors are encouraged to provide feedback to enhance the visit experience. Any form of retaliation toward those who provide feedback will not be tolerated.
- II. The Department prohibits discrimination or unfair/illegal treatment on the basis of genetic information (e.g., national origin, ancestry, race, color), religion/creed, age, gender, gender expression, marital status or status as a state registered domestic partner, pregnancy, sexual orientation, or political views, immigration/citizenship status, veteran/military status, or the presence or history of a physical/mental/sensory disability in any activity or its operations.
- III. Additional extended family visit opportunities are available per DOC 590.100 Extended Family Visiting.

**DIRECTIVE:**

- I. General Requirements
  - A. Visitors and incarcerated individuals will be treated courteously. Rule enforcement will be polite and professional.
  - B. Eligible visitors must be approved per the approval process and added to the incarcerated individual’s approved visit list before being allowed to visit.
    1. Eligibility requirements are identified in Eligibility Requirements for Visitors (Attachment 1).


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/24	<b>PAGE NUMBER</b> 3 of 13	<b>NUMBER</b> <b>DOC 450.300</b>
	<b>TITLE</b> <b>VISITS FOR INCARCERATED INDIVIDUALS</b>		

2. The Superintendent/Reentry Center Community Corrections Supervisor (CCS) or their designee may make one-time allowances for visitors not approved through the Statewide Visit Unit under special circumstances.
- C. Visitation opportunities in Prisons will be provided for in-person, video, and/or no contact options appropriate for various circumstances based on eligibility and safety for those participating.
1. Individuals housed in maximum custody may receive visits per DOC 320.255 Restrictive Housing.
  2. Video visit opportunities may be authorized in Prisons using the vendor contracted to provide the service at the visitor's expense. Video visits will be conducted per Video Visit Expectations posted to the Department's public website.
- D. Visit opportunities in Reentry Centers will be provided for in-person, based on eligibility and safety in any activity or its operations.
- E. Facilities will provide in-person visit opportunities and programs in a secure and welcoming visit space for incarcerated individuals and their family and friends to provide as normal a family experience as possible through:
1. Reasonable efforts made to ensure the visit area is comfortable, pleasant, and permits informal communication and limited, appropriate physical contact.
  2. Providing sufficient and safe space for in-person visits and, if necessary, no contact visits consistent with custody level. Visit areas will be designed taking the following into consideration:
    - a. Designated visit areas will include a section that has a child-friendly environment with toys and games suitable for interaction by family members of all ages.
    - b. Reasonable accommodation will be provided for visitors with disabilities per DOC 100.560 Non-Discrimination and Accessibility for Visitors/Guests with Disabilities.
    - c. Appropriate seating for all ages will be provided.
    - d. In Prisons, space is adequately designed to allow for appropriate space that permits screening and searching of both incarcerated individuals and visitors.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/24	<b>PAGE NUMBER</b> 4 of 13	<b>NUMBER</b> <b>DOC 450.300</b>
	<b>TITLE</b> <b>VISITS FOR INCARCERATED INDIVIDUALS</b>		

- e. Space may be provided for the proper storage of visitors' coats, handbags, and other personal items not allowed into the visit area.
- 3. Ensuring employees are aware of the importance of positive visit environments to maintain ties with family and friends, and the reunification of individuals with their families and significant others.
- F. The Statewide Visit Unit will ensure:
  - 1. All visitor information is entered in the statewide visit system, including visit application information and identified areas of concern.
  - 2. Application status (i.e., pending, approved, denied, rejected) is updated as soon as possible and emailed to the applicant or sent through the United States Postal Service (USPS) when email is not an option.
  - 3. When available, a picture of each visitor is added to the visitor profile.
- G. Each Superintendent/CCS will establish a local process to ensure the following information is entered into the statewide visit system:
  - 1. Documentation of each visit, to include any positive or negative observations or issues addressed during the visit.
    - a. Visitors will be provided notice of any negative entries that address corrective action or conversations with employees/contract staff.
  - 2. When an official photo is not yet in the system, a picture of each visitor will be taken at the first visit and updated when the visitor's appearance changes or every 2 years for minors.
  - 3. The Statewide Visit Specialist, Communications Director, and DOC Webmaster will be notified when visit room closures are planned or occur unexpectedly at a Prison to allow for internal and external stakeholder notifications to be posted.
- H. All visitors are expected to adhere to Department policies, including attachments and guidelines.
- I. If an individual's Judgment and Sentence allows for visitation, visits may be considered but are not guaranteed.
- J. All visit-related documentation will be scanned into the incarcerated individual's electronic imaging file.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 5/22/24</p>	<p>PAGE NUMBER 5 of 13</p>	<p>NUMBER <b>DOC 450.300</b></p>
	<p>TITLE <b>VISITS FOR INCARCERATED INDIVIDUALS</b></p>		

K. More information can be found on the Family & Visitors section of the Department's external website.

## II. Special Visits

A. Special visits will only be approved for persons on the incarcerated individual's approved visit list unless approved by the Appointing Authority/CCS or designee for extraordinary circumstances.

1. Special visits may be limited due to operational, safety, and/or security concerns.

B. In Prisons, special visits must be requested on DOC 21-787 Special Visit Request and submitted to facility visit employees as soon as possible, but no less than 5 business days before the requested date.

1. All visitors who wish to participate in the special visit must be listed on the form.

2. Facility visit employees will process requests before the requested visit date.

C. Special visits may be permitted for:

1. Visitors who travel a long distance (i.e., at least 250 miles one way) or from out of the country.

2. Elected/appointed members of local and/or statewide family councils who have missed visits due to participation in council meetings.


3. Incarcerated individuals who are in restrictive housing or hospitalized.

D. The Superintendent/CCS or their designee will coordinate adjustments to established times and days for individuals on the approved visit list to accommodate special requests.

## III. Approval Process

A. Each Prison/Reentry Center prospective visitor must apply for visit privileges, regardless of age.


1. Prospective visitors will complete one of the following applicable electronic applications on the Department's external website at [doc.wa.gov](https://doc.wa.gov):

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/24	<b>PAGE NUMBER</b> 6 of 13	<b>NUMBER</b> <b>DOC 450.300</b>
	<b>TITLE</b> <b>VISITS FOR INCARCERATED INDIVIDUALS</b>		


- a. DOC 20-060 Visitor Application for adult visitors
- b. DOC 20-181 Minor Visitor Application for minor visitors
  - 1) A completed DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort must be attached to the visit application for a minor(s).
- 2. Providing false/misleading information or failure to list all previous criminal history on the visit application may result in denial of visit privileges.
- 3. International visitors must:
  - a. Provide a copy of their passport photo page, and
  - b. Request a copy of their criminal history from their local jurisdiction be forwarded to the Statewide Visit Unit.
    - 1) The Statewide Visit Unit must receive the criminal history from the local jurisdiction before visit privileges will be considered.
- B. Applications should be processed within 30 business days of receipt but may be delayed due to a high volume of applications or when an application requires further review from the Visit Multi-Disciplinary Team (VMDT), or other additional review.
  - 1. To ensure timelines are met, inquiries regarding the status of a visit application will only receive a response when the application has been in process for more than 8 weeks.
- C. Criminal history background checks will be conducted, and the incarcerated individual's electronic file will be reviewed to verify the applicant's identity and ensure the accuracy of the visitor's application.
  - 1. Subsequent background checks will be conducted on a periodic basis.

#### IV. Visit Multidisciplinary Team

- A. The VMDT has been established and will meet monthly to review:
  - 1. Eligibility when an application is submitted:
    - a. For a minor(s) to visit an individual who has a current or prior adjudicated offense against a minor (e.g., sexual/violent offense against a minor).

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 5/22/24</p>	<p>PAGE NUMBER 7 of 13</p>	<p>NUMBER <b>DOC 450.300</b></p>
	<p>TITLE <b>VISITS FOR INCARCERATED INDIVIDUALS</b></p>		

- 1) If the Judgment and Sentence states no contact with minors, the application will be denied by processing employees.
  - 2) When the court authorizes visits, the Department may still deny visits on a case-by-case basis after conducting a full review of available information.
    - b. For a minor and escorting adult, where the adult has other children that have been victimized by the individual they want to visit.
  2. Current visitor eligibility when the facility requests assistance in determining suitability.
- B. The VMDT will be chaired by the Statewide Visit Specialist and consist of at least one representative from the following, as applicable:
1. Victim Services
  2. Sex Offender Treatment Program
  3. Department of Children, Youth, and Families
  4. Community Corrections Division
  5. Indeterminate Sentence Review Board
  6. Law Enforcement Notification
  7. Reentry Center
- C. Additional documentation may be required from the applicant and/or incarcerated individual for VMDT review (e.g., parenting plan, custody documents, releases).
- V. Approved Visit List
- A. There is no limit to the number of visitors an individual may have on the approved visit list.
  - B. Visitors may only be on one approved visit list unless they are immediate family members of more than one incarcerated individual and approved by the Statewide Visit Specialist.
    1. A visit application must be submitted by the family member for each incarcerated individual.
    2. A Statewide Visit Unit employee will complete DOC 20-438 Approval for Visits with Multiple Incarcerated Individuals and submit it to the Statewide Visit Specialist for consideration. Visitors will be notified via email regarding status.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/24	<b>PAGE NUMBER</b> 8 of 13	<b>NUMBER</b> <b>DOC 450.300</b>
	<b>TITLE</b> <b>VISITS FOR INCARCERATED INDIVIDUALS</b>		

3. If a child with incarcerated parents participates in visiting with both parents, an exception may be allowed for the adult accompanying the child as an escort.

C. When an individual is transferred to another facility, the approved visit list will remain active and be available in the statewide visit system.

1. Incarcerated individuals will be responsible for notifying their visitors of transfers.

2. The receiving facility may conduct a review of each individual listed for updated law enforcement and intelligence data.

3. When the receiving Superintendent/CCS believes visits should be denied, the matter will be referred to the appropriate Deputy Assistant Secretary, Reentry Center Operations Administrator, or their designee for a final decision.

D. Individuals may use the kiosk or request a printed list from an employee to view their approved visit list.

E. Visit lists will be closed out and no longer valid when an individual is released from confinement, passes away, or is on escape status. If an individual is re-incarcerated, all visitors must go through the approval process to create a new visit list.

F. Applicants denied placement on an approved visit list will be informed, in writing, of the reasons for denial.


1. Individuals must receive the details of a denial from the visitor.

#### VI. Removal of Names from the Approved Visit List

A. An individual may remove a visitor from the approved visit list by sending a written request to the Statewide Visit Unit at PO Box 41118, Olympia, WA 98504-1118 or via kiosk.

1. Removal requests received by facility employees will be forwarded to the Statewide Visit Unit.


2. If a visitor is removed from a visit list and submits a new application, the Statewide Visit Unit will send a kiosk message to the individual asking if the individual wants the application to be processed. The individual must verify in writing for the application to be proceed.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 5/22/24</p>	<p>PAGE NUMBER 9 of 13</p>	<p>NUMBER <b>DOC 450.300</b></p>
	<p>TITLE <b>VISITS FOR INCARCERATED INDIVIDUALS</b></p>		

- B. Visitors are encouraged to request removal from a visit list if they no longer want to participate in visits.
- C. A visitor who wishes to be removed from a visit list must send a request via email or by writing to the Statewide Visit Unit.
- D. If a visitor is removed from an approved visit list, the visitor must wait 90 days before being added to the same or any other visit list.
  - 1. The waiting period may be waived when the visitor has not visited in person within the last 90 days.
- E. Minors may be removed from a visit list if any legal parental authority requests it in writing to the Statewide Visit Unit and attaches proof of authority (e.g., parenting plan, court documents).
- F. Visitors will be removed from the visit list if they have not visited in person or via a video visit in the last 5 years or are deceased.

VII. Visit Processes

- A. Visit personnel will document visitor observations, as appropriate, in the statewide electronic visit system.
  - 1. Visitors will be provided notice of any negative entries that address corrective action or conversations with employees/contract staff.
- B. Copies of the Visitor Guidelines will be available to incarcerated individuals at the facility and visitors may access them on the Department's external website.
  - 1. The Correctional Program Administrator/designee will provide the guidelines to Prisons to incorporate processes specific to their location.
    - a. Each Prison will send their guidelines to be reviewed and approved by the Correctional Program Administrator/designee each time they are updated before posting to their facility's web page on the Department's external website.
  - 2. Requests for exceptions to the visitor guidelines will be submitted to the Senior Director for Correctional Operations, who will submit requests to the appropriate Assistant Secretary for final approval.
- C. All visitors and service dogs are subject to pat, electronic, and canine searches. Lockers used by visitors, as well as visitors' vehicles, purses, packages,

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 5/22/24</p>	<p>PAGE NUMBER 10 of 13</p>	<p>NUMBER <b>DOC 450.300</b></p>
	<p>TITLE <b>VISITS FOR INCARCERATED INDIVIDUALS</b></p>		

briefcases, or similar containers which are brought onto facility grounds may be searched.

1. All Prison visitors should read DOC 420.340 Searching and Detaining Facility Visitors and are required to sign DOC 21-575 Acknowledgment of Visitor Search Requirements before the first visit with an incarcerated individual.

D. In addition to brief, appropriate contact at the beginning of each visit, an incarcerated individual may have physical contact with the individual's child(ren) 8 years of age and under.


1. The Superintendent/CCS may impose additional requirements that limit physical contact for a specific visitor.
2. Depending on circumstances (e.g., pandemic), physical contact may not be allowed.

E. Visitors with minors are responsible for ensuring the minors are accompanied and supervised during the entire visit.


#### VIII. Denial, Suspension, or Termination of Visits

A. While the Department intends to actively engage families in support of those under its jurisdiction, visit privileges may be denied, suspended, terminated, or restricted as a sanction for a guilty finding of visit-related infractions, violent offenses, or drug-related behavior that presents a security or safety threat.

1. Sanctions will be imposed per DOC 460.050 Disciplinary Sanctions or DOC 460.135 Disciplinary Procedures for Work Release and will be shared with affected family members.
  - a. Individuals sanctioned to a loss of visits will have a restriction placed in the statewide visit system documenting a start and end date and what type of visits are suspended.
    - 1) If the associated infraction is dropped or reduced, the visit suspension for a visitor may remain in place, as appropriate.
2. An individual's sanction and visitor's suspension may vary in duration and the type of visitation privilege(s) loss will be related to the violation behavior (e.g., introduction of contraband during in-person visit, sexually suggestive during a video visit).

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/24	<b>PAGE NUMBER</b> 11 of 13	<b>NUMBER</b> <b>DOC 450.300</b>
	<b>TITLE</b> <b>VISITS FOR INCARCERATED INDIVIDUALS</b>		

- B. Persons identified as being involved in attempting/conspiring to introduce, or aiding and abetting another to introduce contraband, in any way, will have their visit privileges suspended or terminated.
1. In Prisons, a visitor found in possession of:
    - a. Dangerous contraband may be detained and/or searched per DOC 420.340 Searching and Detaining Facility Visitors and will have their visit privileges terminated.
    - b. Items that are legal but considered contraband in Prisons may have their visit privileges suspended for 6 months. Subsequent violations will result in termination of visit privileges.
  2. In Reentry Centers, visitors will be asked to leave the facility and law enforcement may be called, if appropriate.
- C. The Superintendent/CCS may suspend/terminate visit privileges with a specified individual(s) as the result of a very serious violation or multiple violations.
- D. The Superintendent or designee at the rank of Shift Commander or higher in Prisons and employees/contract staff in Reentry Centers may deny entrance to visitors or terminate a visit in progress if:
1. There is prior knowledge leading to evidence that a visitor is attempting to smuggle contraband in or out of the facility.
    - a. Local law enforcement will be contacted and allowed to handle visitor search procedures if there is sufficient information and time to coordinate efforts.
  2. There is a disturbance or emergency within the facility.
  3. There is clear and present or imminent danger to the health or safety of anyone.
  4. There is reasonable suspicion to believe that criminal conduct will result if entrance is allowed.
  5. The visitor appears to be under the influence of alcohol or drugs.
    - a. Facility employees/contract staff will notify local law enforcement per local procedures.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/24	<b>PAGE NUMBER</b> 12 of 13	<b>NUMBER</b> <b>DOC 450.300</b>
	<b>TITLE</b> <b>VISITS FOR INCARCERATED INDIVIDUALS</b>		

6. The individual or visitor fails to abide by Department policies or the facility's rules or procedures.

7. A minor being escorted by an adult is not supervised or is causing disruptions to a visit.

E. The Superintendent/CCS may suspend or terminate the visit privileges of a visitor for a serious/repeated violation of this policy or serious/repeated abuse of visit privileges on the part of the visitor or incarcerated individual.

1. The Superintendent/CCS or their designee may prolong a suspension if there remains a clear and present or imminent danger to the health or safety of anyone or risk to facility security.

F. DOC 20-454 Visitor's Notice of Suspension/Termination will be sent to the visitor within 10 days identifying the specific reason(s) for a suspension or termination.

1. The incarcerated individual must request the reason for the suspension or termination from the visitor.

**IX. No Contact Provisions in Prisons**

A. The Superintendent will establish procedures for no contact visits in cases of substantiated security risk.

B. The Superintendent may impose no contact visit provisions for inappropriate or security threat-related behavior displayed by the incarcerated individual and/or visitor.

**X. Appeals**


A. A visitor may appeal an initial visit application, denial visit privilege restrictions/suspensions/terminations, and/or VMDT decisions in writing to the Headquarters Correctional Program Administrator. A written decision will be mailed through the USPS when email is not an option for notification to the visitor.

1. The appropriate Assistant Secretary or their designee has final authority on visit privilege appeals.

2. Visitors who receive notification that their opportunities for appeal have been exhausted may resubmit an application after one year to be considered for restoration of modified or full visit privileges.

**DEFINITIONS:**



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 5/22/24	<b>PAGE NUMBER</b> 13 of 13	<b>NUMBER</b> <b>DOC 450.300</b>
	<b>TITLE</b> <b>VISITS FOR INCARCERATED INDIVIDUALS</b>		

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

**ATTACHMENTS:**

Eligibility Requirements for Visitors (Attachment 1)

**DOC FORMS:**

- DOC 20-060 Visitor Application for adult visitors
- DOC 20-181 Minor Visitor Application for minor visitors
- DOC 20-182 Government Designated Escort Application
- DOC 20-438 Approval for Visits with Multiple Incarcerated Individuals
- DOC 20-441 Parental/Guardian Consent for Minor Visit and/or Escort
- DOC 20-450 Approval for Visits by Current/Former Employee, Contract Staff, or Volunteer
- DOC 20-454 Visitor’s Notice of Suspension/Termination
- DOC 21-575 Acknowledgment of Visitor Search Requirements
- DOC 21-787 Special Visit Request

# ELIGIBILITY REQUIREMENTS FOR VISITORS

## Eligible Visitors

Professional visitors must be credentialed, licensed, and working in a professional capacity (e.g., clergy, attorney, social worker not escorting a minor, tribal/other government officials).

1. Except for members of the media (e.g., bloggers, authors, reporters) and professional visitors hired to supervise minors, professional visitors are not required to be on the approved visit list and will request visits per DOC 150.150 Visits and Tours of Department Facilities and Offices.
  - Members of the media and hired professional visit supervisors must be approved for visit privileges through the regular application process.
2. Proof of valid certification/licensure and other applicable documentation must be provided upon request or visit privileges may be denied.

Approved minors (i.e., under 18 years of age and not legally emancipated) may participate in visiting an incarcerated individual when escorted by someone on that individual's approved visit list, who is:

1. A designated adult escort (e.g., an approved non-incarcerated parent/legal guardian, approved government designated escort,) listed on DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort.
  - This form must be submitted before the date of the visit to the Statewide Visit Unit at [dochqvisitunit@doc.wa.gov](mailto:dochqvisitunit@doc.wa.gov).
  - A government-designated escort (e.g., guardian ad litem, court-appointed special advocate, government caseworker/visit supervisor), who has submitted DOC 20-182 Government Designated Escort Application to escort an approved minor. The Statewide Visit Unit will verify the authenticity of the applicant.
  - Escorts approved as part of a contract (e.g., Girl Scouts Beyond Bars) may escort children on an individual's visit list per the contract.
    - ♦ Escorts do not have to be on the individual's visit list for the child to be added to an individual's visit list.

Current and former Department employees, contract staff, and volunteers who are immediate family may be considered for visit privileges.

1. Current Department employees, contract staff, and volunteers who are not immediate family are not eligible to visit incarcerated individuals.
  - Employees/contract staff/volunteers may participate in a program or special event as a guest if approved by the Superintendent/Reentry Center Community Corrections Supervisor (CCS).
2. Immediate family must provide documentation reflecting the relationship with the individual they want to visit.

3. A Statewide Visit Unit employee will verify the relationship and complete DOC 20-450 Approval for Visits by Current/Former Employee, Contract Staff, or Volunteer and send it to:
  - The Statewide Visit Specialist if there are no known Prison Rape Elimination Act (PREA) concerns, or
  - The appropriate Assistant Secretary for consideration when PREA concerns have been identified.
4. Volunteers cannot volunteer and be on the visit list of an individual at the same facility per DOC 530.100 Volunteer Program.
  - Volunteers must gain written approval in advance from the Superintendent/CCS and Community Partnership Program Coordinator (CPPC), when applicable, at the facility where they volunteer, and the Superintendent/CCS at the facility where the individual is housed.
5. If a visitor is employed or volunteers for the Department after being approved to visit, the employee/contract staff/volunteer must submit appropriate documentation and be authorized to visit per to DOC 850.030 Relationships/Contacts with Individuals.
6. Former Department employees, contract staff, and volunteers who are not immediate family may request visiting privileges after one year has elapsed from the last date of employment/work/volunteering for the Department.

### **Ineligible Visitors**

The following are ineligible to visit incarcerated individuals:

1. A victim of the incarcerated individual's current offense(s) or any previous adjudicated offense.
  - Exceptions may be granted for immediate family members by the appropriate Assistant Secretary.
  - A minor may be denied due to the nature of a crime of conviction if the minor is profiled as comparable to that of a victim.
  - Victims may participate in a one-time visit per DOC 390.300 Victim Services Program.
2. Persons involved with the incarcerated individual in the commission of the offense for which the individual is incarcerated when the visitor has been charged and found guilty of an associated crime.
  - Exceptions may be granted by appropriate Assistant Secretary or their designee for immediate family members with official documentation of the relationship.
3. Persons restricted per the Judgment and Sentence, including conditions of community supervision that prohibit contact with an individual or category of individuals.

- Although supervised visits may be allowed per the Judgment and Sentence, supervision by facility visit employees does not meet court requirements for supervision.
  1. A non-incarcerated parent/guardian may hire a professional visitor for supervision.
- 4. Persons who have any conviction(s) for introduction of contraband into a jail or prison setting.
- 5. Persons with pending/open felony and/or misdemeanor charges or have an active warrant.
- 6. Persons currently on community supervision or subject to conditions of a deferred sentence.

Persons identified as being a safety/security concern, or who have facilitated/allowed an individual to violate Department or court-ordered conditions while in the community, may be denied all facility visit privileges.



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**REENTRY**  
FACILITY/SPANISH MANUAL

REVISION DATE  
11/30/21

PAGE NUMBER  
1 of 6

NUMBER  
**DOC 450.310**

**POLICY**

TITLE  
**VISITS AND SOCIAL OUTINGS  
FOR REENTRY CENTERS**

**REVIEW/REVISION HISTORY:**

- Effective: 6/20/00
- Revised: 4/9/04
- Revised: 8/21/06
- Revised: 11/28/07
- Revised: 3/10/08 AB 08-003
- Revised: 12/26/08
- Revised: 11/9/09
- Revised: 12/21/09
- Revised: 1/3/11
- Revised: 8/13/15
- Revised: 11/21/15
- Revised: 11/30/21

**SUMMARY OF REVISION/REVIEW:**


Major changes to include moving content to DOC 450.300 Visits for Incarcerated Individuals, reorganization, and updating terminology throughout. Read carefully!

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

11/1/21  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>REENTRY</b> FACILITY/SPANISH MANUAL</p>		
	<p>REVISION DATE 11/30/21</p>	<p>PAGE NUMBER 2 of 6</p>	<p>NUMBER <b>DOC 450.310</b></p>
	<p>TITLE <b>VISITS AND SOCIAL OUTINGS FOR REENTRY CENTERS</b></p>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94.043](#); [RCW 9.94.045](#); DOC 300.550 Monitoring Graduated Community Access; DOC 450.300 Visits for Incarcerated Individuals; Visitor Guidelines for Reentry Centers

**POLICY:**

- I. The Department recognizes the vital role families play in the reentry process and will support incarcerated individuals in maintaining ties with family, friends, and the community by setting reasonable criteria that encourages visits and social outings.
- II. The Department prohibits discrimination or unfair/illegal treatment on the basis of genetic information (e.g., national origin, ancestry, race, color), religion/creed, age, gender, gender expression, marital status or status as a state registered domestic partner, pregnancy, sexual orientation, political views, immigration/citizenship status, veteran/military status, or the presence or history of a physical/mental/sensory disability in any activity or its operations.

**DIRECTIVE:**


- I. General Requirements
  - A. Incarcerated individuals may be allowed social outings when in compliance with their Custody Facility Plan and have progressed to Step II or III per DOC 300.550 Monitoring Graduated Community Access.
    1. Eligible individuals will complete DOC 20-084 Social Outing Request and Responsibilities and have it approved before the planned outing.
    2. Out-of-state travel is not allowed during an outing. Individuals may leave the county where the Reentry Center is located when approved by the Reentry Center Community Corrections Supervisor (CCS) and documented in the electronic file.
    3. The case manager/CCS may place geographical boundaries within the approved county(ies) based on victim concerns or as listed on the individual's Judgment and Sentence.
  - B. Employees/contract staff may escort individuals to recreational activities in the community with the CCS's approval.
  - C. Eligibility requirements and visit processes will be conducted per DOC 450.300 Visits for Incarcerated Individuals.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 11/30/21	<b>PAGE NUMBER</b> 3 of 6	<b>NUMBER</b> <b>DOC 450.310</b>
	<b>TITLE</b> <b>VISITS AND SOCIAL OUTINGS FOR REENTRY CENTERS</b>		

- D. If there is reasonable suspicion that a visitor possesses or is concealing contraband during a visit, sponsored outings with the visitor will be denied and the case manager/CCS, or Statewide Duty Officer afterhours, will be notified for further review/direction.

## II. Sponsors

- A. An adult who is at least 21 years of age may apply to be approved as a sponsor to escort and account for an individual during official and/or social activities outside the Reentry Center.
1. Only one sponsor can escort an individual during an outing.
  2. A prospective sponsor must be an approved visitor per DOC 450.300 Visits for Incarcerate Individuals for the individual the sponsor is applying to sponsor.
  3. The facility Classification Committee may approve an individual's spouse or state registered domestic partner between the ages of 18 and 21 to be a sponsor.
  4. Employees, contract staff, and/or their family members will only be approved as sponsors when approved by the Reentry Center Administrator if they are members of the individual's immediate family.
- B. Prospective sponsors will complete DOC 20-169 Reentry Center Sponsor Application by coming into the facility or accessing it through [doc.wa.gov](http://doc.wa.gov). Upon receiving a completed application, the case manager will:
1. Ensure the individual has not reached the 5 sponsor limit,
  2. Review all visit information in the individual's electronic file and the statewide visit system,
  3. Talk with employees/contract staff regarding the individual's behavior during facility visits,
  4. Conduct a criminal history background check using DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check NCIC/WACIC Check,
  5. Interview the prospective sponsor and provide an orientation before approval, and

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>REENTRY</b> FACILITY/SPANISH MANUAL</p>		
	<p>REVISION DATE 11/30/21</p>	<p>PAGE NUMBER 4 of 6</p>	<p>NUMBER <b>DOC 450.310</b></p>
	<p>TITLE <b>VISITS AND SOCIAL OUTINGS FOR REENTRY CENTERS</b></p>		

a. The interview will include questions regarding firearms in the sponsor's residence that would be accessible to the individual, verifying information on the application, and documenting on DOC 20-171 Reentry Center Sponsor Interview/Orientation.

6. Document approval decision in the individual's electronic file.

C. The individual or sponsor may appeal a denial of sponsorship to the CCS within 7 business days of receiving the decision.

### III. Social Outings

A. The individual and approved sponsor must sign the approved DOC 20-084 Social Outing Request and Responsibilities before leaving the facility.

B. A social outing cannot exceed 10 hours and may occur only between the hours of 8:00 a.m. and 10:00 p.m.

1. The CCS may restrict available hours based on facility security and operations.

2. On New Year's Eve, outings are only permitted until 6:00 p.m.

3. Social outings may only exceed the following limits per week for each individual unless part of incentives earned. Up to 8 additional hours social outing time may be awarded as an acknowledgement of program completion as documented in the case plan.

a. 20 hours for an individual who has progressed to Level II

b. 30 hours for an individual who has progressed to Level III

C. Sponsors are required to:

1. Sign in per local procedures and provide valid identification before each social outing.


2. Provide proof of insurance, registration, and a valid driver's license if using their personal vehicle for the outing.

a. Sponsored outings will be allowed via public transportation.

3. Accompany the individual at all times during the outing.

4. Ensure the following as listed on the approved and signed DOC 20-084 Social Outing Request and Responsibilities:




 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 11/30/21	<b>PAGE NUMBER</b> 5 of 6	<b>NUMBER</b> <b>DOC 450.310</b>
	<b>TITLE</b> <b>VISITS AND SOCIAL OUTINGS FOR REENTRY CENTERS</b>		

- a. Only approved locations are visited.
  - b. The phone(s) listed are on and immediately answered to allow employee/contract staff contact during the outing.
  - c. Case managers, who may visit at any time during the outing, are granted access for locations listed.
5. Ensure any weapons/ammunition are secured and unavailable to the individual.
  6. Escort the individual back into the facility and sign out when the social outing is completed.
- D. The case manager will interview sponsors and/or family members and friends at least quarterly to ensure that individuals are complying with the conditions of the social outing agreement.

#### IV. Termination of Outings/Sponsor Approval

- A. An outing may be terminated at any time when:
1. There is reasonable suspicion that the incarcerated individual has:
    - a. Committed a major violation, or
    - b. Violated any conditions of the social outing (e.g., not at an approved location, not with the approved sponsor).
  2. The sponsor and/or individual does not adhere to facility rules or procedures.
  3. Requested by the sponsor and/or individual.
- B. Sponsorship approval may be withdrawn for any of the following:
1. If a sponsor knowingly allows an individual to violate the conditions of the social outing or fails to report violations.
  2. If a sponsor is found to have provided false information on the sponsor application or is removed from the approved visitor list.
  3. Any changes in the sponsor's current situation/information that would make the sponsor ineligible.
  4. At the request of the sponsor.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>REENTRY</b> FACILITY/SPANISH MANUAL		
	<b>REVISION DATE</b> 11/30/21	<b>PAGE NUMBER</b> 6 of 6	<b>NUMBER</b> <b>DOC 450.310</b>
	<b>TITLE</b> <b>VISITS AND SOCIAL OUTINGS FOR REENTRY CENTERS</b>		

- As determined by the CCS.

**DEFINITIONS:**

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Contraband, Immediate Family, Reasonable Suspicion. Other words/terms appearing in this policy may also be defined in the glossary section.

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check NCIC/WACIC Check
- DOC 20-084 Social Outing Request and Responsibilities
- DOC 20-169 Reentry Center Sponsor Application
- DOC 20-171 Reentry Center Sponsor Interview/Orientation



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY/FIELD**  
FACILITY/SPANISH MANUALS

REVISION DATE  
12/20/21

PAGE NUMBER  
1 of 6

NUMBER  
**DOC 450.500**

**POLICY**

TITLE  
**LANGUAGE SERVICES FOR LIMITED ENGLISH  
PROFICIENT INDIVIDUALS**

**REVIEW/REVISION HISTORY:**

Effective: 1/11/99  
 Revised: 5/17/00  
 Revised: 11/24/04  
 Revised: 1/24/07  
 Reviewed: 7/18/08  
 Revised: 6/21/09  
 Revised: 1/24/11  
 Revised: 11/1/11  
 Revised: 9/10/12  
 Revised: 1/14/13  
 Revised: 8/4/20  
 Revised: 12/20/21

**SUMMARY OF REVISION/REVIEW:**


Updated terminology throughout  
 Added I.H. that a VRI is available for medical emergencies/urgent issues  
 II.C.2.a. - Adjusted language for clarification

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

12/6/21  
 \_\_\_\_\_  
 Date signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/20/21	<b>PAGE NUMBER</b> 2 of 6	<b>NUMBER</b> <b>DOC 450.500</b>
	<b>TITLE</b> <b>LANGUAGE SERVICES FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [WAC 137-28](#); [WAC 137-32](#); DOC 450.100 Mail for Individuals in Prison; DOC 500.000 Education and Vocational Programs in Prisons; DOC 820.450 Dual Language Staffing, Certification, and Compensation; [Statewide Orientation Handbook](#)

**POLICY:**


- I. The Department will provide oral interpretation (i.e., telephonic, in-person, video remote) and written translation services through Department and/or contract services at all facilities. The Department will also provide guidelines for interpretation and translation services for Limited English Proficiency (LEP) individuals under the Department’s jurisdiction.

**DIRECTIVE:**

- I. General Requirements
  - A. Documents, policies, forms, and handouts available in Spanish are identified in Attachment 1.
  - B. Translation/interpretation services will only be provided through Department-certified dual language employees/contract staff per DOC 820.450 Dual Language Staffing, Certification, and Compensation or approved Interpretation Vendors located on the Department’s internal website.
    1. Employees/contract staff will not use internet and/or machine translations (e.g., Babelfish, Google Translate).
    2. Employees/contract staff must not translate the content of any legal documents.
    3. Department-certified dual language employees/contract staff may interpret for:
      - a. General infraction hearings in Prison, as long as the employee/contract staff was not involved in the general infraction process. Only contract interpreters will interpret for serious infraction hearings.
      - b. An individual’s first low level violation in the community through a stipulated agreement, as long as the employee/contract staff was not involved in the violation process.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/20/21	<b>PAGE NUMBER</b> 3 of 6	<b>NUMBER</b> <b>DOC 450.500</b>
	<b>TITLE</b> <b>LANGUAGE SERVICES FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS</b>		

4. Employees/contract staff providing interpretation services for general infraction hearings/stipulated agreements will sign DOC 17-086 Department Interpreter Authorization for General Infraction Hearings/Stipulated Agreement.
- C. An employee will be designated as the LEP Coordinator for each:
1. Prison by the Superintendent,
  2. Reentry Center by the Community Corrections Supervisor (CCS), and
  3. Section by the Field Administrator.
- D. Information about how to access language services (e.g., health services, resolution program) will be provided to individuals during orientation and is contained in the Statewide Orientation Handbook.
1. Orientation in Prisons and Reentry Centers will be provided to non-English speaking individuals by Department-certified dual language employees/contract staff or through a Spanish version approved by Headquarters.
    - a. Other languages (e.g., sign language) may be provided through a Department contracted in-person interpreter.
- E. Each facility/office will schedule interpreters from the approved vendor list and process using DOC 05-827 Contract Language Interpreter Appointment Record.
- F. In Prisons, mail that is not in English will be handled per DOC 450.100 Mail for Individuals in Prison.
- G. In Reentry Centers, mail that is not in English will be translated by an employee or contract staff or sent for translation per the available contract at the discretion of the CCS.
- H. Health Services will use a certified contracted medical interpreter. If one is unavailable or there is a medical emergency, a Department interpreter may be used.
1. Department-certified interpreters/translators may translate health services kites.
  2. A Video Relay Interpreter (VRI) is available for medical emergencies or urgent issues after hours/weekends/holidays if a certified or contract interpreter is unavailable for individuals requesting American Sign Language (ASL).

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/20/21	<b>PAGE NUMBER</b> 4 of 6	<b>NUMBER</b> <b>DOC 450.500</b>
	<b>TITLE</b> <b>LANGUAGE SERVICES FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS</b>		

I. Within available resources, non-English speaking individuals in Prison will be provided the opportunity to attend English as a Second Language (ESL) courses per DOC 500.000 Education and Vocational Programs in Prisons.

II. Interpretation/Translation Services

A. Employees/contract staff may request interpretation/translation services through a dual language, certified employee/contract staff or approved vendor when they become aware that a language barrier exists.

1. Employees/contract staff will review the Personal Characteristics - Languages section in the individual's electronic file to determine if interpreter services are required.
2. Employees/contract staff are encouraged to use DOC 05-824 Assessment Tool to Determine English Proficiency when there is doubt about the individual's ability to understand, speak, or read English.
  - a. The employee/contract staff will update the individual's electronic file if it is determined that the individual has challenges with English proficiency.


B. All Prison Rape Elimination Act (PREA)-related interpretation services will be documented by LEP Coordinators on DOC 16-340 Prison Rape Elimination Act (PREA) Language Log.

1. The log will be maintained at the facility by the LEP Coordinator.

C. Indeterminate Sentence Review Board (Board) Hearings

1. The case manager will notify the Board using DOC 05-818 Indeterminate Sentence Review Board Interpreter Request/Refusal when an interpreter is needed for an upcoming, in-person Board hearing.
2. The Board will:
  - a. Submit the official request for an interpreter,
  - b. Notify the applicable LEP Coordinator of the request, and
  - c. Notify applicable Records contacts with interpreter information required for clearance purposes.

D. Individuals will be provided with an oral interpretation of the charges for an infraction report/notice of alleged violation, no less than 24 hours in advance of the disciplinary hearing.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/20/21	<b>PAGE NUMBER</b> 5 of 6	<b>NUMBER</b> <b>DOC 450.500</b>
	<b>TITLE</b> <b>LANGUAGE SERVICES FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS</b>		

- E. An interpreter may be provided to an individual who does not speak/understand English or identified as having a speech disability or a hearing impairment for disciplinary and Administrative Segregation Reviews.
  - 1. For individuals who do not speak understand English, employees will use DOC 05-113 Request for Interpreter.
  - 2. For individuals who have a hearing impairment requiring an interpreter, employees will request ASL interpreter services through the Deaf Services page on the Department's internal website.
  - 3. For individuals with a speech disability, in addition to requesting an interpreter, the facility Americans with Disabilities Act (ADA) Coordinator will be contacted to determine if accommodations are needed and/or available.
- F. Assistance for writing an appeal to the Superintendent/CCS will be provided to illiterate, non-English speaking individuals to the same extent it is provided to English speaking individuals.

### III. Incarcerated Individuals Requesting Interpretation/Translation Services

- A. Individuals may request interpretation/translation services by:
  - 1. Making a verbal request to any employee/contract staff, or
  - 2. Using DOC 21-473 Kite.
- B. If a non-English speaking individual in Prison requests translation of legal documents, employees/contract staff will use DOC 09-065 Notice of Significant Legal Document, identifying only the title or nature of the legal notice.
- C. Incarcerated individuals may only request interpretation/translation services from other individuals for unit concerns and other general purposes.
  - 1. The requester must complete DOC 05-666 Request for Interpretation/ Translation by an Incarcerated Individual to confirm that the individual understands and agrees that the Department is not responsible for the content and not liable for any error.
- D. Incarcerated individuals will not use interpretation/translation services from other incarcerated individuals for any purposes listed in Attachment 2.

### IV. Denial of Interpretation/Translation Services

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 12/20/21	<b>PAGE NUMBER</b> 6 of 6	<b>NUMBER</b> <b>DOC 450.500</b>
	<b>TITLE</b> <b>LANGUAGE SERVICES FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS</b>		

- A. The Superintendent, Reentry Center CCS, or Field Administrator can deny interpretation/translation services to individuals who demonstrate a pattern of abuse of the materials, services, and/or programs. Before access can be denied, the abuse must be documented and:
1. The Superintendent, CCS, or Field Administrator must provide a written document specifying what interpretation/translation services are being denied (e.g., timeframe, content, source) and will ensure adequate legal access is maintained.
    - a. A copy of the denial will be sent to the individual and scanned into the individual's electronic imaging file.
    - b. The Superintendent, CCS, or Field Administrator will notify the LEP Coordinator.
  2. In the event the individual is transferred to another facility, the receiving facility's Appointing Authority will review the denial from the previous facility and continue, modify, or discontinue the restriction.

**DEFINITIONS:**

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

**ATTACHMENTS:**

Documents Available in Spanish (Attachment 1)  
 Unauthorized Use of Incarcerated Individual for Interpretation/Translation Services (Attachment 2)

**DOC FORMS:**

DOC 05-113 Request for Interpreter  
 DOC 05-666 Request for Interpretation/Translation by an Incarcerated Individual  
 DOC 05-818 Indeterminate Sentence Review Board Interpreter Request/Refusal  
 DOC 05-824 Assessment Tool to Determine English Proficiency  
 DOC 05-827 Contract language Interpreter Appointment Record  
 DOC 09-065 Notice of Significant Legal Document  
 DOC 16-340 Prison Rape Elimination Act (PREA) Language Log  
 DOC 17-086 Department Interpreter Authorization for General Infraction Hearings/Stipulated Agreement  
 DOC 21-473 Kite



## DOCUMENTS AVAILABLE IN SPANISH

Spanish translations of these documents should be available at each facility. Individuals may check with an employee for help in locating these materials.

### I. Orientation Materials

A. The Statewide Orientation Handbook contains information on the following. Facility specific handbooks may contain additional materials.

1. Translation services
2. Facility handbooks
3. Housing unit rules
4. DOC 21-473 Kite/CePrison kiosk
5. The Prison Rape Elimination Act (PREA)
6. Safety rules and fire evacuation
7. Identification requirements
8. Movement
9. Searches of incarcerated individuals, cells, facility, and visitors
10. Drug/alcohol testing
11. Disciplinary process
12. Administrative Segregation
13. Personal visits/extended family visiting
14. Trust accounts
15. Commissary ordering procedures
16. Personal property
17. Telephone use
18. Religious freedom
19. Privileged communication for clergy
20. Marriages/state registered domestic partnerships
21. Mail guidelines
22. Availability of facility programs
23. Classification
24. Earned release time
25. Notice of detainer
26. Registration notification
27. Release or Special Sentence Review criteria
28. Transfer inquiry (international treaty)
29. Deportation proceeding notification
30. Medical, dental, and mental health services
31. Use of individuals for experimental purposes
32. Resolution program
33. Legal access

### II. Medical Pamphlets

A. When available without cost from state or federal sources, individuals will have access to medical pamphlets or books on subjects including, but not limited to:

1. Auto Immune Deficiency Syndrome (AIDS)
2. Chlamydia

## DOCUMENTS AVAILABLE IN SPANISH

3. Diabetes
4. Gynecological care
5. Hepatitis
6. Hypertension
7. Lice
8. Newborn screening
9. Pregnancy
10. Scabies
11. Sexually transmitted diseases
12. Syphilis
13. Tuberculosis

### III. Law Library Materials

- A. English-Spanish dictionary of legal terms
- B. Spanish versions of Washington Administrative Codes (WACs):
  1. WAC 137-28 Prisons - Discipline
  2. WAC 137-32 Prisons - Administrative Segregation and Intensive Management

### IV. Department Spanish Policy Manual

### V. Spanish only and/or bilingual forms

# UNAUTHORIZED USE OF INCARCERATED INDIVIDUAL FOR INTERPRETATION/TRANSLATION SERVICES

Incarcerated individuals are not authorized to use interpretation/translation services from other incarcerated individuals for the following:

Disciplinary/violation hearings, including:

- Infraction report/notice of alleged violation
  - a) Hearing Officer's decision
  - b) Notice of appeal rights and the decision regarding the appeal

Classification review or intake process, including:

- Notice of classification review
- Reports of classification decisions
- Notice of appeal rights, the appeal by the individual, and the decision regarding the appeal

Administrative Segregation

- Written notice of the reason for the initial placement in segregation
- Hearing Officer's written recommendations regarding the continued placement in or release from Administrative Segregation and the Superintendent's written decision
- Written notice of all classification meetings for an individual in segregation
- Notice of appeal rights, the appeal by the individual, and the decision regarding the appeal

Assessment interviews and any interview in which the crime of conviction might be discussed

Facility orientations

Grievances

- Grievances translated into English for Department review
- Department responses translated into the applicable language
- Notice of appeal rights, the appeal by the individual, and the decision regarding the appeal

Polygraph tests

Understanding Department policies related to the Prison Rape Elimination Act (PREA) and reporting and/or participating in the investigation of incidents of sexual misconduct.

Health Services, using certified medical interpreters/translators when available

Other formal hearings/meetings conducted by the facility

Correspondence to or from employees/contract staff



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
2/22/23

PAGE NUMBER  
1 of 15

NUMBER  
**DOC 460.000**

**POLICY**

TITLE  
**DISCIPLINARY PROCESS FOR PRISONS**

**REVIEW/REVISION HISTORY:**

- Effective: 11/5/99 DOC 461.000
- Revised: 7/17/06 DOC 460.000
- Revised: 12/11/06 AB 06-015
- Revised: 9/24/07
- Revised: 1/23/09
- Revised: 12/6/10
- Revised: 1/1/11
- Revised: 9/24/12
- Revised: 1/8/16
- Revised: 6/1/18
- Revised: 7/22/22
- Revised: 2/22/23

**SUMMARY OF REVISION/REVIEW:**


I.B. and IV.B. - Removed unnecessary language  
 II.D.1., III.B., III.B.1., III.H., IV.F.4.a., and VI.A. - Adjusted language for clarification  
 III.G.1., IV.E.1.a.1), IV.F.1. & 3, IV.F.3.b., IV.G.5., VI.D., and VIII.F.1. - Added clarifying language  
 Added IV.B.1. & 2. that procedures will be established to notify, and the individual's presence is required at the hearing unless waived  
 Removed IV.E.1. that the Hearing Officer will ensure interpreters provide qualifications and make a statement on the record if applicable  
 Added IV.F.2 that the Disciplinary Hearing Officer will consider the totality of the circumstances, the elements of the charged violation(s), and evidence presented, and may reduce the violation(s) to a lesser WAC violation if warranted  
 Removed IV.F.5. as repetitive  
 Added IV.I.2. that hearing processes/decisions will be remanded for a new hearing when not in compliance with policy/due process requirements

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

1/31/23  
 \_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 2 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 2.43.050](#); [RCW 72.09.130](#); [WAC 137-25](#); [WAC 137-28](#); DOC 280.510 Public Disclosure of Records; DOC 300.010 Behavior Observations; DOC 320.100 Indeterminate Sentence Review Board; DOC 350.240 Ten Day Release; DOC 420.375 Contraband and Evidence Handling (RESTRICTED); DOC 450.500 Language Services for Limited English Proficient Individuals; DOC 460.050 Disciplinary Sanctions; DOC 470.150 Confidential Information; DOC 580.655 Drug Sentencing Alternative; DOC 690.400 Individuals with Disabilities; [Records Retention Schedule](#); WAC Handbook; WAC Violation Guidelines

**POLICY:**

- I. The Department has established procedures to identify and address misconduct and govern progressive discipline in Prisons. WAC 137-25, WAC 137-28, and DOC 460.050 Disciplinary Sanctions will be followed to maintain facility order and security and to support respect for rules and the rights of others.
- II. Individuals will have access to disciplinary rules, policies, and procedures, including their rights and responsibilities, acts prohibited in the facility, and disciplinary action that may be taken as a result of misconduct.
  - A. Individuals with cognitive, mental health, or other barriers will be provided with assistance in understanding rules, policies, procedures, and their rights and responsibilities.


**DIRECTIVE:**

- I. General Requirements
  - A. Disciplinary hearings should be held in the facility where the alleged violation(s) occurred. When an individual is transferred before a hearing is conducted, the infraction report will be scanned/emailed, and the infraction packet will be mailed to the receiving facility.
    1. Confidential information will be handled per DOC 470.150 Confidential Information.
    2. Evidence will be processed per DOC 420.375 Contraband and Evidence Handling (RESTRICTED).
  - B. Incarcerated individuals may request a Department advisor or interpreter if they are unable to read, speak, or understand English per DOC 450.500 Language Services for Limited English Proficient Individuals.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 3 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

## II. Responsibilities

- A. The Prisons Disciplinary Program Manager will oversee the Prison disciplinary process and serve as a liaison to facilities.
- B. Superintendents will determine Disciplinary Hearing Officer, Hearing Clerk, and Infraction Review Officer assignments. Employees may not fill Disciplinary Hearing Officer and Infraction Review Officer roles for the same violation.
  1. Disciplinary Hearing Officers
    - a. Disciplinary Hearing Officers must have the rank of Lieutenant, Correctional Unit Supervisor (CUS), or Corrections Specialist 2 or higher.
      - 1) CUSs may be delegated as primary Disciplinary Hearing Officers for Category D serious violation hearings.
      - 2) Sergeants may be delegated as Disciplinary Hearing Officers for general infraction hearings only.
    - b. Alternate Disciplinary Hearing Officers will not:
      - 1) Conduct Prison Rape Elimination Act (PREA)-related hearings, except when authorized by the Superintendent/designee to meet hearing timeframe requirements when the primary Disciplinary Hearing Officer is absent from the facility.
      - 2) Act on general violation appeals, unless:
        - a) Approved by the Superintendent/designee when the primary Disciplinary Hearing Officer is absent from the facility, or
        - b) The primary Disciplinary Hearing Officer conducted the hearing that is being appealed.
  2. Infraction Review Officers
    - a. Serious Infraction Review Officers must have the rank of Lieutenant, CUS, Chief Investigator 3, Investigator 2, Corrections Specialist 2 or higher.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 4 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

- 1) Serious Infraction Review Officer responsibilities may be delegated to Sergeants at stand-alone Level 2 facilities.
- b. General Infraction Review Officers must have the rank of Sergeant or higher.
- c. Intelligence and Investigation Unit investigators will complete infraction reviews for infraction reports that include:
  - 1) Confidential information, and/or
  - 2) A violation(s) for or reference to any unauthorized club, organization, gang, or security threat group.
- d. Infraction Review Officers will assess and evaluate the accuracy of the infraction packet, which includes:
  - 1) Verifying the incident,
  - 2) Confirming the appropriateness of the violation(s) charged,
  - 3) Ensuring the thoroughness of the information in the packet, and
  - 4) Verifying that the supporting documents are included and that all evidence was collected, photographed, and handled correctly.

C. The Superintendent may delegate serious violation appeal review responsibilities to:


1. An Associate Superintendent in Level 3 or higher facilities.
2. A Correctional Program Manager in stand-alone Level 2 facilities.

D. All disciplinary hearings will be conducted by an impartial Disciplinary Hearing Officer, who will not conduct hearings when they have direct personal involvement in the violation(s) being considered.

1. When an alternate Disciplinary Hearing Officer is required due to a conflict of interest or impartiality concerns, the Hearing Officer will notify the Superintendent/designee and/or the facility employee that schedules hearings, who will select an alternate.


### III. General Infraction Procedures

A. Employees/contract staff who observe or become aware of an act of misconduct that constitutes a general violation per WAC 137-28-220 will:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 5 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

1. Address the behavior as an onsite adjustment and document it in a Behavior Observation Entry (BOE) per DOC 300.010 Behavior Observations, or
  2. If the behavior is not addressed through an onsite adjustment, or is progressive or repetitive in nature, complete and submit DOC 17-070 General Infraction Report, including a description of the incident and specific rule(s) violated.
- B. The individual will be served DOC 17-070 General Infraction Report not less than 24 hours before the hearing and will be present for the hearing unless:
1. The individual waives the right to attend the hearing.
    - a. Failure to attend without cause will be considered refusing attendance.
- C. General infraction hearings will be conducted within 5 business days of service of the infraction report and may be held within 24 hours with the individual's written consent on DOC 17-070 General Infraction Report.
1. Hearing extensions may be requested and granted using DOC 17-073 General Infraction Hearing Extension. Extensions of more than 3 business days require approval from the primary Disciplinary Hearing Officer.
- D. General infraction hearings will not be audio recorded. Written hearing documentation will be retained per the Records Retention Schedule.
- E. The Disciplinary Hearing Officer will only consider the evidence presented at the hearing.
- F. The hearing decision and supporting reasons will be documented in the electronic file and on DOC 17-070 General Infraction Report. A copy of the report will be provided to the individual.
- G. If the Disciplinary Hearing Officer determines that an individual is guilty, sanctions may be imposed per WAC 137-28, DOC 460.050 Disciplinary Sanctions, and other applicable policies.
1. Loss of privileges sanctions will be documented on DOC 17-085 Sanction Notification.




 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 6 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

H. Individuals may appeal the decision and/or sanctions for a guilty finding within 5 business days of receiving the decision.

1. Appeals will be submitted using DOC 17-074 Disciplinary Hearing Appeal, including the reason the individual believes the action taken was incorrect and the desired relief.
  - a. DOC 17-077 Appeal Receipt will be issued in response.
2. Sanctions will not be stayed pending an appeal.
3. The Disciplinary Hearing Officer will act on the appeal within 10 business days of receipt unless extended by the Superintendent. The severity of the sanction will not be increased.
4. The individual will be notified of the decision on DOC 17-084 General Infraction Appeal Decision within 3 business days unless extended by the Superintendent.


IV. Serious Infraction Procedures

- A. Employees/contract staff who observe or become aware of an act of misconduct that constitutes a serious violation per WAC 137-25-030 will submit DOC 17-076 Initial Serious Infraction Report, including a description of the incident and clearly stating how the specific rule(s) was violated.
1. Employees/contract staff will submit DOC 17-069 Infraction Review Checklist when completing the report, including any supporting documents/evidence and a summary of confidential information.
  2. Reports and documentation will be submitted and processed in a timely manner (i.e., as soon as time allows following the violation(s), upon completion of investigation).
    - a. Reports may be submitted as the result of an investigation. The completion of the investigation will be considered time of discovery for the violation.
  3. Prison Drug Offender Sentencing Alternative (DOSA) 762 violations will follow the violation process per DOC 580.655 Drug Sentencing Alternative.
  4. Employees will immediately notify the Indeterminate Sentence Review Board (Board) for individuals under Board jurisdiction with a scheduled


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 7 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

release date, who have committed a serious violation per DOC 320.100 Indeterminate Sentence Review Board.


- B. The individual will be served DOC 05-093 Disciplinary Hearing Notice/ Appearance Waiver not less than 24 hours before the hearing, including DOC 17-076 Initial Serious Infraction Report, supporting non-confidential documents, and summaries of supporting evidence and any confidential information.
  - 1. Facilities will establish procedures to serve notification to the individual.
  - 2. The individual's presence is required at the hearing unless the individual waives the right to attend the hearing.
    - a. Failure to attend without cause will be considered refusing attendance.
- C. The Hearing Clerk will schedule the hearing to be held within 5 business days of service.
  - 1. The hearing may be held within 24 hours of service with the individual's written consent on DOC 05-093 Disciplinary Hearing Notice/Appearance Waiver.
  - 2. If the individual is in segregation, the hearing will be held within 3 business days of service, unless a continuance is granted.
- D. Per DOC 350.240 Ten Day Release, hearings for Category A or B serious violations will be expedited for releasing individuals eligible for 10 day release.
- E. Conduct of Hearing
  - 1. The individual will be present at the hearing unless waived on DOC 05-093 Disciplinary Hearing Notice/Appearance Waiver, or the individual displays disruptive behavior during the hearing.
    - a. If attendance is refused/waived, the Disciplinary Hearing Officer will be notified both verbally and on DOC 17-071 Disciplinary Hearing Refusal/Waiver of Attendance.
      - 1) Failure to attend without cause will be considered refusing attendance and does not require DOC 17-071 Disciplinary Hearing Refusal/Waiver of Attendance.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 8 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

- b. The Disciplinary Hearing Officer will document the individual's absence and reason(s) on DOC 21-312 Disciplinary Hearing Minutes and Findings.
  2. An incarcerated individual may be excluded during the testimony of any employee, contract staff, volunteer, or other incarcerated individual whose testimony must be given in confidence. The Disciplinary Hearing Officer will ensure the individual's exclusion is documented on DOC 17-072 Disciplinary Hearing Review of Confidential Information Checklist.
  3. The individual will have the opportunity to make a statement, present documentary evidence at the hearing, and request witnesses.
    - a. Written statements will be submitted on DOC 05-094 Witness Statement.
    - b. The Disciplinary Hearing Officer will document the reason(s) for denying a request on DOC 21-312 Disciplinary Hearing Minutes and Findings.
    - c. Any continuance/interruption to the hearing lasting longer than 24 hours requires completion of DOC 20-167 Continuance/ Postponement of Decision of Disciplinary Hearing and will be documented in the Prison Discipline screen in the electronic file.
  4. Category A, B, and C infraction hearings will be audio recorded and retained per the Records Retention Schedule.
- F. Disciplinary Hearing Officer Decision
  1. All pertinent and exculpatory evidence presented at the hearing must be reviewed and considered.
  2. The Disciplinary Hearing Officer will consider the totality of the circumstances, the elements of the charged violation(s), and evidence presented, and if warranted may reduce the violation(s) to a lesser WAC violation.
  3. Hearing proceedings, including the hearing decision and supporting reasons, will be documented in the electronic file and on DOC 21-312 Disciplinary Hearing Minutes and Findings, and scanned into the electronic imaging file for infractions where the individual is found guilty for at least one violation. A copy of the minutes and findings will be given to the incarcerated individual.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 9 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		


- a. DOC 21-312A Disciplinary Hearing Minutes and Findings Continuation Sheet may be used, as necessary.
  - b. The infraction report and non-confidential supporting documents will be scanned into the electronic imaging file and filed in the central file upon completion of the hearing process for infractions where the individual is found guilty for at least one violation.
  - c. A copy of the non-redacted infraction report and supporting documentation will be maintained in the Disciplinary Hearing Office per the Records Retention Schedule.
4. If the Disciplinary Hearing Officer determines that the individual is guilty, the Hearing Officer may impose sanctions per WAC 137-28, DOC 460.050 Disciplinary Sanctions, and other applicable policies.
- a. Loss of privileges, cell confinement, and extra duty sanctions imposed will be documented and served using DOC 17-085 Sanction Notification.
  - b. Sanctions that include restitution will be documented on DOC 05-363 Restitution Review.
  - c. The Disciplinary Hearing Officer will ensure mental health employees/contract staff at the hearing have the opportunity to recommend sanctions.
  - d. If mental health employees/contract staff have concerns relating to a sanction(s) imposed after the conclusion of the hearing, they may:
    - 1) Contact the Disciplinary Hearing Officer and the Superintendent/designee to consider a sanction change(s), or
    - 2) Submit concerns/recommendations to the Director of Mental Health for review/consideration.
5. When an individual is found guilty of only some of the rule violations originally charged, the record will clearly describe the reason(s) for the not guilty findings.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 10 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

6. When all rule violations in the infraction report are dismissed or the individual is found not guilty of any violations during a hearing, no records pertaining to the violation(s) will be placed in the central file.
  - a. The Disciplinary Hearing Officer will retain the records for statistical, litigation, and recordkeeping purposes.
7. When all charges have been expunged, the infraction record will be cleared/removed from the:
  - a. Central file and mailed to the Disciplinary Hearings Coordinator to retain for statistical, litigation, and recordkeeping purposes.
  - b. Electronic imaging file and the Infraction Summary in the electronic file.

**G. Appeals**

1. An individual may appeal the Disciplinary Hearing Officer's decision and/or sanctions to the Superintendent/designee within 15 business days.
  - a. An individual cannot appeal a finding of guilt when the individual has pled guilty to the violation(s). Sanctions may be appealed regardless of pleading guilty.
  - b. Sanctions will not be stayed pending an appeal.
2. Appeals will be submitted to the Disciplinary Hearing Officer on DOC 17-074 Disciplinary Hearing Appeal, including the reason(s) why the individual believes the finding(s) and action(s) taken was incorrect and specify the desired relief.
  - a. DOC 17-077 Appeal Receipt will be issued in response.
3. Appeals will be immediately forwarded to the Superintendent/designee.
  - a. Appeals of findings or sanctions imposed for PREA-related violations will be submitted to the appropriate Deputy Assistant Secretary.
4. The Superintendent/designee will act on the appeal within 10 business days of receipt by:
  - a. Affirming the decision and/or sanction(s),
  - b. Affirming the decision and reducing sanction(s),

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 11 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		


- c. Dismissing/modifying downward the decision and sanction(s),
- d. Reversing/vacating the decision, or
- e. Remanding the matter for a new hearing.

1) The severity of the original sanction may not be increased.

- 5. The individual will be promptly notified of the decision on DOC 09-197 Disciplinary Hearing Appeal Decision. The Superintendent/designee decision will be final.

#### H. Continuances

- 1. At any time during the hearing process, the Disciplinary Hearing Officer may continue the hearing for any reason, including:
  - a. To determine the individual's mental status or competency
  - b. To appoint a Department advisor
  - c. To obtain an interpreter
  - d. To obtain witness(es) or witness statement(s)
  - e. To correct errors
  - f. To obtain an alternate Disciplinary Hearing Officer
  - g. To obtain crime lab reports or other documentation
  - h. The witness(es) is temporarily unavailable
  - i. To determine restitution costs
  - j. If the individual is unavailable (e.g., on escape status, court-ordered custody, in transit to a non-Department facility)
  - k. A reasonable request by the individual
    - 1) Denials will be documented by the Disciplinary Hearing Officer on DOC 21-312 Disciplinary Hearing Minutes and Findings and on the record.
  - l. Unacceptable behavior or the individual's refusal to participate in a reasonable manner
- 2. Continuances will be for no longer than necessary, and not exceed 20 business days unless approved by the Superintendent.
  - a. For individuals housed in segregation, continuances may be granted for up to 5 business days.
  - b. For individuals who are unavailable, only one continuance is required until the individual returns to Department jurisdiction.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 12 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

- 1) The hearing may be continued up to 20 business days after the return of the individual to Department jurisdiction.
3. The Disciplinary Hearing Officer will complete DOC 20-167 Continuance/ Postponement of Decision of Disciplinary Hearing when a continuance is required and appropriately document the hearing status in the electronic file.

I. Hearing Reviews


1. The Superintendent/designee will sign DOC 20-051 Serious Infraction Report and conduct a review of all hearings and dispositions to ensure conformity with policy, WAC 137-25, and WAC 137-28.
  - a. In Level 3 or higher facilities, the Superintendent may delegate hearing review responsibilities to an Associate Superintendent.
  - b. In stand-alone Level 2 facilities, the Superintendent may delegate hearing review responsibilities to the Correctional Program Manager.
2. Hearing processes or decisions not in compliance with applicable policy or due process requirements will be remanded for a new hearing.

V. Reporting to Law Enforcement

- A. The Superintendent should report any felony under state or federal law committed in a facility to local law enforcement.
- B. Individuals may be referred for prosecution for persistent Prison misbehavior when found guilty of a serious violation that is not a Class A or B felony after losing all potential earned release time credits per DOC 460.050 Disciplinary Sanctions.

VI. Department Advisors

- A. An employee or Department representative who did not observe or investigate the violation may be appointed as a Department advisor to help an individual understand and participate in a disciplinary hearing.
- B. The Disciplinary Hearing Officer will ensure a Department advisor is appointed when it is apparent that the individual is not capable of preparing a defense, understanding the disciplinary process and charges, and/or collecting and

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 13 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

presenting evidence effectively. The need for a Department advisor may be determined during any stage of the disciplinary process.


1. Criteria to consider will include, but not be limited to:
  - a. The individual's literacy,
  - b. The complexity of the issue(s),
  - c. The individual's overall ability to speak for themselves and adequately present their case,
  - d. The individual's mental status, as determined by a mental health professional or other employee with mental health training or experience,
  - e. The individual's ability to communicate in English, and/or
  - f. Any disability that might impair the individual's ability to adequately defend themselves.
2. The appointment will be reported to the Disciplinary Hearing Office, appropriately documented, and clearly stated on the record.

- C. The Department advisor will not provide legal advice or counsel, and information shared with the Department advisor is not privileged.
- D. A list of trained Department advisors will be maintained by the Superintendent/designee.

VII. Incarcerated Individual Requests for Access to Disciplinary Hearing Audio Records

- A. At the conclusion of a disciplinary hearing, an individual may submit a written request to the Disciplinary Hearing Office to listen to their hearing, free of charge.
  1. The audio will be forwarded to the law library or designated employee/contract staff for review and documented on DOC 17-088 Disciplinary Hearing Audio Request Log.
- B. Copies of hearing audio recordings will be requested per DOC 280.510 Public Disclosure of Records.
- C. Hearing audio recordings will not be transcribed for individuals by Disciplinary Hearing Office employees. Deaf and hard of hearing individuals may request



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 14 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

transcription accommodation by contacting the facility ADA Coordinator per DOC 690.400 Individuals with Disabilities.

## VIII. Training


- A. The Training and Development Unit will ensure new employees are provided training on disciplinary procedures, including rules of conduct, the rationale for the rules, and available sanctions to impose as needed.
- B. Disciplinary Hearing Officer training is required for newly-appointed Disciplinary Hearing Officers, Serious Infraction Review Officers, and Department advisors.
  1. Employees assigned to conduct serious infraction hearings or as Serious Infraction Review Officers will enroll in the online Prison Disciplinary Hearing Officer training provided by the Department's training system.
- C. The Superintendent will ensure employees are provided additional ongoing training on disciplinary procedures, as needed.
  1. Training will include familiarity with local rules and procedures, WAC 137-25, WAC 137-28, and applicable policies.
- D. The Prison Disciplinary Program Manager and the Attorney General's Office will provide additional training, as needed.
- E. Appropriate employees will be notified of modifications to applicable policies, operational memorandums, WAC 137-25, WAC 137-28, WAC Handbook, and the WAC Violation Guidelines.
- F. Employees who have not conducted a serious infraction hearing within the last 12 months will be required to demonstrate competency through a period of observations and review with the primary Disciplinary Hearing Officer(s).
  1. A current list of employees eligible for conducting serious infraction hearings will be maintained by primary Disciplinary Hearing Officer(s) or the facility employee that schedules hearings.

### DEFINITIONS:

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

### ATTACHMENTS:

None

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 2/22/23	<b>PAGE NUMBER</b> 15 of 15	<b>NUMBER</b> <b>DOC 460.000</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCESS FOR PRISONS</b>		

**DOC FORMS:**

- DOC 05-093 Disciplinary Hearing Notice/Appearance Waiver
- DOC 05-094 Witness Statement
- DOC 05-363 Restitution Review
- DOC 09-197 Disciplinary Hearing Appeal Decision
- DOC 17-069 Infraction Review Checklist
- DOC 17-070 General Infraction Report
- DOC 17-071 Disciplinary Hearing Refusal/Waiver of Attendance
- DOC 17-072 Disciplinary Hearing Review of Confidential Information Checklist
- DOC 17-073 General Infraction Hearing Extension
- DOC 17-074 Disciplinary Hearing Appeal
- DOC 17-076 Initial Serious Infraction Report
- DOC 17-077 Appeal Receipt
- DOC 17-084 General Infraction Appeal Decision
- DOC 17-085 Sanction Notification
- DOC 17-088 Disciplinary Hearing Audio Request Log
- DOC 20-051 Serious Infraction Report
- DOC 20-167 Continuance/Postponement of Decision of Disciplinary Hearing
- DOC 21-312 Disciplinary Hearing Minutes and Findings
- DOC 21-312A Disciplinary Hearing Minutes and Findings Continuation Sheet



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
6/19/24

PAGE NUMBER  
1 of 6

NUMBER  
**DOC 460.050**

**POLICY**

TITLE  
**DISCIPLINARY SANCTIONS**

**REVIEW/REVISION HISTORY:**

Effective: 11/6/95 DOC 320.150	Revised: 3/17/09
Revised: 11/5/99	Revised: 1/24/11
Revised: 9/16/02	Revised: 12/1/12
Revised: 2/14/03	Revised: 4/1/13
Revised: 6/18/03	Revised: 7/1/14
Revised: 3/26/04	Revised: 1/12/15
Revised: 10/3/05	Revised: 1/8/16 DOC 460.050
Revised: 12/11/06	Revised: 6/1/18
Revised: 3/29/07 AB 07-010	Revised: 1/1/19
Revised: 3/11/08	Revised: 3/4/22
Revised: 8/4/08	Revised: 6/19/24

**SUMMARY OF REVISION/REVIEW:**


Attachment 1 & 2 and II.B. - Adjusted language for clarification  
 Added II.C. that sanctions for loss of mobile electronic device and other electronic media include loss of application privileges and/or loss of the device  
 III.A.1. and V.A.1. & 2, - Added clarifying language and requirements  
 VI.B. - Removed unnecessary language

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

6/10/24  
 \_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 6/19/24	<b>PAGE NUMBER</b> 2 of 6	<b>NUMBER</b> <b>DOC 460.050</b>
	<b>TITLE</b> <b>DISCIPLINARY SANCTIONS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94.010](#); [RCW 9.94.070](#); [RCW 9.94A.645](#); [RCW 72.09.130](#); [RCW 72.09.500](#); [WAC 137-24](#); [WAC 137-25](#); [WAC 137-28](#); [WAC 137-48-020](#); DOC 460.000 Disciplinary Process for Prisons; DOC 490.860 Prison Rape Elimination Act (PREA) Investigation; DOC 540.105 Recreation Services in Prisons

**POLICY:**

- I. The Department has established written rules of conduct for individuals in Prisons that specify acts prohibited within the facility and penalties that will be imposed for various degrees of violation.
- II. The Department will conduct hearings for general and serious violations per WAC 137-25, WAC 137-28, and DOC 460.000 Disciplinary Process for Prisons.
- III. Sanctions are intended to impact and guide behavior rather than to punish, and will be determined based on the circumstances, seriousness of the offense, and the individual's previous conduct record.

**DIRECTIVE:**

- I. General Requirements
  - A. The Disciplinary Hearing Officer will determine the appropriate sanction(s) when an individual is found guilty of a violation.
    1. The following will be used to determine appropriate sanctions:
      - a. Disciplinary Violations (Attachment 1) provides the categories and levels of violations, including loss of classification points.
      - b. Sanctioning Guidelines (Attachment 2) provides guidelines for imposing sanctions based on the number and frequency of violations received during a designated time period.
    2. The individual's disciplinary record, prior conduct, mental status, overall facility adjustment, and employee/contract staff recommendations may be considered.
    3. For any offense, up to the maximum sanction allowed may be imposed per WAC 137-28-240, WAC 137-28-350, and Attachment 2, regardless of whether it is a first or subsequent offense.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 6/19/24	<b>PAGE NUMBER</b> 3 of 6	<b>NUMBER</b> <b>DOC 460.050</b>
	<b>TITLE</b> <b>DISCIPLINARY SANCTIONS</b>		

- B. For all but the most serious violations, Disciplinary Hearing Officers are encouraged to use alternative sanctions (e.g., loss of privileges, extra duty, change in housing assignment) in lieu of extending the Earned Release Date.
- C. If more than one violation arises out of a single incident, the Disciplinary Hearing Officer should be guided by the sanction range for the most serious category of offense with a finding of guilt listed on the infraction report.
- D. Suspended sanctions may be imposed if the individual is found guilty of a violation or for violating conditions of the original sanction. Mandatory sanctions will not be suspended or revoked.
  - 1. The sanction may be suspended for a fixed period of time, not to exceed 365 days, subject to good behavior or meeting other imposed conditions.
  - 2. If the individual's subsequent behavior is appropriate, the Disciplinary Hearing Officer may revoke the sanction at or before the end of the fixed time period.
- E. The Disciplinary Hearing Officer may reduce/modify downward any previously imposed sanction.

## II. Loss of Privileges

- A. Loss of privilege sanctions include, but are not limited to:
  - 1. Denial of attendance at special events
  - 2. Denial of participation in organization functions for individuals
  - 3. Removal from waiting lists for work or other program assignments
  - 4. Loss of:
    - a. Visitation
    - b. Recreation
    - c. Fee-based recreation
    - d. Telephone
    - e. Television/radio
    - f. Mobile electronic device and other electronic media
    - g. Commissary privileges, which may be limited with the exception of indigent items and postage
    - h. Library privileges, excluding law library when a documented court deadline has been imposed
    - i. Dayroom access
    - j. Personal property, which may be limited
    - k. Housing assignment



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
FACILITY/SPANISH MANUALS

REVISION DATE  
6/19/24

PAGE NUMBER  
4 of 6

NUMBER  
**DOC 460.050**

**POLICY**

TITLE  
**DISCIPLINARY SANCTIONS**

- l. Packages
- m. In-cell hobby
- n. Hobby craft
- o. Weightlifting


- B. Sanctions for loss of visitation and library privileges must be directly related to the violation behavior.
- C. Sanctions for loss of mobile electronic device and other electronic media may include loss of application privileges (e.g., games, videos) and/or loss of the device.

III. Loss of Good Conduct Time Credits

- A. If the circumstances of an offense require a sanction beyond the maximum range for loss of good conduct time per Attachment 2, the Disciplinary Hearing Officer will submit a written recommendation to the Superintendent.
  - 1. Sanction recommendations for loss of good conduct time in excess of the guidelines established must have final approval by the appropriate Assistant Secretary for Prisons.

IV. Loss of Earned Time Credits

- A. An individual serving a sentence for an offense committed on or after August 1, 1995:
  - 1. May have earned time credits taken away as part of a disciplinary sanction if the individual has lost all good conduct time credits for the current commitment.
  - 2. May have earned or future Earned Release Time (ERT) credits reduced.
- B. An individual will be referred for prosecution for the crime of Persistent Prison Misbehavior when found guilty of a serious violation that is not a Class A or B felony after losing all potential ERT credits per RCW 9.94.070.
  - 1. The Disciplinary Hearing Officer will:
    - a. Notify the Superintendent/designee by email when the criteria for referral is met.
    - b. Enter a Non-Sanction Recommendation in the Prison Discipline section of the electronic file.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 6/19/24	<b>PAGE NUMBER</b> 5 of 6	<b>NUMBER</b> <b>DOC 460.050</b>
	<b>TITLE</b> <b>DISCIPLINARY SANCTIONS</b>		

2. A single violation may result in both disciplinary action by the Department and filing of criminal charges.
3. Referrals for prosecution will occur within 30 days of an affirmed appeal decision.

#### V. Mandatory Sanctions

##### A. Individuals found guilty of a:


1. 501, 502, 505, 511, 521, 604, 611, 613, 633, 635, 637, 704, or 711 violation will be prohibited from participating in any form of weightlifting for a period of 2 years, which may be extended by the Superintendent/designee, per RCW 72.09.500 and DOC 540.105 Recreation Services in Prisons.
2. 557, 762, or 810 violation will lose mandatory good conduct time, all available earned time credits for the month in which the violation occurred, and specified privileges determined by the Disciplinary Hearing Officer.
3. 603 violation will be subject to mandatory administrative actions and lose mandatory good conduct time and specified privileges. Multiple violations will result in consecutive mandatory sanctions.
4. 882 violation will lose mandatory telephone privileges, except legal calls.
5. 899 violation will lose mandatory good conduct time and specified privileges determined by the Disciplinary Hearing Officer.

- B. The period for determining the number and frequency of violations is established by the date of the guilty finding.

#### VI. Prison Rape Elimination Act (PREA) Violations

- A. For substantiated PREA allegations against an individual, an infraction report must be written against the accused per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation.
- B. An individual who is found guilty of a 611, 613, 635, or 637 violation may be sanctioned to a multidisciplinary Facility Risk Management Team review for consideration of available interventions (e.g., mental health therapy, anger management).

#### DEFINITIONS:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 6/19/24	<b>PAGE NUMBER</b> 6 of 6	<b>NUMBER</b> <b>DOC 460.050</b>
	<b>TITLE</b> <b>DISCIPLINARY SANCTIONS</b>		

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

**ATTACHMENTS:**

Disciplinary Violations (Attachment 1)  
 Sanctioning Guidelines (Attachment 2)

**DOC FORMS:**

None



## DISCIPLINARY VIOLATIONS

### CATEGORY A VIOLATION - 20 CLASSIFICATION POINTS

- 501 Committing homicide
- 502 Committing aggravated assault against another incarcerated individual
- 507 Committing an act that would constitute a felony and that is not otherwise included in these rules
- 511 Committing aggravated assault against a visitor or community member
- 521 Taking or holding any person hostage
- 550 Escaping
- 601 Possessing, manufacturing, or introducing an explosive device or any ammunition, or any components thereof
- 602 Possessing, manufacturing, or introducing any firearm, weapon, sharpened instrument, knife, or poison, or any component thereof
- 603 Possessing, introducing, or transferring any unauthorized drug or drug paraphernalia
- 604 Committing aggravated assault against an employee/contract staff/volunteer
- 611 Committing sexual assault against an employee/contract staff/volunteer
- 613 Committing an act of sexual contact against an employee/contract staff/volunteer
- 635 Committing sexual assault against another individual (i.e., aggravated sexual assault or individual-on-individual sexual assault), as defined per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- 637 Committing sexual abuse against another individual, as defined per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- 650 Rioting
- 651 Inciting others to riot
- 830 Escaping from a Reentry Center with voluntary return within 24 hours
- 831 While in a Reentry Center, failing to return from an authorized sign out
- 882 While in Prison, introducing, possessing, or using a cell phone, electronic/wireless communication device, or related equipment without authorization

### CATEGORY B, LEVEL 1 VIOLATION - 15 CLASSIFICATION POINTS

- 633 Assaulting another incarcerated individual
- 704 Assaulting an employee/contract staff/volunteer

### CATEGORY B, LEVEL 1 VIOLATION - 10 CLASSIFICATION POINTS

- 504 Engaging in a sex act with another person(s) that is not otherwise included in these rules, except in an approved extended family visit
- 553 Setting a fire
- 560 Possessing items or materials likely to be used in an escape without authorization
- 711 Assaulting a visitor or community member
- 744 Making a bomb threat
- 884 Urinating, defecating, or placing feces or urine in any location other than a toilet or authorized receptacle
- 886 Adulterating any food or drink
- 892 Giving, selling, or trading any prescribed medication, or possessing another incarcerated individual's prescribed medication

### CATEGORY B, LEVEL 2 VIOLATION - 10 CLASSIFICATION POINTS

- 505 Fighting with another incarcerated individual
- 556 Refusing to submit to or cooperate in a search when ordered to do so by an employee/contract staff

- 607 Refusing to submit to a urinalysis and/or failing to provide a urine sample within the allotted time frame when ordered to do so by an employee/contract staff
- 608 Refusing or failing to submit to a breath alcohol test or other standard sobriety test when ordered to do so by an employee/contract staff
- 609 Refusing or failing to submit to testing required by policy, statute, or court order, not otherwise included in these rules, when ordered to do so by an employee/contract staff
- 652 Engaging in or inciting a group demonstration
- 655 Making any drug, alcohol, or intoxicating substance, or possessing ingredients, equipment, items, formulas, or instructions that are used in making any drug, alcohol, or intoxicating substance
- 682 Engaging in or inciting an organized work stoppage
- 707 Introducing or transferring alcohol or any intoxicating substance not otherwise included in these rules
- 716 Using an over the counter medication without authorization or failing to take prescribed medication as required when administered under supervision
- 736 Possessing, manufacturing, or introducing an unauthorized key or electronic security access device
- 750 Committing indecent exposure
- 752 Admitting use or receiving a positive test for use of an unauthorized drug, alcohol, or intoxicating substance
- 778 Providing a urine specimen that has been diluted, substituted, or altered in any way

<b>CATEGORY B, LEVEL 3 VIOLATION - 10 CLASSIFICATION POINTS</b>
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- 503 Extorting or blackmailing, or demanding or receiving anything of value in return for protection against others or under threat of informing
- 506 Threatening another with bodily harm or with any offense against any person or property
- 509 Refusing a direct order by any employee/contract staff/volunteer to proceed to or disperse from a particular area
- 525 Violating conditions of a furlough
- 549 Providing false or misleading information during any stage of an investigation of sexual misconduct, as defined per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation
- 558 Interfering with employees/contract staff/volunteers, medical personnel, firefighters, or law enforcement personnel in the performance of their duties
- 600 Tampering with, damaging, blocking, or interfering with any locking, monitoring, or security device
- 605 Impersonating or assuming the identity of any other person
- 653 Causing an inaccurate count or interfering with count by means of unauthorized absence, hiding, concealing oneself, or other form of deception or distraction
- 654 Counterfeiting or forging, or altering, falsifying, or reproducing any document, article of identification, money, or security, or other official paper without authorization
- 660 Possessing money, stamps, or other negotiable instruments without authorization, the total value of which is \$5.00 or more
- 709 Out-of-bounds: Being in another individual's cell or being in a restricted or out of bounds area of the facility with one or more individuals without authorization
- 738 Possessing clothing or assigned equipment of an employee/contract staff/volunteer
- 739 Possessing, transferring, or soliciting any person's identification information, including current employees/contract staff/volunteers or their immediate family members, when not voluntarily given. Identification information includes Social Security numbers, home addresses, telephone numbers, driver's license numbers, medical, personnel, financial, or real estate information, bank or credit card numbers, or other like information not authorized by the Superintendent/ Reentry Center Manager

- 745** Refusing a transfer to another facility
- 746** Engaging in or inciting an organized hunger strike
- 762** Noncompliance with the Drug Offender Sentencing Alternative program. This violation must be initiated by authorized employees and heard by a Community Corrections Hearing Officer per WAC 137-24
- 777** Causing injury to another person by resisting orders, assisted movement, or physical efforts to restrain
- 813** Being in the community without authorization, or being in an unauthorized location in the community
- 814** While in a Reentry Center, violating an imposed special condition
- 879** Operating or being in a motor vehicle without permission or in an unauthorized manner or location
- 889** Using facility phones, information technology resources/systems, or related equipment without authorization

<b>CATEGORY C, LEVEL 1 VIOLATION - 5 CLASSIFICATION POINTS</b>
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- 508** Spitting or throwing objects, materials, or substances in the direction of another person(s)
- 557** Refusing to participate in an available work, training, education, or other mandatory programming assignment
- 563** Making a false fire alarm or tampering with, damaging, blocking, or interfering with fire alarms, fire extinguishers, fire hoses, fire exits, or other firefighting equipment or devices
- 610** While in Prison, receiving or possessing prescribed medication without authorization
- 620** Receiving or possessing contraband during participation in off-grounds or outer perimeter activity or work detail
- 659** Committing sexual harassment against another individual, as defined per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- 661** Committing sexual harassment against an employee, contract staff, volunteer, visitor, or community member
- 663** Using physical force, intimidation, or coercion against any person
- 702** Possessing, manufacturing, or introducing an unauthorized tool
- 708** Organizing or participating in an unauthorized group activity or meeting
- 717** Causing a threat of injury to another person by resisting orders, assisted movement, or physical efforts to restrain
- 720** Flooding a cell or other area of the facility
- 724** Refusing a cell or housing assignment
- 734** Participating or engaging in the activities of any unauthorized club, organization, gang, or security threat group; or wearing or possessing the symbols of an unauthorized club, organization, gang, or security threat group
- 810** Failing to seek/maintain employment or training or maintain oneself financially, or being terminated from a work, training, education, or other programming assignment for negative or substandard performance
- 893** Damaging, altering, or destroying any item that results in the concealment of contraband or demonstrates the ability to conceal contraband
- 896** Harassing, using abusive language, or engaging in other offensive behavior directed to or in the presence of another person(s) or group(s) based upon race, creed, color, age, sex, national origin, religion, sexual orientation, marital status or status as a state registered domestic partner, disability, veteran's status, or genetic information
- 899** Failing to obtain prior written authorization from the sentencing court, contrary to RCW 9.94A.645, prior to commencing or engaging in any civil action against any victim or family of the victim of any serious violent crime the individual committed

**CATEGORY C, LEVEL 2 VIOLATION - 5 CLASSIFICATION POINTS**

- 552** Causing an innocent person to be penalized or proceeded against by providing false information
- 554** Damaging, altering, or destroying any item that is not the individual's personal property, the value of which is \$10.00 or more
- 710** Acquiring an unauthorized tattoo/piercing/scar, tattooing/piercing/scarring another, or possessing tattoo/piercing/scarring paraphernalia
- 718** Using the mail, telephone, or electronic communications in violation of any law, court order, or previous written warning, direction, and/or documented disciplinary action
- 726** Telephoning, sending written or electronic communication, or otherwise initiating communication with a minor without the approval of that minor's parent or guardian

**CATEGORY C, LEVEL 3 VIOLATION - 5 CLASSIFICATION POINTS**

- 606** Possessing, introducing, or transferring any tobacco, tobacco products, matches, or tobacco paraphernalia
- 657** Being found guilty of four or more general violations arising out of separate incidents within a 90-day period
- 658** Failing to comply with any administrative or post-hearing sanction imposed for committing any violation
- 812** Failing to report/turn in all earnings

**CATEGORY D VIOLATION - 5 CLASSIFICATION POINTS**

- 517** Committing an act that would constitute a misdemeanor and that is not otherwise included in these rules
- 551** Providing false information to the hearing officer or in a disciplinary appeal
- 555** Stealing property, possessing stolen property, or possessing another individual's property
- 559** Gambling or possessing gambling paraphernalia
- 656** Giving, receiving, or offering any person a bribe or anything of value for an unauthorized favor or service
- 662** Soliciting goods or services for which the provider would expect payment, when the individual knows or should know that there are insufficient funds to cover the cost
- 706** Giving false information when proposing a release plan
- 714** Giving, selling, purchasing, borrowing, lending, trading, or accepting money or anything of value except through approved channels, the value of which is \$10.00 or more
- 725** Telephoning or sending written or electronic communication to any individual in a correctional facility or partial confinement, directly or indirectly, without prior written approval of the Superintendent/Reentry Center Manager/designee
- 728** Possessing any sexually explicit material(s), as defined per DOC 450.100 Mail for Individuals in Prison
- 740** Committing fraud or embezzlement, or obtaining goods, services, money, or anything of value under false pretense
- 741** Stealing food, the value of which is \$10.00 or more
- 742** Establishing a pattern of creating false emergencies by feigning illness or injury
- 755** Misusing or wasting issued supplies, goods, services, or property, the replacement value of which is \$10.00 or more
- 811** Entering into an unauthorized contract
- 861** Performing or taking part in an unauthorized marriage
- 890** Failing to follow a medical directive and/or documented medical recommendations, resulting in injury

# SANCTIONING GUIDELINES

## Violation Categories and Range of Sanction Options

**Unless otherwise noted, mandatory sanctions are in addition to other sanctions imposed for the violation.**

GENERAL VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 6 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 6 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 6 MONTHS
Reprimand and Warning (R & W)	As determined by Disciplinary Hearing Officer			
Loss of privileges (one or more): <ul style="list-style-type: none"> <li>• Loss of recreation (i.e., gym/yard)</li> <li>• Loss of fee-based recreation</li> <li>• Loss of television/radio</li> <li>• Loss of dayroom access</li> <li>• Loss or limitation of personal property</li> <li>• Denial of attendance at special events</li> <li>• Denial of participation in organization functions for individuals</li> <li>• Loss of in-cell hobby</li> <li>• Loss of hobby craft</li> <li>• Loss of mobile electronic device or other electronic media</li> <li>• Loss or limitation of commissary (loss is based on facility ordering rotation schedule)</li> <li>• Loss of weightlifting</li> </ul>	0 - 10 days	0 - 20 days	0 - 30 days	30 days
Evening confinement to cell/room	0 - 5 consecutive evenings	0 - 7 consecutive evenings	0 - 10 consecutive evenings	10 consecutive evenings per incident
Weekend and/or holiday confinement to cell/room	0 - 1 consecutive weekends	0 - 2 consecutive weekends	0 - 4 consecutive weekends	4 consecutive weekends per incident
Confinement to cell/room	0 - 5 consecutive days	0 - 7 consecutive days	0 - 10 consecutive days	10 consecutive days
Extra work duty hours	0 - 40 hours	0 - 80 hours	0 - 120 hours	120 hours
Written order to cease problematic behavior. The order will include a warning that if the behavior is repeated within a specified period, not to exceed 180 days, the individual will be charged with a 658 violation	0 - 60 days	0 - 90 days	0 - 180 days	180 days
SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 12 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 12 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 12 MONTHS
<b>For any serious violation</b>				
Any general violation sanction	Up to maximum ranges for general/serious violations			

Restitution	As determined by Disciplinary Hearing Officer			
Recommendation for Facility Risk Management Team (FRMT) review (e.g., loss of housing assignment)	As recommended by Disciplinary Hearing Officer			
Persistent Prison Misbehavior referral	After losing all potential Earned Release Time credits and only within 30 days of an affirmed appeal decision			
Indeterminate Sentence Review Board (Board) review for hearing or reconsideration of minimum term	As determined by Disciplinary Hearing Officer and should only occur for violations with actual time loss of 12 months or more and consistent with Department guidelines			
Urinalysis or breath alcohol testing, for drug/alcohol related violations	0 - 90 days		90 days	
<b>Category A</b>				
Confinement to cell/room	0 - 30 consecutive days			30 consecutive days
Loss of fee-based recreation	0 - 180 days			180 days
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	4 months	8 months	12 months	12 months
Loss of quarterly food package(s)	2 - 4 quarters	3 - 4 quarters	4 quarters	4 quarters
Loss of good conduct time	0 - 45 days	0 - 60 days	0 - 75 days	76 to 150 days requires Superintendent approval. More than 150 days requires Assistant Secretary approval
Suspension of visitation (i.e., in-person and/or video) and/or with a specified individual(s)	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. May only be limited to specified individual(s).	0 - 30 days	0 - 90 days	0 - 180 days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	0 - 45 days	0 - 60 days	0 - 75 days	75 days
<b>Mandatory Sanction - 882</b> Loss of telephone privileges, except legal calls	30 consecutive days	90 consecutive days	180 consecutive days	180 consecutive days
<b>Mandatory Sanction 501, 502, 505, 511, 521, 604, 611, 613, 633, 635, 637, 704, or 711</b> Loss of weightlifting privilege	Mandatory minimum of 2 years from the date of the guilty finding per RCW 72.09.500. After 2 years, Superintendent/designee will review to determine if the individual will regain weightlifting eligibility			
<b>Mandatory Sanctions - 603</b> Loss of good conduct time	75 days			75 days
Loss of earned time, only after losing all good conduct time, if applicable	0 - 75 days			The balance of loss of good conduct time and loss of earned time in lieu of good conduct time will not exceed 75 days

Loss of privileges: <ul style="list-style-type: none"> <li>• Loss of fee-based recreation</li> <li>• Suspension of visits</li> <li>• Loss or limitation of commissary</li> <li>• Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may be limited to specified individual(s)</li> </ul>	180 days			Extended or permanent restriction for correspondence and/or visits requires Superintendent approval and must meet WAC 137-28-350 criteria
• Denial of attendance at special events	12 months			12 months
Urinalysis or breath alcohol testing, for drug/alcohol related violations	0 - 90 days			90 days
Removal from waiting lists for work/other program assignments Loss of housing assignment Recommendation for FRMT review	Range not applicable (N/A)			
Board review for hearing or reconsideration of minimum term, if applicable	Mandatory when violation occurs within 12 months of release date and consistent with Department guidelines			
Persistent Prison Misbehavior referral, if applicable	Mandatory after losing all potential earned early release time credits and only within 30 days of an affirmed appeal decision			
<b>Category B, Level 1</b>				
Confinement to cell/room	0 - 30 consecutive days			30 consecutive days
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 20 days	0 - 60 days	0 - 120 days	120 days
Loss of fee-based recreation	0 - 30 days	30 - 90 days	90 - 180 days	180 days
Loss of monthly package(s)	3 months	6 - 9 months	9 - 12 months	12 months
Loss of quarterly food package(s)	1 - 2 quarters	2 - 3 quarters	3 - 4 quarters	4 quarters
Loss of good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	61 to 120 days requires Superintendent approval. More than 120 days requires Assistant Secretary approval
Suspension of visitation (i.e., in-person and/or video) and/or with a specified individual(s)	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. May only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	60 days
<b>Category B, Level 2</b>				
Confinement to cell/room	0 - 30 consecutive days			30 consecutive days
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 20 days	0 - 60 days	0 - 120 days	120 days
Loss of fee-based recreation	0 - 30 days	30 - 90 days	90 - 180 days	180 days

Loss of monthly package(s)	3 months	6 - 9 months	9 - 12 months	12 months
Loss of quarterly food package(s)	1 - 2 quarters	2 - 3 quarters	3 - 4 quarters	4 quarters
Loss of good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	61 to 120 days requires Superintendent approval. More than 120 days requires Assistant Secretary approval
Suspension of visitation (i.e., in-person and/or video) and/or with a specified individual(s)	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. May only be limited to specified individual(s).	0 - 30 days	0 - 90 days	0 - 180 days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	60 days
<b>Category B, Level 3</b>				
Confinement to cell/room	0 - 30 consecutive days			30 consecutive days
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 20 days	0 - 60 days	0 - 120 days	120 days
Loss of fee-based recreation	0 - 30 days	30 - 90 days	60 - 180 days	180 days
Loss of monthly package(s)	3 months	6 - 9 months	9 - 12 months	12 months
Loss of quarterly food package(s)	1 - 2 quarters	2 - 3 quarters	3 - 4 quarters	4 quarters
Loss of good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	61 to 120 days requires Superintendent approval. More than 120 days requires Assistant Secretary approval
Suspension of visitation (i.e., in-person and/or video) and/or with a specified individual(s)	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. May only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	60 days
<b>Mandatory Sanction - 762</b>	Reclassification to serve the unexpired term of the sentence as ordered by the sentencing court			
Loss of earned time	Earned time for the month in which the violation occurred			
<b>Category C, Level 1</b>				
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 15 days	0 - 45 days	0 - 90 days	90 days
Confinement to cell/room	0 - 10 consecutive days	0 - 20 consecutive days	0 - 30 consecutive days	30 consecutive days
Loss of fee-based recreation	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	2 months	4 months	6 months	6 months



Loss of quarterly food package(s)	N/A	1 quarter	1 - 2 quarters	2 quarters
Loss of good conduct time	N/A	0 - 15 days	0 - 30 days	31 to 60 days requires Superintendent approval. More than 60 days requires Assistant Secretary approval
Suspension of visitation (i.e., in-person and/or video) and/or with a specified individual(s)	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. May only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	N/A	0 - 15 days	0 - 30 days	30 days
<b>Mandatory Sanctions - 557 or 810</b>				
Loss of earned time	Earned time for the month in which the violation occurred			
Loss of good conduct time	15 days	30 days	45 days	45 days
Loss of privileges (one or more): <ul style="list-style-type: none"> <li>• Loss of recreation</li> <li>• Loss of fee-based recreation</li> <li>• Loss of television/radio</li> <li>• Loss or limitation of commissary</li> <li>• Loss of library (excludes law library when a documented court deadline has been imposed)</li> <li>• Loss of dayroom access</li> <li>• Loss or limitation of personal property</li> <li>• Loss of mobile electronic device or device applications</li> <li>• Denial of attendance at special events</li> <li>• Denial of participation in organization functions for individuals</li> </ul>	30 days	90 days	180 days	180 days
• Loss of monthly packages	2 months	4 months	6 months	12 months. More than 12 months requires Superintendent approval.
• Loss of quarterly food packages	N/A	1 quarter	1 -2 quarters	2 quarters
• Recommendation for FRMT review (e.g., removal from program assignments/waiting lists, loss of housing assignment)	As recommended by Disciplinary Hearing Officer			
<b>Mandatory Sanctions - 899</b>				
Loss of good conduct time	15 days	30 days	60 days	60 days
Loss of privileges (one or more): <ul style="list-style-type: none"> <li>• Listed under General Violation Sanction Options</li> </ul>	15 days	30 days	60 days	60 days
• Recommendation for FRMT review (e.g., removal from program assignments/waiting lists, loss of housing assignment)	As recommended by Disciplinary Hearing Officer			

<b>Category C, Level 2</b>				
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 15 days	0 - 45 days	0 - 90 days	90 days
Confinement to cell/room	0 - 10 consecutive days	0 - 20 consecutive days	0 - 30 consecutive days	30 consecutive days
Loss of fee-based recreation	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	2 months	4 months	6 months	6 months
Loss of quarterly food package(s)	N/A	1 quarter	1 - 2 quarters	2 quarters
Loss of good conduct time	N/A	0 - 10 days	0 - 20 days	21 to 40 days requires Superintendent approval. More than 40 days requires Assistant Secretary approval
Suspension of visitation (i.e., in-person and/or video) and/or with a specified individual(s)	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. May only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	N/A	0 - 10 days	0 - 20 days	20 days
<b>Category C, Level 3</b>				
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 15 days	0 - 45 days	0 - 90 days	90 days
Confinement to cell/room	0 - 10 consecutive days	0 - 20 consecutive days	0 - 30 consecutive days	30 consecutive days
Loss of fee-based recreation	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	2 months	4 months	6 months	6 months
Loss of quarterly food package(s)	N/A	1 quarter	1 - 2 quarters	2 quarters
Loss of good conduct time	N/A	0 - 5 days	0 - 10 days	11 to 20 days requires Superintendent approval. More than 20 days requires Assistant Secretary approval
Suspension of visitation (i.e., in-person and/or video) and/or with a specified individual(s)	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. May only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	N/A	0 - 5 days	0 - 10 days	10 days

<b>Category D</b>				
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 15 days	0 - 45 days	0 - 90 days	90 days
Confinement to cell/room	0 - 10 consecutive days	0 - 20 consecutive days	0 - 30 consecutive days	30 consecutive days
Loss of fee-based recreation	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	1 month	2 months	4 months	4 months
Loss of quarterly food package(s)	N/A	1 quarter	1 quarter	1 quarter
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. May only be limited to specified individual(s).	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**WORK RELEASE**  
OFFENDER MANUAL

REVISION DATE  
5/24/16

PAGE NUMBER  
1 of 10

NUMBER  
**DOC 460.135**

**POLICY**

TITLE  
**DISCIPLINARY PROCEDURES FOR WORK RELEASE**

**REVIEW/REVISION HISTORY:**

- Effective: 7/31/06
- Revised: 7/31/07
- Revised: 1/19/10
- Revised: 9/3/10
- Revised: 5/2/11
- Revised: 12/1/12
- Revised: 4/1/13
- Revised: 7/1/14
- Revised: 1/12/15
- Revised: 1/8/16
- Revised: 3/29/16
- Revised: 5/24/16

**SUMMARY OF REVISION/REVIEW:**

Removed Directive IX. That an offender found guilty of an 882 violation will lose telephone privileges with the exception of legal calls


**APPROVED:**

Signature on file

**RICHARD "DICK" MORGAN**, Secretary  
Department of Corrections

5/16/16

Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>WORK RELEASE</b> <b>OFFENDER MANUAL</b>		
	<b>REVISION DATE</b> 5/24/16	<b>PAGE NUMBER</b> 2 of 10	<b>NUMBER</b> <b>DOC 460.135</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCEDURES FOR WORK RELEASE</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 72.09.130](#); [RCW 72.09.500](#); [WAC 137-25](#); [WAC 137-56](#); [ACA 3A-01](#); [ACA 6A-03](#); [ACA 6C-01](#); [ACA 6C-02](#); [ACA 6C-03](#); [ACA 6C-04](#); [PREA Standards 115.278\(b\)-\(d\)](#)

**POLICY:**

- I. Each Work Release will have a defined disciplinary process that provides appropriate procedural safeguards, treats offenders fairly, and holds them accountable for their actions. Offenders will not be subjected to corporal or unusual punishment, humiliation, mental abuse, or punitive interference with the daily functions of living, such as eating or sleeping. [6A-03]

**DIRECTIVE:**

- I. General Requirements
  - A. Offenders will be required to abide by the facility rules, which will be published in the facility handbook or otherwise conspicuously posted in the facility for all employees, contract staff, and offenders. [3A-01] Violation of facility rules may result in an infraction.
    1. The facility will review all rules and regulations at least annually and update if necessary.
  - B. Each Work Release will have a process for both formal and informal resolution of infractions. [6C-01]
  - C. Per the Offender Accountability Act, as of July 1, 2000, the Department Hearings Unit will be responsible for conducting all major infraction hearings.
  - D. Community Corrections Officers (CCOs) will be responsible for taking action on known offender violations.
- II. Minor Infraction Disciplinary Process
  - A. [6C-03] The disciplinary process includes providing an offender with:
    1. Written notice of the alleged violation using DOC 17-079 Minor Infraction Report, [6C-02]
    2. Written notice of the scheduled time of review,
    3. Reasonable time to prepare for the review,
    4. Assistance if there is a language or communication barrier, and
    5. The opportunity to present evidence.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>WORK RELEASE</b> <b>OFFENDER MANUAL</b>		
	<b>REVISION DATE</b> 5/24/16	<b>PAGE NUMBER</b> 3 of 10	<b>NUMBER</b> <b>DOC 460.135</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCEDURES FOR WORK RELEASE</b>		

- B. [6C-03] When a minor infraction is contested, a review will be conducted in a timely manner, generally within 5 working days of the service of notice of review and report of alleged violations, unless the Community Corrections Supervisor (CCS) authorizes a continuance.
- C. [6C-03] Designated facility employees/contract staff will hear minor infractions and make decisions in a fair and impartial manner. The offender will be provided written notice of the decision on DOC 17-079 Minor Infraction Report.
- D. [3A-01] [6C-01] [6C-04] Upon a guilty finding, the following progressive sanctions may be imposed:
  - 1. Verbal warning,
  - 2. Written warning,
  - 3. Completion of a written apology,
  - 4. Thinking Report or essay,
  - 5. Extra duty up to 16 hours,
  - 6. Facility restriction or loss of privileges for up to one week,
  - 7. Loss of phase level,
  - 8. Loss of social or visiting privileges, or
  - 9. Other sanctions as designated in the facility handbook.
- E. [6C-03] Offenders have the right to appeal any sanctions imposed for minor infractions. Appeals must be submitted in writing to the CCS/designee within 3 working days. Sanctions will not be postponed pending an appeal.

### III. Stipulated Agreements

- A. If the behavior constitutes a violation of facility rules, the offender admits to committing the alleged behavior, and it is determined that a Stipulated Agreement is appropriate, DOC 09-226 DOC Jurisdiction Only Notice of Violation/Stipulated Agreement will be written and signed in a face-to-face meeting with the offender.
  - 1. The Stipulated Agreement will:
    - a. List all infraction behaviors,
    - b. List the specific actions/measures that the offender will take to address or repair the harm done by the infraction behavior,
    - c. Include specific timeframe requirements, and
    - d. Be approved by the CCS.



# POLICY

## TITLE **DISCIPLINARY PROCEDURES FOR WORK RELEASE**

- 2. The appropriate Stipulated Agreement will be written and applied with regard for the offender’s crime of conviction, the infraction(s) committed, the offender’s risk of re-offending, and community safety.
- 3. The CCO/designee will enter the Stipulated Agreement infraction(s) and agreed upon sanction in the offender’s electronic file.

B. Failure to comply with the terms of a Stipulated Agreement constitutes an infraction.

C. Stipulated Agreements will not be used to impose any loss of good conduct time.

### IV. Major Infraction Hearing Preparation


A. Timeframes will begin when the CCO/designee becomes aware of the infraction. S/he will:

- 1. Investigate alleged infraction behavior and ensure evidence exists to substantiate the infraction before serving DOC 20-437 Work Release Major Infraction Report, [6C-03]
- 2. Serve DOC 20-437 Work Release Major Infraction Report within one working day of discovering the infraction behavior if the offender has been incarcerated as a result, and [6C-03]
- 3. Serve the offender DOC 09-230 Work Release Notice of Allegations, Hearing, Rights, and Waiver no later than 24 hours before the hearing. [6C-02] [6C-03]

B. The CCO/designee will be responsible for requesting a Work Release disciplinary hearing.

- 1. The CCO/designee will contact Hearings Records Unit to schedule the hearing and will provide the following information:
  - a. Offender name and DOC number, and
  - b. Location of hearing.
- 2. The Hearings Records Unit will notify the CCO/designee of the hearing time and place no later than the next business day following the request. [6C-03]

C. To prepare for a hearing, the CCO/designee will:


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>WORK RELEASE OFFENDER MANUAL</b></p>		
	<p>REVISION DATE 5/24/16</p>	<p>PAGE NUMBER 5 of 10</p>	<p>NUMBER <b>DOC 460.135</b></p>
	<p>TITLE <b>DISCIPLINARY PROCEDURES FOR WORK RELEASE</b></p>		

1. Ensure DOC 20-437 Work Release Major Infraction Report and DOC 09-186 Order of Suspension, Arrest and Detention if appropriate, is completed.
2. Arrange availability of witness(es) and/or statements, if applicable.
3. Obtain certified interpretive services for offenders with language or communication barriers, if necessary, when serving hearing documents and for the hearing. [6C-03]

V. Major Infraction Hearing Process

- A. [6C-03] The Hearing Officer will conduct the Work Release major infraction hearing, assess the evidence, and render decisions in a fair and impartial manner in accordance with statute, case law, Washington Administrative Code, and Department policy.
  1. Unless waived by the offender, Hearing Officers may not preside over a hearing in which they have personal involvement with any party or issue under consideration.
  2. Hearing Officers may not preside over a hearing in which they are unable to exercise fair judgment and render a fair and impartial decision for any reason. Hearing Officers will recuse themselves by notifying their supervisor and the hearing will be rescheduled with a different Hearing Officer.
  3. A Hearing Officer assigned to preside over a hearing may be replaced upon request and showing of good cause by the offender.
  4. Except during the hearing, Hearing Officers may not communicate directly or indirectly with the offender, CCO, CCS, other employees, or witnesses participating in the hearing or involved in preparing for the hearing regarding any issue related to the hearing other than communications necessary to maintaining an orderly process without notice and opportunity for all parties to participate.
  5. If the Hearing Officer receives an ex parte communication prior to rendering a decision, the Hearing Officer must disclose on the record the communication, the response, and identities of each person the Hearing Officer communicated with. All parties must be offered an opportunity to rebut the communication on the record.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>WORK RELEASE</b> <b>OFFENDER MANUAL</b>		
	<b>REVISION DATE</b> 5/24/16	<b>PAGE NUMBER</b> 6 of 10	<b>NUMBER</b> <b>DOC 460.135</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCEDURES FOR WORK RELEASE</b>		

6. CCOs, CCSs, and Hearing Officers will ensure that hearings are conducted as safely as possible based on knowledge of the offender's behavior.

a. The CCO, CCS, and Hearing Officer will collaborate to plan for potential safety/security issues and will address them as needed throughout the hearing.

7. Hearing Officers will control the conduct of the hearing and maintain orderly decorum.

8. Hearings will be recorded electronically, which will be retained per the Records Retention Schedule.

9. Hearing Officers will consider only the evidence presented at the hearing and will determine if the evidence meets the preponderance of the evidence standard.

a. The Hearing Officer will specify on the record the evidence considered and the basis for the findings and decision.

B. The CCO will state the infraction(s) alleged, present supporting evidence, and offer a sanction recommendation and the basis thereof at the hearing.

1. The CCO may use the Negotiated Sanction process to address infraction behavior, which may include recommending loss of good conduct time.

a. The CCO will record the infraction(s) and agreed upon sanction on DOC 11-001 Negotiated Sanction for the CCS's approval.


C. The alleged infractions may be amended and/or new alleged infractions added before the disciplinary hearing, provided the offender is given notice of such amendments at least 24 hours before the hearing, unless such notice is waived in writing by the offender.

D. If an offender waives his/her right to be present at the hearing, a Hearing Officer will determine if the waiver was knowingly, intelligently, and voluntarily given. If the Hearing Officer accepts the waiver, the hearing may be conducted in the offender's absence.


## VI. Major Infraction Hearing Decision

A. The Hearing Officer will:

1. Consider only the evidence presented when making a decision, [6C-03]

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>WORK RELEASE</b> <b>OFFENDER MANUAL</b>		
	<b>REVISION DATE</b> 5/24/16	<b>PAGE NUMBER</b> 7 of 10	<b>NUMBER</b> <b>DOC 460.135</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCEDURES FOR WORK RELEASE</b>		

- a. The Hearing Officer may accept written or telephonic testimony, and will be responsible for weighing the credibility of this evidence.
2. Decide if the offender willfully committed the conduct and whether the conduct constitutes a major infraction, [6C-03]
3. Reduce the written major infraction to a lesser included minor, if applicable,
4. Consider factors such as the offender’s overall adjustment to the facility, prior infractions, prior conduct, and mental status, and
5. [6C-04] Upon a guilty finding, impose appropriate sanctions per Disciplinary Sanction Table for Prison and Work Release (Attachment 1).
  - a. The Hearing Officer is authorized to suspend a sanction or impose a suspended sanction, if appropriate.
- B. [6C-03] The Hearing Officer will issue DOC 09-233 Hearing and Decision Summary Report at the conclusion of the hearing, unless the Hearing Officer takes a deferred decision.
- C. Hearing Officers may continue a hearing for good cause.
  1. Good cause includes, but is not limited to, the following:
    - a. A reasonable request by the CCO or the offender,
    - b. Unforeseen facility issues,
    - c. A need to determine the offender's mental status or competency,
    - d. A need to obtain:
      - 1) An interpreter,
      - 2) Witness testimony/statements,
      - 3) Reports or other documentation, and
      - 4) A replacement Hearing Officer due to a recusal.
  2. Hearing Officers who continue a hearing will ensure that the hearing is held within 5 business days and that the offender is advised in writing of the basis for the continuance and the date of the next hearing.
- D. Hearing Officers may defer a hearing decision using DOC 09-227 Deferred Decision Waiver for no more than 2 business days unless waived by the offender. The Hearing Officer will ensure that the offender is advised in writing of the reason for the deferral and the date of the deferred hearing.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>WORK RELEASE</b> <b>OFFENDER MANUAL</b>		
	<b>REVISION DATE</b> 5/24/16	<b>PAGE NUMBER</b> 8 of 10	<b>NUMBER</b> <b>DOC 460.135</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCEDURES FOR WORK RELEASE</b>		

1. Hearing Officers that defer a hearing decision will ensure that the deferred hearing is held in a timely manner and on the record with the offender present unless the offender waives his/her right to be present.
  2. The hearing decision will be documented using DOC 09-233 Hearing and Decision Summary Report.
- E. At the hearing, the Hearing Officer will inform the offender of his/her right to appeal in writing within 7 days and provide him/her with DOC 09-275 Appeal of Department Violation Process. [6C-03]
- F. If the offender is found guilty of an infraction for escape, the CCO will advise the local Records Unit to prepare written notification to the Prosecuting Attorney per local practice for possible escape prosecution based on circumstances, location, and risk to the community.
- G. The Hearings Records Unit will send an email to the Headquarters Warrants Desk at [DOCRecordsHQWarrants@doc.wa.gov](mailto:DOCRecordsHQWarrants@doc.wa.gov) and to the local Correctional Records Supervisor if the offender is found not guilty of an infraction for escape.
- H. The CCO will enter new infractions on the Prison Discipline screen in the offender's electronic file.

#### VII. Failing or Refusing to Maintain a Work or Education Program Assignment

- A. Per RCW 72.09.130, offenders found guilty of a 557 or 810 violation will lose good conduct time, all available earned time credits for the month in which the infraction occurred, and specified privileges determined by the Hearing Officer.
1. Offenders found guilty of an 813 violation where a failure to work or program is involved may lose good conduct time and all available earned time credits for the month in which the violation occurred.
- B. Sanctions will be progressive for subsequent adjudicated infraction behaviors as indicated in Work Release Mandatory Sanctioning Guidelines (Attachment 2).

#### VIII. Weightlifting Restriction

- A. An offender who is found guilty of a 501, 502, 511, or 604 violation will be prohibited from participating in any form of weightlifting for a period of 2 years from the date the infraction was adjudicated. A Hearing Officer will impose this sanction upon a finding of guilt of one of the cited violations per RCW 72.09.500.

#### IX. Prison Rape Elimination Act (PREA) Violations



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**WORK RELEASE**  
OFFENDER MANUAL

REVISION DATE  
5/24/16

PAGE NUMBER  
9 of 10

NUMBER  
**DOC 460.135**

# POLICY

TITLE  
**DISCIPLINARY PROCEDURES FOR WORK RELEASE**

A. An offender who is found guilty of a 611, 613, 635, or 637 violation may be sanctioned to a multidisciplinary FRMT review for consideration of available interventions (e.g., Mental Health therapy, Sex Offender Treatment Program, Anger Management).


X. Major Infraction Hearing Appeal Process [6C-03]

A. The Hearings Administrator/designee will establish appeals panels throughout the state, each consisting of:

1. One CCS, serving a 6 month term,
2. One Hearing Officer, serving a 6-month term, and
3. One Hearing Supervisor, serving continually as the appeals panel Chair.

B. Appeals panels will:

1. Respond to all appeals within 15 business days of receipt.
2. Review only the appeal, the record, and evidence presented at the hearing. The panel may not solicit or consider additional evidence and must guard against allowing personal experience to weigh into their decisions.
  - a. The panel will determine whether an error occurred, including procedural or jurisdictional error, an error in the finding of guilt, or an error in the sanction imposed.
  - b. The panel will review whether the sanction was reasonably related to the:
    - 1) Crime of conviction,
    - 2) Infraction committed,
    - 3) Offender's risk of re-offending, or
    - 4) Safety of the community.
3. Affirm, modify, reverse, vacate, or remand the decision by majority vote using DOC 09-235 Appeals Panel Decision. The panel may not increase the severity of the sanction.
  - a. If a majority of the panel finds that the sanction was not reasonable or that any finding of an infraction was based solely on unconfirmed allegations, the appeals panel will modify, reverse, vacate, or remand the decision.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>WORK RELEASE</b> OFFENDER MANUAL		
	<b>REVISION DATE</b> 5/24/16	<b>PAGE NUMBER</b> 10 of 10	<b>NUMBER</b> <b>DOC 460.135</b>
	<b>TITLE</b> <b>DISCIPLINARY PROCEDURES FOR WORK RELEASE</b>		

- C. The Hearings Unit will notify the presiding Hearing Officer and supervising CCO of the outcome of the appeal.
- D. Copies of all documents related to the appeal(s) will be placed in the offender's central/Work Release file and scanned into the offender's electronic imaging file.

**XI. Hearings Administrator Review**

- A. If after completion of the hearing or appeal process, an error is brought to the attention of the Hearings Administrator, s/he has the authority to affirm, modify, reverse, vacate, or remand the Hearing Officer/appeal panel's decision.
- B. The Hearings Administrator may not increase the severity of the sanction.
- C. The Hearings Administrator will notify the Senior Operations Administrator for Offender Change of the decision.

**DEFINITIONS:**

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

**ATTACHMENTS:**

- [Disciplinary Sanction Table for Prison and Work Release \(Attachment 1\)](#)
- [Work Release Mandatory Sanctioning Guidelines \(Attachment 2\)](#)

**DOC FORMS:**

- [DOC 09-186 Order of Suspension, Arrest and Detention](#)
- [DOC 09-226 DOC Jurisdiction Only Notice of Violation/Stipulated Agreement](#)
- [DOC 09-227 Deferred Decision Waiver](#)
- [DOC 09-230 Work Release Notice of Allegations, Hearing, Rights, and Waiver](#)
- [DOC 09-233 Hearing and Decision Summary Report](#)
- [DOC 09-235 Appeals Panel Decision](#)
- [DOC 09-275 Appeal of a Department Violation Process](#)
- [DOC 11-001 Negotiated Sanction](#)
- [DOC 17-079 Minor Infraction Report](#)
- [DOC 20-437 Work Release Major Infraction Report](#)

## DISCIPLINARY SANCTION TABLE FOR PRISON AND WORK RELEASE

### Category A - 20 classification points VIOLATION

### SANCTION

501	Committing homicide	Loss of up to 75 days good conduct time credits
502	Committing aggravated assault against another offender	
507	Committing an act that would constitute a felony and that is not otherwise included in these rules	Loss of 76 to 150 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
511	Committing aggravated assault against a visitor or community member	
521	Taking or holding any person hostage	Loss in excess of 150 days requires Assistant Secretary approval
550	Escaping	
601	Possessing, manufacturing, or introducing an explosive device or any ammunition, or any components thereof	
602	Possessing, manufacturing, or introducing any firearm, weapon, sharpened instrument, knife, or poison, or any component thereof	
603	Introducing or transferring any unauthorized drug or drug paraphernalia	
604	Committing aggravated assault against a staff member	
611	Committing sexual assault against a staff member	
613	Committing an act of sexual contact against a staff	
635	Committing sexual assault against another offender, as defined in Department policy (i.e., aggravated sexual assault or offender-on-offender sexual assault)	
637	Committing sexual abuse against another offender, as defined in Department policy	
650	Rioting, as defined in RCW 9.94.010	
651	Inciting others to riot, as defined in RCW 9.94.010	
830	Escaping from work/training release with voluntary return within 24 hours	
831	While in work/training release, failing to return from an authorized sign out	
882	While in Prison, introducing, possessing, or using a cell phone, electronic/wireless communication device, or related equipment without authorization	

## DISCIPLINARY SANCTION TABLE FOR PRISON AND WORK RELEASE

### Category B - 15 classification points

#### LEVEL 1

#### VIOLATION

#### SANCTION

633	Assaulting another offender	Loss of up to 60 days good conduct time credits
704	Assaulting a staff member	Loss of 61 to 120 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
		Loss in excess of 120 days requires Assistant Secretary approval

### Category B - 10 classification points

#### LEVEL 1

#### VIOLATION

#### SANCTION

504	Engaging in a sex act with another person(s) within the facility that is not otherwise included in these rules, except in an approved extended family visit	Loss of up to 60 days good conduct time credits
553	Setting a fire	Loss of 61 to 120 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
560	Possessing items or materials likely to be used in an escape without authorization	
711	Assaulting a visitor or community member	Loss in excess of 120 days requires Assistant Secretary approval
744	Making a bomb threat	
884	Urinating, defecating, or placing feces or urine in any location other than a toilet or authorized receptacle	
886	Adulterating any food or drink	
892	Giving, selling, or trading any prescribed medication, or possessing another offender's medication	

## DISCIPLINARY SANCTION TABLE FOR PRISON AND WORK RELEASE

### Category B - 10 classification points

#### LEVEL 2

#### VIOLATION

#### SANCTION

505	Fighting with another offender	Loss of up to 60 days good conduct time credits
556	Refusing to submit to or cooperate in a search when ordered to do so by a staff member	Loss of 61 to 120 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
607	Refusing to submit to a urinalysis and/or failing to provide a urine sample within the allotted time frame when ordered to do so by a staff member	
608	Refusing or failing to submit to a breath alcohol test or other standard sobriety test when ordered to do so by a staff member	
609	Refusing or failing to submit to testing required by policy, statute, or court order, not otherwise included in these rules, when ordered to do so by a staff member	Loss in excess of 120 days requires Assistant Secretary approval
652	Engaging in or inciting a group demonstration	
655	Making any drug, alcohol, or intoxicating substance, or possessing ingredients, equipment, items, formulas, or instructions that are used in making any drug, alcohol, or intoxicating substance	
682	Engaging in or inciting an organized work stoppage	
707	Introducing or transferring alcohol or any intoxicating substance not otherwise included in these rules	
716	Using an over the counter medication without authorization or failing to take prescribed medication as required when administered under supervision	
736	Possessing, manufacturing, or introducing an unauthorized keys or electronic security access device	
750	Committing indecent exposure	
752	Possessing or receiving a positive test for use of an unauthorized drug, alcohol, or intoxicating substance	
778	Providing a urine specimen that has been diluted, substituted, or altered in any way	



## DISCIPLINARY SANCTION TABLE FOR PRISON AND WORK RELEASE

### Category B - 10 classification points

#### LEVEL 3

VIOLATION	SANCTION
503 Extorting or blackmailing, or demanding or receiving anything of value in return for protection against others or under threat of informing	Loss of up to 60 days good conduct time credits
506 Threatening another with bodily harm or with any offense against any person or property	Loss of 61 to 120 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
509 Refusing a direct order by any staff member to proceed to or disperse from a particular area	
525 Violating conditions of a furlough	Loss in excess of 120 days requires Assistant Secretary approval
549 Providing false or misleading information during any stage of an investigation of sexual misconduct, as defined in Department policy	
558 Interfering with staff members, medical personnel, firefighters, or law enforcement personnel in the performance of their duties	
600 Tampering with, damaging, blocking, or interfering with any locking, monitoring, or security device	
605 Impersonating any staff member, other offender, or visitor	
653 Causing an inaccurate count or interfering with count by means of unauthorized absence, hiding, concealing oneself, or other form of deception or distraction	
654 Counterfeiting or forging, or altering, falsifying, or reproducing any document, article of identification, money, or security, or other official paper without authorization	
660 Possessing money, stamps, or other negotiable instruments without authorization, the total value of which is five dollars or more	
709 Out-of-bounds: Being in another offender's cell or being in an area in the facility with one or more offenders without authorization	
738 Possessing clothing or assigned equipment of a staff member	
739 Possessing, transferring, or soliciting any person's identification information, including current staff members or their immediate family members, when not voluntarily given. Identification information includes Social Security numbers, home addresses, telephone numbers, driver's license numbers, medical, personnel, financial, or real estate information, bank or credit card numbers, or other like information not authorized by the Superintendent	
745 Refusing a transfer to another facility	
746 Engaging in or inciting an organized hunger strike	
762 Failing to complete or administrative termination from a DOSA substance abuse treatment program. Note: This violation must be initiated by authorized staff and heard by a Community Corrections Hearing Officer in accordance with chapter 137-24 WAC	

## DISCIPLINARY SANCTION TABLE FOR PRISON AND WORK RELEASE

### Category B - 10 classification points

#### LEVEL 3

#### VIOLATION

777	Causing injury to another person by resisting orders, assisted movement, or physical efforts to restrain	Loss of up to 60 days good conduct time credits
813	Being in the community without authorization, or being in an unauthorized location in the community	Loss of 61 to 120 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
814	While in work/training release, violating an imposed special condition	
879	Operating or being in a motor vehicle without permission or in an unauthorized manner or location	Loss in excess of 120 days requires Assistant Secretary approval
889	Using facility phones, information technology resources/systems, or related equipment without authorization	

### Category C - 5 classification points

#### LEVEL 1

#### VIOLATION

#### SANCTION

508	Spitting or throwing objects, materials, or substances in the direction of another person(s)	Loss of up to 30 days good conduct time credits
557	Refusing to participate in an available work, training, education, or other mandatory programming assignment	Loss of 31 to 60 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
563	Making a false fire alarm or tampering with, damaging, blocking, or interfering with fire alarms, fire extinguishers, fire hoses, fire exits, or other firefighting equipment or devices	
610	While in Prison, receiving or possessing prescribed medication without authorization	Loss in excess of 60 days requires Assistant Secretary approval
620	Receiving or possessing contraband during participation in off-grounds or outer perimeter activity or work detail	
659	Committing sexual harassment against another offender, as defined in Department policy	
661	Committing sexual harassment against a staff member, visitor, or community member	
663	Using physical force, intimidation, or coercion against any person	
702	Possessing, manufacturing, or introducing an unauthorized tool	
708	Organizing or participating in an unauthorized group activity or meeting	
717	Causing a threat of injury to another person by resisting orders, assisted movement, or physical efforts to restrain	
720	Flooding a cell or other area of the facility	
724	Refusing a cell or housing assignment	

## DISCIPLINARY SANCTION TABLE FOR PRISON AND WORK RELEASE

### Category C - 5 classification points

#### LEVEL 1

VIOLATION	SANCTION
734 Participating or engaging in the activities of any unauthorized club, organization, gang, or security threat group; or wearing or possessing the symbols of an unauthorized club, organization, gang, or security threat group	Loss of up to 30 days good conduct time credits  Loss of 31 to 60 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
810 Failing to seek/maintain employment or training or maintain oneself financially, or being terminated from work, training, education, or other programming assignment for negative or substandard performance	
893 Damaging, altering, or destroying any item that results in the concealment of contraband or demonstrates the ability to conceal contraband	Loss in excess of 60 days requires Assistant Secretary approval
896 Harassing, using abusive language, or engaging in other offensive behavior directed to or in the presence of another person(s) or group(s) based upon race, creed, color, age, sex, national origin, religion, sexual orientation, marital status or status as a state registered domestic partner, disability, veteran's status, or genetic information	
899 Failing to obtain prior written authorization from the sentencing court, contrary to RCW 9.94A.645, prior to commencing or engaging in any civil action against any victim or family of the victim of any serious violent crime the offender committed	

### Category C - 5 classification points

#### LEVEL 2

VIOLATION	SANCTION
552 Causing an innocent person to be penalized or proceeded against by providing false information	Loss of up to 20 days good conduct time credits
554 Damaging, altering, or destroying any item that is not the offender's personal property, the value of which is ten dollars or more	Loss of 21 to 40 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
710 Acquiring an unauthorized tattoo/piercing/scar, tattooing/piercing/scarring another, or possessing tattoo/piercing/scarring paraphernalia	
718 Using the mail, telephone, or electronic communications in violation of any law, court order, or previous written warning, direction, and/or documented disciplinary action	Loss in excess of 40 days requires Assistant Secretary approval
726 Telephoning, sending written or electronic communication, or otherwise initiating communication with a minor without the approval of that minor's parent or guardian	

## DISCIPLINARY SANCTION TABLE FOR PRISON AND WORK RELEASE

### Category C - 5 classification points

#### LEVEL 3

VIOLATION	SANCTION
606 Possessing, introducing, or transferring any tobacco, tobacco products, matches, or tobacco paraphernalia	Loss of up to 10 days good conduct time credits
657 Being found guilty of four or more general violations arising out of separate incidents within a 90-day period	Loss of 11 to 20 days good conduct time credits requires Superintendent/Community Corrections Supervisor approval
658 Failing to comply with any administrative or post-hearing sanction imposed for committing any violation	
812 Failing to report/turn in all earnings	Loss in excess of 20 days requires Assistant Secretary approval

### Category D - 5 classification points

#### VIOLATION

#### SANCTION

517 Committing an act that would constitute a misdemeanor and that is not otherwise included in these rules	No loss of good conduct time credits
551 Providing false information to the hearing officer or in a disciplinary appeal	No segregation
555 Stealing property, possessing stolen property, or possessing another offender's property	
559 Gambling or possessing gambling paraphernalia	
656 Giving, receiving, or offering any person a bribe or anything of value for an unauthorized favor or service	
662 Soliciting goods or services for which the provider would expect payment, when the offender knows or should know that he/she lacks sufficient funds to cover the cost	
706 Giving false information when proposing a release plan	
714 Giving, selling, purchasing, borrowing, lending, trading, or accepting money or anything of value except through approved channels, the value of which is ten dollars or more	
725 Telephoning or sending written or electronic communication to any offender in a correctional facility, directly or indirectly, without prior written approval of the superintendent/community corrections supervisor/ designee	
728 Possessing any sexually explicit material(s), as defined in WAC 137-48-020	
740 Committing fraud or embezzlement, or obtaining goods, services, money, or anything of value under false pretense	
741 Stealing food, the value of which is five dollars or more	

## DISCIPLINARY SANCTION TABLE FOR PRISON AND WORK RELEASE

### Category D - 5 classification points VIOLATION

### SANCTION

742	Establishing a pattern of creating false emergencies by feigning illness or injury	No loss of good conduct time credits
755	Misusing or wasting issued supplies, goods, services, or property, the replacement value of which is ten dollars or more	No segregation
811	Entering into an unauthorized contract	
861	Performing or taking part in an unauthorized marriage	
890	Failing to follow a medical directive and/or documented medical recommendations, resulting in injury	

# WORK RELEASE MANDATORY SANCTIONING GUIDELINES

## VIOLATION CATEGORIES AND RANGE OF SANCTION OPTIONS

SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE (WITHIN 12 MONTHS)	THIRD OFFENSE (WITHIN 12 MONTHS)	MAXIMUM RANGES OF SANCTION
<p><b>Mandatory Sanctions – 557, 810</b></p> <p><b>Mandatory loss of earned release time credits cannot be suspended</b></p> <p><b>Loss of good conduct time</b></p> <p><b>Loss of earned time</b> ET under 10% rule-1.11 days ET under 15% rule-1.76 days ET under 33% rule-5.00 days ET under 50% rule-10.00 days</p> <p><b>Loss of privileges (one or more)</b></p> <ul style="list-style-type: none"> <li>• Loss of recreation (socials)</li> <li>• Loss of television and/or radio</li> <li>• Loss or limitation of store (restrict Point-to-Point passes)</li> <li>• Loss or limitation of personal property (remove TV or radio)</li> <li>• Loss of day room access (facility restriction)</li> <li>• Loss of housing assignment (termination from Work Release)</li> </ul>	1 <sup>st</sup> offense	2 <sup>nd</sup> offense	3 <sup>rd</sup> - subsequent	Within a 12 month period
	Mandatory 15 days	Mandatory 30 days	Mandatory 45 days	Mandatory minimum loss of good conduct time
	ET for the month in which the violation occurred	ET for the month in which the violation occurred	ET for the month in which the violation occurred	ET for the month in which the violation occurred
	30 days	90 days	180 days	30 days - 1 <sup>st</sup> offense 90 days - 2 <sup>nd</sup> offense 180 days - 3 <sup>rd</sup> offense
<b>Mandatory Sanctions - 813</b>	ET for current month	ET for current month	ET for current month	ET for current month and loss of up to 90 days good conduct time
<p><b>Mandatory Sanctions - 501, 502, 511, and/or 604</b></p> <p><b>Loss of weightlifting privilege</b></p>	2 years from the date the infraction was adjudicated	2 years from the date the infraction was adjudicated	2 years from the date the infraction was adjudicated	Mandatory minimum of 2 years  After 2 years, the CCS will determine if the offender will regain weightlifting eligibility



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/FIELD**  
OFFENDER/SPANISH MANUALS

REVISED DATE  
8/1/21

PAGE NUMBER  
1 of 13

NUMBER  
**DOC 460.140**

**POLICY**

TITLE  
**HEARINGS AND APPEALS**

**REVIEW/REVISION HISTORY:**

Effective: 1/1/19  
Revised: 8/1/21

**SUMMARY OF REVISION/REVIEW:**


Updated terminology throughout  
I.E., II.C.1., II.C.2., II.C.4., V.D.2., and V.E.5. - Adjusted language as person-centered  
III.A., V.G., VI.D., VI.D.1., VI.D.1.b. - Adjusted for reduction of 30 day maximum community custody sanction to 15 days to reflect legislative budget assumption  
Removed IV.C.3. policy reference  
Removed V.C.1. that the Hearing Officer will inform of the right to waive a full hearing with loss of the right to appeal if the conditions of a negotiated sanction are accepted  
V.C.2. and VII.D. - Adjusted language for clarification  
VI.C. - Removed unnecessary language

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

7/30/21  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 2 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 10.73](#); [WAC 137-24](#); [WAC 137-104](#); DOC 320.100 Indeterminate Sentence Review Board (Board); DOC 380.605 Interstate Compact; DOC 460.130 Response to Violations and New Criminal Activity; DOC 470.150 Confidential Offender Information; DOC 580.655 Drug Offender Sentencing Alternative; DOC 640.020 Health Records Management; [Records Retention Schedule](#)


**POLICY:**

- I. The Department has established hearing processes to address alleged violations for individuals under Department jurisdiction, supervised per DOC 380.605 Interstate Compact, and violations/762 infractions for Prison Drug Offender Sentencing Alternative (DOSA).
- II. Hearings for individuals under Indeterminate Sentence Review Board jurisdiction will be conducted per DOC 320.100 Indeterminate Sentence Review Board (Board).
- III. Hearing processes will provide due process and fairness including allowing individuals an opportunity to respond to allegations before sanctions are imposed.
- IV. Nothing in this policy authorizes holding the individual past the statutory maximum.

**DIRECTIVE:**

- I. General Requirements
  - A. Allegations of Failure to Obey All Laws will be dismissed without prejudice pending the outcome of the criminal process per DOC 460.130 Response to Violations and New Criminal Activity on DOC 09-264 Request and Authorization Administrative Dismiss Without Prejudice (DWOP).
  - B. A Classification Counselor (CC)/Community Corrections Officer (CCO)/Community Corrections Supervisor (CCS) will serve the individual with DOC 09-231 Notice of Allegations, Hearing, Rights, and Waiver and all supporting evidence no later than 24 hours before the hearing, but no sooner than 5 business days if the individual is in total confinement or 15 business days if not in total confinement.
    1. Evidence must include:
      - a. The condition(s) the individual allegedly violated,
      - b. Evidence supporting the Department’s jurisdiction to hold the hearing, and



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 3 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

c. Evidence supporting the allegation(s) unless it is a negotiated sanction hearing.

C. The Hearing Officer will not:

1. Issue subpoenas,
2. Enter protective orders,
3. Grant requests for change of venue,
4. Participate in prehearing conferences for settlement/simplification of issues, or
5. Decide issues set forth in pleadings, motions, objections, and/or offers of settlement.

D. Pleadings/briefs will not be filed regarding issues to be decided at a hearing.

E. Formal civil discovery may not be submitted in the form of:

1. Depositions,
2. Requests for admission,
3. Interrogatories,
4. Physical/mental examinations, or
5. Production of documents or electronically-stored information.

F. Alleged infractions/violations may be amended and/or new alleged infractions/violations added, provided the individual is given notice of such amendments at least 24 hours before the hearing, unless such notice is waived by the individual.


G. If the hearing date or location changes, a CC/CCO/CCS will notify the individual no later than 24 hours before the hearing on DOC 09-231 Notice of Allegations, Hearing, Rights, and Waiver or DOC 09-289 Hearing Continuance if the hearing will be continued.

H. Hearings for probable cause will be conducted per DOC 380.605 Interstate Compact.

## II. General Responsibilities

A. The Hearing Officer will determine if the Department has jurisdiction, based on the evidence provided by a CC/CCO/CCS and the hearing preparation sheet, to hold a hearing by verifying the cause under which allegations are made is active.

1. If the Department does not have jurisdiction, the Hearing Officer will dismiss the allegation(s) and release the Department's hold.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS</p>		
	<p>REVISED DATE 8/1/21</p>	<p>PAGE NUMBER 4 of 13</p>	<p>NUMBER <b>DOC 460.140</b></p>
	<p>TITLE <b>HEARINGS AND APPEALS</b></p>		

B. CCs, CCOs, CCSs, and Hearing Officers will ensure that hearings are conducted as safely as possible based on knowledge of the individual’s behavior and risk.

1. The CC, CCO, CCS, and Hearing Officer will collaborate with the host facility to plan for potential safety/security issues and will address them as needed throughout the hearing.

C. The Hearing Officer will conduct the hearing, assess the evidence, and render decisions in a fair and impartial manner in accordance with statute, case law, Washington Administrative Code, and Department policy.

1. A Hearing Officer may preside over a hearing where the Hearing Officer has personal involvement with any party or issue under consideration when waived by the individual.

2. If a Hearing Officer is unable to exercise fair judgment and render a fair and impartial decision for any reason, the Hearing Officer will recuse themselves by notifying their supervisor and the hearing will be rescheduled with a different Hearing Officer.

3. A Hearing Officer assigned to preside over a hearing may be replaced upon request and showing of good cause by the individual.


4. Hearing Officers should not directly/indirectly communicate outside of the hearing with anyone participating in the hearing or involved in preparing for the hearing, regarding any issue related to the hearing other than communications necessary to maintaining an orderly process, without notice and opportunity for all parties to participate (i.e., ex parte).

a. If the Hearing Officer receives ex parte communication prior to rendering a decision, the Hearing Officer must disclose on the record the communication, the response, and identities of each person the Hearing Officer communicated with. All parties must be offered an opportunity to rebut the communication on the record.

b. Violations may be reported to the Hearing Administrator.


### III. Hearing Representation

A. An individual who will be participating in a full hearing on a Prison DOSA, CCP, or CCI cause, and has more than 15 days reclassification/return time remaining at the time of arrest, may request an attorney be present. The Hearing Officer will ensure an attorney is appointed when it is determined by the Hearing Officer

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS</p>		
	<p>REVISED DATE 8/1/21</p>	<p>PAGE NUMBER 5 of 13</p>	<p>NUMBER <b>DOC 460.140</b></p>
	<p>TITLE <b>HEARINGS AND APPEALS</b></p>		

that the case is unusually complex, or the individual is not able to represent themselves.

1. This does not apply to individuals being supervised under the Interstate Compact or for negotiated sanction hearings.
  2. If the Hearing Officer determines an attorney is necessary, the hearing will be continued, and an attorney will be appointed. The Hearings Unit Contract Manager/designee will notify the CC/CCO/CCS of the attorney's contact information as soon as possible following the appointment of the attorney.
    - a. If the continued hearing cannot be rescheduled during the hearing, the Hearing Officer will ensure a hearing date is secured as soon as possible.
    - b. The Hearing Officer will ensure parties are notified on DOC 09-289 Hearing Continuance of the date and time of the hearing no later than 3 business days before the hearing.
    - c. A CC/CCO/CCS will review DOC 05-831 Attorney Representation - Consent for Release of Information with the individual and request the individual signs the form.
  3. The Department will provide attorney representation unless the individual assumes all costs for representation and provides the name and contact information of an attorney at the hearing in which the Hearing Officer determines an attorney is needed.
  4. If the individual undeniably and voluntarily refuses or fires the attorney, the Hearing Officer may:
    - a. Proceed with the hearing with the appointed attorney,
    - b. Proceed without an attorney present, or
    - c. Allow the appointment of a different attorney.
- B. Upon receiving the attorney's contact information, a CC/CCO/CCS will provide the attorney with the discovery packet as soon as possible if the individual has signed DOC 05-831 Attorney Representation - Consent for Release of Information and other necessary release forms. If the individual has not signed the release, the CC/CCO/CCS will provide the discovery packet to the individual with instructions that the individual may provide it to the individual's attorney.
1. The packet may be provided to the attorney electronically.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 6 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

2. Any additional supporting evidence will be provided no later than 24 hours before the hearing to the attorney if the release form is signed or to the individual if the form is not signed.

C. If the hired attorney does not arrive as scheduled for the continued hearing, the hearing will be rescheduled for the next available date and the Department may appoint a different attorney.

#### IV. Hearing Discovery Requests

A. A public disclosure request is not required for prehearing discovery requests.

B. In general, discovery must be provided to the individual or the individual's attorney if the request is reasonable and not unduly burdensome. A request is reasonable if the records or witness testimony have any tendency to prove or disprove an issue that is important to the outcome of the hearing.

C. Department employees/contract staff will respond to reasonable requests in a timely manner by providing appropriately redacted/withheld materials, ensuring the safety and security of witnesses, victims, and third parties in compliance with legal requirements and Department policies including, but not limited to:

1. DOC 470.150 Confidential Offender Information, and
2. DOC 640.020 Health Records Management.


D. Communication/responses will be documented in the individual's electronic file.

E. The CC/CCO/CCS presenting the case will bring a copy of records provided to the individual or the individual's attorney to the hearing and provide them to the Hearing Officer.

F. The Hearing Officer will review and make a final decision regarding hearing discovery issues/disputes at the hearing. The Hearing Officer may resolve an issue/dispute by:


1. Continuing the hearing to a later date that is reasonable per circumstances,
2. Dismissing the allegation(s),
3. Proceeding with the hearing, or
4. Narrowing the scope of the discovery request.

G. Hearing Officers do not have the authority to compel witnesses or the production of documents.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 7 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		


V. Hearing Process

- A. The Hearing Officer will control the conduct of the hearing and maintain orderly decorum.
- B. Hearings will be recorded electronically and retained per the Records Retention Schedule.
- C. If a negotiated sanction is being recommended, the Hearing Officer will:
  1. Confirm that the individual knowingly and voluntarily admits to the allegation(s) and waives the right to a full administrative hearing and right to appeal,
  2. Review the negotiated sanction and determine whether it is reasonably related to the:
    - a. Crime of conviction,
    - b. Violation committed,
    - c. Risk of reoffending, and/or
    - d. Safety of the community.
  3. Set over for a full hearing if it is determined that the sanction is not appropriate, or the individual did not knowingly and voluntarily admit guilt or waive rights, and
  4. Document the decision on DOC 11-001 Negotiated Sanction.
- D. The CC/CCO/CCS and individual participating in a full hearing will be provided with the opportunity to respond, present evidence/argument, conduct cross-examination, and rebut evidence.
  1. All testimony will be made under oath.
    - a. The Hearing Officer may accept written or telephonic testimony and will weigh the credibility of this evidence.
  2. Witnesses will only participate in the hearing to provide testimony and respond to questions.
    - a. The Department will not pay witnesses for providing testimony.
    - b. The Hearing Officer may require a witness to testify outside of the presence of the individual when it is likely that the witness will not

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 8 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

be able to give effective, truthful testimony or will suffer significant psychological or emotional trauma in the presence of the individual.

- 1) The individual will be given the opportunity to submit questions to be asked of the witness in the individual's absence.
- c. Witnesses may be excluded from the hearing or testimony may be limited to maintain the safety and security of the facility and/or individuals.
- 1) The Hearing Officer will state the reason(s) for the exclusion/limitations of testimony on the record and document on DOC 09-233 Hearing and Decision Summary Report.
- E. Hearing Officers will consider only the evidence presented at the hearing and will determine if the evidence meets the preponderance of the evidence standard.
1. Evidence, including hearsay, is generally admissible.
  2. The Hearing Officer will specify on the record the evidence considered.
  3. The Hearing Officer's experience, technical competence, and specialized knowledge may be used in the evaluation of evidence.
  4. The Hearing Officer may exclude or limit evidence that is irrelevant, immaterial, or unduly repetitious.
  5. Witnesses testifying during the fact-finding phase will only be allowed to access external information (e.g., individual's electronic file) that was not included in the discovery packet if the individual waives the 24-hour notice requirement.
- F. Hearing Officers may continue a hearing for good cause, if it does not unduly delay the hearing. Good cause includes, but is not limited to:
1. A reasonable request by a CC/CCO/CCS or the individual,
  2. Unforeseen facility issues,
  3. A need to obtain:
    - a. An interpreter,
    - b. An attorney, if applicable,
    - c. Witness testimony/statements,
    - d. Reports or other documentation, and

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 9 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

e. A replacement Hearing Officer due to a recusal.

G. For Prison DOSA, CCP, and CCI individuals facing potential reclassification/return to prison, the Hearing Officer may grant a request for continuance to a date after the 15<sup>th</sup> day following arrest. The hearing must take place within a reasonable time, but no later than the last remaining reclassification/return day.

H. If the hearing needs to be continued, the Hearing Officer will ensure parties are notified on DOC 09-289 Hearing Continuance of the date, time, and reason for the continuance no later than 3 business days before the hearing.

1. If the hearing cannot be rescheduled during the hearing, the Hearing Officer will ensure a hearing date is secured as soon as possible.

#### VI. Hearing Decision and Sanction

A. After a guilty/not guilty plea(s) is entered, the Hearing Officer will determine whether the individual is guilty or not guilty of each allegation, or will dismiss an improper, un-amended allegation. The Hearing Officer will:

1. Base the guilty/not guilty finding only on evidence presented at the hearing and matters officially noticed on the record.

2. Not rely on allegations that are unconfirmed or cannot be confirmed.


B. Hearing Officers may defer a hearing decision using DOC 09-227 Deferred Decision Waiver for no more than 2 business days unless waived by the individual. The Hearing Officer will ensure that the individual is advised in writing of the reason for the deferral and the date of the deferred hearing.

1. Hearing Officers will ensure that the deferred hearing is held in a timely manner and on the record with the individual present unless the individual waives the right to be present.

C. Witnesses testifying during the sanctioning phase will be allowed to access external information not included in the discovery packet.


D. Individuals found guilty at a hearing will be subject to confinement of no more than 15 days per hearing regardless of the number of violations addressed unless the individual is subject to reclassification or return per RCW 9.94A.633.

1. Prison DOSA, CCP, and CCI individuals may be sanctioned up to 15 days of confinement or have full reclassification/return time imposed.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 10 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

- a. Prison DOSA individuals who fail to complete or are administratively terminated from substance use disorder treatment will be reclassified to serve the unexpired term of the sentence as ordered by the sentencing court.
- b. The 15 days may be extended if the hearing is continued and the date of the hearing passes the 15<sup>th</sup> day of confinement.
2. Individuals will receive credit for time served for prehearing confinement. Time will not be credited while on conditional release.
3. The Hearing Officer will impose confinement for violation hearings on DOC 09-238 Confinement Order.
  - a. Copies will be provided to each party at the time of the sanctioning decision or immediately following the decision if the individual is not present.
- E. If the individual is found guilty of the alleged violation(s)/infraction(s), the Hearing Officer will:
  1. For violation hearings, determine an appropriate sanction using the Behavior Accountability Guide or Graduated Sanction/Violation Response Guide in DOC 460.130 Response to Violations and New Criminal Activity, as applicable.
  2. Consider the following when determining an appropriate sanction:
    - a. Recommendations by the case manager/CCS and individual.
    - b. Factors such as the individual's overall adjustment, prior infractions/violations, prior conduct, and mental status.
    - c. The sanction decision will be reasonably related to the:
      - 1) Crime of conviction,
      - 2) Violation committed,
      - 3) Risk of reoffending, and/or
      - 4) Safety of the community.
    - d. If a Prison DOSA individual was administratively terminated from or failed to complete substance use disorder treatment, the Hearing Officer will reclassify the individual to serve the remaining portion of the DOSA sentence.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 11 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

3. Specify the hearing decision and sanction on the record and document on DOC 09-233 Hearing and Decision Summary Report or DOC 11-001 Negotiated Sanction.
  - a. Copies will be provided to each party at the time of the sanctioning decision or immediately following the decision if the individual is not present.
4. Unless a negotiated sanction was used, inform the individual of the right to appeal in writing within 7 days and provide the individual with DOC 09-275 Appeal of Department Violation Process.
  - a. Appeals must be handed to an employee or postmarked within 7 days of a sanction being imposed.

F. The Hearing Officer will enter new violations on the Field Discipline screen and infractions on the Prison Discipline screen in the individual's electronic file.


## VII. Appeal Process

A. The Secretary/designee will designate an appeals panel consisting of one:

1. CCS, serving a 3-month term
2. Hearing Officer
3. Hearing Supervisor, serving continually as the appeals panel chair

B. The appeals panel will:

1. Respond to all appeals within 15 business days of receipt.
2. Guard against allowing personal experience or bias to weigh into their decisions.
3. For low-level appeals, review the appeal and available evidence at the discretion of the panel.
4. For high-level appeals, review only the appeal, the record, and evidence presented at the hearing. The panel may not solicit or consider additional evidence.
5. Determine if a procedural, jurisdictional, finding of guilt, or sanctioning error occurred.
6. Affirm, modify, reverse, vacate, or remand the decision by majority vote using DOC 09-235 Appeals Panel Decision.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 12 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

- a. The panel may not increase the severity of the sanction.
- b. The panel will modify, reverse, vacate, or remand the decision if a majority of the panel finds that:
  - 1) The sanction was not reasonably related to the crime of conviction, violation committed, risk to reoffend, or safety of the community, or
  - 2) Any finding of an infraction or violation was based solely on unconfirmed allegations or allegations that cannot be confirmed.
- C. The Hearings Unit will notify the individual, presiding Hearing Officer, and supervising CC/CCO/CCS of the outcome of the appeal.
  - 1. If the decision is to modify, vacate, remand, or reverse a decision, the Hearings Unit will also notify the Hearing Records Unit and the holding facility if the individual is confined, and document the appeal decision in the individual's electronic file.
- D. Copies of all documents related to the appeal(s) will be documented in and scanned into the individual's electronic imaging file and retained per the Records Retention Schedule.

#### VIII. Administrator Authority

- A. The Deputy Secretary and Hearings Administrator have the authority to affirm, modify, reverse, vacate, or remand the Hearing Officer/appeal panel's decision.
  - 1. If the Deputy Secretary or Hearing Administrator modifies, vacates, remands, or reverses a decision, the Hearing Administrator/designee will notify the following of the outcome of the appeal and the holding facility if the individual is confined.
    - a. Individual involved
    - b. Presiding Hearing Officer
    - c. Supervising CC/CCO/CCS
    - d. Hearings Records Unit
- B. The Deputy Secretary or Hearing Administrator may not increase the severity of the sanction.

#### DEFINITIONS:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/FIELD</b> OFFENDER/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/1/21	<b>PAGE NUMBER</b> 13 of 13	<b>NUMBER</b> <b>DOC 460.140</b>
	<b>TITLE</b> <b>HEARINGS AND APPEALS</b>		

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

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 05-831 Attorney Representation - Consent for Release of Information
- DOC 09-227 Deferred Decision Waiver
- DOC 09-231 Notice of Allegations, Hearing, Rights, and Waiver
- DOC 09-233 Hearing and Decision Summary Report
- DOC 09-235 Appeals Panel Decision
- DOC 09-238 Confinement Order
- DOC 09-264 Request and Authorization Administrative Dismiss Without Prejudice (DWOP)
- DOC 09-275 Appeal of Department Violation Process
- DOC 09-289 Hearing Continuance
- DOC 11-001 Negotiated Sanction



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/WORK RELEASE**  
OFFENDER MANUAL

REVISION DATE  
2/3/20

PAGE NUMBER  
1 of 4

NUMBER  
**DOC 470.450**

**POLICY**

TITLE

**AUDIO MONITORING**

**REVIEW/REVISION HISTORY:**

Effective: 7/1/96 DOC 420.450  
 Revised: 11/6/00  
 Reviewed: 5/23/06  
 Revised: 9/5/07  
 Reviewed: 10/15/08  
 Revised: 10/1/09  
 Reviewed: 10/1/11  
 Revised: 12/1/12 DOC 470.450  
 Reviewed: 5/2/16  
 Revised: 2/3/20

**SUMMARY OF REVISION/REVIEW:**

Updated terminology throughout to include Attachment 1  
 III.A. - Adjusted language for clarification


**APPROVED:**

Signature on file

\_\_\_\_\_  
**STEPHEN SINCLAIR**, Secretary  
 Department of Corrections

1/8/20

\_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/WORK RELEASE</b> OFFENDER MANUAL</p>		
	<p>REVISION DATE 2/3/20</p>	<p>PAGE NUMBER 2 of 4</p>	<p>NUMBER <b>DOC 470.450</b></p>
	<p>TITLE <b>AUDIO MONITORING</b></p>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 5.60.060\(3\)](#); [RCW 9.73.095](#); [DOC 450.200 Telephone Use by Incarcerated Individuals](#)

**POLICY:**

- I. There is no expectation of privacy within Department facilities. The Department may listen to and/or record non-telephonic conversations at Department facilities to:
  - A. Enhance facility security,
  - B. Enhance employee, contract staff, volunteer, incarcerated individual, and public safety, and
  - C. Reduce the occurrence of criminal activities or activities that could be a threat to the orderly operation of the facility.
  
- II. To protect incarcerated individuals' constitutional rights, confidential and privileged attorney-client conversations and confessional conversations with members of the clergy will not be monitored or recorded.

**DIRECTIVE:**

- I. Notification
  - A. Notice of Sound Monitoring (Attachment 1) will be posted at the entrance of the facility and at other conspicuous locations to give visitors, employees, contract staff, and volunteers reasonable notification that their conversations may be monitored and recorded.
  
- II. Monitoring Operations
  - A. All employees, contract staff, and volunteers will remain alert and aware of activities and conversations occurring in their proximity and/or area of control and responsibility.
  - B. Employees operating control points equipped with a state installed and authorized intercom(s) may use this equipment to monitor any conversations in living units, cells/rooms, dormitories, and common spaces.
  - C. Confidential or privileged attorney-client conversations between an incarcerated individual and an attorney or attorney's employee (e.g., paralegal, expert witness, investigator) will not be monitored or recorded under any circumstance.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/WORK RELEASE</b> OFFENDER MANUAL</p>		
	<p>REVISION DATE 2/3/20</p>	<p>PAGE NUMBER 3 of 4</p>	<p>NUMBER <b>DOC 470.450</b></p>
	<p>TITLE <b>AUDIO MONITORING</b></p>		

1. To ensure confidential telephonic conversations, the attorney must receive prior authorization from the Chief of Investigative Operations to verify the telephone number is registered.

D. Confidential and privileged conversations between an individual and a member of the clergy, the content of which is protected by the discipline of the religion, will not be monitored or recorded. The clergy will ensure conversations occur in non-monitored areas or make arrangements through the Superintendent/Community Corrections Supervisor or designee for appropriate scheduling of non-monitored conversations.

### III. Recording Operations

A. Recordings of non-telephonic conversation made with state installed and authorized intercoms or other equipment require written approval by the Superintendent who will brief the Deputy Director, or by the Work Release Administrator who will notify the Assistant Secretary for Prisons/Community Corrections, if granted. This approval is required unless the recording is:

1. Required by law (e.g., court hearing),
2. Otherwise authorized by policy (e.g., disciplinary hearing, administrative hearing), or
3. Authorized by consent of all parties involved (e.g., administrative interviews, media interviews).

B. Only the Superintendent/Work Release Administrator or designee will have access to recordings.

C. The content of any master/dubbed audio recordings is confidential and will only be divulged as necessary for the orderly operation of the facility, in response to a court order, or in prosecution or investigation of a crime per RCW 9.73.095.

D. All recordings will be kept for one year after the recording, unless:

1. Being held pursuant to a court order,
2. For use in an ongoing investigation, prosecution of a crime, or civil commitment proceedings, or
3. As necessary for the orderly operation of the facility.

### DEFINITIONS:

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



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/WORK RELEASE**  
OFFENDER MANUAL

REVISION DATE  
2/3/20

PAGE NUMBER  
4 of 4

NUMBER  
**DOC 470.450**

**POLICY**

TITLE

**AUDIO MONITORING**

**ATTACHMENTS:**

[Notice of Sound Monitoring \(Attachment 1\)](#)

**DOC FORMS:**

None



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
8/13/21

PAGE NUMBER  
1 of 7

NUMBER  
**DOC 470.540**

**POLICY**

TITLE  
**GROUP VIOLENCE REDUCTION STRATEGY**

**REVIEW/REVISION HISTORY:**

Effective: 12/1/12  
 Revised: 2/1/14  
 Revised: 3/1/15  
 Revised: 3/30/16  
 Revised: 8/13/21

**SUMMARY OF REVISION/REVIEW:**

Major changes to include updating terminology throughout. Read carefully!

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

7/9/21  
 Date Signed





STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
8/13/21

PAGE NUMBER  
2 of 7

NUMBER  
**DOC 470.540**

**POLICY**

TITLE  
**GROUP VIOLENCE REDUCTION STRATEGY**

**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; DOC 310.000 Orientation; DOC 420.155 Offender Movement; DOC 420.320 Searches of Facilities; DOC 460.000 Disciplinary Process for Prisons

**POLICY:**

- I. The Department has established an evidence-based Group Violence Reduction Strategy to deter incarcerated individuals from committing violent acts by imposing privilege restrictions on perpetrators and their close associates.
  - A. Perpetrators are incarcerated individuals directly present in and willfully committing a prohibited violent act.
  - B. Close associates are incarcerated individuals known to interact with a perpetrator on a regular basis, whose interaction has the potential to negatively influence the perpetrator's behavior.
- II. This policy only applies to the Washington State Penitentiary in the west complex close custody units and Clallam Bay Corrections Center.

**DIRECTIVE:**

- I. General Requirements
  - A. The following prohibited violent acts may be subject to restrictions:
    - 1. Fight/assault where a weapon is used or visibly present
    - 2. Fight/assault involving 3 or more incarcerated individuals
    - 3. Causing or attempting to cause bodily injury to a Department employee, contract staff, or volunteer
  - B. Restrictions will only be applied to incarcerated individuals identified as perpetrators and their identified negative close associates.
- II. Group Violence Reduction Committee
  - A. Facilities will establish a Group Violence Reduction Committee to provide strategic oversight and assist with the response to prohibited violent acts.
  - B. Committee participation will be multidisciplinary and include, at a minimum:
    - 1. Subject matter expert on the Group Violence Reduction Strategy,
    - 2. Correctional Program Manager/designee,



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
8/13/21

PAGE NUMBER  
3 of 7

NUMBER  
**DOC 470.540**

**POLICY**

TITLE  
**GROUP VIOLENCE REDUCTION STRATEGY**

3. Captain/designee,
4. Intelligence and Investigations Unit (IIU) Lead/designee, and
5. Persons identified by the Superintendent.

III. Notification

- A. Incarcerated individuals will be notified in writing of the Group Violence Reduction Strategy during orientation per DOC 310.000 Orientation.
- B. The Superintendent/designee will facilitate meetings to notify incarcerated individuals of the Group Violence Reduction Strategy, and:
  1. Ensure meetings are held at least every 12 months.
  2. Assemble a panel of Group Violence Reduction Strategy partners to address incarcerated individuals during the meeting, including:
    - a. A multidisciplinary team comprised of, at a minimum, Department employees from the Group Violence Reduction Committee, custody, classification, programs, and visitation.
    - b. Community members selected for their influence and credibility with incarcerated individuals from at least 2 of the following categories:
      - 1) Broad Influence - Has a high level of influence and credibility, regardless of community ties or relevance
      - 2) Intermediate Influence - Has a close tie to the incarcerated individuals' larger external communities
      - 3) Specific Influence - Has a close relationship to an incarcerated individual
  3. Instruct each Group Violence Reduction Strategy partner to adhere to a respectful and non-threatening message during the meeting.
    - a. Department employees will explain the violent acts subject to restrictions, specific restrictions, criteria for identifying the perpetrator and/or close associates, and assistance available.
      - 1) Assistance (i.e., programming and job opportunities) will be made available to help incarcerated individuals succeed in prosocial alternatives to violence.



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
8/13/21

PAGE NUMBER  
4 of 7

NUMBER  
**DOC 470.540**

**POLICY**

TITLE  
**GROUP VIOLENCE REDUCTION STRATEGY**

- b. Community members will express prosocial community values, reject violence, reinforce positive community standards, and encourage incarcerated individuals to seek assistance.

IV. Response to Prohibited Violent Acts

- A. In the event of a prohibited violent act, the units where the involved individuals are housed will be immediately placed on lockdown or restricted movement per DOC 420.155 Offender Movement.
- B. The Shift Commander will initiate the Group Violence Reduction Strategy Response Checklist (Attachment 2) and ensure the following occur within 36 hours of the incident, unless an extension, exception, or exemption is approved by the Assistant Secretary for Prisons:
  - 1. Identification of Perpetrators
    - a. The IIU Investigator and at least one member from the Group Violence Reduction Committee member(s) will respond to the incident to identify individuals involved and perpetrators.
    - b. Group Violence Reduction Strategy Perpetrator Matrix (Attachment 1) provides additional information on identifying perpetrators in fights/assaults involving 3 or more incarcerated individuals.
  - 2. Identification of Associates
    - a. The IIU Investigator and Group Violence Reduction Committee member(s) will assemble a team of custody and classification employees from the units where the involved individuals are housed. Multiple shifts will be represented.
    - b. Each team member will complete a separate DOC 21-611 Associate List for each identified perpetrator.
  - 3. Determination of Close Associates
    - a. For each perpetrator, the IIU Investigator and Group Violence Reduction Committee member(s) will:
      - 1) Review any completed DOC 21-611 Associate List to determine the perpetrator’s close associates, and



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
8/13/21

PAGE NUMBER  
5 of 7

NUMBER  
**DOC 470.540**

**POLICY**

TITLE  
**GROUP VIOLENCE REDUCTION STRATEGY**

- a) Close associates will be determined based on identification as an associate on multiple team members' lists.
- 2) Compile a list of close associates using DOC 21-616 Close Associate Recommendation and submit to the Superintendent/designee or Shift Commander for review.
- 4. Application of Restrictions
  - a. For each perpetrator, the Superintendent/designee or Shift Commander will:
    - 1) Review the recommendation and determine the close associates to include for restrictions.
      - a) Approval from the Assistant Secretary for Prisons will be required to impose restrictions on more than 9 close associates for any one perpetrator.
    - 2) Select restrictions from the Group Violence Reduction Strategy Restrictions Grid (Attachment 3) to impose on the perpetrator and close associates.
    - 3) Notify the perpetrator and close associates of the restrictions imposed using DOC 21-548 Notification of Restrictions.
      - a) The same restrictions will be imposed on the perpetrator and all close associates. No more than 6 restrictions will be imposed for each incident.
- C. Restrictions will begin before the facility returns to new normal operations and remain in effect for 30 days. Restrictions will be applied in addition to any sanctions imposed through the disciplinary process per DOC 460.000 Disciplinary Process for Prisons.
- D. At the time the restrictions begin, cell searches will be initiated for perpetrators and close associates per DOC 420.320 Searches of Facilities.
- E. The Group Violence Reduction Committee will:
  - 1. Maintain and distribute a restrictions list to unit and program employees identifying the perpetrators and close associates, restrictions imposed, and beginning and end dates of the 30 day restriction period.



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
8/13/21

PAGE NUMBER  
6 of 7

NUMBER  
**DOC 470.540**

**POLICY**

TITLE  
**GROUP VIOLENCE REDUCTION STRATEGY**

2. Document the restrictions as a chronological entry in each incarcerated individual's electronic file.

V. Extensions, Exceptions, and Exemptions

A. If the Assistant Secretary for Prisons approves an extension of the 36 hour time limit to complete the response or an exception/exemption to the response process, the Group Violence Reduction Committee will:

1. Notify the Command A Deputy Director, who will review the incident and application of policy.
2. If applicable, verbally notify individuals involved in the prohibited violent act of the reasons for the exception/exemption and reinforce non-violent messages.

B. The Superintendent/designee may approve a one-time 24 hour extension. Additional extensions require Assistant Secretary for Prisons approval.

VI. Post-Response Review

A. Within 2 business days of return to new normal operations, the Group Violence Reduction Committee will meet to debrief the response and provide information.

1. Responding employees from the Committee and IIU will meet with the Group Violence Reduction Committee to debrief the incident and response.
2. The Group Violence Reduction Committee will verbally notify individuals housed in the impacted units of the reasons for restrictions and reinforce non-violent messages. Others will be notified when applicable.

B. Within 10 business days of return to new normal operations, the Superintendent/designee will submit the completed Group Violence Reduction Strategy Response Checklist (Attachment 2) and completed documentation to the Command A Deputy Director.

C. The Command A Deputy Director will evaluate each facility's post-response reviews and discuss them with the Superintendent on a quarterly basis.

**DEFINITIONS:**

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



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON**  
OFFENDER/SPANISH MANUALS

REVISION DATE  
8/13/21

PAGE NUMBER  
7 of 7

NUMBER  
**DOC 470.540**

**POLICY**

TITLE  
**GROUP VIOLENCE REDUCTION STRATEGY**

**ATTACHMENTS:**

- Group Violence Reduction Strategy Perpetrator Matrix (Attachment 1)
- Group Violence Reduction Strategy Response Checklist (Attachment 2)
- Group Violence Reduction Strategy Restrictions Grid (Attachment 3)

**DOC FORMS:**

- DOC 21-548 Notification of Restrictions
- DOC 21-611 Associate List
- DOC 21-616 Close Associate Recommendation

## GROUP VIOLENCE REDUCTION STRATEGY PERPETRATOR MATRIX

In fights/assaults involving 3 or more incarcerated individuals, it is important to appropriately distinguish the perpetrator(s) from other participants (i.e., individuals directly present in a prohibited violent act whose actions represent non-willful participation). The distinction must be made consistently to ensure that all perpetrators are held accountable without inappropriately penalizing other participants.

		SIDE B	
		MULTIPLE INDIVIDUALS	SINGLE INDIVIDUAL
SIDE A (INITIATED INCIDENT)	MULTIPLE INDIVIDUALS	ALL PERPETRATORS	SIDE A - PERPETRATOR(S) SIDE B - OTHER PARTICIPANT
	SINGLE INDIVIDUAL	ALL PERPETRATORS	

- Side A initiated the incident against Side B. Both sides were comprised of multiple incarcerated individuals. All incarcerated individuals on both sides are perpetrators.
- Side A initiated the incident against Side B. Side A was a single incarcerated individual, but Side B was comprised of multiple incarcerated individuals. All incarcerated individuals on both sides are perpetrators.
- Side A initiated the incident against Side B. Side A was comprised of multiple incarcerated individuals, but Side B was a single incarcerated individual. The incarcerated individuals on Side A are perpetrators, and the incarcerated individual on Side B is a participant.

All incarcerated individuals involved in the incident are perpetrators if:

- There are no clear sides
- It is unsure who initiated the incident
- It is unsure how many incarcerated individuals were on a side

Questions regarding identifying perpetrators may be directed to the Command A Deputy Director.

## GROUP VIOLENCE REDUCTION STRATEGY RESPONSE CHECKLIST

Location:	Date:
Shift Commander:	Time:

<b>For assault on a Department employee, contract staff, or volunteer, fight/assault with a weapon, and/or fight/assault involving 3 or more incarcerated individuals</b>				
Required Actions	Date task complete	Time task complete	Initial	N/A
1. Immediately place the unit(s) where the involved individuals are housed on lockdown/restricted movement				
2. Notify the following of the event: <ul style="list-style-type: none"> <li>• Facility Duty Officer</li> <li>• Intelligence and Investigations Unit (IIU) Duty Officer</li> <li>• Group Violence Reduction Committee member(s)</li> </ul>				
3. Assign site supervisor to begin distributing DOC 21-611 Associate List to affected units and program area personnel				
4. Provide checklist to and identify site supervisor to IIU Investigator and Group Violence Reduction Committee member(s) upon arrival				
5. Ensure the IIU Investigator and Group Violence Reduction Committee member(s) complete the following: <ul style="list-style-type: none"> <li>• Respond to the incident and:               <ul style="list-style-type: none"> <li>○ Identify perpetrators</li> <li>○ Assemble a team of employees from multiple shifts to identify close associates of the perpetrator(s) using DOC 21-611 Associate List</li> <li>○ Compile lists of each perpetrator's close associates for Superintendent/designee or Incident Commander review using DOC 21-616 Close Associate Recommendation</li> </ul> </li> <li>• Verify the Superintendent/designee or Shift Commander:               <ul style="list-style-type: none"> <li>○ Completes DOC 21-548 Notification of Restrictions for each perpetrator and close associate identifying the approved restriction(s)</li> </ul> </li> <li>• Ensure the perpetrator(s) and close associates are notified of the restriction(s) using DOC 21-548 Notification of Restrictions</li> <li>• Notify applicable unit and program employees of restrictions</li> <li>• Ensure restrictions are documented in the individual's electronic imaging file</li> </ul>				






## GROUP VIOLENCE REDUCTION STRATEGY RESTRICTIONS GRID

No more than 6 restrictions will be imposed for each incident.

Restriction	Comment
Reduction of visits to one visit during the restriction period	Excludes attorney visits
Reduction of phone calls to one phone call during the restriction period	Excludes calls with attorney and for court proceedings
Confiscation of personal shoes	
Confiscation of television	Includes personal and/or rental property, but not in-cell privileges
Confiscation of media player (e.g., JPay, CD player)	Includes personal property, but not in-cell privileges
Revocation of media player or kiosk access	
Revocation of hobby craft supplies	Includes personal property, but not in-cell privileges
Revocation of commissary	Excludes hygiene products (i.e., soap, shampoo, toothbrush, toothpaste, deodorant) and writing materials (i.e., paper, pen/pencil, envelopes)
Revocation of big yard or unit yard privileges	Select either big yard (i.e., out-of-unit recreation yard) or unit yard (i.e., yard attached to unit), not both
Revocation of dayroom privileges	
Revocation of weightlifting privileges	
Revocation of gym privileges	
Revocation of incentive program event access	As applicable by facility

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER MANUAL		
	<b>REVISION DATE</b> 12/28/20	<b>PAGE NUMBER</b> 2 of 5	<b>NUMBER</b> <b>DOC 490.100</b>
	<b>TITLE</b> <b>INCARCERATED VOLUNTEERS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; DOC 700.000 Work Programs in Prisons

**POLICY:**

- I. The Department has established guidelines for the use of incarcerated volunteers to enhance programming opportunities and reduce idleness while maintaining a safe and secure environment.
- II. Work program opportunities will be provided per DOC 700.000 Work Programs in Prisons.

**DIRECTIVE:**

- I. General
  - A. Individuals will not:
    1. Receive compensation for participation in the incarcerated volunteer program.
    2. Serve as a volunteer in any position that is a documented paid job assignment, with the exception of dog/cat program appointments.
    3. Assist, complete, and/or participate in the normal duties assigned to a paid individual.
- II. Responsibilities
  - A. Each facility that has an incarcerated volunteer program will develop a:
    1. Specific description for each position that will contain:
      - a. Volunteer position justification
      - b. Duties
      - c. Qualifications
      - d. Start and end times
      - e. Access to records and documentation
      - f. Level of supervision provided
    2. System to track volunteer position use and timeframes.
    3. System to document the number of hours each individual works as a volunteer per month.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER MANUAL		
	<b>REVISION DATE</b> 12/28/20	<b>PAGE NUMBER</b> 3 of 5	<b>NUMBER</b> <b>DOC 490.100</b>
	<b>TITLE</b> <b>INCARCERATED VOLUNTEERS</b>		

- a. If the time exceeds 64 hours in a month, the employee designated to review volunteer hours may request the position become a paid job assignment.
- b. The Superintendent will make the final determination of whether the position remains a volunteer position or is established as a paid job assignment.

B. The Superintendent/designee will:

- 1. Ensure compliance with program requirements,
- 2. Ensure the Incoming Transport/Job Screening (ITJS) “Volunteer” section is updated, and
- 3. Address volunteer issues.

C. A monthly report will be submitted to the Superintendent/designee detailing activities within the volunteer program.


### III. Eligibility

A. The individual must complete the facility’s application process to be considered for a volunteer appointment.

B. Individuals may hold only one volunteer position at any given time and will meet the following minimum requirements to be considered for any volunteer position. Any exceptions must be approved by the Superintendent/designee:

- 1. A minimum of 12 months since disposition of a guilty finding for any Category A infraction, or drug or violence-related infraction.
- 2. A minimum of 6 months since disposition of a guilty finding for a Category B, C, or D serious infraction.
- 3. No pending/outstanding sanctions for any serious infractions.
- 4. A demonstrated positive adjustment and compliance with any behavioral and programming requirements.
- 5. An expressed voluntary interest.

C. If an individual is determined eligible, “Yes” will be checked in the “Approved to Volunteer” field of the individual’s ITJS Checklist.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON</b> OFFENDER MANUAL		
	<b>REVISION DATE</b> 12/28/20	<b>PAGE NUMBER</b> 4 of 5	<b>NUMBER</b> <b>DOC 490.100</b>
	<b>TITLE</b> <b>INCARCERATED VOLUNTEERS</b>		

1. Individuals with restrictions/limitations documented on a Health/ Accommodation Status Report may be restricted from participating in some or all volunteer positions, based on the restriction.

#### IV. Screening and Approval

- A. Eligible individuals will be given equal consideration for appointment to a volunteer position for which they are qualified and will be subject to a comprehensive screening.
- B. Each application will be reviewed by a multidisciplinary team that will:
  1. Include a designated employee, Correctional Program Manager, and custody representative. The team will also include the following health services employees/contract staff, as applicable:
    - a. Supervising Psychologist/designee for individuals with PULHES “S” code value of 3 or higher.
    - b. Medical professional for individuals with a PULHES “P” code value of 4 or higher.
  2. Make recommendations regarding the appropriateness of the type of position requested based on identified risk, location, and supervision.
  3. Document decisions in the electronic file.
  4. Make recommendations to the Superintendent/designee.
- C. The Superintendent/designee will provide final approval for volunteer appointments.
- D. Waiting lists may be developed as needed.

#### V. Participation

- A. Individuals will track the number of volunteer hours completed each month on DOC 20-230 Record of Volunteer Services for Incarcerated Individual and submit the form to their supervisor.
- B. With the exception of dog/cat program appointments, volunteer appointments will not exceed 12 months from the date of approval. Individuals must wait 6 months from the completion of an appointment to reapply or apply for a new volunteer position.



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY/FIELD**  
FACILITY/SPANISH MANUALS

REVISED DATE  
8/17/23

PAGE NUMBER  
1 of 9

NUMBER  
**DOC 490.700**

# POLICY

TITLE  
**TRANSGENDER, INTERSEX, AND/OR NON-BINARY  
INDIVIDUALS**

## REVIEW/REVISION HISTORY:

Effective: 2/13/20  
Revised: 3/9/22  
Revised: 7/17/23  
Revised: 8/17/23

## SUMMARY OF REVISION/REVIEW:


Policy statement IV., Directive I.C., and I.D. - Adjusted language for clarification  
II.A. - Added clarifying language

## APPROVED:

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

8/16/23  
\_\_\_\_\_  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/17/23	<b>PAGE NUMBER</b> 2 of 9	<b>NUMBER</b> <b>DOC 490.700</b>
	<b>TITLE</b> <b>TRANSGENDER, INTERSEX, AND/OR NON-BINARY INDIVIDUALS</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.160-170](#); [RCW 42.56](#); [RCW 72.09.225](#); DOC 100.500 Non-Discrimination for Individuals; DOC 320.255 Restrictive Housing; DOC 420.140 Housing and Cell/Room Assignment; DOC 420.310 Searches of Incarcerated Individuals; DOC 420.380 Drug/Alcohol Testing; DOC 420.390 Arrest and Search; DOC 440.050 State-Issued Items; DOC 880.100 Corrections Training and Development; [42 U.S.C. 1997](#); [Guidelines for Healthcare of Transgender Individuals](#); [Employee Manual for the Identification, Treatment, and Correctional Management of Transgender, Intersex, and Non-binary Individuals](#); [Washington DOC Health Plan](#)

**POLICY:**

- I. The Department has established procedures to ensure equitable treatment of transgender, intersex, and/or non-binary individuals when determining housing, classification, programming, and supervision.
- II. Drug testing will be completed per DOC 420.380 Drug/Alcohol Testing.
- III. Searches will be conducted per DOC 420.310 Searches of Incarcerated Individuals. Individuals under community supervision will be searched per DOC 420.390 Arrest and Search.
- IV. Gender-affirming basic state-issued items will be issued per DOC 440.050 State-Issued Items.

**DIRECTIVE:**

- I. Responsibilities
  - A. Appointing Authorities will ensure processes are in place for the management of transgender, intersex, and/or non-binary individuals.
  - B. All employees/contract staff/volunteers will address individuals by their preferred pronoun or their last name per DOC 100.500 Non-Discrimination for Individuals.
  - C. Incarcerated transgender, intersex, and/or non-binary individuals will receive medical/mental health care per the Washington DOC Health Plan and Guidelines for Healthcare of Transgender Individuals.
  - D. The Director of Prison Rape Elimination Act (PREA) Services will maintain a record in a secure imaging system of incarcerated individuals under the

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/17/23	<b>PAGE NUMBER</b> 3 of 9	<b>NUMBER</b> <b>DOC 490.700</b>
	<b>TITLE</b> <b>TRANSGENDER, INTERSEX, AND/OR NON-BINARY INDIVIDUALS</b>		


Department's jurisdiction who identify as transgender and/or non-binary or are intersex.

- E. Employees/contract staff will refer to the Employee Manual for the Identification, Treatment, and Correctional Management of Transgender, Intersex, and Non-binary Individuals for detailed guidance for transgender, intersex, and/or non-binary individuals.

II. Disclosure of Information

- A. An individual's sexual orientation, gender expression/transition status, intersex status, or gender identity will be maintained as confidential and will only be disclosed within the Department on a need-to-know basis and/or as voluntarily requested by the individual on DOC 02-420 Preferences Request.
- B. Employees/contract staff/volunteers that become aware of a new disclosure that an individual identifies as transgender and/or non-binary or is intersex will report the information to the Superintendent/Reentry Center Manager (RCM)/designee.
  - 1. If an individual discloses to a medical, mental health, and/or substance use disorder practitioner, consent will be obtained on DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information before disclosure.
  - 2. The PREA Specialist will be notified of any new disclosures and will ensure DOC 02-420 Preferences Request is completed by the individual within 72 hours.
  - 3. Individuals will not be searched or physically examined for the sole purpose of determining the individual's genital status.
    - a. If the individual's genital status is unknown, it will be determined by health care providers during conversations with the individual and by reviewing medical records.
      - 1) If necessary, a health care provider will conduct a broader medical examination in private with the individual's consent.
  - 4. The Superintendent/RCM may submit a gender-affirming housing request if there are any documented safety or security concerns with an individual's current housing.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/17/23	<b>PAGE NUMBER</b> 4 of 9	<b>NUMBER</b> <b>DOC 490.700</b>
	<b>TITLE</b> <b>TRANSGENDER, INTERSEX, AND/OR NON-BINARY INDIVIDUALS</b>		

- C. A confidential PREA hold will be entered in the individual’s electronic file as soon as an individual identifies as transgender, intersex, or non-binary. This hold will remain in effect until the individual’s release or their status as transgender, intersex, or non-binary has been revised.


III. Facility Multidisciplinary Team (MDT)

- A. Each Prison and Reentry Center will establish and maintain an MDT Review Committee. The committee will:

1. Ensure all individuals under Department jurisdiction have equal access to programs and services.
2. Convene within 15 days if an individual discloses transgender, intersex, and/or non-binary identity at any time during incarceration and it has not been previously documented.
3. Gather all associated documentation and review housing and programming assignments to make recommendations based on objective safety protocols and consideration of the individual’s desired housing assignment.
4. Ensure local management recommendations are submitted to Headquarters MDT within 15 business days.

- B. In Prisons:

1. The MDT will be chaired by the Associate Superintendent of Programs in a Level 3 or higher facility or the Correctional Program Manager in a Level 2 facility. The MDT will include, but not be limited to:
  - a. The Correctional Program Manager
  - b. The Captain
  - c. A medical practitioner/provider
  - d. A mental health practitioner/provider
  - e. PREA Specialist
  - f. The assigned case manager or, if unavailable, the applicable Correctional Unit Supervisor (CUS)
2. Before the MDT meets, the following will meet with the individual in a location where confidentiality can be maintained to discuss the housing review and protocols and determine a recommendation based on the individual’s needs (e.g., medical and mental health, programming):

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/17/23	<b>PAGE NUMBER</b> 5 of 9	<b>NUMBER</b> <b>DOC 490.700</b>
	<b>TITLE</b> <b>TRANSGENDER, INTERSEX, AND/OR NON-BINARY INDIVIDUALS</b>		

- a. The assigned case manager
- b. A medical provider
- c. A mental health provider

C. In Reentry Centers, the MDT will consist of the:

1. Assigned case manager
2. RCM
3. Reentry Center Administrator

D. The MDT will meet in person or virtually to discuss the case and determine its recommendation. The MDT's notes and decision will be documented on DOC 02-422 Transgender, Intersex, and Non-binary Housing Multi-Disciplinary Team.

E. The individual's own views about personal safety will be considered when making recommendations.


#### IV. Headquarters MDT

A. The Headquarters MDT will be chaired by a designated Deputy Assistant Secretary for Prisons and consist of the:

1. Appointing Authority/designee from the proposed receiving facility
2. Chief Medical Officer/designee
3. Director of Mental Health
4. Chief of Psychiatry
5. Senior Director of Comprehensive Case Management/designee
6. Director of Security and Emergency Management
7. Director of PREA Services
8. Others as identified on a case-by-case basis

B. The Headquarters MDT will:

1. Review and develop best practices for the care, custody, programing needs, and supervision of transgender, intersex, and non-binary individuals.
2. Meet as scheduled and deemed necessary by the MDT chair to review, determine, and approve housing placement, community supervision, and programming assignment recommendations. Prior to the meeting:
  - a. Each member will be prepared to discuss the best housing for the individual according to each member's findings.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/17/23	<b>PAGE NUMBER</b> 6 of 9	<b>NUMBER</b> <b>DOC 490.700</b>
	<b>TITLE</b> <b>TRANSGENDER, INTERSEX, AND/OR NON-BINARY INDIVIDUALS</b>		

b. The Transgender Settlement Administrator will gather all relevant information (e.g., forms, individual's and/or third-party written statements) from the facility MDT for the Headquarters MDT to review and consider during the meeting.

3. Document decisions on DOC 02-422 Transgender, Intersex, and Non-binary Housing Multi-Disciplinary Team.

C. The designated Deputy Assistant Secretary for Prisons will forward all related documentation to the Deputy Secretary/designee for final decision within 15 business days, unless additional information is necessary.

1. Employees will attempt to arrange an out-of-state placement at a female facility when the determining reason for the denial of a gender-affirming housing request is due to a keep separate at the female facility.

V. Housing and Programming Reviews

A. Initial housing reviews will be completed, approved, and submitted within 15 business days of disclosure of the individual as transgender, intersex, or non-binary.


1. The facility MDT will document housing reviews and make a recommendation on DOC 02-384 Housing Protocol for Transgender, Intersex, and Non-binary Individuals, which will be forwarded with the signed DOC 02-420 Preferences Request and all related documentation to the Director of PREA Services and designated Deputy Assistant Secretary for Prisons.

a. For community violators who disclose, the receiving facility will conduct the review.

2. Local Facility Risk Management Team (FRMT) processes will be suspended until the housing review has been approved.

B. The designated Deputy Assistant Secretary for Prisons will review housing protocol recommendations with the Headquarters MDT to determine final recommendations and forward all related documentation to the Deputy Secretary/designee for review and approval.

1. If DOC 02-384 Housing Protocol for Transgender, Intersex, and Non-binary Individuals is approved by the Deputy Secretary/designee

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/17/23	<b>PAGE NUMBER</b> 7 of 9	<b>NUMBER</b> <b>DOC 490.700</b>
	<b>TITLE</b> <b>TRANSGENDER, INTERSEX, AND/OR NON-BINARY INDIVIDUALS</b>		

indicating transfer to another Prison/Reentry Center, the receiving facility will complete Part II of the form.

2. If placement within the facility has not been approved by the Deputy Secretary/designee before the individual arrives at the facility, the individual will be placed in optional housing (e.g., restrictive housing, inpatient unit) until the Deputy Secretary/designee makes a final housing decision.

- a. Placement in restrictive housing will be used as care and separation and not as a punitive measure. Placement will adhere to expectations in DOC 320.255 Restrictive Housing and be reviewed every 30 days by the PREA Compliance Manager.

- 1) Any exceptions will be evaluated on a case-by-case basis by the Mission Housing Administrator and the Gender Affirming Program Administrator, Gender Affirming Medical Specialist, and mental health team.


- C. The facility MDT will reassess housing and programming assignments at least every 6 months or as needed using DOC 02-385 Housing Review for Transgender, Intersex, and Non-binary Individuals for each individual who identifies as transgender and/or non-binary or is intersex.

1. Community Corrections employees will provide input regarding this information for community supervision violators.
2. Classification recommendations will be updated during the review.

3. Reviews will include an assessment to ensure there are no threats to the individual's safety.

## VI. Preferences and Housing Placement Requests


- A. At any time, an individual may voluntarily submit DOC 02-420 Preferences Request to their case manager designating their preferred name, pronoun(s), gender to conduct searches/urinalysis, and gender identity, and to request gender-affirming state-issued garments and/or placement in gender-affirming housing.
- B. If an individual requests to be transferred to a gender-affirming facility, the case manager will make a referral for the facility cultural awareness course facilitated by a Gender Affirming Mental Health Specialist (GAMHS) and/or Gender

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/17/23	<b>PAGE NUMBER</b> 8 of 9	<b>NUMBER</b> <b>DOC 490.700</b>
	<b>TITLE</b> <b>TRANSGENDER, INTERSEX, AND/OR NON-BINARY INDIVIDUALS</b>		

Affirming Program Administrator (GAPA) and will include meetings with a mental health employee and an employee from the gender-affirming facility.

1. An employee will meet with the individual within 5 business days to review their request and enroll the individual in the next available course.
  2. The individual may directly kite the GAPA to request placement in the course.
- C. After successful completion of the course, the individual will complete the Gender-Affirming Housing Request section on DOC 02-420 Preferences Request.
- D. The Associate Superintendent/Correctional Program Manager will complete a review of risk factors on DOC 02-423 Gender-Affirming Housing Review and email to the Psychologist 4 or Psychology Associate in stand-alone Level 2 facility to initiate the Health Services review.
1. The completed form will be returned to the case manager within 14 days unless additional time is needed to complete necessary assessments (i.e., Static 99, PCL-R, HCR-20, or forensic assessment).
  2. The case manager will forward the form to the facility MDT within 5 days of receipt.
- E. The facility MDT will make a recommendation on DOC 02-384 Housing Protocol for Transgender, Intersex, and Non-binary Individuals, which will be forwarded with the completed DOC 02-420 Preferences Request and DOC 02-423 Gender-Affirming Housing Review to the designated Deputy Assistant Secretary for Prisons within 5 business days.
1. The Headquarters MDT will review all documentation and make a recommendation within 15 days to the Deputy Secretary who will make the final determination.
- F. If an individual's request for gender-affirming housing is denied, the individual may submit a subsequent request at the next classification review.
- G. Individuals placed in a gender-affirming facility may be transferred to another facility or returned to the originally assigned facility due to documented, objective safety and security concerns.

## VII. Housing Appeals

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY/FIELD</b> FACILITY/SPANISH MANUALS		
	<b>REVISED DATE</b> 8/17/23	<b>PAGE NUMBER</b> 9 of 9	<b>NUMBER</b> <b>DOC 490.700</b>
	<b>TITLE</b> <b>TRANSGENDER, INTERSEX, AND/OR NON-BINARY INDIVIDUALS</b>		

- A. Individuals may appeal housing decisions in writing to the following.
  - 1. Appropriate Deputy Assistant Secretary/designee for decisions made based on facility recommendations, or
  - 2. Secretary/designee for decisions made by the Headquarters MDT.
- B. Responses to appeals will be made within 15 business days.

VIII. Training

- A. Appointing Authorities or their designees will manage resources to ensure employees, contract staff, and volunteers receive all required training per DOC 880.100 Corrections Training and Development.
- B. The Training and Development Unit will consult with the Deputy Assistant Secretary for Women’s Prisons to develop or update annual training material regarding transgender, intersex, and/or non-binary individuals for all employees, contract staff, and volunteers. Additional training will be provided as appropriate.

**DEFINITIONS:**

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Gender, Gender Expression, Gender Identity, Gender-Affirming, Intersex, Non-binary, Transgender. Other words/terms appearing in this policy may also be defined in the glossary.

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 02-384 Housing Protocol for Transgender, Intersex, and Non-binary Individuals
- DOC 02-385 Housing Review for Transgender, Intersex, and Non-binary Individuals
- DOC 02-420 Preferences Request
- DOC 02-422 Transgender, Intersex, and Non-binary Housing Multi-Disciplinary Team
- DOC 02-423 Gender-Affirming Housing Review
- DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**DEPARTMENT WIDE**  
FACILITY/SPANISH MANUALS

REVISION DATE  
4/19/22

PAGE NUMBER  
1 of 20

NUMBER  
**DOC 490.800**

**POLICY**

TITLE  
**PRISON RAPE ELIMINATION ACT (PREA)  
PREVENTION AND REPORTING**

**REVIEW/REVISION HISTORY:**

Effective: 6/28/99 DOC 856.020	Revised: 4/13/15
Revised: 3/31/04 DOC 850.020	Revised: 1/15/16
Revised: 5/9/06 DOC 490.800	Revised: 10/14/16
Revised: 1/19/07 AB 07-003	Revised: 3/16/17
Revised: 1/15/10	Revised: 5/22/18
Revised: 2/12/10	Revised: 4/25/19
Revised: 3/19/12	Revised: 12/11/19
Revised: 8/10/12	Revised: 9/8/20
Revised: 10/1/13	Revised: 11/20/20
Revised: 5/1/14	Revised: 4/19/22
Revised: 9/15/14	

**SUMMARY OF REVISION/REVIEW:**


Adjusted terminology throughout  
 Removed II.B.7.c.1) & 2) where forms will be maintained  
 VIII.C.1.a.1), X.G., XII.A.2., XII.B., XII.B.1. & 3., XII.E., and XIII.B.3.e.2)a) - Adjusted language for clarification  
 Added X.H. that the frequency of training for health services employees/contract staff will be determined by the Assistant Secretary for Health Services/designee  
 Added X.I. that health services interns/volunteers will complete a one-time specialty training and sign a training acknowledgment  
 Added XIII.E. that an alleged victim may request to have a victim advocate present during any investigatory interview unless it is for allegations of sexual harassment  
 XII.C. & D., XIII.B., and XIII.B.3.d.4)a) - Added clarifying language  
 Added XIII.B.3.d.2) that individuals are not required to use the informal resolution process before submitting a resolution request containing PREA-related information

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

4/12/22  
 \_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 2 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		


**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.160](#); [RCW 9A.44.170](#); [RCW 42.56](#); [RCW 72.09.225](#); DOC 310.000 Orientation; DOC 400.025 Department Identification Cards; DOC 400.210 Custody Roster Management (RESTRICTED); DOC 420.310 Searches of Offenders; DOC 420.325 Searches and Contraband for Work/Training Release; DOC 420.390 Arrest and Search; DOC 450.100 Mail for Individuals in Prison; DOC 450.110 Mail for Individuals in Reentry Centers; DOC 450.500 Language Services for Limited English Proficient Individuals; DOC 490.850 Prison Rape Elimination Act (PREA) Response; DOC 490.860 Prison Rape Elimination Act (PREA) Investigation; DOC 550.100 Resolution Program; DOC 690.400 Individuals with Disabilities; [42 U.S.C. 1997](#); [Resolution Program Manual](#); [PREA Standards](#); [Prison Rape Elimination Act](#)

**POLICY:**

- I. The Department recognizes the right of individuals under its jurisdiction to be free from sexual misconduct.
  - A. The Department has zero tolerance for all forms of sexual misconduct. The Department will impose disciplinary sanctions for such conduct, up to and including dismissal for staff. Incidents of sexual misconduct will be referred for criminal prosecution when appropriate.
  - B. The Department does not recognize consensual sexual contact between staff and individuals under its jurisdiction as a defense against allegations of sexual misconduct.
- II. The Department recognizes the right of staff and individuals to be free from retaliation for reporting sexual misconduct.
  - A. The Department has zero tolerance for all forms of retaliation against any person because of involvement in the reporting or investigation of a complaint. Retaliation may be subject to corrective/disciplinary action.
- III. The Department has established procedures for recognizing, preventing, and reporting incidents of sexual misconduct and retaliation.
- IV. Information related to allegations/incidents of sexual misconduct is confidential and will only be disclosed when necessary for related treatment, investigation, and other security and management decisions. Staff who breach confidentiality may be subject to corrective/disciplinary action.



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 3 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

- A. This provision is not intended to affect the Department’s obligation to gather, review, and potentially produce records of allegations or incidents of sexual misconduct as required per RCW 42.56.

**DIRECTIVE:**

I. Definitions

- A. The following terms are associated with this policy:

1. Sexual misconduct includes aggravated sexual assault, individual-on-individual sexual assault, sexual abuse, and sexual harassment. It also includes staff-on-individual sexual harassment and staff sexual misconduct.

- a. These terms are further defined in Prison Rape Elimination Act (PREA) Definitions (Attachment 1).

2. Staff includes Department employees, contract staff, volunteers, and any other person providing services in Department facilities or offices.


II. Responsibilities

- A. The Department’s PREA Coordinator will:


1. Develop and implement PREA related policies.
2. Develop and coordinate procedures to triage allegations received and identify, monitor, and track incidents of sexual misconduct.
3. Coordinate and track referrals of allegations to law enforcement and prosecutors.
4. Develop and implement a comprehensive system to audit facility compliance with PREA policies and applicable laws.

- a. A formal audit will be conducted in each Prison and Reentry Center at least once every 3 years by an auditor certified by the United States Department of Justice (DOJ).

- 1) Deficiencies identified in these audits will be addressed in formal corrective action plans developed and agreed to by the Superintendent or Reentry Center Administrator, the DOJ auditor, and the PREA Coordinator.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 4 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		


- b. Each facility will review and document continued compliance using a formal standardized system published by the PREA Coordinator.
  5. Oversee monitoring of PREA compliance for private and non-Department public entities contracted for confinement of individuals.
  6. Keep management informed on PREA-related issues.
  7. Chair a multidisciplinary review committee to develop PREA-related prevention and response strategies.
  8. Serve as the PREA Compliance Manager for staff assigned to Headquarters, Correctional Industries Headquarters, and regional Administrative Operations offices.
  9. Maintain a memorandum of understanding for external victim advocacy services.
  10. Maintain PREA content for the Department website, including publication of required information and documents.
- B. A PREA Compliance Manager will be identified by the Superintendent for each Prison, and the Reentry Center Administrator will assign a PREA Compliance Manager for each Reentry Center. The PREA Compliance Manager will be an employee outside of any Intelligence and Investigation Unit, who will coordinate local PREA compliance and:
1. Serve as point of contact for the PREA Coordinator.
  2. Oversee completion of scheduled PREA vulnerability assessments.
  3. Coordinate audit preparation activities and corrective action plans.
  4. Track completion of PREA Risk Assessments for substantiated allegations of incarcerated-on-incarcerated sexual assault/abuse or staff sexual misconduct.
  5. Conduct periodic reviews of housing assignments to ensure individuals who identify as lesbian, gay, bisexual, transgender, intersex, or non-binary are not grouped together within a facility based solely on this status.
    - a. Superintendents/Community Corrections Supervisors (CCSs) will ensure staff who make housing assignments are aware of this prohibition.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 5 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

6. For Prisons, ensure a monthly functionality test of a random sampling of telephones used by incarcerated individuals is completed to verify the tollfree number is operational, an Individual Personal Identification Number (IPIN) is not required, and calls are not being recorded locally.
  7. Coordinate monthly checks to verify:
    - a. The PREA hotline telephone number is posted on or near all telephones used by incarcerated individuals.
    - b. Posters and brochures provided by the PREA Coordinator are posted in areas accessible to individuals and the public, including Health Services areas and case manager offices.
    - c. DOC 21-379 Report of PREA Allegation to an Outside Agency forms are available for individuals to access.
  8. Review compliance with all PREA training requirements quarterly.
  9. Oversee the work of the PREA Compliance Specialist, if applicable, to include audit preparation, investigations, and other duties associated with PREA implementation.
- C. Each Field Administrator will assign an employee to serve as the PREA Compliance Manager to ensure posters and brochures provided by the PREA Coordinator are posted in areas accessible to individuals and the public.
- D. The Jail Contracts Manager will serve as the PREA Compliance Manager for jails contracted for violator housing.

### III. Accommodations

- A. Professional interpreter or translation services, including sign language, are available to assist individuals in understanding this policy, reporting allegations, and/or participating in investigations of sexual misconduct per DOC 450.500 Language Services for Limited English Proficient Individuals.
1. Individuals are not authorized to use interpretation/translation services from other individuals, family members, or friends for these purposes.
  2. The Deaf Services Coordinator is authorized to provide the same professional interpreter/translation services for sign language as contract interpreters when assisting individuals in understanding this policy,

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 6 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

reporting allegations, and/or participating in investigations of sexual misconduct.

3. Except for the Deaf Services Coordinator, staff interpreters/translators will only be used for these purposes in exigent circumstances.

B. Americans with Disabilities Act (ADA) accommodations will be provided per DOC 690.400 Individuals with Disabilities.

IV. Meetings with Local Law Enforcement

A. Each Superintendent and the Reentry Center Administrator or designee will meet at least annually with applicable law enforcement officials to:


1. Review investigation requirements detailed in federal PREA standards,
2. Establish procedures for conducting criminal investigations related to PREA allegations, and
3. Establish points of contact and agree upon investigatory update procedures.

B. Meetings with law enforcement will be documented in meeting minutes.

V. Staffing Practices

A. The Department has established staffing practices as follows:

1. To the extent permitted by law, the Department will not knowingly hire, promote, or enlist the services of anyone who:
  - a. Has engaged in sexual misconduct in a Prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 U.S.C. 1997,
  - b. Has engaged in sexual misconduct with an individual on supervision,
  - c. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse, or

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 7 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

d. Has been civilly or administratively adjudicated to have engaged in the activity described above.

B. The Department will consider any incidents of sexual harassment in determining whether to hire, promote, or enlist the services of anyone who may have contact with individuals under its jurisdiction.

C. The Department will obtain information through one or more of the following:

1. Washington Crime Information Center (WACIC)/National Crime Information Center (NCIC) records checks
2. Employment/volunteer applications
3. Reference checks
4. Personnel file review
5. Contract disclosure statements

#### VI. Staffing Plans


A. Each Superintendent and Reentry Center CCS will use the PREA Compliant Staffing Plan template maintained on the PREA Audit SharePoint site to develop, maintain, and annually review a staffing plan that includes an objective analysis of the facility's staffing needs and established staffing model.

1. In Prisons, this review should be in conjunction with the post audit conducted per DOC 400.210 Custody Roster Management (RESTRICTED).
2. Reviews will document consultation with the PREA Coordinator, who will be provided with a copy of the completed PREA Compliant Staffing Plan.

#### VII. Prison and Reentry Center Physical Plant

A. Within available fiscal resources, the Department will use video security monitoring systems and relevant technology to enhance the safe operation of facilities for staff and individuals under its jurisdiction.

1. A PREA vulnerability assessment will be conducted in each facility per DOC 21-563 PREA Vulnerability Assessment.
2. The assessment will be updated as new buildings are added, major building renovations are completed, or when surveillance systems (e.g., cameras, mirrors) are added or upgraded.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 8 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

a. Corrective action plans developed resulting from assessments/ updates will be submitted to the PREA Coordinator and the Deputy Assistant Secretary for Prisons, Gender Responsive Administrator, or the Reentry Center Administrator, as applicable.

1) The assessment and corrective action plans will be reviewed:

- a) At least annually to ensure it is current and timelines are met, and
- b) When annual PREA data is received to address any identified trends or areas of risk.

B. The Department will consider possible effects on its ability to protect individuals from sexual misconduct when:

- 1. Designing or acquiring a new facility,
- 2. Planning substantial expansions or modifications of existing facilities, and
- 3. Installing or updating video monitoring systems, electronic surveillance systems, or other monitoring technology.

VIII. Presence of Opposite Gender Personnel/Visitors in Living Units and Infirmaries


A. Individuals will be provided the opportunity to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. This includes viewing via surveillance systems.

B. Notices will be posted in living units, Close Observation Areas (COAs), and infirmaries indicating that personnel of all genders could be present in the unit.

- 1. Notices in COAs will include that cameras in use may be viewed by employees of any gender and individuals will be verbally informed upon placement or during the first tier/cell check after the initial placement. Verbal notification will be documented in the area logs.

a. These requirements will also be added to COA post orders.

C. An announcement will be made by anyone who does not identify with the facility's gender designation, loud enough and often enough to reasonably be heard by the occupants of a housing unit, including the living area (e.g., where


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 9 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

incarcerated individuals sleep), or any common area designated for individuals to disrobe or change their clothing (e.g., bathrooms, showers).

1. At a minimum, announcements will be made when anyone (e.g., staff, contractor/vendor, volunteer, facility guest), who does not identify with the facility's gender designation, enters the living unit and as follows:
  - a. Announcements will be made verbally in Reentry Centers and by using the doorbell system in Prisons.
    - 1) Verbal announcements will be made in Prisons when the doorbell system is not operational.
    - 2) Doorbells will be set to a standardized tone and light determined by the designated Deputy Assistant Secretary/ Gender Responsive Administrator.
    - 3) Individuals will be informed of the purpose and use of doorbells in Prisons.
  - b. Inpatient infirmaries are considered living areas, and staff are required to announce. Announcements are not required by medical and mental health practitioners.
2. Superintendents and Reentry Center CCSs may define where the living area begins within the unit for the purpose of identifying where the announcements must be made and may determine where additional announcements are required based on the physical design of the units.

#### IX. Contracted Confinement of Individuals


- A. Any new or renewed contracts for the confinement of individuals will include the requirement that the contracted facility comply with federal PREA standards and allow the Department to monitor PREA compliance.
- B. The Department will not enter into contracts with facilities that fail to comply with PREA standards, except in emergent situations.
  1. The Department will document all attempts to find an alternate facility that meets PREA standards.
- C. These requirements do not apply to jails used to confine community violators on a short-term basis.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 10 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		


X. Training Requirements

- A. Any PREA-related training will be reviewed and approved by the PREA Coordinator before being implemented.
- B. All new employees, contract staff, and volunteers will receive initial PREA training upon hire/assignment, followed by annual refresher training. When initial training is not conducted prior to assignment, the person will sign DOC 03-478 PREA Acknowledgment and will complete training at the earliest opportunity.
  - 1. Training will address, but will not be limited to, the following:
    - a. Reviewing this policy and related operational memorandums, the Prison Rape Elimination Act of 2003, RCW 9A.44.160, RCW 9A.44.170, RCW 72.09.225, and potential criminal penalties and disciplinary consequences for engaging in prohibited activities.
    - b. Zero tolerance for sexual misconduct and related retaliation.
    - c. Preventing and detecting sexual misconduct, including:
      - 1) Communicating effectively with individuals, including lesbian, gay, bisexual, transgender, intersex, and/or non-binary individuals.
      - 2) Gender-specific issues.
      - 3) Examples of conduct, circumstances, and behaviors that may be precursors to sexual misconduct.
      - 4) Avoiding inappropriate relationships with individuals under the Department's jurisdiction.
      - 5) Recognizing signs of possible/threatened sexual misconduct and staff involvement.
      - 6) Recognizing predatory behavior and common reactions of sexual misconduct victims.
    - d. The dynamics of sexual misconduct in confinement.
    - e. Reporting sexual misconduct, including:
      - 1) Reporting methods,



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 11 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

- 2) Mandatory reporting for incarcerated youth and individuals classified as vulnerable adults, and
  - 3) Disciplinary consequences for staff's failing to report.
- f. Responding to sexual misconduct, including first responder duties.
  - g. Confidentiality requirements.
- 2. Staff will acknowledge their understanding of the training.
    - a. For online training, acknowledgment will be included in the electronic course.
    - b. For in-person training, acknowledgment will be documented on DOC 03-483 PREA Training Acknowledgment or DOC 03-523 PREA Disclosure and Training Acknowledgement for Volunteers.
- C. Vendors and service providers with limited unescorted contact with individuals under the Department's jurisdiction are not required to attend PREA training but must sign DOC 03-478 PREA Acknowledgment.
    - 1. Contract staff who only provide services to individuals on community supervision will be provided with the PREA brochure given to employees, contract staff, and volunteers.
- D. Employees/contract staff who may conduct pat searches will be trained in cross-gender searches and searches of transgender and intersex individuals.
- E. Employees responsible for completing/reviewing risk assessments and making housing/bed assignments will be trained in:
    - 1. Completing DOC 07-019 PREA Risk Assessment,
    - 2. Monitoring procedures, and
    - 3. Documentation requirements.
- F. Employees responsible for making housing and bed assignments will also be trained in compatibility of individuals and documentation requirements.
- G. Except medical records, clerical, pharmacy personnel, and the Dietary Services Manager, health services employees/contract staff will be trained in:
    - 1. Detecting and assessing signs of sexual misconduct,
    - 2. Responding effectively and professionally to sexual misconduct victims,
    - 3. Completing DOC 02-348 Fight/Assault Activity Review,

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 12 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

4. Preserving physical evidence,
5. Reporting sexual misconduct, and
6. Counseling and monitoring procedures.

H. The Assistant Secretary for Health Services/designee will determine the frequency of training for health services employees/contract staff.

I. Health services interns/volunteers will complete a one-time specialty training located on the PREA Advisory Committee SharePoint site and sign the PREA for Medical/Mental Health Interns and Volunteers Training Acknowledgment.

1. The signed acknowledgment will be provided to the PREA Compliance Manager/designee.

J. PREA investigators will be trained in:

1. Crime scene management/investigation, including evidence collection in Prisons and Reentry Centers,
2. Confidentiality of all investigation information,
3. Miranda and Garrity warnings, compelled interviews, and the law enforcement referral process,
4. Crisis intervention,
5. Investigating sexual misconduct,
6. Techniques for interviewing sexual misconduct victims, and
7. Criteria and evidence required to substantiate administrative action or prosecution referral.


K. Within 6 months of assuming duties, Appointing Authorities must complete training specific to PREA investigations and:

1. Responding to allegations,
2. Assessing witness credibility,
3. Making substantiation decisions,
4. Referring to law enforcement,
5. Making notifications, and
6. Creating action plans.


L. The PREA Coordinator will approve all PREA-specific training materials.

XI. Community Victim Advocates


A. Individuals will have tollfree access to the Sexual Assault Support and Information Line operated by the Office of Crime Victims Advocacy (OCVA).

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 13 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

1. Individuals may call 1-855-210-2087 Monday through Friday 8:00 a.m. - 5:00 p.m. to reach an OCVA PREA Support Specialist. Calls will not be monitored or recorded, and an IPIN will not be required. Abuse of the tollfree phone line will be reported to the Superintendent or the Reentry Center Administrator for action as needed.
  2. As appropriate, the OCVA PREA Support Specialist may refer the individual to a local Community Sexual Assault Program (CSAP) Victim Advocate, who can:
    - a. Provide additional support,
    - b. Assist sexual assault survivors in healing, and
    - c. Provide information regarding available resources and options.
- B. Sexual assault support services may also be obtained through legal mail addressed to Just Detention International, 3325 Wilshire Boulevard, Suite 340, Los Angeles, CA 90010. Legal mail will be handled per DOC 450.100 Mail for Individuals in Prison or DOC 450.110 Mail for Individuals in Reentry Centers.
- C. In-person consultations may be available for individuals.
1. In-person meetings should be no more than one hour and will be scheduled in a location where privacy can be maintained.
  2. Individuals in Prison must have previously received phone-based support services to receive an in-person consultation.
    - a. Individuals in Prison will be placed on the callout with the reason listed as “general” or “medical”.
    - b. The CSAP Victim Advocate will:
      - 1) Exchange a government-issued photo Identification (ID) for a pink ID card that contains a picture of the advocate per DOC 400.025 Department Identification Cards.
      - 2) Only bring paper, a pen, and any required paperwork into the facility, unless other items have prior approval from the Superintendent/designee.
      - 3) Be under escort at all times while in the facility. Staff will maintain sight supervision of the meeting between the advocate and the individual.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 14 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		


- 4) Agree upon a signal prior to the meeting that may be used to alert escorting staff if the advocate has a feeling of being unsafe during a meeting with an individual.
  - c. If the individual is in restrictive housing, the meeting will take place in a no-contact room/booth.
    - 1) The individual will be escorted with appropriate restraints, which may be removed while the individual is in the room/booth.
  - d. A meeting may be cancelled by the facility if the incarcerated individual is unstable or disruptive the day of the meeting or there is an emergency.
- D. If an individual requires a forensic medical exam, the CSAP Victim Advocate will be notified prior to transport to the designated community health care facility.
1. A photograph of the advocate will be included in the transport packet for ID purposes.
  2. Unless the individual declines services directly to the advocate, the advocate will be present during the exam and any investigatory interview with the individual following a forensic medical exam. This includes interviews with law enforcement officials.
    - a. Facilities will establish procedures for scheduling and conducting investigatory interviews.
      - 1) Interviews should be scheduled during business hours when possible.
      - 2) Advocates may be available after hours, as needed, based on exigent circumstances or scheduling conflicts with law enforcement.
      - 3) The advocate should be contacted 24 - 48 hours before the interview with the individual.
      - 4) The individual may decline services directly to the advocate.
    - b. If the community health care staff determine a forensic medical exam is not needed, an advocate will not be scheduled by the facility during subsequent investigatory interviews.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 15 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

- E. An alleged victim may request to have a victim advocate present during any investigatory interview of individual-on-individual sexual assault/abuse or staff sexual misconduct by notifying the assigned investigator.
  - 1. The assigned investigator will initiate arrangements with the OCVA per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation.
  - 2. This does not apply to investigations for allegations of sexual harassment.
- F. Victim advocate communications with individuals and records maintained by OCVA and/or the CSAP are privileged and protected from discovery/disclosure, with the following exception:
  - 1. Advocates may disclose confidential communication and/or records if:
    - a. The information involves a report of child abuse or abuse of a vulnerable adult,
    - b. Failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the individual or anyone else,
    - c. The individual has signed a Release of Information, and/or
    - d. In response to a court order.
- G. Posters and brochures provided by the PREA Coordinator regarding advocacy support services will be posted in areas accessible to individuals, including Health Services areas, case manager offices, and law libraries.

**XII. PREA Information**


- A. Individuals under the Department’s jurisdiction will be provided PREA-related information, which will include information on the Department’s zero tolerance stance and ways to report sexual misconduct.
  - 1. Information will be provided, in writing and verbally, in a manner that is clearly understood and allows the individuals to ask questions of the facilitating staff member.
- B. Individuals will be provided additional PREA information, including an informational brochure, during formal orientation per DOC 310.000 Orientation.
  - 1. Individuals in Prison will be provided an informational brochure during intake.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 16 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		


2. If an orientation video is presented in-transit, individuals will be provided an opportunity to ask questions of the facilitator during onsite facility orientation.
  3. Additional PREA information may be covered in the facility orientation handbook.
- C. In Prisons, provision of PREA information will be documented in OMNI Programs.
  - D. In Reentry Centers, orientation will be documented on DOC 05-512 Partial Confinement Orientation Checklist or in OMNI Programs.
  - E. Individuals on community supervision will be provided an informational brochure and DOC 07-024 Conditions, Requirements, and Instructions, which includes information on how to report staff sexual misconduct.
  - F. The need to provide targeted orientation will be determined on a case-by-case basis, taking into consideration:
    1. Reading comprehension levels,
    2. Mental health input/evaluation,
    3. Cognitive abilities,
    4. Interactions with staff, and/or
    5. Language barriers other than Spanish.
  - G. Employees/contract staff providing PREA information will only use the outline and materials approved by the PREA Coordinator.

### XIII. Reporting

- A. Individuals, visitors, family members/associates, and other community members can report:
  1. Allegations of sexual misconduct,
  2. Retaliation by individuals or staff for reporting sexual misconduct, and/or
  3. Staff actions or neglect that may have contributed to an incident of sexual misconduct.
- B. Individuals may report PREA allegations in the following ways. Reporters may remain anonymous and no actions will be taken to attempt to identify any individual who reported an allegation anonymously.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 17 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

1. Through the confidential PREA hotline at 800-586-9431, or at 844-242-1201 for teletypewriter (TTY).
  - a. The tollfree number will be posted on or near all telephones used by incarcerated individuals in Prisons and Reentry Centers and in the lobby/reception area in all Field Offices. Telephones will be accessible to individuals in a Prison or Reentry Center only during their free time hours.
    - 1) The facility/office will not record or monitor calls to the hotline.
    - 2) An IPIN will not be required to place a call to the hotline.
  - b. Headquarters will record and monitor all calls to the hotline. Messages will be checked by Headquarters personnel each regular workday.
2. Verbally to any staff.
3. In writing, through the following processes:
  - a. DOC 21-473 Kite.
  - b. Written notes or letters to staff.
  - c. Legal mail addressed to the State Attorney General, the Office of the Governor, law enforcement, Just Detention International, and/or the PREA Coordinator, per DOC 450.100 Mail for Individuals in Prison or DOC 450.110 Mail for Individuals in Reentry Centers.
    - 1) Legal mail to the PREA Coordinator should be sent to P.O. Box 41131, Olympia, WA 98504.
  - d. Resolution requests, including emergent requests, per DOC 550.100 Resolution Program and the Resolution Program Manual.
    - 1) Copies of resolution requests alleging sexual misconduct will be forwarded immediately to the applicable authority per the PREA Reporting Process attached to DOC 490.850 Prison Rape Elimination Act (PREA) Response.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 18 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

- 2) Individuals are not required to use the informal resolution process before submitting a resolution request containing PREA-related information.
  - 3) The individual will be notified via the resolution response that the allegation was forwarded for review for a possible PREA investigation.
  - 4) The PREA Coordinator/designee will notify the appropriate resolution staff of the determination on whether the allegation meets the definition of sexual misconduct.
    - a) If the allegation does not meet the definition of sexual misconduct, the individual may refile the resolution per DOC 550.100 Resolution Program.
- e. Written report to an outside agency for individuals in a Prison or Reentry Center.
- 1) These reports will be made using DOC 21-379 Report of PREA Allegation to an Outside Agency. Individuals can remain anonymous by not identifying themselves on the form. The forms will be available:
    - a) In areas accessible to individuals in Prisons, with pre-addressed envelopes attached.
    - b) On bulletin boards in Reentry Centers.
  - 2) In Prisons, the individual will place the completed form in the provided pre-addressed envelope and place it in any resolution box. When resolutions are retrieved, the Resolution Specialist/designee will forward the form to the mailroom to be processed without opening, even if there is no return address identifying the author on the envelope.
    - a) Once received, the outside agency will forward the report to the PREA Coordinator/designee, who will review the allegation per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation.
    - b) Upon request, individuals placed in restrictive housing will be provided with DOC 21-379 Report of PREA



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 19 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

Allegation to an Outside Agency and a pre-addressed envelope.

- (1) Individuals can submit the completed form and envelope inside a resolution/medical envelope, which staff will place in the resolution box for processing.
  - (2) When the resolution/medical envelope is opened by resolution staff, the pre-addressed envelope inside will be promptly processed through the facility's mailroom to be processed without being opened or examined.
- 3) If an individual places DOC 21-379 Report of PREA Allegation to an Outside Agency in a resolution/medical envelope or in the facility resolution box without placing it in the pre-addressed envelope, it will be forwarded to the Shift Commander and processed the same as any other PREA allegation received.
- C. Visitors, family members/associates, and other community members can report allegations by calling the PREA hotline, writing a letter to the PREA Coordinator, or sending an email to [DOCPREA@doc.wa.gov](mailto:DOCPREA@doc.wa.gov).
  - D. Staff will report all allegations, related retaliation, and knowledge of related staff actions or neglect that may have contributed to an incident per DOC 490.850 Prison Rape Elimination Act (PREA) Response.

**DEFINITIONS:**


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

**ATTACHMENTS:**

Prison Rape Elimination Act (PREA) Definitions (Attachment 1)

**DOC FORMS:**

DOC 02-348 Fight/Assault Activity Review  
 DOC 03-478 PREA Acknowledgment

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/19/22	<b>PAGE NUMBER</b> 20 of 20	<b>NUMBER</b> <b>DOC 490.800</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)          PREVENTION AND REPORTING</b>		

- DOC 03-483 PREA Training Acknowledgment
- DOC 03-523 PREA Disclosure and Training Acknowledgement for Volunteers
- DOC 05-512 Partial Confinement Orientation Checklist
- DOC 07-019 PREA Risk Assessment
- DOC 07-024 Conditions, Requirements, and Instructions
- DOC 21-379 Report of PREA Allegation to an Outside Agency
- DOC 21-473 Kite
- DOC 21-563 PREA Vulnerability Assessment

## PRISON RAPE ELIMINATION ACT (PREA) DEFINITIONS

**Sexual Misconduct** includes aggravated sexual assault, individual-on-individual sexual assault, sexual abuse, and sexual harassment. It also includes staff-on-individual sexual harassment and staff sexual misconduct.

**Staff** include Department employees, contract staff, volunteers, and any other person providing services in Department facilities or offices.

Consensual, non-coerced sexual activity between individuals under the Department's jurisdiction is prohibited by Department rule but is not defined as a violation of PREA policies.

The following definitions are applicable to Department policies relating to sexual misconduct:

- A. **Aggravated Sexual Assault** includes sexual acts perpetrated by either staff or an individual that occurred within the previous 120 hours and involve penetration or exchange of body fluids.
- B. **Individual-on-Individual Sexual Assault** is an incident in which one or more of the following acts occurs between 2 or more individuals if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
  - 1. Contact between genitalia (i.e., penis, vulva, vagina) or between genitalia and the anus involving penetration, however slight. This does not include kicking, grabbing, or punching genitals when the intent is to harm or debilitate rather than sexually exploit.
  - 2. Contact between the mouth and the penis, vagina, vulva, or anus.
  - 3. Penetration of the anal or genital opening of another individual, however slight, by a hand, finger, or other instrument.
  - 4. Coerced sexual activity in response to pressuring, offer of protection, payment of debt, etc.
- C. **Individual-on-Individual Sexual Abuse** includes sexual contact between 2 or more individuals if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse, including any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttock of another person excluding contact incidental to a physical altercation. This does not include kicking, grabbing, or punching when the intent is to harm or debilitate rather than sexually exploit.
- D. **Staff Sexual Misconduct** includes the following acts when performed by staff:
  - 1. Engaging in sexual intercourse with an individual.
    - a. Sexual intercourse includes vaginal, anal, and oral intercourse, as well as the penetration of an individual's anal or genital opening, however slight, by a hand, finger, object, or other instrument. Penetration with an object is not considered sexual intercourse when it is done for the purpose of a legitimate medical procedure.

## PRISON RAPE ELIMINATION ACT (PREA) DEFINITIONS

2. Allowing an individual to engage in sexual intercourse as defined above with another staff.
3. Intentional contact either directly or through clothing, of or with the genitalia, anus, groin, breast, inner thigh, or buttock of an individual that is unrelated to official duties or where the staff has the intent to abuse, arouse, or gratify sexual desire.
4. Compelling or allowing an individual to touch the genitalia, anus, groin, thigh, breast, or buttock of any staff or another individual, either directly or through clothing, that is unrelated to official duties or where the staff has the intent to abuse, arouse, or gratify sexual desire.
5. Kissing an individual or allowing oneself to be kissed by an individual.
6. Any display by a staff of the staff's uncovered genitalia, breast, or buttock in the presence of an individual.
7. Voyeurism - An invasion of privacy of an individual by staff for reasons unrelated to official duties, such as peering at an individual who is using a toilet in the individual's cell to perform bodily functions, requiring an individual to expose buttocks, genitals, or breasts, or taking images of all or part of an individual's naked body or of an individual performing bodily functions.
8. Engaging in any of the following acts for the purpose of gratifying the sexual desire(s) of any person or getting an individual to engage in staff sexual misconduct, or when the act has sexual undertones (i.e., can reasonably be inferred to be sexual in nature, judged according to a reasonable person's reaction to a similar act under similar circumstances):
  - a. Writing letters, showing pictures, or offering gifts or special privileges to an individual.
  - b. Engaging in a personal relationship with an individual known to be under Department jurisdiction, without legitimate penological purpose unless expressly authorized by the Secretary/designee.
  - c. Pat or strip searches conducted in violation of DOC 420.310 Searches of Offenders, DOC 420.325 Searches and Contraband for Work/Training Release, DOC 420.390 Arrest and Search, and/or operational memorandums.
9. Threatening, bribing, or coercing an individual to engage in staff sexual misconduct.
10. Any attempt or request to engage in sexual misconduct.
11. Purposefully helping another person engage in staff sexual misconduct.
12. Discouraging or preventing individuals and/or staff from making good faith reports of staff sexual misconduct in a timely manner.

## PRISON RAPE ELIMINATION ACT (PREA) DEFINITIONS

E. **Sexual Harassment** includes:

1. Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one individual directed toward another, or
2. Deliberate and repeated verbal comments or gestures of a sexual nature to an individual by staff, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures, to include:
  - a. Comments made by staff about an individual's body intended to abuse, humiliate, harass, degrade, or arouse any person.
  - b. Demeaning or sexually oriented statements/gestures made by staff in the presence of an individual.

Department of Justice PREA Resource Center, (FAQ 06/02/2015) states, "Repeated, in the context of this provision, means more than one incident. Please note that the seriousness of the conduct should be taken into account in determining the appropriate commensurate response by the agency or facility. Serious misconduct along these lines, even if committed once, should still be addressed by the agency or facility."



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY**  
FACILITY/SPANISH MANUALS

REVISION DATE  
4/15/23

PAGE NUMBER  
1 of 10

NUMBER  
**DOC 490.820**

**POLICY**

TITLE  
**PRISON RAPE ELIMINATION ACT (PREA)  
RISK ASSESSMENTS AND ASSIGNMENTS**

**REVIEW/REVISION HISTORY:**

- Effective: 1/15/10
- Revised: 5/23/11
- Revised: 6/21/12
- Revised: 10/1/13
- Revised: 5/1/14
- Revised: 4/13/15
- Revised: 1/15/16
- Revised: 10/31/16
- Revised: 6/18/18
- Revised: 6/13/19
- Revised: 3/9/22
- Revised: 4/15/23

**SUMMARY OF REVISION/REVIEW:**


Policy Statement II., I.B.1.c., I.D.1.a., I.D.1.e.5), VI.E., and VIII.A. & B. - Adjusted language for clarification  
 I.D.1.e. and I.D.1.e.1) - Added language for clarification  
 I.D.1.e.2) and I.D.1.e.2)a) - Removed unnecessary language  
 Added VIII.A.5 that demographic data will be documented on the standardized spreadsheet

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
 Department of Corrections

3/31/23  
 \_\_\_\_\_  
 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/15/23	<b>PAGE NUMBER</b> 2 of 10	<b>NUMBER</b> <b>DOC 490.820</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RISK ASSESSMENTS AND ASSIGNMENTS</b>		

## REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.160](#); [RCW 9A.44.170](#); [RCW 72.09.225](#); DOC 300.380 Classification and Custody Facility Plan Review; DOC 450.500 Language Services for Limited English Proficient Individuals; DOC 490.700 Transgender, Intersex, and/or Non-Binary Housing and Supervision; DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting; [PREA Standards](#); [Prison Rape Elimination Act](#)

## POLICY:

- I. The Department has established uniform procedures for assessing the risk of sexual victimization and/or predation for all individuals under its jurisdiction and maintaining information for use in housing and program assignment decisions.
- II. Housing and programming procedures for individuals who are transgender, intersex, or non-binary will be conducted per DOC 490.700 Transgender, Intersex, and/or Non-Binary Housing and Supervision.

## DIRECTIVE:

- I. Assessments
  - A. Prison Rape Elimination Act (PREA) Risk Assessments (PRAs) will be completed in the individual's electronic file and must be completed in person with the individual.
    1. If the PRA cannot be completed in the individual's electronic file, the case manager may use DOC 07-019 Prison Rape Elimination Act (PREA) Risk Assessment to document PRA information and update the electronic file as soon as practical.
    2. The PRA may be postponed if exigent circumstances make the individual unable to participate in the PRA process (e.g., significant medical/mental health issues, critical incident at the facility), provided the PRA is completed as soon as the individual is available. A chronological (chrono) entry will be made documenting the reason for the PRA delay.
      - a. Professional interpreter or translation services, including sign language, are available to assist individuals with the completion of PRAs per DOC 450.500 Language Services for Limited English Proficient Individuals. Certified employee/contract staff interpreters may be used to assist with PRAs as needed.
    3. The Superintendent/Community Corrections Supervisor (CCS) will establish a process to ensure PRAs are completed if an individual is not

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/15/23	<b>PAGE NUMBER</b> 3 of 10	<b>NUMBER</b> <b>DOC 490.820</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RISK ASSESSMENTS AND ASSIGNMENTS</b>		


assigned to a case manager or the assigned case manager is not available to complete the PRA within required timeframes.

4. If an individual's PRA indicator changes from "No Risk" to "Potential Victim", "Potential Perpetrator", or "Dual Identifier" (i.e., score as both a potential victim and potential predator), the case manager will immediately review the assigned cell/room to ensure the occupants remain an appropriate match based on available information.
5. All required PRAs must be completed as outlined in this policy, regardless of the individual's housing assignment (e.g., single person cell, infirmary).
  - a. Once a PRA has been initiated, it must be completed within 72 hours, to include any override approvals needed.

**B. Initial and Intake PRAs**

1. Case managers and designated Reentry Center employees will complete a PRA within 72 hours of arrival for all individuals arriving at any Department facility. This includes individuals returning to a facility from unescorted leave (e.g., out to court). Facilities will establish procedures to ensure completion within 72 hours, even on weekends and holidays.
  - a. Initial assessments will be completed within 72 hours of arrival of the facility in which an individual is received (e.g., new commitment, violator, boarder).
  - b. Intake assessments will be completed within 72 hours of transfer of any individual between Department facilities.
  - c. Facilities will consider all available information (e.g., previous PRAs, medical/mental health assessment information).
2. If a new commitment, violator, or county boarder is received who requires placement in a cell or room prior to the completion of a PRA, designated employees (e.g., Shift Commander, Shift Sergeant) will complete DOC 07-019 Prison Rape Elimination Act (PREA) Risk Assessment and the case manager will update the electronic file as soon as practical, adding "earlier completion in hard copy" in the comments section.
  - a. The individual will be assigned to a single cell/room or housed only with individuals who have a PRA indicator of "No Risk".



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/15/23	<b>PAGE NUMBER</b> 4 of 10	<b>NUMBER</b> <b>DOC 490.820</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA)</b> <b>RISK ASSESSMENTS AND ASSIGNMENTS</b>		


3. For transfers, transport employees will review the transfer manifest before finalizing to minimize PREA-related issues before, during, or immediately after transport.
  - a. The receiving facility will prescreen each individual on the transfer manifest for PREA-related risk issues per DOC 300.380 Classification and Custody Facility Plan Review.
    - 1) If a PRA was not previously completed, it will be completed before placement in a housing unit.

C. Follow-Up PRAs

1. A follow-up PRA will be completed between 21 and 30 days after the individual's arrival at the facility.

D. For-Cause PRAs

1. For-cause PRAs will be completed within 10 business days by the assigned case manager:
  - a. When new information is received suggesting potential for victimization or predation (e.g., reports of behavior while in jail or on the bus in transit, court documents, Pre-Sentence Investigations).
  - b. If the individual self-discloses information that could impact assessed risk (e.g., previously unreported prior abuse, sexual orientation/identity).
  - c. When there is a finding of guilt on certain infractions listed in the PRA, including violent infractions and infractions for sexual assault/abuse.
  - d. When an employee/contract staff observes behavior suggesting potential for victimization or predation.
  - e. For victims of substantiated or unsubstantiated allegations of individual-on-individual sexual abuse/assault or staff sexual misconduct.
    - 1) The Appointing Authority will develop local procedures for notifying the assigned case manager and PREA Compliance Manager/Specialist of substantiated or unsubstantiated allegations. The PREA Compliance Manager/Specialist will be notified upon completion of the required PRA.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/15/23	<b>PAGE NUMBER</b> 5 of 10	<b>NUMBER</b> <b>DOC 490.820</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RISK ASSESSMENTS AND ASSIGNMENTS</b>		

- 2) In Prisons, PRAs will be completed for all substantiated incarcerated perpetrators.
  - a) The assigned case manager(s) will refer the perpetrator to Mental Health using DOC 13-509 PREA Mental Health Notification, which will include the reasons for the referral.
- 3) In Reentry Centers, the perpetrator will be transferred to a Prison if the individual has not transferred during the investigation, released, or is already being held in a county jail. Once the Reentry Center Administrator/designee notifies the Superintendent of the substantiated allegation, a mental health evaluation will be requested at the Prison using DOC 13-509 PREA Mental Health Notification.
  - a) The victim will be provided with community mental health contact information.
- 4) If the individual is transferred to another facility before the PRA is completed, the sending Appointing Authority/designee will notify the receiving Appointing Authority/designee of the substantiated allegation, and the receiving facility will complete the PRA.
- 5) The Director of PREA Services/designee will ensure all for-cause PRAs have been completed in response to applicable substantiated or unsubstantiated investigations. The individual's name, DOC number, case number, and role in the investigation (i.e., victim or perpetrator) will be documented in a restricted SharePoint site.

2. For-cause PRAs will not replace required initial, intake, or follow-up PRAs.

E. Employees who complete the PRA will meet face-to-face with the individual, who will be given the opportunity to provide relevant information. Information for PRAs may also be obtained from available file information and any other reliable source.

1. The source of the information will be documented in the comment section of the PRA.
2. Individuals are not obligated to answer PRA questions and cannot be disciplined for refusing to answer or not disclosing complete information in response to assessments.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/15/23	<b>PAGE NUMBER</b> 6 of 10	<b>NUMBER</b> <b>DOC 490.820</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RISK ASSESSMENTS AND ASSIGNMENTS</b>		


F. The Correctional Program Manager (CPM)/CCS will conduct monthly quality assurance reviews of randomly selected PRAs, reviewing at least 2 completed PRAs for each case manager they supervise.

## II. PRA Overrides

- A. An override must be approved by the Appointing Authority/designee.
  - 1. Designees must be a CPM or higher rank in Prisons and CCS or higher rank in Reentry Centers.
- B. Overrides should be requested when the assessor believes the PRA indicator calculated by the system does not accurately reflect the individual's risk and/or vulnerability based on documented behavior and additional information obtained (e.g., scores as Potential Victim, but displays behavior that indicates Potential Predator or Dual Identifier).
- C. Justification for overrides will be documented on the PREA Risk Assessment screen in the individual's electronic file.

## III. Monitoring Plans

- A. Case managers will develop a monitoring plan for:
  - 1. Individuals at increased risk for sexual victimization or predation.
  - 2. An individual who scores as a dual identifier.
  - 3. Transgender, intersex, and non-binary individuals.
- B. Immediate actions will be taken to protect the individual when it has been determined that the individual is at substantial risk of immediate sexual assault or abuse.
- C. Elements to consider in the monitoring plan include:
  - 1. Increased case manager-initiated contact (e.g., checking in with the individual).
  - 2. Increased reporting to employees by the individual (e.g., checking in with custody officer, assigned case manager).
  - 3. Notification of screening results to a unit employee with a note to monitor the individual for changes in baseline behavior (e.g., cell change requests, giving/receiving store, depression, avoidance) and referral to mental health using DOC 13-509 PREA Mental Health Notification if changes occur.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/15/23	<b>PAGE NUMBER</b> 7 of 10	<b>NUMBER</b> <b>DOC 490.820</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RISK ASSESSMENTS AND ASSIGNMENTS</b>		

4. Instructing the individual to immediately report any sexually motivated interactions by other incarcerated individuals.
5. Encouraging the individual to maintain scheduled meetings with mental health providers, if applicable.
6. Addressing any contact made between the perpetrator and the victim in cases of substantiated staff sexual misconduct.
7. Other items that correlate with any of the specific information contained in the PRA.

- D. Case managers will document the monitoring plan in a PREA Monitoring chrono entry in the individual's electronic file.
- E. The monitoring plan will be reviewed during routine Facility Risk Management Team (FRMT) meetings and documented in a PREA Monitoring chrono entry.


#### IV. Prison Mental Health Services

- A. Case managers will complete referrals for mental health services using DOC 13-509 PREA Mental Health Notification if the screening indicates that the individual has perpetrated sexual abuse and/or has experienced prior sexual victimization, whether in an institutional setting or in the community:
  1. At the time the initial/intake PRA is completed, or
  2. If a follow-up/for-cause assessment results in:
    - a. An individual obtaining a new yes score as a perpetrator or having experienced sexual abuse, or
    - b. If an individual has a score of yes, but there is new information.
- B. The referring employee will ask if the individual wishes to meet with a mental health provider as a result of the PRA information and will document the response on the DOC 13-509 PREA Mental Health Notification.


#### V. Job/Programming Assignments

- A. PRA information will be reviewed when making job and programming assignments per DOC 300.380 Classification and Custody Facility Plan Review.

#### VI. Housing Assignments

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/15/23	<b>PAGE NUMBER</b> 8 of 10	<b>NUMBER</b> <b>DOC 490.820</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RISK ASSESSMENTS AND ASSIGNMENTS</b>		

- A. Before placing the individual in a multi-person cell/room, employees responsible for making housing assignments will review the PRA identifier to ensure the compatibility of cell/roommates.
  - 1. For individuals who have not had a PRA, either at the sending facility or on a prior incarceration, a mental health employee/contract staff will review the completed DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening for information impacting the housing assignment.
  - 2. Employees will document the review in a PREA Housing chrono entry for each cell occupant.
  
- B. Housing compatibility reviews and related PREA Housing chrono entries are not required for individuals being placed in dedicated single person cells (e.g., Intensive Management Unit, segregation, mental health units) unless more than one individual is placed in the cell.
  
- C. If an individual is transferring between facilities, housing reviews can be completed in advance of the individual's arrival as long as a review is done to ensure the individuals assigned to the designated cell have not changed before the arriving individual is placed in the cell.
  
- D. An individual who scores at potential risk for sexual victimization will not be housed in the same cell/room as an individual who scores at potential risk for sexual predation or as a dual identifier.
  - 1. An individual who scores as a dual identifier can only be housed in the same cell/room with an individual who scores as no risk identified.
  - 2. Facilities with dormitory/open housing will establish procedures for appropriate bed assignments for at risk individuals.
  - 3. In Prisons, this separation may include placement in Administrative Segregation.
    - a. Placement in Administrative Segregation for more than 24 hours should only occur if no suitable alternative housing exists and will last only until alternative placement can be made. Each alternative considered, along with the reason(s) it was determined unsuitable, will be documented in a PREA Housing chrono entry.
      - 1) In the rare event that placement lasts more than 30 days, a review will be conducted every 30 days to determine the continued need for the placement.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<p>APPLICABILITY <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS</p>		
	<p>REVISION DATE 4/15/23</p>	<p>PAGE NUMBER 9 of 10</p>	<p>NUMBER <b>DOC 490.820</b></p>
	<p>TITLE <b>PRISON RAPE ELIMINATION ACT (PREA) RISK ASSESSMENTS AND ASSIGNMENTS</b></p>		

b. Individuals on this type of placement will have access to programming and job assignments to the extent possible. When unavailable, the reason and duration will be documented in the individual's electronic file.

E. Individuals who are lesbian, gay, bisexual, transgender, intersex, and non-binary may not be placed in dedicated facilities/areas within a facility.

1. Superintendents will ensure:

a. Dedicated placements do not occur,

b. Individuals are not grouped together within a facility based solely on this status, and

c. Employees who make housing assignments are aware of this prohibition.

2. The PREA Compliance Manager/designee will conduct periodic reviews of the housing assignments of these individuals to ensure dedicated placements do not occur.

## VII. Training

A. Employees responsible for completing/reviewing PRAs and making housing assignments will be trained per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.

## VIII. Documentation

A. The Superintendent/Reentry Center Administrator/designee will ensure the following are documented on a standardized spreadsheet provided by the Director of PREA Services:

1. PRA completion

2. Orientation completion

3. Monitoring plan initiation

4. CPM/CCS PRA review

5. Demographic data, including:


a. Physical disability (e.g., blind, hearing impairment)

b. Cognitive disability

c. Limited English proficient

d. Lesbian, gay, bisexual, transgender, intersex, and/or non-binary

e. Vulnerable adult

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>PRISON/REENTRY</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 4/15/23	<b>PAGE NUMBER</b> 10 of 10	<b>NUMBER</b> <b>DOC 490.820</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RISK ASSESSMENTS AND ASSIGNMENTS</b>		

- B. Spreadsheets will be submitted to the Director of PREA Services/designee by the 10<sup>th</sup> of the month following the end of each quarter.

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

DOC 07-019 Prison Rape Elimination Act (PREA) Risk Assessment  
 DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening  
 DOC 13-509 PREA Mental Health Notification



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**DEPARTMENT WIDE**  
FACILITY/SPANISH MANUALS

REVISION DATE  
1/27/22

PAGE NUMBER  
1 of 12

NUMBER  
**DOC 490.850**

**POLICY**

TITLE  
**PRISON RAPE ELIMINATION ACT (PREA) RESPONSE**

**REVIEW/REVISION HISTORY:**

- Effective: 1/15/10
- Revised: 3/19/12
- Revised: 10/1/13
- Revised: 5/1/14
- Revised: 4/13/15
- Revised: 9/1/16
- Revised: 8/02/18
- Revised: 2/6/19
- Revised: 10/8/20
- Revised: 1/27/22

**SUMMARY OF REVISION/REVIEW:**

Updated terminology throughout  
I.A.3. - Adjusted for person-centered language  
Added III.B.4.a.1)a) that the nurse/health care practitioner will document in the health record when a SAFE/SANE is unavailable to conduct an examination  
VI.A. - Added language for clarification


**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

1/14/22  
\_\_\_\_\_  
Date Signed



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 2 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.160](#); [RCW 9A.44.170](#); [RCW 42.56](#); [RCW 72.09.225](#); [RCW 42.56](#); DOC 320.200 Administrative Segregation; DOC 320.260 Secured Housing Units; DOC 410.050 Emergency Management Plan (RESTRICTED); DOC 410.950 Emergency Management for Non-Prison Facilities and Offices (RESTRICTED); DOC 420.365 Evidence Management for Work/Training Release; DOC 420.375 Contraband and Evidence Handling (RESTRICTED); DOC 420.395 Evidence/Property Procedures for Field; DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting; DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments; DOC 490.860 Prison Rape Elimination Act (PREA) Investigation; DOC 610.025 Health Services Management of Alleged Sexual Misconduct Cases; [42 CFR Part 2](#); [PREA Standards](#); [Prison Rape Elimination Act](#); Sexual Assault Evidence Collection: Uniform Evidence Protocol

**POLICY:**

- I. The Department will respond to allegations of sexual misconduct to support and provide assistance to the alleged victim, enhance security, and maximize the ability to obtain evidence to use in investigations and criminal prosecutions where applicable.
- II. Information related to allegations/incidents of sexual misconduct is confidential and will only be disclosed when necessary for related treatment, investigation, and other security and management decisions.
  - A. This provision is not intended to affect the Department’s obligation to gather, review, and potentially produce records of allegations or incidents of sexual misconduct as required per RCW 42.56.
  - B. The name of the alleged perpetrator will be released to the applicable health care provider if requested for evaluation of the alleged victim’s medical needs.
  - C. Staff who breach confidentiality may be subject to corrective/disciplinary action.
- III. Terms used in this policy are defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.


**DIRECTIVE:**

- I. Staff Reporting
  - A. Staff must immediately report any knowledge, suspicion, or information received, including anonymous and third-party reports, regarding an allegation or incident of sexual misconduct occurring in any incarceration setting even if it is not a

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 3 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		

Department facility. This also includes related retaliation and knowledge of staff actions or neglect that may have contributed to an incident.

1. Allegations of sexual assault that occurred within 120 hours and involve penetration and/or the exchange of bodily fluids are considered emergent PREA incidents and must be reported immediately.
    - a. A provider may wait until the end of a session to report if a non-emergent potential PREA incident is discovered during a medical, mental health, or sex offender treatment session. The provider will complete necessary documentation no later than the end of the same shift.
  2. Every allegation will be reported, even if the individual reported the same allegation previously to the same staff.
  3. It is only appropriate for health services staff to interview a patient for the purpose of clarification, investigation, or obtaining information/evidence regarding a PREA investigation when assigned to investigate the case as approved by the appropriate Health Services Appointing Authority.
- B. Individuals will be informed of the requirements of mandatory reporting at reception, and information will be posted in Health Services areas where it can be seen by incarcerated individuals.
1. Health services providers must inform of the duty to report before providing treatment when an individual:
    - a. Displays signs/symptoms of sexual misconduct that are identified or observed in the course of an appointment or examination, or
    - b. Discloses to a medical or mental health provider sexual misconduct that occurred while in any correctional setting.
- C. When an individual discloses to a medical or mental health provider sexual abuse that occurred in the community, the individual must sign DOC 13-035 Authorization for Disclosure of Health Information before the provider can release the information.
- D. When an individual discloses a PREA incident or PREA-related information to a substance use disorder treatment provider covered under 42 CFR Part 2, the provider will complete and obtain the individual's signature on DOC 14-172 Substance Abuse Recover Unit Compound Release of Confidential Information prior to reporting the information per Attachment 2.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 4 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		


1. The release must specify the person to whom the allegation/information is being disclosed.
  2. If the individual refuses to sign, the provider must still make required notification. A confidential report will be completed in the Incident Management Reporting System (IMRS) that does not include substance use disorder information so that the individual's participation in a substance use disorder treatment program is not disclosed. This includes not identifying the provider's position as a treatment provider.
- E. Staff who fail to report an allegation or incident, or who knowingly submit or coerce/threaten another to submit incomplete or untruthful information, may be subject to corrective/disciplinary action.
- F. Staff receiving any information regarding an allegation or incident of sexual misconduct must deliver the information confidentially and immediately per the PREA Reporting Process (Attachment 2).

## II. PREA Response Plan


- A. Each Prison, Reentry Center, and Field Office will maintain a PREA Response Plan providing detailed instructions for responding to allegations of sexual misconduct.
1. The PREA Response Plan will consist of 4 sections composed of the documents listed in PREA Response Plan Contents (Attachment 4).
  2. The plan will be maintained by the PREA Compliance Manager/Specialist:
    - a. In the Shift Commander's office for Prisons.
    - b. With the Emergency Management Plan for Reentry Centers and Field Offices.

## III. Response to Allegations of Sexual Misconduct


- A. For all allegations except aggravated sexual assault, the Shift Commander/Community Corrections Supervisor (CCS)/designee will implement appropriate security procedures and initiate DOC 02-011 PREA Response and Containment Checklist.
1. Shift Commanders will review the Incident Report Log and PREA Case Management screens in the PREA database section of the electronic file to determine if the allegation has previously been reported and ensure there is no new/additional information.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 5 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		


- a. The alleged victim will be notified per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation.
  - b. Shift Commanders and PREA Compliance Managers/Specialists will sign DOC 21-662 PREA Database Access Confidentiality Agreement before being granted access to the PREA database.
2. For allegations received directly by the Headquarters PREA Unit and determined to fall within the definition of a PREA incident, the PREA Coordinator/designee will notify the PREA Compliance Manager/Specialist to ensure required medical and mental health referrals are completed.
- B. For allegations of aggravated sexual assault, the Shift Commander/CCS/designee will initiate DOC 02-007 Aggravated Sexual Assault Checklist, and the PREA Response Team will conduct a coordinated, multidisciplinary response to the allegation.
1. In Prisons, the medical provider attending to the individual will complete DOC 02-021 Aggravated Sexual Assault Medical Follow-Up Checklist and submit it to the Shift Commander.
  2. Each Prison will establish a local PREA Response Team. One team will be established for Reentry Centers, and one team will be established for community supervision.
    - a. Each Prison PREA Response Team will include:
      - 1) A Sergeant
      - 2) The Chief Investigator/designee
      - 3) A designated medical employee/contract staff
      - 4) A designated mental health employee/contract staff
      - 5) Other staff as necessary, which will be designated by the Superintendent and may include:
        - a) Correctional Unit Supervisors
        - b) Counselors
        - c) Religious Coordinator
        - d) The PREA Compliance Manager/Specialist
        - e) Response and Movement officers
        - f) Facility Duty Officers
    - b. The Reentry Center PREA Response Team will include:
      - 1) The Reentry Center Administrator/designee

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 6 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		

- 2) A Reentry Center CCS
  - 3) The Medical or Mental Health Duty Officer
  - 4) Other staff as necessary, which will be designated by the Reentry Center Administrator
- c. The community supervision PREA Response Team will include:
- 1) A Senior Administrator
  - 2) A Field Administrator
  - 3) The Medical or Mental Health Duty Officer
  - 4) Other staff as necessary and designated by the Senior Administrator
- d. If an event requires additional resources:
- 1) Reentry Centers and stand-alone Level 2 facilities will contact partner facilities per Attachment 5.
  - 2) Field Offices will use community resources unless additional Department resources are required, in which case requests will be submitted through the Appointing Authority/designee.
- e. Employees/contract staff designated to participate on a PREA Response Team will complete facility specific training on responding to aggravated sexual assault which will include, but not be limited to:
- 1) Requirements of this policy and the PREA Response Plan
  - 2) Issues of sexual assault victims
  - 3) Gender-responsive issues related to PREA response
  - 4) Evidence collection and retention
  - 5) Interactions with law enforcement
3. Prisons and Reentry Centers will maintain PREA response kits for responding to allegations of aggravated sexual assault, which contain the items listed in Attachment 3. The PREA Compliance Manager/designee will immediately replace any used items and inspect the kits regularly.
  4. In Prisons, forensic examinations will be conducted per DOC 610.025 Health Services Management of Alleged Sexual Misconduct Cases.
    - a. Forensic exams will be performed only at designated health care facilities in the community by a Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) where possible.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 7 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		

- 1) If a SAFE/SANE is not available, the examination can be performed by a qualified medical practitioner.
  - a) The nurse/health care practitioner will document in the health record when a SAFE/SANE is unavailable to conduct the forensic medical examination.
- b. The partnered victim advocacy organization will be contacted to ensure an advocate is present during the exam. Presence of the advocate will be documented in the IMRS and on DOC 02-007 Aggravated Sexual Assault Checklist.
  - 1) Partnered advocacy organizations are detailed in the Designated Advocates and Hospital List maintained on the Department's internal website and in the facility's PREA Response Plan.
  - 2) The individual will also be provided with an advocate during all related investigatory interviews per the facility's legal advocacy procedure.
- c. The PREA Coordinator will be notified via email of all forensic medical examinations as soon as possible.
5. Reentry Centers will develop local procedures to ensure alleged victims of aggravated sexual assault are provided with emergency medical care to include forensic medical examinations, as applicable.
6. Victims in all cases of reported sexual misconduct, regardless of who the misconduct is reported to, will receive immediate medical and mental health services per DOC 610.025 Health Services Management of Alleged Sexual Misconduct Cases.
  - a. Individuals alleging sexual acts perpetrated by either staff or another individual that occurred within the previous 120 hours and involve penetration or exchange of body fluids will be assessed for immediate medical needs before transport to the designated community health care facility for a forensic medical examination.
  - b. Individuals will also be referred for medical evaluation if a report of sexual assault is made within 12 months of the alleged incident.
    - 1) The individual will be escorted to health services.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 8 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		

c. For all allegations not received directly by the Headquarters PREA Unit, the individual will be referred for follow-up to a mental health care provider using DOC 13-509 PREA Mental Health Notification.

7. Each Prison, Reentry Center, and Field Office will develop procedures for victims to receive ongoing medical, mental health, and support services as needed.

a. Reentry Centers and Field Offices will include referral information for community-based mental health services. Field Offices will also include referral information for victim advocacy services.

C. For all investigated allegations, the Superintendent/CCS/designee will ensure alleged victims of sexual misconduct under the Department's jurisdiction are provided with PREA Investigation Process (Attachment 1).

D. The Appointing Authority will notify the appropriate Appointing Authority or facility administrator within 72 hours of receipt of an allegation when the alleged incident:

1. Occurred in another Department location or another jurisdiction.
2. Involved a staff who reports through another Appointing Authority.


#### IV. Fights/Assaults in Prisons

A. Where available, health services employees/contract staff will:

1. Gather information on each individual involved in a fight and/or assault, and
2. Initiate and submit DOC 02-348 Fight/Assault Activity Review to the Shift Commander for review, notification, and investigation:
  - a. Immediately, if there is any indication of sexual misconduct, or
  - b. Before the end of shift if no sexual misconduct is indicated.

B. In Prisons without 24-hour onsite medical services, the Shift Commander will review sexual motivation with the on-call medical provider by telephone and complete DOC 02-348 Fight/Assault Activity Review based on the review. The form will be signed by the provider upon the individual's return to the facility.

C. If sexual motivation is indicated, the Shift Commander will report the incident to the Superintendent and a confidential report will be submitted in IMRS. The

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 9 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		

PREA Coordinator/designee will review the report and determine if an investigation is warranted.

V. Appointing Authority Response

A. Individual-on-Individual Sexual Misconduct


1. Upon receipt of an allegation of individual-on-individual sexual assault, the Appointing Authority/Shift Commander/CCS will immediately direct employees/contract staff to separate the accused from the alleged victim and witnesses.
  - a. In Prisons, the accused may be placed in restrictive housing per DOC 320.200 Administrative Segregation or DOC 320.260 Secured Housing Units.
    - 1) Placement decisions will be based on the seriousness of the allegation. Least restrictive housing options should be considered before placement in restrictive housing.
  - b. In Reentry Centers, the accused may be transferred to a Prison.
2. Upon receipt of an allegation of individual-on-individual sexual abuse or sexual harassment, the Appointing Authority/Shift Commander/CCS will take necessary actions to protect the alleged victim and will consider:
  - a. The nature of the allegation,
  - b. The expressed mental health needs of the alleged victim, and
  - c. Staff observations of the alleged victim's behavior or demeanor.

B. Staff Sexual Misconduct

1. Upon receipt of an allegation of staff sexual misconduct, the Appointing Authority/designee will direct that one-on-one contact between the accused and the alleged victim is prohibited while the allegation is investigated.
  - a. The Appointing Authority may temporarily reassign and/or restrict/modify the job duties of the accused during the investigation.
  - b. If the accused is a contract staff or volunteer, the Appointing Authority may restrict entry into the facility while the allegation is investigated.

C. The Appointing Authority/designee will ensure that notification is made to:



 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 10 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		


1. Child Protective Services (CPS), if the alleged incident occurred in any correctional setting and the alleged victim is/was under the age of 18 at the time.
2. Adult Protective Services (APS), if the alleged victim is classified as a vulnerable adult.

D. The Appointing Authority/designee will attempt to minimize any disturbance to the alleged victim's housing location, program activities, and/or supervision during the investigation.

1. In Prisons, an alleged victim will be placed in Administrative Segregation/ Secured Housing per DOC 320.200 Administrative Segregation or DOC 320.260 Secured Housing Units only:
  - a. Upon the alleged victim's documented request, or
  - b. If the Appointing Authority/designee has specific information that the alleged victim may be a danger to self or in danger from other individuals.
    - 1) The placement should only be made when no suitable alternative housing exists and last only as long as necessary for the individual's protection.
2. In Reentry Centers, an alleged victim will be transferred to a Prison only upon the alleged victim's documented request, or when community medical or mental health services are insufficient to meet the alleged victim's needs.

## VI. Medical and Mental Health Services

- A. All medical and mental health services for victims of sexual misconduct will be provided at no cost to the individual whether the individual names the abuser or cooperates with any related investigation.
  1. Individuals housed in facilities with onsite health services will receive timely access to medical and mental health services per DOC 610.025 Health Services Management of Alleged Sexual Misconduct Cases.
  2. Medical and mental health services for all other individuals will be coordinated by the Reentry Center Administrator or applicable Field Administrator or their designees.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 1/27/22	<b>PAGE NUMBER</b> 11 of 12	<b>NUMBER</b> <b>DOC 490.850</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) RESPONSE</b>		

VII. Records

- A. If applicable following a response, the Shift Commander will ensure that the following records are compiled and submitted to the Appointing Authority/designee:
  - 1. A printed copy of the IMRS report
  - 2. The original DOC 21-917 Incident Report and any completed response checklists
  - 3. Copies of the:
    - a. Administrative Segregation paperwork
    - b. DOC 13-509 PREA Mental Health Notification
    - c. Any DOC 21-043 Evidence Card(s)
    - d. DOC 03-505 Law Enforcement Referral of PREA Allegation
- B. If an allegation involves another facility/location, all original records will be forwarded to the applicable Appointing Authority and a copy will be retained at the facility/location receiving the allegation.

**DEFINITIONS:**

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

**ATTACHMENTS:**

- PREA Investigation Process (Attachment 1)
- PREA Reporting Process (Attachment 2)
- PREA Response Kit Contents (Attachment 3)
- PREA Response Plan Contents (Attachment 4)
- Prison Partners for Stand-Alone Level 2 Facilities and Reentry Centers (Attachment 5)

**DOC FORMS:**

- DOC 02-007 Aggravated Sexual Assault Checklist
- DOC 02-011 PREA Response and Containment Checklist
- DOC 02-021 Aggravated Sexual Assault Medical Follow-Up Checklist
- DOC 02-348 Fight/Assault Activity Review
- DOC 03-484 Interview Acknowledgement
- DOC 03-505 Law Enforcement Referral of PREA Allegation



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**DEPARTMENT WIDE**  
FACILITY/SPANISH MANUALS

REVISION DATE  
1/27/22

PAGE NUMBER  
12 of 12

NUMBER  
**DOC 490.850**

**POLICY**

TITLE  
**PRISON RAPE ELIMINATION ACT (PREA) RESPONSE**

- DOC 13-035 Authorization for Disclosure of Health Information
- DOC 13-509 PREA Mental Health Notification
- DOC 14-172 Substance Abuse Recover Unit Compound Release of Confidential Information
- DOC 16-357 Crime Scene Containment/Preservation/Processing Checklist
- DOC 16-358 Crime Scene Security Log
- DOC 21-042 Photo Description
- DOC 21-043 Evidence Card
- DOC 21-329 Property - ID Label
- DOC 21-662 PREA Database Access Confidentiality Agreement
- DOC 21-917 Incident Report

## PREA INVESTIGATION PROCESS

Being involved in a PREA investigation can be stressful. This information sheet is designed to provide an overview of the PREA investigation process and help ease anxiety.

When a PREA allegation is made, the Department PREA Unit is notified. Staff assigned to the unit review the allegation to decide if the incident/issue meets the definition of PREA. Once that's done, they look to see if it has been previously reported and/or if it has already been investigated.

- If the incident/issue has been investigated, a new investigation will not be started and the information will be added to the closed investigation file.
- If there is a current, ongoing investigation, the information will be provided to the assigned staff investigator.

When a new investigation is opened, it is assigned to an Appointing Authority (e.g., Superintendent, Health Services Administrator, Reentry Center Administrator) where the alleged incident occurred or where an accused staff member reports. The case is then assigned to a staff member who has received specialized training in administrative investigations. If the allegation appears to be criminal in nature, it will be referred to law enforcement and they may decide to investigate the allegation.

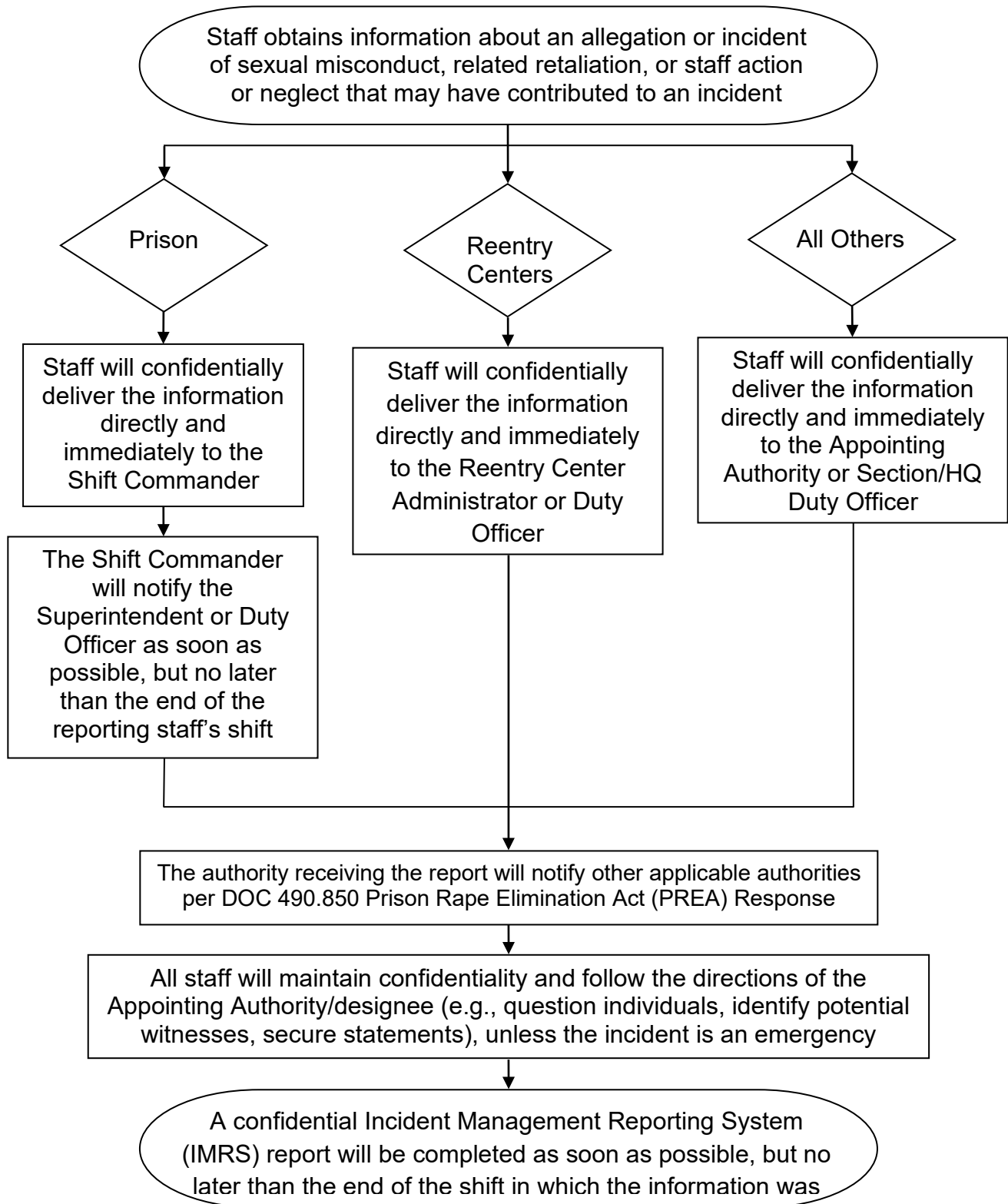
The investigator will meet separately with both the alleged victim and alleged perpetrator.

- Potential victims of sexual assault/abuse or staff sexual misconduct (not sexual harassment) may wish to have a victim advocate present during the investigatory interview. They must tell the assigned investigator that they wish to have a victim advocate available to support them during the investigation process. The investigator will make arrangements for victim advocacy by contacting the Office of Crime Victim Advocacy (OCVA) to schedule the interview at a time when the advocate will be available. The advocate will participate by telephone.
- Support beyond the investigation is available by contacting OCVA using the toll-free number 855-210-2087 to speak with a PREA Support Specialist Monday through Friday from 8:00 a.m. - 5:00 p.m.
- When possible, the assigned investigator should conduct all investigative interviews. While an in-person interview is preferred, conducting an interview telephonically or by video conference may be used.

At the start of the meeting, the individual will be presented with DOC 03-484 Interview Acknowledgement.

- This form explains when the Department is obligated to release information, the information related to allegations/incidents of sexual misconduct will only be disclosed to staff when necessary, and that individuals will not be retaliated against for participating in the investigation.

# PREA REPORTING PROCESS



**Staff may report allegations of a highly sensitive nature (e.g., allegations against the Shift Commander/CCS or in which that person may have a conflict of interest) directly to the Appointing Authority or Duty Officer.**

**Allegations made against the Appointing Authority will be reported to the next higher authority.**

Terms are defined in Attachment 1 of  
DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting

## PREA RESPONSE KIT CONTENTS

Each facility will maintain a PREA Response Kit for responding to active PREA incidents.

The PREA Response Kit should be maintained in a secure location that is readily accessible unless directed by the Shift Commander. The contents of the PREA Response Kit will include, at a minimum, the following items:

- DOC 490.850 Prison Rape Elimination Act (PREA) Response, local Operational Memorandum, and related forms including:
  - DOC 21-042 Photo Description
  - DOC 21-043 Evidence Card(s)
  - DOC 21-329 Property - ID Label (Note: a property box may be obtained from the unit/property room if needed)
- Gloves
- Paper bags
- Evidence bags or envelopes
- Packing tape for sealing evidence bags/envelopes
- Scotch tape
- Pens and sharpies
- New, wrapped cotton sheets or drape exam sheets (no plastic liner or backing)
- Clean, unused paper (e.g., butcher paper, exam table paper) for individual to stand on during strip searches
- Crime scene tape
- Camera for taking **photographs of the crime scene only** (Note: Camera can be checked out from Shift Commander or other designated location)

## PREA RESPONSE PLAN CONTENTS

<b>SECTION ONE - Response to Aggravated Sexual Assault Allegations</b>	
<b>Requirement</b>	<b>Reference</b>
PREA Response Team member with contact information	Local
Prison Partners for Stand-Alone Level 2 Facilities and Reentry Centers	DOC 490.850 Attachment 5
Initial Emergency Checklist	DOC 410.050 Attachment 4 or DOC 410.950 Attachment 7
DOC 02-007 Aggravated Sexual Assault Checklist	DOC 490.850
DOC 16-358 Crime Scene Security Log	DOC 490.850
Hospitals Available for Forensic Medical Examinations	iDOC PREA page
PREA Response Kit	DOC 490.850 Attachment 3
Instructions for Submitting PREA Response Packet	iDOC PREA page
PREA Response Team Cover Sheet	iDOC PREA page
DOC 02-021 Aggravated Sexual Assault Medical Follow-Up Checklist	DOC 490.850

<b>SECTION TWO - Response to all other Sexual Misconduct Allegations</b>	
<b>Requirement</b>	<b>Reference</b>
DOC 02-011 PREA Response and Containment Checklist	DOC 490.850

<b>SECTION THREE - Checklists and Forms for use in all Sexual Misconduct Allegations</b>	
<b>Requirement</b>	<b>Reference</b>
Sexual Assault Evidence Collection: Uniform Evidence Protocol	iDOC PREA page
Prison Rape Elimination Act (PREA) Definitions	DOC 490.800 Attachment 1
Contact information for city, county, and state law enforcement	Local
Contact information for Child and Adult Protective Services	Local
DOC 02-348 Fight/Assault Activity Review	DOC 490.850
Applicable evidence log	DOC 420.365, DOC 420.375, and DOC 420.395
Prison only: DOC 21-043 Evidence Card	DOC 420.375
DOC 16-357 Crime Scene Containment/Preservation/Processing Checklist	DOC 490.850
<b>Prisons only:</b> DOC 13-509 PREA Mental Health Notification	DOC 490.850
<b>Reentry Centers and Field Offices only:</b> referral information for community-based medical and mental health services	Local
<b>Field Offices only:</b> referral information for community-based victim advocacy services	Local

<b>SECTION FOUR - Policies/Operational Memorandums</b>	
<b>Reference</b>	<b>Title</b>
DOC 490.800	Prison Rape Elimination Act (PREA) Prevention and Reporting
DOC 490.820	Prison Rape Elimination Act (PREA) Risk Assessments and Assignments
DOC 490.850	Prison Rape Elimination Act (PREA) Response
DOC 490.860	Prison Rape Elimination Act (PREA) Investigation
DOC 610.025	Health Services Management of Alleged Sexual Misconduct Cases

## PRISON PARTNERS FOR STAND-ALONE LEVEL 2 FACILITIES AND REENTRY CENTERS

1. Requests for assistance will be made to the appropriate Deputy Assistant Secretary/ Headquarters Duty Officer by the:
  - a. Superintendent/Shift Commander
  - b. Community Corrections Supervisor/designee or Duty Officer
  
2. The Deputy Assistant Secretary/Headquarters Duty Officer will contact the Level II or higher facility Superintendent/Shift Commander with the request for assistance.

This Prison...	...will support these facilities
Airway Heights Corrections Center	Brownstone Reentry Center Eleanor Chase House Reentry Center
Clallam Bay Corrections Center	Olympic Corrections Center
Coyote Ridge Corrections Center	Tri-Cities Reentry Center Ahtanum View Reentry Center
Monroe Corrections Complex	Bellingham Reentry Center Bishop Lewis Reentry Center Helen B. Ratcliff Reentry Center Reynolds Reentry Center
Stafford Creek Corrections Center	Larch Corrections Center Longview Reentry Center
Washington Corrections Center	Cedar Creek Corrections Center Olympia Reentry Center
Washington Corrections Center for Women	Mission Creek Corrections Center for Women Peninsula Reentry Center Progress House Reentry Center
Washington State Penitentiary	None





STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**DEPARTMENT WIDE**  
FACILITY/SPANISH MANUALS

REVISION DATE  
11/24/22

PAGE NUMBER  
1 of 14

NUMBER  
**DOC 490.860**

**POLICY**

TITLE  
**PRISON RAPE ELIMINATION ACT (PREA)  
INVESTIGATION**

**REVIEW/REVISION HISTORY:**

- Effective: 10/1/13
- Revised: 5/1/14
- Revised: 9/15/14
- Revised: 4/13/15
- Revised: 11/21/15
- Revised: 9/1/16
- Revised: 9/19/16
- Revised: 6/1/18
- Revised: 8/6/19
- Revised: 9/29/20
- Revised: 4/19/22
- Revised: 11/24/22

**SUMMARY OF REVISION/REVIEW:**

II.C.4.a. & d. - Adjusted language for clarification

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

11/16/22  
Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 2 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.160](#); [RCW 9A.44.170](#); [RCW 42.56](#); [RCW 72.09.225](#); [WAC 137-28-190](#); DOC 280.515 Data Classification and Sharing; DOC 320.180 Separation and Facility Prohibition Management; DOC 420.365 Evidence Management for Work/Training Release; DOC 420.375 Contraband and Evidence Handling (RESTRICTED); DOC 420.395 Evidence/Property Procedures for Field; DOC 450.050 Prohibited Contact; DOC 460.000 Disciplinary Process for Prisons; DOC 460.050 Disciplinary Sanctions; DOC 460.130 Response to Violations and New Criminal Activity; DOC 460.135 Disciplinary Procedures for Work Release; DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting; DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments; DOC 530.100 Volunteer Program; [Collective Bargaining Agreements](#); [PREA Standards](#); [Prison Rape Elimination Act](#); [Records Retention Schedule](#)

**POLICY:**


- I. The Department will thoroughly, promptly, and objectively investigate all allegations of sexual misconduct involving individuals under the jurisdiction or authority of the Department.
  - A. Investigations will be completed even if the individual is no longer under Department jurisdiction or authority and/or the accused staff, if any, is no longer employed by or providing services to the Department.
  
- II. The Department may discipline and refer for prosecution, when appropriate, persons determined to be perpetrators of sexual misconduct. Investigations involving represented employees will be conducted per the provisions of the applicable collective bargaining agreement.
  
- III. Information related to investigations of sexual misconduct is confidential and will only be disclosed when necessary for related treatment, security, and management decisions. Staff who breach confidentiality may be subject to corrective/disciplinary action.
  - A. This provision is not intended to affect the Department’s obligation to gather, review, and potentially gather, review, and potentially produce records of allegations or incidents of sexual misconduct as required per RCW 42.56.
  
- IV. Terms used in this policy are defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.

**DIRECTIVE:**


- I. Investigations

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 3 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		


- A. The Prison Rape Elimination Act (PREA) Coordinator/designee will review all allegations, determine which allegations fall within the definition of sexual misconduct, and forward those allegations to the appropriate Appointing Authority for investigation.
1. The alleged victim will be notified of formal review decisions (e.g., case initiated, appended to existing case, not PREA) using DOC 02-015 PREA Triage Results Letter.
    - a. The Reentry Center Administrator will make notifications if the alleged victim is housed in a Reentry Center. If notification cannot be made in person, the United States Postal Service will be used to make notification.
  2. The Appointing Authority/designee may review the allegation with the PREA Coordinator/designee if the Appointing Authority/designee disagrees with a decision to open an investigation.
  3. All allegations that appear to be criminal in nature will be referred to law enforcement for investigation by the Appointing Authority/designee. Referrals may be made using DOC 03-505 Law Enforcement Referral of PREA Allegation.
    - a. Investigation reports received from law enforcement will be submitted as an attachment to the final PREA investigation report.
  4. For allegations involving employees, the Appointing Authority/designee will notify the local Human Resource Representative and the employee of the investigation. Appointing Authorities/designees are encouraged to verbally notify employees when possible.
  5. If an allegation is determined not to fall within the definition of sexual misconduct, the PREA Coordinator/designee will notify the Appointing Authority/designee, who will ensure any necessary action is taken.
    - a. If an Appointing Authority disagrees with the decision and requests to have a PREA investigation initiated, the PREA Coordinator/designee will defer to the Appointing Authority.
- B. The Appointing Authority/designee may place a confidential PREA hold on an individual in the electronic file as needed to ensure the individual is not transferred during the course of an investigation.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 4 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

- C. Investigators will be assigned by the Appointing Authority/designee and must be trained per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting. Investigators will:
1. If requested by an alleged victim of individual-on-individual sexual assault/abuse or staff sexual misconduct, initiate arrangements with the Office of Crime Victims Advocacy (OCVA) for a victim advocate to be present during the investigatory interview by calling 1-855-210-2087 Monday through Friday 8:00 a.m. - 5:00 p.m. to reach an OCVA PREA Support Specialist.
    - a. Interviews will be scheduled when the advocate is available, who will participate by telephone.
  2. Interview alleged victims, accused individuals/staff, and witnesses in a confidential location. Persons interviewed will be asked to sign DOC 03-484 Interview Acknowledgment.
  3. Refer the individual for mental health assessment using DOC 13-509 PREA Mental Health Notification if the investigation uncovers new information that the individual was the victim of any physical and/or emotional trauma of a sexual nature, whether in an institutional setting or in the community.
  4. Collect any additional evidence per DOC 420.375 Contraband and Evidence Handling (RESTRICTED), DOC 420.365 Evidence Management for Work/Training Release, or DOC 420.395 Evidence/Property Procedures for Field.
- D. Investigators will submit the investigation report and DOC 02-382 PREA Data Collection Checklist to the appropriate Appointing Authority/designee. All reports will follow DOC 02-351 Investigation Report.
1. Photocopies/photographs of all physical evidence and evidence cards will be included in the investigation report.
  2. Electronic evidence (e.g., video recording, JPay message, telephone recording) used as part of an investigation will be submitted with the investigation report.
- E. The Appointing Authority will review the report and prior complaints/reports of sexual misconduct involving the accused, when available, and ensure DOC 02-382 PREA Data Collection Checklist is completed.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 5 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		


1. Previous complaints/reports of sexual misconduct involving the alleged victim may be reviewed, as applicable.
- F. For each allegation in the report, the Appointing Authority will determine whether the allegation is:
1. Substantiated: The allegation was determined to have occurred by a preponderance of the evidence,
  2. Unsubstantiated: Evidence was insufficient to make a final determination that the allegation was true or false, or
  3. Unfounded: The allegation was determined not to have occurred.
- G. Once the Appointing Authority has made a determination, the alleged victim will be notified of the findings.
1. The Appointing Authority/designee of the facility where the individual is housed will inform the individual of the findings in person, in a confidential manner.
    - a. Notification may be provided in writing if the individual is in restrictive housing.
  2. If the individual has been released, the Appointing Authority will inform the individual of the findings in writing to the last known address as documented in the electronic file.
- H. If the Appointing Authority is responsible for an investigation and is not the Superintendent/Reentry Center Administrator where the individual is housed, the Appointing Authority will notify the Superintendent/Reentry Center Administrator of administrative findings, local PREA Review Committee outcomes, and changes to the status of involved employees.
1. Investigation reports will be made available to the Superintendent/Reentry Center Administrator upon request.
- I. Findings and notification of the alleged victim will be documented on DOC 02-378 Investigative Finding Sheet.
- J. For allegations against an incarcerated individual, the Appointing Authority/designee will notify the accused of the findings in writing using DOC 02-400 Notice of PREA Investigation Findings.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 6 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		


- K. For allegations against staff, the Appointing Authority/PREA Compliance Manager or Human Resources Manager will verbally notify the accused of the findings. If the allegation is substantiated, the notification may be provided during the predisciplinary process.
- L. When a substantiated allegation is criminal in nature, the Appointing Authority/designee will notify:
  - 1. Law enforcement, unless such referral was made previously during the course of the investigation, and
  - 2. Relevant licensing bodies.
- M. For substantiated allegations of individual-on-individual sexual assault/abuse or staff sexual misconduct, the Appointing Authority/designee will notify the assigned case manager, who will complete a for cause PREA risk assessment per DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments to reflect the determination.
- N. For substantiated allegations of individual-on-individual sexual assault or abuse, the Appointing Authority will ensure the individuals are separated per DOC 320.180 Separation and Facility Prohibition Management. The Appointing Authority will determine the required level of separation.
- O. The Appointing Authority/designee will use DOC 02-014 PREA Investigation Checklist to compile the investigation packet and submit it to the PREA Coordinator/designee.
  - 1. Investigation reports will only be closed when all applicable documents are received.

**II. Retaliation**

- A. Retaliation against anyone for reporting sexual misconduct or participating in an investigation of such misconduct is prohibited, and may result in disciplinary actions if found to have:
  - 1. Engaged in retaliation,
  - 2. Failed to report such activities, or
  - 3. Failed to take immediate steps to prevent retaliation.
- B. Anyone who cooperates with an investigation will report all concerns regarding retaliation to the Appointing Authority. The Appointing Authority/designee will take appropriate measures to address the concerns.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 7 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

- C. When an investigation of individual-on-individual sexual assault/abuse or staff sexual misconduct is initiated, the Appointing Authority/designee of the facility where the alleged victim is housed will monitor to assess indicators or reports of retaliation against alleged victims and reporters.
1. Indicators of retaliation may include, but are not limited to:
    - a. Disciplinary reports,
    - b. Housing/program changes and reassignments, or
    - c. Negative performance reviews.
  2. The Appointing Authority/designee of the facility where the alleged victim is housed will notify the following employees, as applicable, when monitoring is required, but will not provide specific details regarding the allegation and investigation:
    - a. The PREA Compliance Manager/Specialist at the facility where the report was made will ensure alleged victims and incarcerated reporters are monitored and met with at least monthly.
    - b. The local Human Resource Manager/Community Corrections Supervisor will monitor employee reporters.
    - c. The PREA Compliance Manager/Specialist at the facility where the report was made will monitor contract staff and volunteer reporters.
  3. Any report of retaliation expressed or indicated during the monitoring period will be immediately reported as follows, with appropriate action taken by the Appointing Authority/designee.
    - a. In a Prison, information will be reported to the Shift Commander.
    - b. In a Reentry Center, information will be reported to the Reentry Center Administrator or Duty Officer.
  4. Retaliation monitoring will continue for 90 days following notification, or longer if the Appointing Authority/designee determines it is necessary.
    - a. The Correctional Unit Supervisor/case manager will complete and submit DOC 03-503 PREA Monthly Retaliation Monitoring Report to the Appointing Authority/designee each month. No monitoring-related activities will be documented in chronological entries or supervisory files.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 8 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

- b. If a reporter or alleged victim transfers to another facility during the monitoring period, the PREA Compliance Manager/designee at the sending facility will notify the PREA Compliance Manager/designee at the receiving facility. The receiving facility will assume monitoring responsibilities and provide monthly monitoring documentation to the sending facility.
- c. Monitoring activities may be discontinued if the allegation is determined to be unfounded or the individual is released from incarceration.
- d. The PREA Compliance Manager/Specialist will notify the CUS/case manager or Human Resource Manager when monitoring activities are no longer required.


D. For allegations of sexual harassment, retaliation monitoring for reporters and alleged victims may occur at the discretion of the Appointing Authority.

### III. Multidisciplinary PREA Review


- A. The Appointing Authority/designee will convene a local PREA Review Committee to examine the case for all substantiated and unsubstantiated investigations of individual-on-individual sexual assault/abuse and staff sexual misconduct.
  - 1. Investigations of sexual harassment or those in which all allegations were determined to be unfounded may be reviewed at the discretion of the Appointing Authority.
  - 2. For Prisons, if the Superintendent of the facility where the allegation took place is not the Appointing Authority, the Superintendent/designee will be on the committee.
- B. The committee will meet every 30 days or as needed.
- C. The committee will be multidisciplinary and include facility management, with input from supervisors, investigators, and medical/mental health practitioners.
  - 1. Hearing Officers cannot serve as a PREA Review Committee member for any violation(s) for which they conducted the hearing.
- D. The committee will review policy compliance, causal factors, and systemic issues using DOC 02-383 Local PREA Investigation Review Checklist.

### IV. Staff Discipline




 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 9 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

- A. Employees may be subject to disciplinary action, up to and including termination, for violating Department PREA policies.
- B. Contract staff and volunteers, who are found to have committed staff sexual misconduct, will be terminated from service and prohibited from contact with individuals under the Department’s jurisdiction. For any other violations of Department PREA policies, appropriate actions will be taken.
  - 1. For contract staff terminations:
    - a. The Appointing Authority will notify the contract staff/organization in writing with a copy to the PREA Coordinator/designee, who will alert all facilities of the termination.
    - b. Facilities will establish procedures to track contract staff terminations and notify appropriate control points to ensure facility access is not granted.
  - 2. Volunteer terminations will be tracked per DOC 530.100 Volunteer Program. Former volunteers with any:
    - a. PREA investigation finding of substantiated, where the volunteer is the accused, will not be able to apply for visits with an incarcerated individual for 3 years.
    - b. Substantiated allegations of sexual intercourse or staff sexual misconduct will not be able to communicate with an incarcerated individual (e.g., telephone, the mail, emessages) for one year.
- C. In cases of substantiated staff sexual misconduct:
  - 1. Telephone, mail including eMessaging, and visiting restrictions will be imposed between the employee/contract staff and the named victim(s) per DOC 450.050 Prohibited Contact.
  - 2. The Appointing Authority will ensure the finding(s) is reported to relevant licensing bodies.
- D. Any other substantiated misconduct discovered during a PREA investigation will be reported to relevant licensing bodies.
- V. Discipline for Individuals under the Department’s Jurisdiction

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 10 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

- A. Individuals in Prison and Reentry Centers may be subject to disciplinary action per DOC 460.050 Disciplinary Sanctions or DOC 460.135 Disciplinary Procedures for Work Release for violating Department PREA policies.
1. For substantiated allegations against an incarcerated individual, a 635, 637, or 659 violation must be written against the perpetrator as applicable.
  2. If the accused transfers to another facility before a hearing is held, the sending Appointing Authority/designee will forward an electronic copy of the investigation report to the receiving Appointing Authority/designee.
  3. Hearings on PREA-related violations will be heard by the primary Hearing Officer.
    - a. The Superintendent/designee may assign one alternate Hearing Officer per DOC 460.000 Disciplinary Process for Prisons.
  4. The Hearing Officer may request access to review the investigation report from the Appointing Authority/designee. The review will be conducted in the location where the records are maintained. Copies will not be made for this purpose.
  5. Appeals of findings or sanctions imposed for PREA-related violations will be submitted to the Deputy Assistant Secretary for Prisons/Gender Responsive Administrator. The individual will be notified of the appeal decision on DOC 09-197 Disciplinary Hearing Appeal Decision.
- B. Alleged victims are not subject to disciplinary action related to violating PREA policies except when:
1. An investigation of staff sexual misconduct determines that the staff did not consent to the contact.
  2. The formal PREA investigation resulted in a determination that the allegation was unfounded.
    - a. A 549 violation may be written and served upon completion of the investigation.
    - b. A report of sexual abuse made in good faith will not constitute providing false information, even if the investigation does not establish sufficient evidence to substantiate the allegation.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 11 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

- C. Individuals supervised in the community may be subject to sanction for violating conditions of supervision per DOC 460.130 Response to Violations and New Criminal Activity.

VI. Victim Services


- A. Victims of sexual misconduct will be provided information on community victim service providers from health services employees/contract staff, Classification Counselors, and Community Corrections Officers/Supervisors. Information is available on the Prison Rape Elimination Act page on the Department's internal website.
- B. Victim services for individuals in Prisons and Reentry Centers include crisis intervention and trauma-specific treatment. The Appointing Authority, in conjunction with mental health professionals, will determine if victim services are necessary beyond resources available through the Department.

VII. Staff Resources

- A. Staff Psychologists and the Employee Assistance Program are available to assist staff in addressing issues such as false accusations, stress management, conflict resolution, and fear of victimization. Specific information regarding resources is available from supervisors and Human Resource offices.

VIII. Ongoing Notifications to Alleged Victims

- A. The Department will make the following notifications, in writing, to alleged victims until they are no longer under Department jurisdiction.
  - 1. Individual-on-individual allegations of sexual assault or abuse:
    - a. The alleged victim will be notified if the Department learns that the accused has been indicted on or convicted of a charge related to sexual assault or abuse within the facility.
    - b. The PREA Coordinator/designee will track all cases and make required notifications.
  - 2. Substantiated/unsubstantiated allegations of staff sexual misconduct against employees:
    - a. The alleged victim will be notified:
      - 1) When the accused employee no longer works at the facility,

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 12 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

2) When the accused employee is no longer regularly assigned to the individual's housing unit, and

3) If the Department learns that the accused employee has been indicted on or convicted of any charge related to staff sexual misconduct within the facility.

b. The Appointing Authority/designee will track all cases, make required notifications, and forward copies to the PREA Coordinator.

B. Notifications will be provided to alleged victims in a confidential manner through legal mail or by another method determined by the Appointing Authority.

**IX. Data Collection and Reporting**

A. All PREA data containing personal identifying information will be maintained as Category 4 data per DOC 280.515 Data Classification and Sharing.

B. Data will be collected by the PREA Coordinator/designee for each allegation of sexual misconduct.

1. Data will be aggregated at least annually and include available information from investigation reports and incident review committees, as well as from each private facility contracted to confine or house individuals under the Department's jurisdiction.

2. Data will be analyzed to identify factors contributing to sexual misconduct in Department facilities and offices.


C. The PREA Coordinator will generate an annual report of findings.

1. The report will include:

a. An analysis of PREA prevention and response for the Department and for each facility, including high-level summary information and detailed facility data analysis.

b. Findings and corrective actions at facility and Department levels.


c. An assessment of the Department's progress in addressing sexual misconduct, including a comparison with data and corrective actions from previous years.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 13 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

2. The report requires Secretary approval. Approved reports will be made available to the public through the Department's website.
  - a. Information may be redacted from the report when publication would present a clear and specific threat to facility security, but the report must indicate the nature of the material redacted.
- D. All data/reports will be provided on request to the U.S. Department of Justice.

X. Records Retention

- A. Records associated with allegations of sexual misconduct will be maintained per the Records Retention Schedule.
  1. PREA records may include, but will not be limited to:
    - a. Incident reports
    - b. Investigation reports
    - c. Electronic evidence
    - d. Investigation findings/dispositions
    - e. Law enforcement referrals
    - f. Criminal investigation reports
    - g. Required report forms
    - h. Documentation of:
      - 1) Ongoing notifications,
      - 2) Local PREA Review Committees, and
      - 3) Completed DOC 02-382 PREA Data Collection Checklists.
- B. The Appointing Authority/designee will maintain original PREA case records as general investigation reports per the Records Retention Schedule.
- C. The PREA Coordinator/designee will maintain electronic PREA case records per the Records Retention Schedule.
  1. Prior to destruction, all investigation records will be reviewed to ensure the accused has been released from incarceration or Department employment for a minimum of 5 years. If a review of the investigation records reveals that the accused person does not meet this 5 year requirement, the records will be maintained until this requirement is met, even if it exceeds the established retention schedule.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY</b></p>	<b>APPLICABILITY</b> <b>DEPARTMENT WIDE</b> FACILITY/SPANISH MANUALS		
	<b>REVISION DATE</b> 11/24/22	<b>PAGE NUMBER</b> 14 of 14	<b>NUMBER</b> <b>DOC 490.860</b>
	<b>TITLE</b> <b>PRISON RAPE ELIMINATION ACT (PREA) INVESTIGATION</b>		

**DEFINITIONS:**

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

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 02-014 PREA Investigation Checklist
- DOC 02-015 PREA Triage Results Letter
- DOC 02-351 Investigation Report
- DOC 02-378 Investigative Finding Sheet
- DOC 02-382 PREA Data Collection Checklist
- DOC 02-383 Local PREA Investigation Review Checklist
- DOC 02-400 Notice of PREA Investigation Findings
- DOC 03-484 Interview Acknowledgment
- DOC 03-503 PREA Monthly Retaliation Monitoring Report
- DOC 03-505 Law Enforcement Referral of PREA Allegation
- DOC 09-197 Disciplinary Hearing Appeal Decision
- DOC 13-509 PREA Mental Health Notification