



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.

REVIEW/REVISION HISTORY:

Effective: 1/31/98
Revised: 2/12/01
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Revised: 11/15/21
Revised: 9/22/23

SUMMARY OF REVISION/REVIEW:

Major changes to include removal of repetitive and unnecessary language and updated/reorganized information. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

8/24/23

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 28A.193.020](#); [RCW 28B.50.536](#); [RCW 72.09.100](#); [RCW 72.09.130](#); [RCW 72.09.270](#); [RCW 72.09.460](#); DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 320.400 Risk and Needs Assessment Process; DOC 320.500 Youthful Offender Program; DOC 420.500 Tool Control (RESTRICTED); DOC 500.100 Correspondence Education in Prisons; DOC 690.400 Individuals with Disabilities; DOC 850.030 Relationships/ Contacts with Individuals; [8 U.S.C. 1227](#); [Americans with Disabilities Act \(ADA\)](#); [Family Educational Rights and Privacy Act \(FERPA\)](#); [Individuals with Disabilities Education Act \(IDEA\)](#)

POLICY:

- I. The Department will provide basic academic skills and pre-apprenticeship, vocational, and postsecondary degree programs designed to meet an incarcerated individual's needs and enhance pathways for post-release employment and/or education.
- II. To the extent possible and considering available funds, the Department will prioritize its resources to meet the goals of incarcerated individuals per RCW 72.09.460.
- III. Individuals may be required to participate in a combination of work, education, and vocational programs. Educational program participation will be addressed as a priority.

DIRECTIVE:

- I. General Requirements
 - A. Education program proposals must be submitted to the Educational Services Administrator and approved by the Assistant Secretary for Reentry before implementation.
 1. Washington State-recognized vocational and pre-apprenticeship programs and/or personnel will be accredited, certified, or licensed by the state or other acceptable organization or authority.
 2. Postsecondary degree or certificate education programs from a nationally accredited community or technical college, college, or university are limited to no more than a bachelor's degree.
 - B. The Educational Services Administrator will:
 1. Analyze program needs annually
 2. Develop a program budget
 3. Recommend a statewide service delivery plan

4. Monitor use of resources and expenditures
 5. Monitor provider equipment and software inventory lists for accuracy
 6. Conduct quarterly contract compliance reviews
 7. Ensure curriculum related projects that could be a potential security risk have prior written approval from the Security Management Unit
- C. Educational programs will meet Americans with Disabilities Act (ADA) requirements regarding reasonable accommodations for individuals with disabilities.
- D. Programs will be provided at times when the majority of the population is available and can participate.
- E. Facilities will maintain and post an approved programs list in locations accessible to individuals.
- F. When possible, programs offered at different facilities will be standardized to facilitate completion if an individual is transferred.
- G. Disclosure of any information will comply with the Family Educational Rights and Privacy Act (FERPA).
- H. Educational services for individuals under the age of 18 will be provided per DOC 320.500 Youthful Offender Program.
- I. Education programs with participation through correspondence (i.e., interaction between instructors and students is not regular/substantive and the instruction materials and examinations are provided by the institution through the mail) and primarily initiated by the student will be conducted per DOC 500.100 Correspondence Education in Prisons.
- II. Assessment and Referrals
- A. Education employees/contract staff will verify an individual's high school equivalency and create an adult basic education referral if needed.
1. Education employees/contract staff will have sole authority to change the status of system referrals.
- B. Education employees/contract staff and case managers will:
1. Refer individuals to educational and vocational programs, consistent with the Custody Facility Plan and the assessment conducted per DOC

320.400 Risk and Needs Assessment Process, to develop a career and education plan.

a. Before a referral is made, the following will be identified and considered:

- 1) Education assessment
- 2) Risk and need levels
- 3) Reported and/or verified education history
- 4) Employment history
- 5) Job skills and experience
- 6) Vocational skill level
- 7) Expected release date
- 8) Custody level
- 9) Possible custody change
- 10) Judgment and Sentence conditions
- 11) Prior participation or completion in Department-provided education and work programs
- 12) Availability of program resources
- 13) Willingness of the individual to complete programs

2. Prioritize referrals based on risk level, individual needs, expected release date, and availability of program resources (e.g., if employment is identified as high-need or high-risk, the priority should be an educational course that leads to employment).
3. Ensure individuals assigned to educational programs do not discontinue programming for full-time employment.
4. Provide help in managing work schedules to accommodate educational programming.

III. Program Enrollment

- A. Enrollment in education programs will be planned as a component of the Custody Facility Plan and/or case management plan to facilitate completion.
- B. Facility education employees/contract staff will document verification that the individual has earned a high school diploma or high school equivalency certificate in the electronic file.
 1. Pending verification, mandatory enrollment in basic skills programs may be delayed up to 60 days at the discretion of the education dean/director.

- C. Individuals with medical or mental health issues may be exempted from mandatory basic skills enrollment with input from Health Services, as appropriate. Exemptions will be documented in the case management plan.
- D. Education programs available for individuals who are 18 and over will include:
 - 1. Basic skills programs - Adult Basic Education, General Educational Development (GED), High School +, and English as a Second Language
 - 2. Pre-college programs - developmental education courses needed to raise the student's skills to college level
 - 3. Postsecondary education including Washington state-recognized pre-apprenticeship, vocational certificate, and postsecondary degree programs
- E. Priority enrollment for pre-apprenticeship, vocational, and postsecondary degree programs will be for individuals who:
 - 1. Do not already possess a postsecondary education degree, and
 - 2. Have a reentry plan that includes participation in a postsecondary degree or certificate education program that is:
 - a. Offered at the facility where the individual is housed,
 - b. Approved by the Department as eligible and effective, and
 - c. Limited to a bachelor's degree or certificate program.
- F. Enrollment for pre-apprenticeship, vocational, and postsecondary education will be prioritized for individuals in the following order:
 - 1. High-risk or high need in education and/or employment if less than 7 years to the Early Release Date (ERD)
 - 2. Moderate and Low Risk if less than 7 years to ERD
 - 3. High and Moderate Risk if more than 7 years to ERD
 - 4. Low Risk if more than 7 years to ERD or the individual is paying for education themselves
- G. Based on facility need, individuals working in Class II Industries will be prioritized for basic skills programming.
- H. The Superintendent/designee may excuse or defer enrollment based on security considerations, conduct, or medical concerns.

IV. Transfer Holds

- A. Requests to place a hold on an individual's transfer to another facility will be submitted to the Education Services Administrator/designee when the hold would benefit the individual's educational needs.
 - 1. Individuals within 6 months of an eligibility date who have a Minimum 1 or 2 custody level should not be placed in education/work programs that require remaining at their current facility.
- B. Education holds will be considered for students enrolled in High School + or Open Doors programs.
- C. Vocational and postsecondary education holds will be considered as follows:
 - 1. Bachelor or Associate degree for up to 24 months
 - 2. One-year certificate programs for up to 12 months
 - 3. Short-term certificate program for up to 3 months
- D. Holds may be extended in extenuating circumstances or changed/removed by the Educational Services Administrator due to the safety and security of the facility.

V. Participant Responsibility

- A. Individuals participating in basic skills education programs will participate in a minimum of 12 hours of instruction per week or each session the class is scheduled, whichever is greater, unless the individual has limited capacity or is required to participate in other programs (e.g., substance abuse/sex offense/ court-ordered treatment, cognitive behavioral intervention).
 - 1. Failure to participate in assigned programming may result in disciplinary action, loss of earned time, and/or programming points.
 - 2. Students who refuse to participate in Department-funded educational programming will lose privileges (e.g., access to employment, incentive programs, future participation in programs) and will meet with a multidisciplinary team to review their refusal to participate in programs.
- B. Individuals participating in educational programming will not be paid during regularly scheduled class time.
- C. Students will maintain attendance and behavior as required by the facility and education provider, demonstrate measurable progress consistent with program standards, and meet the Satisfactory Academic Progress policies of the provider.

1. Employment will be adjusted or suspended if the student is unable to maintain satisfactory academic progress and attendance.
 2. An education program performance evaluation will be documented at least once in a 12-month period by the case manager in the individual's electronic file.
- D. Individuals who have received maximum benefit from the program, as determined by the education dean/director based on assessed ability and consultation with faculty, may be exempted from further participation without loss of privileges.
1. The education provider will notify the case manager and the Education Services Administrator.
 2. Exemption from further participation without loss of privileges will be documented in the Custody Facility Plan and the electronic file.

VI. Fees

- A. Fees are not charged for basic academic skills instruction or to eligible individuals for:
1. A Department-funded vocational program that is less than 45 credits,
 2. The first postsecondary degree for eligible individuals, or
 3. The first one-year state vocational certificate for which the Department does not offer a degree.
- B. Individuals who have already earned a postsecondary degree, one-year state vocational certificate, or pre-apprenticeship program while incarcerated may request to enroll in subsequent programs and may be required to pay tuition per Student Financial Responsibility (Attachment 1).
1. Individuals who have previously earned a degree and are unable to return to employment in that degree field may be eligible to participate in a Department-funded one-year state vocational certificate postsecondary degree at no additional cost.
 - a. The decision that the student will pay all or part of the cost will be documented in the electronic file.
 2. If a subsequent postsecondary education is not associated with a student's work program, current educational program, or community

employment, tuition will be required per Student Financial Responsibility (Attachment 1).

3. The ability to pay tuition will be determined by the monthly income and balance of funds available in an individual's account.
 - a. The portion paid by the individual is determined using the:
 - 1) Per credit hour fee set by the Washington State Board for Community and Technical Colleges, and
 - 2) Average of wages, gratuities, and deposits, regardless of the source, received in the most recent 3 months.
 - a) Individuals without a monthly income who have a balance of funds available must be able to pay the fee leaving at least \$10.00 in the account.
 4. Tuition and fees will be made payable to the Department for deposit into the General Fund before participating in the program.
 - a. Individuals may not create a debt for education.
 - b. Family members or third parties may provide payment for tuition and fees. These funds may be transferred from the education sub-account.
 5. Facility procedures will be developed in alignment with DOC 200.000 Trust Accounts for Incarcerated Individuals for payment of tuition and communication with education providers.
- C. Individuals subject to deportation per the provisions of 8 U.S.C. 1227:
1. Are not required to participate in education programming unless it is necessary for the maintenance of discipline and security.
 2. May participate in:
 - a. Postsecondary education programs provided by the Department or contracted providers, if the program is paid for by the individual or a third party and space is available.
 - 1) A written request to participate must be submitted by the individual to the case manager and education dean/director. The request will be documented in the electronic file.

- b. Vocational skills training required for a work program.
- D. A refund will not be provided if an individual who has fully or partially paid for a subsequent vocational program is transferred due to negative behavior. If the transfer is not due to negative behavior, a refund will be made according to the education provider's scale for refunds.
- E. Department-funded students and third-party funded students may enroll in the same program courses. Costs must be paid by appropriate funds based on the percentage of enrollment.

VII. Program Operations

- A. Education providers will supply a course curriculum outline and schedule to the facility before the beginning of each quarter. Courses will be supported by appropriate classroom materials.
- B. Education providers will maintain an educational file for each student, to include documented attendance, progress, and achievements.
- C. Classrooms and computer labs are set up to enhance security and ensure appropriate use of computers, equipment, and tools.
 - 1. Rooms/labs will be set up so the instructor can view input screens and work process/product for all students and teaching assistants directly or through electronic monitoring.
 - 2. Printers, scanners, and input devices, not including keyboards and mice, will be secured at the instructor's desk and/or other secured area.
 - 3. Equipment and tools will be maintained and inventoried per DOC 420.500 Tool Control (RESTRICTED).
 - 4. Education laptops will not be issued to individuals whose judgment and sentence prohibit access to computers.
- D. All educational programs are required to have an instructor and/or facilitator (i.e., employee, contract staff, volunteer, sponsor) in the room/area throughout the scheduled callout. Intermittent supervision of programs is not authorized.
 - 1. If there is no instructor/sponsor/facilitator available, the class/program will be cancelled for that period.
- E. Classroom assistants working in education will not have additional privileges.

- F. Employees/contract staff maintaining and tracking education programs in the individual's electronic file will ensure the accuracy of schedules and locations for each class.
- G. Appointments that are not tracked in the individual's electronic file (e.g., registration, testing, education orientation, advising, graduation) will be scheduled using the callout system.
- H. The facility will assist education providers in organizing formal recognition of achievements (e.g., graduation ceremonies).
- I. Individuals will be provided with a copy of the unofficial transcript at no cost upon their release or transfer when they have participated in an education program, even if the individual became ineligible to participate in or didn't finish the program.

VIII. Reentry

- A. Education employees/contract staff may assist with:
 - 1. Completing and submitting the Free Application for Federal Student Aid (FAFSA) application
 - 2. Contacting previous colleges
 - 3. Arranging supervised conference calls or virtual meetings with college admissions staff
 - 4. Issues with a financial aid application and/or student loan default
- B. References for incarcerated individuals will be reviewed by the dean/director and may only be provided per DOC 850.030 Relationships/Contacts with Individuals.

IX. Data Collection

- A. The Programs section of the electronic file will be used to document, track, and generate reports for educational program data, including:
 - 1. Programs
 - 2. Sessions
 - 3. Providers
 - 4. Referrals
 - 5. Attendance
 - 6. Participation
 - 7. Evaluation

8. Certificates
 - B. Data will be used to determine future programs for each facility's population based on risk, needs, and facility resources with input solicited from community stakeholders in academic and vocational education.

DEFINITIONS:

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

ATTACHMENTS:

Student Financial Responsibility (Attachment 1)

DOC FORMS:

None

FISCAL YEAR 2023-2024

Based upon their ability, students will pay for a portion of costs to participate in second and all subsequent vocational programs using the formula in this table.

AVERAGE MONTHLY INCOME OR AVERAGE AVAILABLE BALANCE	PORTION PRO-RATED	PER CREDIT FEE
Less than \$100	5%	\$ 4.70
\$100 - \$149	10%	\$ 9.39
\$150 - \$499	25%	\$ 23.49
\$500 and over	50%	\$ 46.97
\$1000 and over	100%	\$ 93.94

The 100% credit fee is based on the operating fee for 1-10 credits published by the Washington State Board for Community and Technical Colleges.



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON
FACILITY/SPANISH MANUAL

REVISION DATE
10/2/24

PAGE NUMBER
1 of 6

NUMBER
DOC 500.100

POLICY

TITLE
CORRESPONDENCE EDUCATION IN PRISONS

REVIEW/REVISION HISTORY:

- Effective: 2/28/00
- Revised: 6/6/05
- Revised: 9/13/07
- Revised: 3/4/09
- Revised: 9/26/11
- Revised: 1/19/15
- Revised: 12/4/20
- Revised: 1/13/22
- Revised: 10/2/24

SUMMARY OF REVISION/REVIEW:

Policy Statement I. & II., Directive I.B., II.B., II.D., III.B. & C., IV.C., IV.F., and VII.A.1. - Adjusted language for clarification
 Removed II.C. and IV.D. as repetitive of form requirements
 III.A.2. - Added clarifying language
 Added III.B.1. that correspondence education programs are not eligible for federal or state financial aid funding
 Added IV.F. that individuals will not be reimbursed if terminated from a program
 VI.B.4., and VII.A. - Removed unnecessary language


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

9/26/24

 Date Signed

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	REVISION DATE 10/2/24	PAGE NUMBER 2 of 6	NUMBER DOC 500.100
	TITLE CORRESPONDENCE EDUCATION IN PRISONS		

REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 72.09.460](#); [RCW 72.09.480](#); DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 350.100 Earned Release Time; DOC 440.000 Personal Property in Prisons; DOC 450.100 Mail for Individuals in Prison; DOC 500.000 Education and Vocational Programs in Prisons; [Council for Higher Education Accreditation Recognized Accrediting Organizations](#); [U.S. Department of Education Database of Accredited Postsecondary Institutions and Programs](#)

POLICY:

- I. The Department has a process for individuals to participate in self-paid post-secondary academic, vocational, and theology programs through correspondence education involving an educational course or series of classes necessary to obtain or achieve a proficiency standard. Courses will be completed through the mail with an accredited educational institution recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.
- II. Adult basic academic skills, pre-apprenticeship, vocational, and postsecondary education programs will be provided per DOC 500.000 Education and Vocational Programs in Prisons.

DIRECTIVE:


- I. Eligibility
 - A. Individuals must:
 1. Have a verified high school diploma or General Educational Development (GED) certificate to be eligible to participate in a correspondence course.
 2. Apply for a correspondence program under the supervision of the assigned case manager, in cooperation with the Education Services Administrator/designee.
- II. Approval Process
 - A. The individual will complete page one of DOC 20-305 Correspondence Study Request and submit the form to the assigned case manager.
 - B. The case manager will interview the individual, document whether the individual is pre-approved on the study request, and submit it to the Education Services Administrator/designee.

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- C. The Education Services Administrator/designee will verify the educational institution is accredited by an approved association listed by the U.S. Department of Education or the Council for Higher Education Accreditation, and complete the applicable section of the correspondence study request.

III. Payment

- A. Individuals enrolling in correspondence courses may pay the accredited educational institution:
 - 1. Directly through their banking account per DOC 200.000 Trust Accounts for Incarcerated Individuals, or
 - 2. Through a family member, or third party approved by the case manager, who may make payment:
 - a. By depositing the money into the individual's education subaccount, or
 - b. Directly to the accredited educational institution, in which case:
 - 1) The case manager will verify the status of the individual's account and review and approve all requests for a family member or approved third party to pay for tuition and books to ensure payment is voluntary and not coerced.
 - 2) Proof of payment, by whom, and for whom must be submitted to the case manager before the course begins.
- B. Individuals may receive funds from outside sources (e.g., family, education scholarship) to cover program costs. These funds are not subject to the mandatory deductions for payment of fee-based education or vocational programs.
 - 1. Correspondence education programs are not eligible for federal or state financial aid funding.
- C. The case manager will document final approval on DOC 20-305 Correspondence Study Request.
- D. Individuals are responsible for purchasing all books, materials, and supplies associated with the correspondence program, and for the mailing costs of returning homework and other correspondence to the accredited educational institution.

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1. All course-required supplies (e.g., calculators, compasses, protractors) must meet facility security requirements.

IV. Approved Correspondence Education

- A. The case manager will review DOC 20-309 Correspondence Education College Provider/Student Agreement with the individual, ensure the individual signs it, and send a copy to the correspondence education college provider.
 1. Correspondence program faculty are not allowed to accept collect calls from the individual, but calls can be made by the case manager or designated education employee/contract staff on the individual's behalf, if deemed appropriate.
 2. The case manager will notify the Property Sergeant and mailroom that the individual may receive textbooks and other authorized instructional materials.
- B. The case manager must receive confirmation from the correspondence program faculty and payment must be made in full to the accredited educational institution before the correspondence course begins.
- C. The case manager will notify the individual if/when the individual has been cleared to begin the correspondence education program and will make a referral in the Programs section of the electronic file.
- D. Exams will be sent to the facility Education Department to be monitored. Once completed, an education employee/contract staff will send the completed exam to the correspondence education provider.
- E. Any violation of the rules acknowledged in DOC 20-309 Correspondence Education College Provider/Student Agreement may result in termination of the correspondence program and the individual will be infraacted.
 1. Individuals will not be reimbursed if participation is terminated.

V. Security

- A. Property obtained as a result of enrolling in a correspondence program will be managed per DOC 440.000 Personal Property in Prisons.
 1. Used books will be allowed if they are sent directly from the approved accredited educational institution's bookstore.

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- B. All correspondence education property will be thoroughly inspected before it is given to the individual per DOC 450.100 Mail for Individuals in Prison.

VI. Program Changes

- A. Before completion of a fee-based education or vocational program, the individual may apply by letter to the Superintendent/designee for permission to change the individual's program.
- B. The Superintendent/designee may approve the request to change programs of study based solely on the following criteria:
 1. The individual has been transferred to another facility for reasons unrelated to disciplinary issues or a higher custody level, and the individual's current program cannot be supported at the new facility.
 2. The individual entered the program with an undeclared major and wishes to declare a major.
 - a. Individuals may not apply for more than one change to the declared major and receive the exemption from mandatory deductions.
 3. The individual is able to access a similar program through a different accredited education provider at a reduced cost.
 4. The educational institution is terminating the individual's current program.

VII. Tracking

- A. The case manager will coordinate with the facility Programs Coordinator to:
 1. Document the assignment in the Programs section of the electronic file using the title "Correspondence Education" and "In-Unit Study" as the location once the individual is enrolled.
 2. Maintain detailed chronological notes of the correspondence program in the electronic file.

VIII. Earned Time

- A. Individuals who participate in approved correspondence programs may be eligible for earned time per DOC 350.100 Earned Release Time.

IX. Facility Resources

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- A. The Superintendent/designee, in consultation with the facility Education Director, will determine the availability and/or use of facility resources for educational purposes (e.g., computers, study labs, college-owned equipment, employee/contract staff serving as test proctors).
- B. The Superintendent/designee will determine what library resources will be available.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

- DOC 20-305 Correspondence Study Request
- DOC 20-309 Correspondence Education College Provider/Student Agreement

REVIEW/REVISION HISTORY:

Effective: 9/1/88
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Revised: 4/23/12
Revised: 3/28/22

SUMMARY OF REVISION/REVIEW:

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

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

2/28/22

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 27.04](#); DOC 450.100 Mail for Individuals in Prison; DOC 590.500 Legal Access for Incarcerated Individuals; DOC 800.020 Use of State Resources

POLICY:

- I. The Department will manage library services provided in Prisons, in conjunction with the Washington State Library, to provide incarcerated individuals adequate access to libraries and library materials per interagency agreement(s).
- II. Access to legal materials and law libraries will be handled per DOC 590.500 Legal Access for Incarcerated Individuals.

DIRECTIVE:

- I. General Requirements
 - A. Incarcerated individuals at facilities with a Washington State Library branch may borrow library materials through participation in a national interlibrary loan program.
 - 1. The Washington State Library will provide interlibrary loan services for individuals in facilities without a Washington State Library branch.
 - B. Employees may borrow library materials and will be responsible for any damaged/lost items and associated fees.
 - 1. Interlibrary loans will be for professional development only.
 - C. Materials maintained in facility libraries will be easily accessible and regulated to prevent abuse and ensure they meet safety and security measures.
 - D. Issues regarding the provision of library services at a facility will be referred to the appropriate Headquarters Correctional Manager and the Washington State Library Branch Library Services Program Manager for determination of a resolution.
- II. Responsibilities
 - A. The Washington State Library Branch Library Services Program Manager will provide consultation assistance to all facilities regarding provision of library services/materials.

- B. A Washington State Library Librarian will review:
 - 1. Planned and continuous acquisition of library materials, and
 - 2. Materials maintained in a Washington State Library branch to ensure they remain consistent with safety and security requirements on an annual basis.
 - a. Facilities that do not have a Washington State Library branch will establish procedures to conduct an annual review of materials to include documenting the review and submitting a copy to the Superintendent, appropriate Deputy Assistant Secretary, and appropriate Headquarters Correctional Manager.

III. Library Materials

- A. Library materials maintained in facility libraries will be selected by the Washington State Library and will comply with requirements in DOC 450.100 Mail for Individuals in Prison.
 - 1. Materials will meet the following needs of incarcerated individuals:
 - a. Educational,
 - b. Informational,
 - c. Recreational, and
 - d. General and specialized reference materials to assist with successful transition and reentry goals.
- B. The following will not be maintained in a facility library:
 - 1. Telephone directories that include residential white page listings,
 - 2. Any material, in any format, that would represent a security concern or interfere with the orderly operation of the facility.
- C. Requests for removal of library materials from a Washington State Library branch library will be made in writing to the Branch Library Services Program Manager.
 - 1. Materials will be maintained in a secure location by Washington State Library contract staff and will not be placed in general circulation until a request is resolved.
- D. Individuals may be provided with photocopies of library materials or printed pages from online sources that comply with Washington State Library and

Department policies meet their educational, informational, recreational, and reentry needs.

1. A list of unauthorized content that cannot be copied or printed for incarcerated individuals will be posted on the Department's external website.

IV. Incarcerated Library Assistants

A. Incarcerated Library Assistants will be trained in library operations by:

1. Washington State Library contract staff when working in a Washington State Library branch.
2. Designated employees at the facility, who are familiar with the interlibrary loan program, when working in a facility without a Washington State Library branch.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

None

REVIEW/REVISION HISTORY:

Effective: 11/12/02
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SUMMARY OF REVISION/REVIEW:

Major changes to include removing repetitive content, updating terminology, and reorganization. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

10/10/22

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 72.09.270](#); [RCW 72.09.495](#); DOC 200.200 Incarcerated Individual Betterment Fund ; DOC 450.300 Visits for Incarcerated Individuals; DOC 530.155 Family Councils; [Family Support and Navigational Guide](#)

POLICY:

- I. The Department acknowledges the benefits of maintaining family relationships during incarceration and will encourage participation in family-centered programs, activities, and events that ensure equitable access, are culturally sensitive, evidence-based, and:
 - A. Support reunification efforts,
 - B. Contribute to a reduction in intergenerational incarceration,
 - C. Mitigate risk and target criminogenic needs,
 - D. Assist in the development of positive family and community ties, and
 - E. Foster and develop healthy interaction and relationship building skills between incarcerated individuals and their families.
- II. Family-centered programs and services will be provided within available resources and participation will comply with security, safety, and health requirements in alignment with the [Department's Mission and Core Values](#).

DIRECTIVE:

- I. Responsibilities
 - A. The Family Services Unit will:
 1. Review, update, and maintain the Family Support and Navigational Guide on the Department's external website.
 - a. A review committee consisting of a family council representative/ designee(s), Community Partnership programs, Prison visit programs, and Family Services will meet annually to identify necessary changes and updates.
 2. Provide supplemental support and serve as a point of contact for families of incarcerated individuals and:
 - a. May assist in identifying and resolving challenges that families face resulting from a loved one's incarceration.

- b. Will respond to family inquiries and provide general information related to incarceration, transition, release, or supervision in the community.
 - 1) DOC 09-485 Authorization for Release of Custodial Information must be completed before information is provided to family members related to an individual's program needs.
 - 2) Each request from and encounter with an individual and/or family member(s) will be documented in the individual's electronic file using the "FSU Contact" code.
3. Research, identify, and implement of promising practices, parenting and relationship enrichment programs, workshops, and family-centered programs through:
 - a. Partnering and collaborating with community-based organizations and business groups.
 - b. Working with guardians and school districts to coordinate quality Parent-Teacher Conference experiences.
 - c. Gathering information from family by attending in-person visits at facilities at least quarterly.
 - d. Attending at least one family-centered event at each of the facilities to provide a brief introduction of the Family Services Unit, brochures with contact information, and answers to questions as appropriate.
 - e. Assisting the facility Community Partnership Program Coordinators (CPPCs) with identifying and facilitating opportunities (e.g., video greetings, workshops, programs) for individuals and/or their families.
- B. Superintendents/Reentry Center Administrators will support, encourage, and implement family-centered programs and activities at the local level which may include:
- 1. Parenting classes/workshops
 - 2. Classes/activities/events/workshops that provide information on and/or strengthen/support:

- a. Adult/adult relationships
 - b. Adult/child relationship
 - c. Marriage/relationship enrichment
 - d. Financial management for families
 - e. Aging/disability with loved ones
 - f. Family reentry planning
 - g. Dealing with trauma
- 3. Achievement ceremonies (e.g., graduations)
 - 4. Video greetings programs
 - 5. Special events
- C. Local Family Council meetings will include discussions and planning on family friendly events and activities per DOC 530.155 Family Councils.

II. Eligibility

- A. To participate in family-centered events, incarcerated individuals must remain free from a guilty finding for the following infractions and timeframes before the deadline for sign-up.
- 1. Category A for one year or as determined appropriate for the safety of visitors/participants.
 - 2. Category B1 for 90 days.
 - 3. Category B2 for 60 days.
 - 4. All other serious infractions for 30 days.
- B. Participation must not conflict with the individual's Judgment and Sentence requirements or any known court orders.
- C. Participating family members must be on an individual's approved visitor list per DOC 450.300 Visits for Incarcerated Individuals at the time of sign-up.

III. Programs, Activities, and Events

- A. Information on family-centered programs, activities, and events will be posted on the Family Support page of the Department's external website at <https://doc.wa.gov/family/support.htm>.

- B. The Family Services Unit and CPPC contact information (e.g., business cards, brochures) will be available to families in the visit room and/or public access areas.
- C. Facilities will maintain and post an annual calendar of events throughout the facility, to include visit areas, and on the Department's external website no later than July 31st and update the calendar as needed.
- D. Prisons will offer quarterly pro-social, skill building, and developmentally appropriate children's activities (e.g., emotional intelligence, communication games) during regular visitation hours.
- E. A minimum of 4 family-centered programs, activities, and events funded by the Incarcerated Individual Betterment Fund will be offered each year that family members may attend.
 - 1. Events will last a minimum of 2 hours and no more than 6 hours.
 - 2. At least 2 programs/activities events will:
 - a. Be offered during or instead of the regular visit program in Prisons.
 - b. Focus on strengthening adult/child relationships.
 - 3. If a family program/activity/event lasts more than 3 hours, participants will be provided a meal or snack.
 - a. Vending machines, when available, may be accessed.
 - b. Food will be provided as determined in advance and coordinated by Family Services.
- F. Appropriate community-based organizations and partners will be encouraged to participate and provide support.
- G. Programs will continue from Prisons into the community, when available.
- H. Upon conclusion of each event, participating family members will have the opportunity to complete a survey. Results of the survey will be reviewed to identify strengths, effectiveness, needs, and opportunities to enhance programs.
- I. The Superintendent/Community Corrections Supervisor or their designee will ensure that participation by individuals in family-centered programs, events, or activities is entered into the individual's electronic file using a Family Group code.

- J. The Family Services Manager will provide a quarterly report on Prison activities/ events throughout the state, including the following information:
 - 1. The number of individual and family participants
 - 2. The number of volunteers
 - 3. Types and location of activities/events
 - 4. Budget expense

IV. Funding

- A. A portion of the Incarcerated Individual Betterment Fund will be used to fund family-centered programs, activities, and events at Department facilities/offices and in the community.
 - 1. Family members may provide input or recommendations to elected Family Council representatives at the facility a loved one is housed during Local Family Council meetings or through the co-chairs.
- B. The Family Services Unit Manager will distribute a request for funds for the Family Friendly portion of the Incarcerated Individual Betterment Fund by April 1 each year for the following fiscal year (i.e., July 1 - June 30).
 - 1. Each Appointing Authority will submit proposals to the Family Services Unit Manager by April 30.
- C. A committee consisting of a representative from a family council, Prisons, Community Corrections, and Family Services will meet annually to review funding proposals and make recommendations.
- D. The committee will forward its recommendations to the Incarcerated Individual Betterment Fund Administrator for Secretary's final approval no later than May 30th.
- E. Funds will be allocated and managed per DOC 200.200 Incarcerated Individual Betterment Fund and approved funding for family-centered programs, activities, and events will be presented at Local Family Council meetings.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 09-485 Authorization for Release of Custodial Information

REVIEW/REVISION HISTORY:

Effective: 8/1/15
Revised: 8/10/18
Revised: 2/13/20
Revised: 11/1/22

SUMMARY OF REVISION/REVIEW:

Major changes. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

10/30/22

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [Family Council Resource Guide](#)

POLICY:

- I. The Department will work collaboratively with local and statewide family councils to problem solve and address relevant issues that lead to improving the lives of incarcerated individuals and their families.
- II. For the purposes of this policy, family is broadly defined to include immediate, extended, and elected family members (e.g., loved one, romantic partner, friend, neighbor, clergy).
- III. All participants will demonstrate commitment, integrity, honesty, good judgment, cooperation, professionalism, respect, courtesy, and work within Department rules, regulations, and policies.
- IV. Exceptions to the content of this policy requires the approval of the Secretary.

DIRECTIVE:

- I. General Responsibilities
 - A. The Department will maintain and support:
 - 1. One Local Family Council (LFC) at each Prison to address issues and concerns related to that specific facility.
 - 2. A Statewide Family Council (SFC) to address statewide Prison-based issues.
 - B. The SFC and LFCs will each conduct council meetings at least 6 times annually, with LFC meetings held during even months and SFC meetings held during odd months.
 - 1. Meetings will be in-person, scheduled by the Department as virtual, or a combination when available.
 - a. Virtual meetings will be conducted using the Department-approved platform (e.g., Microsoft Teams). Employees will not use the chat function.

- C. Non-elected family council participants will not identify themselves as or speak on behalf of the family council, in writing or verbally, without an approved motion from the majority of elected council representatives.
- D. LFC/SFC co-chairs will address behavior that is outside of the values agreed upon by the council members and may cancel a meeting or remove anyone for unprofessional or disruptive behavior that directly interferes with legitimate family council business.

II. Participation

- A. The Department encourages all family and friends of incarcerated individuals housed in a Prison to participate in family council meetings.
 - 1. Family elected representatives will participate in meetings as part of their roles and responsibilities.
 - 2. For LFC meetings, family members may attend meetings where their loved one is housed.
 - 3. SFC meetings are open to all families and friends.
- B. Where appropriate and approved by the Superintendent/designee, incarcerated individuals may attend LFC meetings.
 - 1. If attendance is not an option, individuals may provide input through the tier representative process.
- C. LFC/SFC Department co-chairs and co-secretaries will participate in meetings.
 - 1. If the Department Co-Chair or Co-Secretary are not available, another manager/secretary from the Prisons Division will be designated for the meeting.
 - 2. Whenever possible, the elected Family Co-Chair will be notified in advance.
- D. Additional Department employees may participate in meetings to address agenda items regarding their specific areas of responsibility.
 - 1. The appropriate Department Co-Chair will work with employees to schedule their appearance for agenda items or find a suitable alternate to address agenda items.

- E. Each Superintendent will attend LFC meetings at their facility at least 2 times per year.
- F. Each Superintendent and their facility's Visit Sergeant will attend at least one SFC meeting per year.
- G. SFC elected representatives driving more than 120 miles roundtrip to attend an in-person meeting may request mileage reimbursement on [A19-1A State of Washington Invoice Voucher](#).
 - 1. Requestors must provide supporting documentation and meet requirements to receive reimbursement.

III. Nominations and Elections

- A. Nominations and elections for the LFC will be conducted annually during the month of October.
 - 1. Annual elections will be held for the following positions:
 - a. Local Family Co-Chair
 - b. Local Family Co-Secretary
 - c. Facility SFC Representative
 - 2. Family members who are nominated will be given the opportunity to provide a verbal or written statement before participants cast their votes.
 - 3. Elections will be by majority vote of LFC participants in attendance at the October election meeting.
- B. Nominations and elections for the SFC will be conducted annually during the month of November.
 - 1. Annual elections will be for the following positions:
 - a. Statewide Family Vice-Chair
 - b. Statewide Family Co-Chair position, if there is no seated Statewide Family Vice-Chair to move into the position from the previous year
 - c. Statewide Family Co-Secretary
 - 2. Facility SFC Representatives from each LFC, current Statewide Family Co-Chair, and Statewide Family Co-Secretary are the voting representatives for the SFC positions.

- a. Elections will be by majority vote of SFC representatives in attendance during the November election meeting.
 - b. Representatives may not have a substitute/designee vote on their behalf during elections.
- C. Newly elected representatives will be introduced during the November SFC meeting and assume their position January 1st of the upcoming year.
- D. If an elected representative term cannot be completed, an election will be held to fill the position for the unexpired term.
 - 1. LFC interim elections will be held at the next regularly scheduled meeting prior to starting the agenda. Any delay must be agreed upon by the LFC Department and Family Co-Chair with notification provided to families so they can participate in the nomination process.

IV. Elected Representatives

- A. Expectations for roles and responsibilities for all elected positions are available in the Family Council Resource Guide.
- B. Elected family representatives must be a visitor in good standing at the facility where their loved one is housed and be able to meet roles and responsibilities.
 - 1. If an elected representative is unable to attend a meeting, the representative will notify the appropriate Department Co-Chair of who will substitute for them.
- C. Except for the Statewide Family Vice-Chair, LFC/SFC elected representatives will serve a one-year term.
 - 1. The Statewide Family Vice-Chair will be considered an “in-training” position, shadowing the Statewide Family Co-Chair to learn and gain experience to fill the role the following year as the new Statewide Family Co-Chair.
- D. When possible, elected representatives should only serve in one local or one statewide elected position.
 - 1. Exceptions may be granted by the Department Co-Chair at facilities that are unable to comprise a full council.

V. Council Schedules, Agendas, Minutes, and Action Items

- A. Each LFC/SFC meeting will follow an agenda developed and mutually agreed upon by the Department and family co-chairs and published 2 weeks before the meeting.
1. The LFC agenda will focus on local issues, concerns, and ideas that impact a broad range of families and their loved ones housed at that facility. Reoccurring LFC agenda items will include:
 - a. Action items and updates
 - b. Family-friendly topics
 - c. Facility Incarcerated Individual Betterment Fund expenditures
 - d. Other topics requested by families and agreed upon by co-chairs
 2. The SFC agenda will contain items submitted to the Family Co-Chair for review, including items elevated from Facility SFC Representatives and approved by the Department and SFC Co-Chairs.
 - a. Issues added to the SFC agenda will focus on statewide issues, concerns, and ideas that impact a range of families and their loved ones housed at multiple facilities. Reoccurring SFC agenda items will include:
 - 1) Action items and updates
 - 2) Secretary/Deputy Secretary Time
 - 3) Public forum periods
- B. The Department and Family Co-Secretaries will work together to document meeting minutes on DOC 03-513 Family Council Meeting Minutes per the Family Council Resource Guide.
- C. The Department Co-Secretaries will track action items on DOC 03-514 Family Council Action Items.
1. A review of previous action items and updates will be shared at meetings.
 2. New items will be added or closed as approved by both co-chairs, whenever possible. The Department may move to close an item that has no actionable resolution.
- D. Links to meeting schedules, agendas, minutes, and action items will be posted on the Family Councils page of the Department's external website.

1. Meeting minutes will also be posted for viewing in:
 - a. Public Access areas and visit rooms for families and friends, and
 - b. Living units, recreation areas, and libraries for incarcerated individuals.

VI. Local Facility Tours

- A. Each Superintendent/designee may provide facility tours for LFC elected representatives twice per year.
 1. Other LFC participants may be approved to attend on a case-by-case basis with Superintendent approval.
 2. Elected SFC representatives may participate in facility tours at the facility where their loved one is located
 3. Tours will not substitute for an LFC meeting.
 4. Tours may be cancelled due to facility concerns or emergencies.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 03-513 Family Council Meeting Minutes
DOC 03-514 Family Council Action Items



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON
FACILITY/SPANISH MANUALS

REVISION DATE
6/19/24

PAGE NUMBER
1 of 8

NUMBER
DOC 540.105

POLICY

TITLE
RECREATION SERVICES IN PRISONS

REVIEW/REVISION HISTORY:

- Effective: 4/20/98
- Revised: 7/23/99
- Revised: 5/9/03
- Revised: 3/26/04
- Revised: 12/22/06
- Revised: 2/8/08
- Revised: 5/22/08 AB 08-012
- Revised: 6/29/09
- Revised: 11/1/11
- Revised: 4/1/12
- Revised: 5/12/14
- Reviewed: 4/25/17
- Reviewed: 9/1/23
- Revised: 6/19/24

SUMMARY OF REVISION/REVIEW:

Major changes to include updated title, terminology, and allowable in-cell items. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

6/5/24

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 72.09.470](#); [RCW 72.09.500](#); DOC 420.500 Tool Control (RESTRICTED); DOC 440.000 Personal Property in Prisons; DOC 450.120 Packages for Offenders; DOC 460.050 Disciplinary Sanctions; DOC 530.100 Volunteer Program; DOC 690.400 Individuals with Disabilities; DOC 700.100 Class III Work Programs; DOC 890.070 Chemical Control and HAZCOM

POLICY:

- I. The Department has established guidelines for recreation services in Prisons to contribute to a safe and secure environment by:
 - A. Educating individuals to make a deliberate effort to take care of themselves and achieve the highest potential for wellbeing.
 - B. Reducing idleness by encouraging individuals to participate in established and structured physical and pro-social activities.
 - C. Promoting personal responsibility for health and wellness by encouraging individuals to adopt positive lifestyle habits.
 - D. Reducing the number of disciplinary problems by providing activities to assist in reducing mental fatigue and physical stress.
- II. The Department will provide facilities and equipment suitable for planned leisure and wellness activities available in proportion to the incarcerated population and are maintained in good condition.

DIRECTIVE:

- I. General Requirements
 - A. Each Prison will employ a full-time Recreation/Athletics Specialist(s) who will manage the recreation program and:
 1. Collaborate with all areas of the facility to develop and operate recreation services.
 2. Develop and publish a schedule of all program activities.
 3. Supervise and be active in the development and delivery of program and daily activities.

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4. Provide effective access to recreation per DOC 690.400 Individuals with Disabilities.
 5. In collaboration with facility maintenance, ensure that equipment is maintained and safe for use.
 6. Ensure recreational equipment is used as intended/designed.
 7. Ensure recreational tools are managed per DOC 420.500 Tool Control (RESTRICTED).
 8. Ensure hazardous, dangerous, flammable, and toxic chemicals related to recreational activities are managed per DOC 890.070 Chemical Control and HAZCOM.
 9. Ensure cleanliness and safety standards are developed and maintained for recreation service areas.
- B. Volunteers may be recruited to supplement recreation services per DOC 530.100 Volunteer Program.
- C. To provide on-the-job training opportunities, individuals may be hired as Program Assistants per DOC 700.100 Class III Work Programs. Individuals will receive training specific to the job assignment to ensure the safety of the recreation area.

II. Services


- A. Prisons will offer the following types of services and activities to individuals, tailored to meet their needs:
1. A yard and/or gym scheduled for regular access that provides adequate space for the population.
 2. Athletic programs that include both individual and group activities.
 3. Projects solicited from community organizations (e.g., walk-a-thons, making toys for children during the holidays, making quilts for the homeless) when requested by the Community Partnership Program Coordinator.
 4. Creative arts programs that include, at a minimum, in-cell music and in-cell hobby crafts.
 5. A structured health and fitness program or individual fitness activities facilitated by employees.

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- a. Unauthorized groups of 3 or more individuals are not permitted to engage in regimented exercise (e.g., doing calisthenics together while instructions are shouted, shouting instructions for another group of individuals to follow, reciting cadences).
- 6. Peer-led recreation classes (e.g., Yoga Behind Bars) are required to have supervision of designated employees or volunteers in the room throughout the scheduled callout.
 - a. Intermittent supervision of programs is not authorized. In the event the sponsor and/or facilitator is absent, the class/program will be canceled for that period.

III. Fee-Based Programs/Events

- A. All individuals must pay a \$7.00 quarterly fee (i.e., January - March, April - June July - September, and October - December) for enrollment and participation in each of the following:
 - 1. Weightlifting program.
 - a. Weightlifting equipment should be kept separate from other fitness equipment that does not require a quarterly fee to use (e.g., stationary bicycles, stair-stepping machines, rowing machines).
 - 2. Hobby shop programs requiring the use of facility equipment or dedicated space, even if individuals use their own supplies.
 - a. This does not include making craft items for a community charity group when approved by recreation employees.
 - 3. Special events that require use of weightlifting or hobby shop equipment or areas.
- B. To enroll in fee-based programs/events, individuals must complete DOC 06-075 Request to Transfer Funds specifying the program/event they wish to join. Individuals may not incur a debt to enroll.
 - 1. Based on the date of the guilty finding, individuals may not have any of the following violations at the time of application and during the approved enrollment period:
 - a. Category A for 365 days
 - b. Category B1 for 90 days

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- c. Category B2 for 60 days
- d. All other violations, including level B3, C, and D for 30 days

2. Facilities will designate when individuals may enroll each quarter.

- a. Individuals may only enroll for one quarter at a time.
- b. There is no discount for late enrollment.

3. Fee-based programs/events may have enrollment limits and waiting lists will be maintained based on the date of sign-up. Waiting lists will not follow the individual if transferred to another facility.

C. Once the enrollment process begins, individuals will not receive a refund of the quarterly fee.

1. Individuals prohibited from participating in a fee-based program/event because of violation behavior after enrollment will forfeit paid fees. The suspension may be imposed while the violation is being adjudicated based on the seriousness of the behavior.

2. If transferred to another facility, the individual must reapply, but will not be required to pay the fee for that quarter.

- a. Continued activity participation will be based on resource availability at the receiving facility.

3. Individuals will not receive a refund or transfer of membership for any program termination.

4. During normal operations, there will be times when recreation services will be closed or unavailable. This will not qualify individuals for a refund or credit.

- a. During prolonged emergency situations, facility-wide refunds or credits will be determined by Headquarters.

D. Facilities will establish procedures to safeguard against unauthorized use of fee-based programs/events.

IV. Weightlifting

A. Weight rooms are provided for fitness and health benefits and are not intended for maximizing strength or muscle mass.

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1. Facilities will not purchase dumbbells over 50 pounds. Dumbbells exceeding 50 pounds will be removed from the weight rooms through attrition (i.e., item has been damaged).
- B. For an individual wishing to enroll, the Superintendent/designee will check the General Status screen in the electronic file for any weightlifting restrictions, including Health Status Reports.
1. A list of individuals permitted to lift weights will be created and maintained.
 2. A local system may be established to track these individuals and ensure periodic reviews are completed.
- C. An individual found guilty of a 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 2 years from the date of the guilty finding.
1. After 2 years of continued incarceration, the individual may request a review by writing to the Superintendent/designee before reapplying.
 - a. The Superintendent/designee may extend the restriction period if the Superintendent/designee determines the individual poses a threat to the safety of others or the order of the facility, or otherwise does not meet requirements for the weightlifting privilege.
 - 1) The reason for an extension or the weightlifting privilege being restored will be documented in the electronic file.


V. Hobby Shop

- A. Materials and chemicals must comply with DOC 890.070 Chemical Control and HAZCOM and include Material Safety and Data Sheets/Safety Data Sheets (MSDSs/SDSs). Individuals are prohibited from using chemicals that require tracking per DOC 890.070 Chemical Control and HAZCOM.
- B. An individual who wishes to mix paint may do so in small disposable cups obtained from the Recreation/Athletics Specialist, which must be disposed of properly at the end of the day.
- C. Individuals may not acquire or possess their own tools for use in the hobby shop.
- D. Storage of hobby craft materials will be limited to assigned locker space. Recreation employees will not store overflow materials.

VI. In-Cell Hobby Craft

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- A. Facilities will establish procedures for individuals to obtain approval to participate in in-cell hobby craft on DOC 21-948 In-Cell Hobby Permit.
 1. Permits may be denied:
 - a. Due to an individual's documented behavior issues that present a concern for in-cell hobby crafts.
 - b. When an individual is found guilty of using in-cell hobby craft materials to commit a violation.
 2. Individuals must have an approved permit to participate in in-cell hobby craft.
- B. All hobby craft materials and supplies must be:
 1. Purchased through approved vendors and are limited to \$300.00 per quarter,
 2. In compliance with requirements in Allowable In-Cell Items (Attachment 1),
 3. Obtained per DOC 450.120 Packages for Offenders, and
 4. Stored in original containers in a clear plastic hobby box purchased from the commissary.
 - a. Individuals must have an approved permit prior to purchasing a hobby box.
 - b. Individuals may only possess one hobby box which must be acquired prior to ordering hobby craft materials.
 - c. Exceptions will be made for items that exceed the dimensions of the box and would alter or damage the hobby craft item (e.g., drawing board).
- C. Facilities may allow individuals to work on hobby craft items in other areas.
- D. Superintendents may limit the amount of hobby craft materials allowed to meet the safety, security, classification, programming, sanitation, or storage needs of the facility.
- E. Disposition of hobby craft materials and completed projects will be handled per DOC 440.000 Personal Property in Prisons.

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F. Employees, contract staff, volunteers, or other incarcerated individuals and/or their loved ones may not purchase completed projects directly from incarcerated individuals.

VII. In-Cell Music

A. Facilities will establish procedures for individuals to obtain approval for participation in in-cell music on DOC 21-953 In-Cell Music Permit.

1. Permits may be denied:

- a. Due to an individual's documented behavior issues that present a concern for in-cell music.
- b. When an individual is found guilty of using in-cell music materials to commit a violation.

2. Individuals must have an approved permit to participate in in-cell music.

B. All musical instruments and supplies must:

- 1. Meet requirements in Allowable In-Cell Items (Attachment 1), and
- 2. Be obtained per DOC 450.120 Packages for Offenders.

C. Musical instruments may be sent out for repair per DOC 440.000 Personal Property in Prisons.

DEFINITIONS:

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

ATTACHMENTS:

Allowable In-Cell Items (Attachment 1)

DOC FORMS:

DOC 06-075 Request to Transfer Funds
 DOC 21-948 In-Cell Hobby Permit
 DOC 21-953 In-Cell Music Permit

ALLOWABLE IN-CELL ITEMS

Previously authorized items currently in an individual's possession may be retained until they are consumed or damaged/unusable. New purchases must meet the requirements below.

HOBBY CRAFT - Individuals may possess any combination of authorized items as long as the materials fit into the hobby box.

ITEM	DESCRIPTION	QUANTITY
Art drawing tablets	No wire spirals; not to exceed 11"x14"	3
Barrette blanks		25
Batting		3 yards
Bead board/bead mat	Plastic only; not to exceed 10"x13"	1
Beads, including shells and pendants	No natural or artificial teeth or claws, arrowheads, or porcupine quills; must be pre-drilled; 1" maximum	
Beeswax	Small container or bar	3
Cable (circular) knitting needles	Plastic or bamboo only; 29" maximum	1
Canvas panels	Frameless canvas panels; not to exceed 11"x14"	10
Charcoal sticks		24
Compass	Plastic only; not to exceed 5"	1
Crayons		50
Crochet/knitting needles	Plastic only; not to exceed 6" in length and 6.5 mm diameter	8
Decorative trim	Rick-rack, sequins, lace buttons, or seam binding	
Drawing board	Pressboard only; no clips or attachments of any kind; not to exceed 18"x18"; can be stored outside of the hobby box	1
Dream catcher hoops	Wood or plastic; not to exceed 10"	6
Ear wires		200
Embroidery floss	Skeins	100
Embroidery hoop	Wood or plastic; not to exceed 10"	3
Envelopes	Paper or vellum	100
Erasers	Non-spring style eraser sticks or individual erasers; no kneadable	12
Fabric	Any color except camouflage, dark brown, dark blue, and black	4 yards
French curves	Plastic only; not to exceed 12"	8
Glue	Not to exceed 8 ounces each; any combination of bottle, glue stick, or jewelry glue; non-toxic, non-flammable	2
Hobby box	Approved purchase through commissary	1
Jewelry clasps	Not to exceed ½"; non-magnetic	100
Key/split rings	Not to exceed 1"	100
Lead refills	For mechanical pencils; not authorized in close custody	4 tubes
Leather scraps/pieces	Maximum 12"x12", precut; no vinyl	1 pound
Light table	Not to exceed 11"x14"	1

ALLOWABLE IN-CELL ITEMS

Loom	Plastic or wood; 4" x 12" maximum	1
Mechanical pencils	Plastic only; no metal except lead guide; not authorized in close custody	10
Model kit	Kit only, plastic or wood	1
Needle case	Clear plastic only; 6" maximum	1
Needle threader		2
Needlepoint canvas		2 yards
Needles	3" maximum; Glovers up to size 8; must be stored in a needle case	25
Paint	Acrylic, oil, or watercolor; non-glass container; no black light or glow in the dark; water-based/soluble; 5 oz maximum containers; non-toxic, non-flammable	24
Paint brushes	Wood or plastic; not to exceed 8" overall length; brush head not to exceed 1" width, diameter not to exceed 6.5 mm	12
Paint palette	Plastic	1
Pantograph	Plastic only	1
Paper	Graph, tissue, corrugated, crepe, construction, origami, white printer paper, and cardstock; no carbon or tracing paper; any color except yellow, light blue, red, and pink; 20" x 30" maximum for tissue and crepe paper, 11" x 14" maximum for all other paper	500 sheets
Pastels	Oil or chalk	50
Pencils	Colored, sketching, drawing; golf-sized pencils only in close custody	75
Pencil extensions		3
Pencil grips		12
Pencil sharpeners	Clear case only if container style; 2 hole maximum	2
Pens/markers	Colored, writing, drawing, paint, fabric, or gel; no Rapidograph; calligraphy pens must be plastic-tipped and non-refillable; no spring loaded, retractable pens; non-toxic, non-flammable	100
Plastic grid mesh	Square or circle; not to exceed 11"x14"	50
Plastic templates/ rubbing plates		12
Popsicle sticks	Wood	50
Protractor	Plastic only	1
Quilling pre-cut paper		2 packs
Ruler	Flexible plastic only; not to exceed 12"	1
Safety scissors	Not to exceed 5"; Union Supply only	1
Scrapbook	Not to exceed 11"x14"	2
Sponges	Not to exceed 2"x2"	6
Stencils	Flexible plastic only; no geometrical pieces; not to exceed 11"x12"	6

ALLOWABLE IN-CELL ITEMS

Storage bags	Clear plastic; not to exceed 3"x3"	100
Storage containers	Plastic; 12 small clear single compartment containers or 3 multi-compartment containers; not to exceed 11"x14"	
Straight pins		50
Stuffing	Not to exceed 32 oz.	1
Tape	Transparent or masking style; no packing tape; not to exceed 1" wide	3
Thimble	Non-metal	1
Thread	Nymo, silk, nylon, or sinew; 6 bobbins and 2 spools	
Tortillions/blending stumps		24
T-square	Flexible plastic only; not to exceed 12"	1
Yarn	Skeins, no thicker than 4 weight	12

MUSIC

ITEM	DESCRIPTION	QUANTITY
Musical instrument	<p>Guitar: Electric, acoustic, or electric acoustic; must be used with AC-powered processor and headphones; whammy bars not authorized; \$500.00 maximum purchase price</p> <p>Keyboard: AC-powered, 61-key maximum; memory card or memory card expansion not authorized; must be used with headphones; no wifi or Bluetooth capabilities; \$500.00 maximum purchase price</p> <p>Individuals can possess a guitar or keyboard, but not both</p>	1
Cables	6' maximum, ¼" only	2
Capo	Plastic only	1
Guitar picks		12
Guitar processor	May be used with guitar only; no rack mount models; must be AC-powered and headphone compatible; \$200.00 maximum purchase price	1
Guitar slide	Union Supply only	1
Headphone plug adaptor	3.5 mm female to ¼" male only	1
Keyboard sustain pedal		1
Shoulder/neck strap		1
Soft instrument bag		1
Soft processor bag		1
Tuner/pitch pipe	Union Supply only	1

REVIEW/REVISION HISTORY:

Effective: 1/30/17
Revised: 3/14/22
Revised: 9/30/22

SUMMARY OF REVISION/REVIEW:

Policy Statement I. and II.A. - Removed unnecessary language
Added II.A.1. that a portion of the wall may be painted with nature murals and/or chalk paint
III.A.2. - Adjusted language for clarification
III.A.4. - Added clarifying language
Removed III.D.2. that a BOE will be completed for individuals in an SBU
Removed V.B. that the CUS will forward NIP space usage to the MHA
Removed V.C. that NIP data and surveys will be provided to Evergreen State College

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

9/9/22

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; DOC 290.055 Sustainable Practices; DOC 300.010 Behavior Observations

POLICY:

- I. In consultation with the Mission Housing Administrator, facilities may establish a Nature Imagery Program (NIP) to assist individuals housed in a Skill Building Unit (SBU) or restrictive housing to manage stress and enhance overall behavior and personal wellbeing. Through the NIP, eligible individuals will have the opportunity to immerse themselves in the sights and sounds of nature in a safe and secure, out-of-cell environment.

DIRECTIVE:

- I. Responsibilities
 - A. Each facility with an NIP will designate an NIP Coordinator who will:
 - 1. Maintain an NIP schedule and post it in an area accessible to individuals in the unit.
 - 2. Maintain and update a summary of the program, including a list of available videos, posted in the NIP space.
 - 3. Coordinate with Evergreen State College for provision of available nature videos through the Sustainability in Prisons Project per DOC 290.055 Sustainable Practices.
- II. Nature Imagery Program Space
 - A. Spaces will be painted Aloe or Jocular Green.
 - 1. A portion of the wall space may be painted with murals representing nature scenes and/or chalk paint to provide creative drawing opportunities. Content must be pro-social.
 - B. Projected images will be a minimum of 3' wide to provide the individual with an immersive experience.
- III. Participation

- A. Individuals may choose to participate in the NIP by making a written request to the NIP Coordinator. The written request must include the video the individual would like to view.
 - 1. Individuals participating for the first time each month will take priority over those who have already participated that month.
 - 2. Participation for individuals in restrictive housing may occur during the individual's scheduled recreational yard or other designated movement opportunities as determined by the Correctional Unit Supervisor (CUS).
 - 3. Individuals in restrictive housing participating for the first time will be placed in a programming chair with restraints and as determined thereafter by unit employees/contract staff, who will consider:
 - a. The individual's current level,
 - b. Recent infractions, and
 - c. Recent interactions with employees and contract staff.
 - 4. Upon request, individuals in restrictive housing will be provided with a flex pen and paper.
- B. Individuals will be placed in the NIP space to view the video for up to 45 minutes unless they have been determined to be in crisis.
- C. Individuals that act inappropriately while using the space will lose access for 30 days. The behavior will be documented:
 - 1. On DOC 21-917 Incident Report and forwarded to the CUS for individuals housed in restrictive housing.
 - 2. As a Behavior Observation Entry (BOE) in the electronic file per DOC 300.010 Behavior Observations for individuals housed in an SBU.
- D. Use of the NIP space, refusal to participate when recommended, and type of restraints used will be documented as follows:
 - 1. Employees will complete an entry on DOC 05-091 Daily Segregation Report and in the unit logbook for individuals housed in restrictive housing or determined to be in crisis.
 - 2. A local process will be established to track the use of NIP spaces.
- E. NIP spaces will be closed in the following circumstances:

1. During any emergent incident that impacts unit operations.
2. Damage to the equipment in the NIP space.
3. Disruptive behavior in the NIP space.

IV. Crisis Intervention

- A. If an individual has been determined to be in crisis (e.g., depressed, upset, anxious) by mental health employees/contract staff, the NIP may be used to assist in the management of the crisis.
1. Individuals in crisis will be given priority over individuals on the routine NIP space schedule.
 2. Mental health employees/contract staff will consult with custody employees to determine if restraints/programming chair should be used.
 3. The amount of time the individual will be allowed to use the space will be determined on a case-by-case basis.
 4. Appropriate placement of the individual after using the NIP will be determined by mental health employees/contract staff and custody employees.

V. Data and Research Information

- A. Surveys will be provided to individuals and employees/contract staff involved in the NIP to voluntarily provide feedback.

ATTACHMENTS

None

DOC FORMS

DOC 05-091 Daily Segregation Report
DOC 21-917 Incident Report

REVIEW/REVISION HISTORY:

Effective: 8/3/92
Revised: 12/1/93
Revised: 10/16/02
Revised: 5/23/07
Revised: 6/23/08
Reviewed: 8/16/10
Revised: 8/1/12
Revised: 11/18/19
Revised: 10/11/21
Revised: 3/13/23

SUMMARY OF REVISION/REVIEW:

Updated title
Policy Statement I., Directive I.A., II.B. & C., II.F., II.F.1., and II.F.3. - Adjusted language for clarification
I.A., II.F.4., and II.F.7. - Removed unnecessary language
Added I.A. that videos must be screened and approved when containing potentially controversial, sexually explicit, or explicit in terms of language or violence
Added II.A.2. that an appeal may be submitted to the appropriate Deputy Assistant Secretary
Removed II.D. that the appropriate Assistant Secretary must approve in writing for selections

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

2/8/23

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 72.02.280](#)

POLICY:

- I. The Department does not promote videos (e.g., Digital Versatile Discs (DVDs), movies, documentaries, shows) that advocate or contain excessive violence, discrimination, or sexually explicit and/or obscene material. The Department will make every effort to show videos that are in the best interest of the incarcerated population.

DIRECTIVE:

- I. General Provisions
 - A. Copyright infringement and illegal use of commercial and home-recorded videos are prohibited.
 - B. A commercially-produced program that may be recorded or facility broadcast requires a letter of approval from the broadcast owner as detailed in the copyrights for each production (i.e., prohibition from reproduction of broadcasts without the express written permission from the appropriate authority).
 - C. All applicable licenses will be obtained and maintained.
 - D. Public performance licenses require the written approval of the appropriate Assistant Secretary.
- II. Selection
 - A. The Superintendent/Reentry Center Community Corrections Supervisor (CCS) has authority over video selection.
 - 1. Videos that have content that is potentially controversial, sexually explicit, or explicit in terms of language or violence must be screened before being approved for viewing.
 - 2. If the video is denied, an appeal may be submitted to the appropriate Deputy Assistant Secretary.
 - B. Video rentals or purchases may be authorized for self-help, entertainment, incentive, religious, or educational programs.
 - C. Educational videos must be assessed by educational providers through authorized sources (e.g., Board of Education, college trustees, licensing boards).

- D. Input provided by incarcerated individuals may be considered in the selection process.
- E. The following types of videos will only be authorized for viewing when approved by the Deputy Assistant Secretary:
 - 1. Unrated or rated over PG-13.
 - 2. Foreign without subtitles.
 - 3. Advocating discrimination based on 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.
 - 4. Threatens the orderly operation of a facility.
 - 5. Threatens legitimate penological objectives.
 - 6. Describes the procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices.
 - 7. Depicts discrimination, explicit sex, excessive violence, and/or obscene subject matter.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

None

REVIEW/REVISION HISTORY:

Effective:	3/10/83 DOC 700.100	Revised:	3/15/07
Revised:	9/1/85	Revised:	3/4/09
Revised:	4/15/89 DOC 550.100	Revised:	3/1/12
Revised:	12/15/89	Revised:	3/18/13
Revised:	12/15/93	Revised:	1/3/18
Revised:	10/28/99	Revised:	3/31/21
Revised:	3/1/05	Revised:	1/24/22
Revised:	9/22/06 AB 06-010		

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout
Added III.E.8. that the Appointing Authority/designee is notified when there is evidence of any negative employee conduct or retaliation

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

1/12/22
Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.160](#); [RCW 42.56](#); [WAC 137-08](#); [WAC 137-25-030](#); DOC 310.000 Orientation; DOC 460.050 Disciplinary Sanctions; DOC 460.135 Disciplinary Procedures for Work Release; DOC 490.850 Prison Rape Elimination Act (PREA) Response; DOC 690.400 Individuals with Disabilities; [Resolution Program Handout](#); [Resolution Program Manual](#); [Records Retention Schedule](#)

POLICY:

- I. The Department has established a Resolution Program to address conflict through the administrative resolution of complaints to reduce tension and provide a stable correctional environment. The resolution process will provide efficient and timely resolution at the lowest level for concerns submitted by individuals under the Department's jurisdiction.
- II. Resolution requests alleging sexual misconduct will be forwarded immediately to the applicable authority per DOC 490.850 Prison Rape Elimination Act (PREA) Response and will not be reviewed through the resolution process.
- III. Disability accommodation requests will be processed per DOC 690.400 Individuals with Disabilities.

DIRECTIVE:

- I. Confidentiality
 - A. Resolution request documents will be maintained as confidential and only disclosed on a need to know basis.
 - B. Resolution documents, records, reports, and other information will be subject to public disclosure provisions per RCW 42.56 and WAC 137-08.
- II. General Requirements
 - A. The Resolution Program Manual provides detailed information about the process to include:
 1. Concerns that are accepted/not accepted
 2. How to submit a request
 3. Levels of review
 4. Response timeframes
 5. Decision making process
 6. Appeal process

- B. Facilities will maintain the Resolution Program Manual in an area accessible to individuals, to include:
 - 1. In the library, law library, and living units in Prisons
 - 2. In the lobby in Field Offices
- C. Information regarding the resolution process will be provided during orientation per DOC 310.000 Orientation and case managers will provide the Resolution Program Handout during initial intake.
- D. Submitting a resolution request will not result in disciplinary action unless it:
 - 1. Is determined to be a violation per DOC 460.050 Disciplinary Sanctions or DOC 460.135 Disciplinary Procedures for Work Release (e.g., contains a direct threat to the life/safety of anyone, retaliation, intentionally declaring a false emergency).
 - 2. Abuses the resolution process (i.e., abuse by quantity).

III. Responsibilities

- A. Individuals are expected to attempt to resolve concerns informally and at the lowest level before filing a resolution request.
- B. Each Prison will designate an employee as the Resolution Specialist.
- C. In Reentry Centers and Field Offices, the Community Corrections Supervisor (CCS) will act as the Resolution Specialist.
 - 1. The Field Office CCS will provide resolution requests to the Resolution Program Manager to assign an employee to review the concern.
- D. The Superintendent and Reentry Center CCS will designate:
 - 1. Alternate Resolution Specialist(s) for prolonged absences, and
 - 2. Employee(s) who will process emergent requests after business hours.
- E. The Resolution Specialist will:
 - 1. Ensure resolution requests are picked up at least twice a week as posted on the resolution box.
 - 2. Encourage informal resolution of concerns.
 - 3. Provide orientation regarding the resolution process to employees, contract staff, and volunteers.

4. Coordinate reviews and ensure responses are completed within established timeframes.
 5. Ensure the individual is interviewed at least once prior to Level III.
 6. Ensure that employees assigned to review concerns document each review as necessary to understand the problem fully, and to prepare an accurate and fair response.
 7. Preserve surveillance video related to an incident, if applicable, within 30 days of the incident.
 8. Ensure the Appointing Authority/designee is notified when there is evidence of any negative employee conduct or retaliation per the Resolution Program Manual.
- F. The Superintendent/CCS will:
1. Review Level II reviews and issue responses, with the exception of health services-related concerns.
 2. Identify a plan to provide support to the facility Resolution Program to ensure timely responses to concerns.
 3. Review data and information provided by Resolution Specialists to address trends or issues that arise.
 4. Ensure the Resolution Specialists have adequate support to complete their work in a timely manner.
- G. The Resolution Program Manager will:
1. Review and update the Resolution Program Manual as needed, and ensure it is posted on the Department's website.
 2. Provide training to Resolution Specialists and assigned employees/contract staff.
 - a. Training will be provided initially, as a refresher, or as requested.
 3. Respond to appeals of resolution requests that were not accepted.
 4. Review health services resolution requests to determine if the request requires a rewrite or will not be accepted.

5. Ensure facilities are maintaining the Resolution Program Manual appropriately.
6. Evaluate facility and statewide resolution procedures to ensure they are efficient and effective.

IV. Resolution Process

- A. Individuals will document concerns that they cannot resolve on DOC 05-165 Resolution Request and:
 1. Place it in the resolution box in Prisons and Reentry Centers.
 - a. If a resolution box is not available, individuals can request an envelope.
 2. For individuals on community supervision, the form(s) will be submitted to the Field Office CCS to forward or mail to the Resolution Program Manager.
- B. Resolution request forms may be obtained from employees and will be available in locations accessible by individuals, to include living units and other designated areas.
- C. Formal reviews will be documented using DOC 05-311 Resolution Review Report.
 1. When the assigned employee/contract staff cannot meet a response due date, the Resolution Specialist will send DOC 05-171 Notification of Time Extension to the individual stating the number of days added, the new due date, and the reason for the extension.
- D. Individuals may appeal a Level 0, Level I, or Level II resolution response using DOC 05-165 Resolution Request.
- E. Responses to appeals will be made using one of the following level forms, as appropriate:
 1. DOC 05-166 Level I Resolution Response
 2. DOC 05-168 Level II Resolution Response
 3. DOC 05-169 Level III Resolution Response
 - a. Level III responses are the final level of review and cannot be appealed.

V. Documentation

- A. Documentation will be maintained electronically, and facilities/offices will maintain physical resolution documents for 6 months after the date of final resolution. A request will then be made to the Resolution Program Manager to dispose of the physical documents.
 - 1. A designated employee will conduct an audit to ensure documents are maintained electronically prior to submitting the request. Records will not be destroyed until authorization is received.
- B. Video evidence and/or recordings at any level of a review will be sent to and maintained by the Headquarters Resolution Program Unit 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: Abuse by Quantity, Retaliation. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

DOC 05-165 Resolution Request
DOC 05-166 Level I Resolution Response
DOC 05-168 Level II Resolution Response
DOC 05-169 Level III Resolution Response
DOC 05-171 Notification of Time Extension
DOC 05-311 Resolution Review Report

REVIEW/REVISION HISTORY:

Effective: 3/18/91
Revised: 10/11/02
Revised: 12/11/06
Revised: 4/1/08
Revised: 4/17/09
Reviewed: 7/23/10
Revised: 7/2/12

SUMMARY OF REVISION/REVIEW:

Numerous changes. Read carefully!

APPROVED:

Signature on file

BERNARD WARNER, Secretary
Department of Corrections

5/19/12

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 5.60.060](#); [RCW 72.01.210-230](#); [ACA 4-4430](#); [ACA-4-4514](#); [ACA 4-4516](#); [DOC 560.200 Religious Program](#); Handbook of Religious Beliefs and Practices

POLICY:

- I. All religious groups recognize some form of privileged communication for their clergy/ spiritual advisors and/or religious providers, allowing freedom for the person being counseled to reveal sensitive personal information without fear of reprisal. However, in a Prison setting, some communication may not be privileged.
- II. The Department has established roles and responsibilities for Chaplains, contract Religious/Cultural Service Providers, Religious Program Specialists, volunteers, and other clergy working in Prisons.
 - A. Chaplains will have qualifications consistent with community standards for the faith group to which they belong. Under the direction of the Headquarters Program Manager for Religious Programs and Appointing Authority, Chaplains will:
 - 1. Conduct religious services, give religious/moral instruction to facility offenders, and attend to offender spiritual requests.
 - 2. Counsel, interview, and assist offenders and their families concerning offender social/family problems.
 - 3. Function as religious program coordinators for all faith groups represented at the facility.

DIRECTIVE:

- I. Privileged Communication
 - A. Chaplains, contract Religious/Cultural Service Providers, Religious Program Specialists, volunteers, and other clergy working in facilities as staff or religious volunteers must:
 - 1. Be informed of this policy at the time they are hired or assume a volunteer position, and
 - 2. Immediately report to their supervisor, or Shift Commander if their supervisor is unavailable, any information received from an offender that:

- a. Threatens facility security or the safety of staff, offenders, or the public, or
 - b. Is specifically addressed by statute (e.g., plots to escape, intent/plans to harm staff or others, suicidal thoughts, knowledge of riots or planned disturbances).
- B. Offenders will be informed, both orally and in writing, of the limitations of their privileged communications during initial orientation at the Reception Diagnostic Center.
- C. Staff will be informed, both orally and in writing, of the limitations of their privileged communications.

II. Chaplain Responsibilities

- A. The Chaplain, in consultation with the Superintendent/designee and in coordination with the Headquarters Program Manager for Religious Programs, will plan, direct, and coordinate all aspects of the local religious program. [4-4514]
The Chaplain will:
- 1. Perform the following functions, to the extent possible without violating the tenets of his/her faith:
 - a. Conduct religious services,
 - b. Provide religious and moral instruction to offenders and their families as requested,
 - c. Attend to the spiritual needs of all offenders as requested, regardless of faith tradition, and
 - d. Interview and provide requested counseling assistance to offenders concerning their spiritual, social, and family problems.
 - 2. Serve as a liaison to integrate offender religious practices into the facility treatment programs.
 - 3. Function as a religious program coordinator, which entails facilitating and coordinating religious programs and activities at facility, including but not limited to volunteer recruitment, room scheduling, and religious volunteer orientation.
 - 4. Advise the Superintendent/designee about spiritual, moral, welfare, and ethical/social concerns, either directly or through the chain of command,

5. Approve all religious volunteers, recruit volunteers as needed, and assist the Volunteer Specialist in training community volunteers as necessary, [4-4514]
6. Facilitate the development of religious education, spiritual formation, and training opportunities requested by offenders and staff, and provide diverse religious programming training for Department staff, in cooperation with the facility Performance Coordinator,
7. Work in cooperation with contract Religious/Cultural Service Providers, Religious Program Specialists, volunteers, and other clergy working in the facility as staff or religious volunteers in identifying and assessing offender needs to ensure necessary programs and services are available, [4-4430]
8. Coordinate religious activities within available resources and provide programs intended to meet the faith needs of the offenders,
9. Visit and/or coordinate visits for all offender living units, including Infirmary, Extended Family Visit units as requested, Intensive Management, Segregation, and Reception,
10. Process religious diets per DOC 560.200 Religious Programs,
11. Maintain facility approved resources consistent with the faith groups represented at the facility, including:
 - a. A library, or portion thereof, where all offenders will have reasonable space to access and use approved materials (e.g., books, magazines, reference materials, catalogs, other media),
 - 1) Materials will be provided by religious organizations and denominations listed in the Handbook of Religious Beliefs and Practices and other organizations approved by the Chaplain.
 - 2) Materials will be marked as facility property.
 - 3) No materials will be allowed in the library that is demeaning or denigrating of other religions, denominations, or faiths.
 - b. Resources for study groups (e.g., textbooks, lessons, handouts, videos), including resources for the hearing and vision impaired, and

c. Current technological worship resources (e.g., CDs, DVDs, PowerPoint, required operating systems) and religious objects/symbols, herbs/plants, and sacraments, as needed for services/programs,

12. Coordinate access to appropriate facility space and equipment,

13. Develop and maintain close relationships with community religious resources, and interact with communities and foster support for facility religious programs through speaking engagements and written communications, [4-4516]

14. Assist and refer offenders and their families to religious assistance programs, agencies, and other resources in the community, as appropriate, and

15. Provide information as requested by the Headquarters Program Manager for Religious Programs.

B. The assigned Chaplain may also assist offenders with re-entry into the community.

III. Contract Religious/Cultural Service Provider and Religious Program Specialist Responsibilities

A. Contract Religious/Cultural Service Providers and Religious Program Specialists will work under the guidance and supervision of the Chaplain and coordinate as necessary through the Headquarters Program Manager for Religious Programs and attend to the spiritual/cultural needs of offenders for their specific denomination or religious group by performing the following functions:

1. Conduct and supervise denominational religious and/or cultural services for offenders,

2. Provide faith group religious and moral instruction to offenders,

3. Provide spiritual guidance to offenders, as requested,

4. Coordinate and support diverse religious programming training for Department staff in cooperation with the Facility Performance Coordinator,

5. Advise the Chaplain on spiritual, moral, and social concerns of offenders,

6. Facilitate the development of religious education, spiritual formation, and training opportunities requested by offenders and staff,

7. Recruit volunteers and coordinate volunteer schedules to meet faith group needs,
 8. Interact with communities and foster support for facility religious programs through speaking engagements and written communications,
 9. Assist and refer offenders and their families to religious assistance programs, agencies, and other resources in the community, as appropriate,
 10. Serve as advisors for proposals and policies,
 11. Comply with established facility procedures and practices and suggest/recommend changes to the Chaplain, when appropriate, and
 12. Visit all offender living units as requested, including Infirmary, Extended Family Visit units, Intensive Management, Segregation, and Reception.
- B. Contract Religious/Cultural Service Providers and Religious Program Specialists may also assist offenders with re-entry into the community.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

None

REVIEW/REVISION HISTORY:

Effective: 4/1/91
Revised: 4/25/94
Revised: 4/1/97
Revised: 10/1/97
Revised: 1/21/00
Revised: 10/11/02
Revised: 9/22/05
Revised: 4/19/10
Revised: 7/11/11
Revised: 4/1/12
Revised: 2/17/14

SUMMARY OF REVISION/REVIEW:

IV.A.2. - Removed inclusion of Ramadan and Passover meals in religious diets
IV.A.5. - Adjusted that therapeutic diets take precedence over religious diets unless refused at the time of medical encounter
IV.C.3.a. - Adjusted that more wood may be allowed for Native American sweats based on the quality of the wood
IV.E.1.c. - Added exception for bone beads
IV.E.3. - Added designee for issuing and documenting offender personal religious items
IV.E.4.a. & c. - Removed unnecessary language
Attachment 1 - Adjusted descriptions for book/literature, feather, head covering, and tefflin with bag

APPROVED:

Signature on file

BERNARD WARNER, Secretary
Department of Corrections

1/27/14

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 72.01](#); [WAC 137-28](#); [ACA 4-4319](#); [ACA 4-4512](#); [ACA 4-4513](#); [ACA 4-4515](#); [ACA 4-4517](#); [ACA 4-4519](#); [ACA 4-4520](#); [ACA 4-4521](#); [ACA 4A-03](#); [ACA 5A-22](#); [DOC 210.060 Donations](#); [DOC 240.100 Food Services Program](#); [DOC 300.550 Monitoring Graduated Community Access](#); [DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations](#); [DOC 420.310 Searches of Offenders](#); [DOC 420.320 Searches of Facilities](#); [DOC 440.000 Personal Property for Offenders](#); [DOC 440.050 State Issued Clothing/Linen](#); [DOC 450.120 Packages for Offenders](#); [DOC 450.300 Visits for Prison Offenders](#); [DOC 530.100 Volunteer Program](#); [DOC 540.105 Recreation Program for Offenders](#); [DOC 560.100 Privileged Communication and Chaplains Responsibilities](#); [DOC 610.240 Therapeutic Diets](#); The United States Constitution, 1st and 14th Amendments, Articles I and II; [Handbook of Religious Beliefs and Practices](#); [Religious Land Use and Institutionalized Persons Act \(RLUIPA\)](#)

POLICY:

- I. The Department acknowledges the inherent and constitutionally protected rights of incarcerated offenders to believe, express, and exercise the religion of their choice. Religious programs will promote positive values and moral practices to foster healthy relationships, especially within their own families and the communities to which they are returning.
- II. The Department will provide religious as well as cultural opportunities for offenders within available resources, while maintaining facility security, safety, health, and orderly operations. [4-4517]
- III. The Department will not endorse any religious faith or cultural group and will ensure that religious programming is consistent with the provisions of federal and state statutes.
- IV. The Department recognizes that many religions incorporate religious, traditional, and cultural practices. The Department offers offender cultural/diversity and religious faith groups the opportunity to celebrate events.

DIRECTIVE:

- I. Responsibilities
 - A. The Headquarters Program Manager for Religious Programs has overall responsibility for the management of religious/spiritual and cultural matters within the Department.

- B. Each Prison will have at least one Chaplain assigned to conduct, coordinate, and supervise religious activities and community resources to meet the expressed religious needs and rights of offenders. [4-4513]
1. Chaplain responsibilities are identified in this policy and in DOC 560.100 Privileged Communication and Chaplains Responsibilities.
 - a. Chaplains will function as religious services program specialists whose primary role is to provide access to meet the religious needs of facility offenders by working with Department employees, contract staff, volunteers, the religious community, and religious service providers.
 - b. All Chaplains must meet minimum qualifications as defined in RCW 72.01.210. [4-4512]
 - c. Chaplains are not required to perform religious duties that violate their own faith or conscience consistent with RCW 72.01.210.
 - d. [4-4520] Chaplains will be provided with office space that is accessible to offenders, employees, contract staff, and volunteers, and religious service space, supplies, and support services necessary for carrying out their duties. Non-offender clerical support will be available for confidential material.
 - e. Chaplains will have access to all areas of the facility to minister to all offenders, employees, contract staff, and volunteers. [4-4515]
 2. Contract Chaplains and Religious/Cultural Service Specialists may be hired at Prisons to meet the needs of specific religious/faith groups.
 - a. Contract Chaplains and Religious/Cultural Service Specialists will be hired in cooperation with and have the endorsement of faith group authorities.
 - b. Facility Chaplains will oversee, monitor, and approve the work and schedules for contract Chaplains and Religious/Cultural Service Specialists.
 - c. The contract Chaplains' responsibilities are identified in DOC 560.100 Privileged Communication and Chaplains Responsibilities.

- d. Contract Chaplains and Religious/Cultural Service Specialists may have access to areas of the facility to minister to offenders, employees, contract staff, and volunteers. [4-4515]
- C. The Department will consult with a diverse group of religious/faith/cultural group authorities with knowledge of corrections which will:
 - 1. Inform, advise on, and guide Department policy and practice,
 - 2. Assist in developing and reviewing religious programs,
 - 3. Collect and review constituent concerns and unresolved grievances and present recommendations for resolution to Department administration, and
 - 4. Assist in recruiting religious volunteers and in developing resource support.

II. Proselytizing

- A. Employees, volunteers, program providers, and offenders may not persist in religious conversations with any person who has stated that s/he does not desire to engage in such conversations. Unwanted or forceful attempts to persuade a person to convert to another's religious/cultural belief and/or ridiculing the religious or cultural beliefs of others within any Department facility are prohibited. Nothing in this provision will prohibit the sharing of information regarding a person's religious belief.

III. Expression

- A. An offender will have access to religious activities offered at the facility where the offender is housed, provided his/her presence at the activity does not present a threat to facility safety or security.
- B. When an offender requests a religious faith practice or program not currently being allowed/provided:
 - 1. S/he will provide the name and address of an outside religious authority of the religious faith group to the Chaplain on DOC 21-142 Religious Requirement Information Sheet. The Chaplain will send a copy of the form to the religious authority to complete and return, verifying the request is consistent with faith standards.
 - a. The outside religious authority may not be an offender or an offender's family member and must be recognized as a religious authority within the religious faith group to which the request applies.

2. The Chaplain will forward a copy of the completed form to the Headquarters Program Manager for Religious Programs. If approved, the change will apply Department wide. Chaplains will attempt to recruit volunteers representing the religious faith group.
- C. [4-4519] When an offender's faith is not represented through the facility chaplaincy or volunteers, the Chaplain/designee may assist the offender in contacting a religious leader with the appropriate credentials from the faith group.
1. Lack of volunteers from a particular faith group may restrict the ability to provide consistent programming or materials. In the event no volunteers are available, offenders may request faith group materials through recognized organizations.
 2. The religious leader will minister to the offender under the supervision of the Chaplain and according to DOC 530.100 Volunteer Program.
- D. Offenders will be allowed to express their religious customs and beliefs through head and facial hairstyles consistent with their religious tradition while maintaining personal hygiene.
- E. The wearing or carrying of relevant religious apparel and paraphernalia must comply with Allowable Individual Religious Items (Attachment 1). Apparel and paraphernalia are subject to inspection procedures.
1. Only one necklace may be worn at a time, and only one medallion may be worn on a necklace.
 2. With the exception of bandanas and fezzes, religious head coverings may be worn at any time unless otherwise restricted for safety concerns (e.g., while working with machinery).
 - a. Employees/contract staff may inspect a religious head covering by directing the offender to remove the item and hold it out so the item can be easily observed and searched without being touched.
 - b. The offender may be directed to unfold/unwrap the item for closer inspection.

IV. Religious Program in Prisons

A. Religious Diets [4-4319]

1. Offenders will have the opportunity to select an initial religious diet during orientation at the Reception Diagnostic Centers (RDCs).

2. Recognized religious diets are:
 - a. Mainline Alternative - Vegetarian
 - b. Halal
 - c. Kosher
3. To receive a religious diet, an offender must submit DOC 20-428 Religious Diet Request to the Chaplain/designee. The Chaplain/designee will ensure that the following procedures are completed:
 - a. Completed Religious Diet Requests will be dated and scanned into the offender's electronic imaging file.
 - b. Notification will be emailed with a copy of the form to dietreligious@doc.wa.gov where an entry will be made in the Personal Characteristics section of the offender's electronic file.
 - c. Facility Food Services will be notified.
4. At reception, an offender may select one religious diet at no cost. Requested religious diets will remain in place until the offender requests that it be removed or changed.
 - a. After the initial religious diet selection at reception, the offender will be charged a fee per DOC 240.100 Food Services Program anytime s/he changes to a religious diet.
 - b. The diet change will take effect 2 weeks after the diet card charge is processed.
5. If a therapeutic diet is recommended, that diet will take precedence over the religious diet.
 - a. The offender can refuse the recommended therapeutic diet at the time of the medical encounter.
 - b. If the offender does not refuse the therapeutic diet at that time, the diet will remain in effect until its expiration date, at which time the religious diet will resume.
6. Offenders who are observed eating mainline instead of their religious diet meals will be infraacted.

B. Annual Events

1. Facilities will allow certain annual religious events per the Handbook of Religious Beliefs and Practices and as identified by religious authorities.
2. Facilities may provide each cultural/diversity group one event to celebrate each year.
3. Events will be no more than 5 hours in length and dependent upon facility resources. Events will be posted on the annual facility event calendar.
 - a. In cooperation with the Chaplain/assigned coordinator, offender religious and cultural/diversity groups will determine event dates/times.
4. Visitors 18 years of age and older who are listed on a participating offender's approved visitor list and other approved outside guests may be invited to the event, and will be limited based on space and security needs.
 - a. Visitors under the age of 18 may be allowed as authorized by the Assistant Secretary for Prisons.
5. Offenders may attend one annual religious event and one annual cultural/diversity event each year, which will be documented in the callout system.
 - a. For annual religious events, priority will be given to offenders who have attended the majority of programs offered for the religious faith group in the previous 6 months.
 - b. Offenders will sign up at least 45 days prior to the event.
 - 1) Offenders who transfer to the facility after the deadline may attend if confirmation can be made that the offender was practicing in the religion at the transferring facility for at least 45 days prior to the event date.
 - 2) Newly received offenders who arrive after the deadline may request written approval from the Chaplain/coordinator to attend.
6. Events may include meals and/or refreshments coordinated through Food Services per DOC 240.100 Food Services Program.

- a. The Chaplain/designee will notify the Food Service Manager of the number of event participants.

C. Religious Activity Area(s)

1. [4-4520] Each facility will designate an area(s) appropriate for conducting requested religious activities.
 - a. A facility that houses over 150 offenders will provide a primary building/room designated as a Chapel or Religious Activity Center. This area will include an adequate designated worship area, as well as designated offices and classrooms, office equipment, furnishings, and supplies.
 - b. All Prisons will maintain a sweat lodge.
 - c. An outdoor area(s) will be designated for individual prayer/religious observance and authorized use of smoke-producing substances. Each use will be for approximately 15 to 30 minutes, with a maximum of 2 uses per day. The religious item(s) may be carried to and from the area for use during these times.
 - 1) When possible, activities should be scheduled so that offenders of different faith groups do not use the outdoor area(s) together.
 - 2) No offender will lead or facilitate religious activities of other offenders in the activity area.
 - d. Chaplains or religious faith group providers/sponsors/specialists will assist custody employees with searches of religious/cultural activity areas.
 - 1) Reasonable suspicion may result in an immediate search without assistance.
2. The burning of smoke-producing substances (i.e., incense or candles) is allowed in religious activity areas during appropriate religious ceremonies. Ceremonial/sacred pipes will only be smoked in the sweat lodge during scheduled services. An ignition source will be provided by the Chaplain/designee.
 - a. Ceremonial tobacco will be limited to approximately ½ ounce (i.e., a 1" cube) per sweat and will be issued by the Chaplain/designee.

- 1) Ceremonial tobacco will only be accessible by authorized employees, contract staff, and volunteers.
 - 2) Tobacco will only be stored with other Native American property in a secured area, apart from other odor producing substances.
- b. The area(s) will not be designated as sacred ground and may be used for other facility programs. No religious symbols or objects will be left in the designated area(s). The designated area(s) will not be defaced.
3. Native American sweats may occur 2 times per month, resources permitting, in addition to quarterly Change of Season sweats.
- a. Wood needed for the sweat lodge will vary depending on the condition and type of wood, the size of the sweat lodge, and the length of the sweat. Average use is $\frac{1}{8}$ - $\frac{1}{4}$ of a cord per sweat, though more may be allowed if the wood is wet or of poor quality.

D. Activities

1. Offenders should have reasonable access to religious activities, such as:
 - a. Religious services and ceremonies, sacraments, and events,
 - b. Individual and group pastoral counseling,
 - c. Beading or sewing per DOC 540.105 Recreation Program for Offenders,
 - d. Social and family counseling, and
 - e. Religious instruction, including access to printed and audiovisual materials of a religious nature.
2. A schedule of all available religious programs and activities will be posted in the religious service area(s), living units, and other appropriate areas readily accessible to offenders.
 - a. Religious programs will meet with the supervision of designated employees, contract staff, and volunteers. Facility custody level and physical plant will determine the number of supervising persons required.
3. Religious programs and services may be cancelled and not rescheduled due to:

- a. Unavailability of the sponsoring religious faith group or a designated employee/contract staff/volunteer supervisor,
 - b. Reasons of facility safety and security,
 - c. Inclement weather,
 - d. Natural disaster, and
 - e. Other reasons as determined by the Superintendent/designee.
4. Unless it interferes with the orderly operation of the facility, offenders will be excused weekly from mandated programs or work to attend a religious activity of their choice.
- a. Except in weeks in which multiple activities are scheduled for a single faith group, offenders will not be excused more than once per week.
5. Restricted consumable religious substances (e.g., altar wine) must be pre-approved by the Chaplain and may only be used by the religious group's sponsor.
6. Ritual or ordinance elements, such as communion or sacrament, will be provided by the faith group through the Chaplain's office.
7. Hobby craft items may be donated to the facility for offender use at religious activities by community members.

E. Religious Items

1. Offenders may possess religious items as outlined in Attachment 1, with some exceptions for offenders in Intensive Management Units (IMUs) and RDCs.
 - a. RDC offenders will only be allowed one religious medallion and one religious text which must meet the description in Attachment 1.
 - b. The Chaplain will work with IMU employees on a case-by-case basis to determine religious items available in IMU based on the offender's behavior and security concerns.
 - 1) The Chief of Security/designee and the Headquarters Program Manager for Religious Programs will work together to make the decision on an item in the event the Chaplain and IMU employees cannot agree.

- c. With the exception of bone beads, no animal fur, claws, or bones are authorized on or for any religious item.
 - d. Offenders may retain religious items they make, decorate, or embellish with prior approval from the Chaplain/designee.
 - 1) Each facility will establish a process for Native American offenders to make Pow Wow gift items for outside guests.
2. Religious items may be obtained as follows:
- a. The offender may purchase items through a Department approved vendor.
 - 1) Approved vendors will be determined by the Headquarters Program Manager for Religious Programs in cooperation with appropriate religious authorities.
 - 2) Packages will comply with DOC 450.120 Packages for Offenders.
 - b. The offender's immediate family may purchase items for the offender through a Department approved vendor. Exceptions for non-immediate family may be requested in writing and require Chaplain approval.
 - 1) Packages must come into the facility directly from the vendor and comply with DOC 450.120 Packages for Offenders.
 - c. The offender may receive items donated by community members.
 - 1) [4-4521] Items must enter the facility through the Chaplain/designee, who will determine if they meet the requirements of this policy. Department employees will inspect items to prevent introduction of contraband or any other material that threatens safety or security.
 - 2) Items donated to the facility will be available for offenders who have attended the majority of the programs offered for the religious faith group in the previous 6 months.
 - 3) Except as specified in Attachment 1, items may not be donated to specific offenders.

- 4) An offender cannot donate/hand down an item to another offender.
3. Religious items will be issued by the Chaplain/designee and documented on DOC 05-062 Offender Property. Any alterations will be noted in the item description.
4. Religious items will be stored in an approved religious items box, with the exception of oversized items (e.g., prayer rug), clothing, and books. Chaplain/designee approval will be required to store any other religious items outside the religious items box. These items will comply with DOC 440.000 Personal Property for Offenders and/or DOC 440.050 State Issued Clothing/Linen.
 - a. The religious items box is marked "Religious Items" on the top and sides.
 - b. The box will be labeled with the offender's first and last name and DOC number. No other alterations of the box are allowed.
 - c. The box and/or items may be carried to and from applicable religious activities.
 - d. Only religious items and the copy of the offender's DOC 05-062 Offender Property will be stored in the religious items box. When used to store other items, including contraband, an infraction will be issued and the box and contents will be confiscated. The box and items will be disposed of per DOC 440.000 Personal Property for Offenders and DOC 420.375 Contraband and Evidence Handling. The Disciplinary Hearing Officer will determine whether:
 - 1) The box and religious items will be returned, or
 - 2) A new box and religious items will be issued at the offender's expense. A new box will only be issued when the offender has been authorized and issued new religious items.
 - e. Except as allowed by this policy, offenders must ensure that their combined authorized religious items fit in the box. Offenders must store these items in the box when not in use and when leaving their cell or unit.
 - f. The box itself is not sacred. However, religious items will be handled with respect.

5. Chaplain/designee approval will be required for all religious items that require special handling per Attachment 1.
6. Religious items and clothing will be inspected per DOC 420.310 Searches of Offenders, DOC 420.320 Searches of Facilities, and DOC 440.000 Personal Property for Offenders.

F. Group Religious Property

1. Religious items for group use may be allowed as inventoried on DOC 05-813 Group Religious Property. The Chaplain/designee will review the inventory quarterly for accuracy.
2. All group property will be stored in the Chapel, Religious Activity Center, or other area designated by the Chaplain.
 - a. Pipe and drum carriers may store the group sacred pipes/drums and related equipment in their assigned living area with Chaplain approval. The Chaplain will maintain an inventory available to custody employees which lists these items and the designated offenders.
3. The Superintendent/designee may approve free or donated religious items for group use (e.g., books, tapes/CDs) sent from ministries, religious organizations, and Department approved vendors per DOC 210.060 Donations. [4-4521]

G. Restriction of Religious Activities and/or Items and Dispute Resolution

1. Restriction of a religious activity must be related to legitimate facility safety and security concerns.
2. Any restriction of a religious activity and/or item will be justified in writing, citing the security, safety, and health reasons for the denial. Employees, contract staff, and volunteers will forward the reasons for denial to the Chaplain.
3. Disputes of a religious nature will be resolved by the Chaplain whenever possible. When necessary, the Chaplain will consult with the Headquarters Program Manager for Religious Programs to ensure uniformity of religious practice throughout the Department.

4. The Headquarters Program Manager for Religious Programs will consult with outside religious authorities and advisory groups in an effort to evaluate a religious issue being questioned.
 - a. The outside religious authorities will:
 - 1) Be recognized as having special knowledge or insight relevant to the dispute,
 - 2) Have the standing within their own religious community to direct, lead, or perform any activity in question, and
 - 3) Not be currently under Department supervision.
 - b. The Headquarters Program Manager for Religious Programs will advise the Superintendent/designee and the Chaplain of the results.
5. If there is a conflict between a legitimate religious interest and a facility interest related to security, safety, health, or orderly operations of the facility, the matter will be resolved by the Superintendent, in consultation with the Chaplain and the Headquarters Program Manager for Religious Programs.

H. Community Volunteer Involvement

1. Clergy or religious faith group representatives who had a professional ministerial relationship with an offender prior to incarceration will be authorized to visit the offender in a professional religious capacity no more than 4 times annually, unless otherwise approved by the Chaplain.
 - a. Religious program volunteers who are ordained clergy or have qualifications consistent with community standards of the faith group to which they belong may request professional clergy visitation with an offender who moves to another facility, only with written permission from the Chaplains at both facilities and the approval of both Superintendents/designees.
 - b. Clergy visits will comply with DOC 450.300 Visits for Prison Offenders or DOC 530.100 Volunteer Program.
 - c. Clergy may bring pre-authorized religious items and may perform sacraments/religious ministrations consistent with facility safety and security. Appropriate accommodations for observing religious confidentiality will be provided.

2. Specific religious representatives may have access to offenders to administer religious guidance and services, with the approval of the Chaplain and the Superintendent. Reasons for denying access to a religious representative must be documented and submitted to the Headquarters Program Manager for Religious Programs.
3. At the conclusion of any program that includes both volunteers and offenders, volunteers will remain until employees are available to secure the area.

V. [5A-22] Religious Freedom in Work Release

- A. Offenders will be permitted to attend religious services of their choice in compliance with DOC 300.550 Monitoring Graduated Community Access.
- B. Offenders may be provided a religious diet as approved by the Community Corrections Supervisor, who may consult with the Headquarters Program Manager for Religious Programs. [4A-03]
- C. Offenders may possess and use religious items listed in Attachment 1, provided such possession/use does not infringe upon the rights of others or pose a threat to facility operation.
 1. The burning of incense is prohibited inside a Work Release.
- D. Questions of a religious nature will be directed to the Community Corrections Supervisor, who may consult with the Headquarters Program Manager for Religious Programs.

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 section.

ATTACHMENTS:

[Allowable Individual Religious Items \(Attachment 1\)](#)

DOC FORMS:

[DOC 05-062 Offender Property](#)

[DOC 05-813 Group Religious Property](#)

[DOC 20-428 Religious Diet Request](#)

[DOC 21-142 Religious Requirement Information Sheet](#)

ITEM	DESCRIPTION	QTY
ALTAR	Altar maximum 6" x 6" x 6"; wood, paper, or plastic/resin; NO COMPARTMENTS	1
Altar Cloth	Cloth maximum 36" x 40"; no dark colors	1
Bell/Bowl and Striker with Cushion	Bell maximum diameter 2½" not including the handle, light metal; Bowl maximum 3" x 3" x 5", light metal; Striker maximum 6" x ¾", soft wood	1
Beads	Beads, including shells and pendants, no natural or artificial teeth or claws	3 lbs. per month
Book/Literature	Bible any authorized version, Prayer Books, Book of Mormon, Bhagavad-Gita, Bhagovata Purana, QUR'AN , New World Translation, TORAH , Kebrá Nagast, Guru GRANTH SAHIB, POETIC EDDA, PROSE EDDA, BOOK OF SHADOWS , Sutra Book, The Doctrine and Covenants, The Pearl of Great Price, Satanic Bible, church magazines, religious calendars, and Sacred Writings, Hadith, cloth wrapped; may be electronic versions, including language tapes and CDs; SEE HANDBOOK OF RELIGIOUS BELIEFS AND PRACTICES FOR ADDITIONAL INFORMATION	1 each
Bowl	Bowl maximum diameter 4" maximum; plastic/resin, wood, or seashell; MUST BE FIRE RETARDANT	3
CAULDRON	Cauldron maximum diameter 4"; light metal, plastic/resin, wood, or terra cotta	1
CHALICE	Chalice maximum height 8"; light metal, plastic/resin, or wood	1
Choker	Choker maximum 5 strands, may be beaded; WORN IN CELL OR DURING RELIGIOUS SERVICES ONLY	1
CLOTH STRIPS/SQUARES; PRAYER TIES	Strip/tie maximum 3" x 3" in red, yellow, green, black, or white; Cloth square maximum 2½" x 2½" in red, yellow, green, black, or white; Prayer ties may contain Sage, Kinnikinnick, Red Willow Bark, or Red Osier Dogwood	25
Dagger, Paper	Paper dagger constructed from a single sheet of paper; 1/16 th inch thick or less	1
DEITY	God, goddess, or religious leader; with or without lei and clothing; deity maximum height 10"; maximum weight 26 ounces, plastic/resin, wood, or terra cotta	1 each
DEITY IMAGES	God, goddess, or religious leader; deity image maximum 6" x 6", postcard size	12
DREAMCATCHER	May have beads attached	1
DRESS	<u>FEMALE ONLY</u> Must cover shoulders to below the knees and may be beaded; DURING RELIGIOUS SERVICES ONLY	1
Earrings	<u>FEMALE ONLY</u> Earring maximum diameter 3 ½"; may be beaded (1 set = 1 beaded item); DURING RELIGIOUS SERVICES ONLY	1 pair
Earth	In plastic bag or plastic bottle	2 oz.
EGG WITH CLOTH BAG	Egg maximum 2 ½" x 2" wood, or 3" x 4" paper mache	1
FAN	30 feathers maximum, may have beads attached	1
FEATHER	Feather maximum length 13", may have beads attached; EAGLE FEATHER MUST MEET FEDERAL REQUIREMENTS; MAY COME FROM THE NATIONAL EAGLE REPOSITORY OR DONATED/HANDED DOWN FROM A COMMUNITY NATIVE AMERICAN TO A SPECIFIC NATIVE AMERICAN OFFENDER	20
HAND DRUM/Beater	Hand drum maximum diameter 10"; beater maximum length 14"	1
Head Covering	Bandana, headband, or handkerchief: maximum 26" x 26"; non-paisley, with Native American drawing, white, cream, yellow, green, or black; MUST BE AT LEAST ½" ABOVE EYEBROWS; WORN IN CELL OR DURING RELIGIOUS SERVICES ONLY	4
	Fez: unlined, non-paisley; WORN IN CELL OR DURING RELIGIOUS SERVICES ONLY	2
	<u>FEMALE ONLY</u> Hijab, Snood, Tichel (scarf), veil, shawl, or scarf: maximum 40" x 80"; used to cover hair, shoulders or upper body; white, cream, yellow, green, or black	4

ITEM	DESCRIPTION	QTY
Head Covering (cont.)	MALE ONLY Keffiyeh: maximum 48" X 48"; unlined; white, cream, yellow, green, black, tan, brown, gray, or multi-colored, non-paisley; no red or blue; CAN BE WORN DURING PRAYER AND WORN DURING RELIGIOUS SERVICES ONLY; MAY NOT BE USED AS A FACE COVER	1
	MALE ONLY Kippah, Yarmulke, or skull cap: unlined, white, cream, yellow, green, black, multi-colored; non-paisley	2
	MALE ONLY Kufi: unlined; white, cream, yellow, green, black, tan, brown, gray, or multi-colored; non-paisley; MUST BE AT LEAST ½" ABOVE EYEBROWS	2
	MALE ONLY Turban: maximum 37" x 73", white, cream, yellow, green, black, gray, or beige; non-paisley; MUST BE AT LEAST ½" ABOVE EYEBROWS AND CANNOT BE WORN WITH A TAIL	2
Herbs/Plants	Bayberry, Bitterroot, California Bay, Cedar, Chamomile, Cinquefoil, Comfrey, Corn Pollen, Epazote, Eucalyptus, Fennel, Frankincense, Jasmine, Juniper, Kinnikinnick (must be tobacco free), Lavender, Lemon Balm, Licorice Root, Mint (any type), Mullein, Mugwort, Myrrh, Osha Root, Patchouli, Red Willow Bark, Sage (any type), Sweetgrass, Uva Ursi (Bearberry), Verbena, Yarrow, and Yerba Santa; may be stored in cloth or leather bag	3 oz. each
Holy Water	In plastic bottle	1 oz.
ICON	Icon maximum 4" x 4" x 2"	1 each
Incense Burner	Burner maximum 2" x 12"; no ceramic or glass	1
Incense Stick/Cone	Incense maximum 1/8" x 15"; Frankincense, Frank and Myrrah, Gardenia, Honey Vanilla, Jasmine, Lavender, Rose, Sandalwood, Somali Rose, or Vanilla	100
Istinja Bottle	Bottle maximum 32 oz.; plastic	1
Kara	Light metal bracelet for prayer	1
LEATHER TIES	Tie maximum length 9"; for tying hair or braids	2
Long Sleeved Tee Shirt	<u>FEMALE ONLY</u> Gray, replaces short sleeved shirt issued per DOC 440.050 State Issued Clothing/ Linen	6
Medallion	Medallion maximum 2" on necklace maximum 24"; medallion and necklace may be made from light metal, wood, leather, or plastic/resin, no gold; cross, crucifix, Star of David, Chai, star and crescent, Catholic Saints, THOR'S HAMMER , amulet, pentacle, Triskele, pentagram, talisman, or lion; MUST BE WORN UNDER CLOTHES ONLY EXCEPT IN CELL OR DURING RELIGIOUS SERVICES; in IMU, must comply with DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations; SEE HANDBOOK OF RELIGIOUS BELIEFS AND PRACTICES FOR ADDITIONAL INFORMATION	1
MEDICINE BAG	Bag maximum 2 ½" x 2 ½" on necklace maximum 24"; leather or cloth; tie shut drawstring (cannot be sewn shut); may have beads or other embellishments, including religious medallion, talisman, or amulet; MUST BE WORN UNDER CLOTHES ONLY EXCEPT IN CELL OR DURING RELIGIOUS SERVICES; in IMU, must comply with DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations	1
MISWAK	Branch maximum length 6"	1
Neck Beads	48" maximum length; neck beads must be worn on natural, plant-based string for stringing; single or triple strand of natural thread, woven or twisted together; wood; can only be worn with breakaway necklace	1
OGHAM STAVES/DISC	Wood or paper; may be wrapped/stored in cloth or leather	1 set

ITEM	DESCRIPTION	QTY
Oil	Anise, Basil, Bayberry, Bergamot, Cedar, Chamomile, Cinnamon, Citrus, Clove, Dragon's Blood, Frankincense, Geranium, Holly Berry, Jasmine, Juniper, Lavender, Mint, Mulberry, Musk, Myrrh, Olive, Patchouli, Peppermint, Pine, Rose, Rosemary, Sandalwood, and Vanilla; any combination of the above approved oils is also allowed	3 oz. total
Palm	Palm leaf maximum length 2 ft.; as needed; MAY ONLY BE KEPT FOR 2 MONTHS AFTER RECEIPT ON PALM SUNDAY	2
PEBBLES	Pebbles no larger than nickel-size; must come in from approved vendor or found on site	12
PENTACLE	Pentacle maximum 8" x 8"; cardboard	1
PIPE	Pipe maximum length separated 17", maximum length intact 24"; may be stored in cloth or leather bag	1
Prayer Beads	Breakaway; 16, 22, 27, 33, 54, 72, 99, or 108 beads per strand; light metal, wood, plastic/resin, or Bodhi seeds; no red or blue; MAY NOT BE WORN AROUND NECK	1
Prayer Mat	Mat maximum 28" x 40"	1
Prayer Rug	Rug maximum 28" x 40"	1
RIBBON SHIRT	<u>MALE ONLY</u> May be beaded; must not resemble officer uniform; WORN DURING RELIGIOUS SERVICES ONLY	1
Rosary	Light metal or plastic/resin cross with plastic/resin beads; no red or blue; MAY NOT BE WORN AROUND NECK	1
RUNE CARDS	May be stored in cloth or leather bag	1 set
RUNE CASING CLOTH	Cloth maximum 18" x 24"; plastic/resin or wood; no blue or black	1
RUNE TILE SET	Card, ceramic, or wood; may be stored in cloth or leather bag	1 set
Salt	MAY BE REPLENISHED AS NEEDED	2 oz.
Scapular	Scapular maximum 2" x 2" x 24"	1
SHELL	Seashell maximum 6" x 6" or conch shell maximum 4"	1
TALLIT WITH BAG	Prayer shawl maximum 36" x 72"; no dark colors; CAN BE WORN DURING PRAYER	1
TAROT CARDS	Paper or cardboard; may be stored in cloth wrap or leather bag; may include an instruction book	1 set
TEFILLIN WITH BAG	Maximum length 13'; two small boxes with straps	1
Thawb	Robe, may be cream, tan, white; no red or blue; CAN BE WORN DURING PRAYER AND WORN DURING RELIGIOUS SERVICES ONLY	1
Tunic	Tunic length variable, knee to ankle; may be worn belted; no red or blue; may be embroidered; CAN BE WORN DURING PRAYER AND WORN DURING RELIGIOUS SERVICES ONLY	1
Tzitzit, Shirt	<u>MALE ONLY</u> No dark colors; small tallit worn as an undershirt; MAY BE WORN AT ANY TIME	2
Tzitzit, Strap	<u>MALE ONLY</u> No dark colors; tzitzit strap may be worn on a belt loop; MAY BE WORN AT ANY TIME	4
Vase	Vase maximum height 12"; plastic/resin or wood	1
WAND	Wand maximum 3/8" x 16"; soft wood	1

Soft wood includes pine, cedar, and fir. Light metals include aluminum and nickel.

REVIEW/REVISION HISTORY:

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Revised: 5/28/08
Revised: 8/16/10
Revised: 12/7/15
Revised: 5/19/16
Revised: 3/25/21
Revised: 7/22/22
Revised: 9/4/24

SUMMARY OF REVISION/REVIEW:

I.B., I.B.2., II.A., III.B.1.c., V.B., V.E.3., VI.A.1., and VII.C.5. & 6. - Added clarifying language
Added I.B.1. that individuals between 23 and 13 months of their ERD will be considered for eligibility based on facility and transport availability
Removed I.B.3. that individuals sentenced to the Special Sex Offender Sentencing Alternative are not eligible to participate
Added I.B.4 that participation will not start until 24 months prior to the ERD
I.C. & D., III.B., III.D.1., III.D.1.a., IV.A.-C., V.D., V.E.2., VI.B.2., VII.A.2., VII.A.2.a., VII.B.1. & 2., VII.B.1.a.1) & 2), and VIII.B.1. - Adjusted language for clarification
III.B.1.a., V.E.1., VI.B.3., and VIII.B.2. - Removed unnecessary language
Added V.A.4. that Recorded Treatment Sessions will be reviewed and signed during intake
Added V.E.1.a. that individuals ordered to return to treatment must be admitted by SOTAP and have a treatment condition added to their conditions of supervision

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

8/1/24

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.670](#); [RCW 9.94A.810](#); [RCW 9.94A.820](#); [RCW 70.02](#); [RCW 72.09.335](#); [RCW 74.09.555](#); DOC 280.510 Public Disclosure of Records; DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting; Sex Offense Treatment and Assessment Programs Operations Protocol

POLICY:

- I. The Sex Offense Treatment and Assessment Programs (SOTAP) provide:
 - A. Risk assessment,
 - B. Prison-based sex offense treatment to incarcerated adults with a history of sexual-related offenses, and
 - C. Community-based treatment to individuals on community supervision who have successfully completed the Prison-based treatment.
- II. The main goals of SOTAP are to:
 - A. Assist individuals in learning how to reduce and manage offense-related risks.
 - B. Provide information to assist the Department and community with managing and monitoring an individual's risk to sexually reoffend.
 - C. Routinely evaluate and align SOTAP with evidence-based practices.
- III. Individuals will only be considered successfully discharged from SOTAP treatment once they have completed both the prison-based and community-based programs.

DIRECTIVE:

- I. Admission Criteria
 - A. To be considered for admission to SOTAP, incarcerated individuals must meet the following qualifying criteria:
 1. Convicted of a sex offense(s) for the current or a previous term of confinement, or convicted of a current or past offense which contains sexual elements or sexually abusive behaviors, and
 2. Eligible for release from Prison.
 - B. To be eligible for treatment, qualified individuals should have at least 24 months to their Earned Release Date (ERD) with a Medium (MED)/ Minimum (MIN) 3 custody level to complete Prison treatment requirements.

1. Individuals between 23 and 13 months of their ERD, will be considered based on facility and transport availability.
 2. Individuals with less than 12 months to their ERD will not be considered unless an override is authorized.
 3. Participation in SOTAP will not start until an individual has reached 24 months prior to the ERD.
- C. Individuals must be amenable to treatment by:
1. Engaging in ongoing conversation and exploration regarding their inappropriate/illegal sexual behaviors.
 2. Agreeing to attend and participate in the Department's SOTAP, both in Prison and 12 months in the community portion of SOTAP, as well as following all treatment rules and expectations.
- D. Specific needs and learning styles will be evaluated to determine appropriate placement in sex offense treatment, including individuals with disabilities.

II. Risk Assessment

- A. SOTAP will use a Department-approved, validated static risk assessment according to instrument standards to assess an individual's risk to commit future sex offenses, and for treatment prioritization, resource planning, and classification.
1. Additional risk assessment instruments and measures may be used for individuals requiring a priority code override(s).

III. Program Referral

- A. Qualified individuals are automatically referred to SOTAP at the Reception Diagnostic Center (RDC) for eligibility review and amenability screening.
- B. Case managers may submit a request through the SOTAP Operations Manager to create a SOTAP referral in the electronic file. The status of referrals will only be modified by the SOTAP Operations Manager/designee.
1. Requests may be submitted within 48 months to the ERD for individuals who:
 - a. Were not convicted of a sex offense, but report having committed a sex offense(s) that has not led to a charge/conviction,

- b. Are identified as low priority through the validated risk assessment,
 - c. Initially declined treatment or were found not to be amenable and wish to be reassessed for services, or
 - d. Seek readmission to SOTAP, including those who:
 - 1) Participated in SOTAP during a previous term of confinement.
 - 2) Left SOTAP before completion.
 - 3) Completed SOTAP and had community supervision revoked.
 - 4) Were previously unsuccessfully discharged from treatment or had time added to their sentence by the Indeterminate Sentence Review Board (Board).
2. Individuals sentenced to a term of confinement less than 24 months must request treatment upon arrival at the RDC.
- C. Individuals may be referred by the Board or the SOTAP Risk Assessment Unit at any time.
- D. Referrals will be closed for individuals who decline to participate during the amenability screening.
- 1. Individuals who decline may be referred to SOTAP's Moving Forward as mandatory programming and does not qualify as sex offense treatment.
 - a. Refusal to participate in Moving Forward will result in a 557 violation.

IV. Admission Priority

- A. Individuals will be prioritized for treatment per RCW 72.09.335 and within available resources. The SOTAP Operations Manager, in coordination with SOTAP Program Managers, will schedule admission dates based on the:
 - 1. ERD,
 - 2. Eligibility criteria for treatment,
 - 3. Proposed release location,
 - 4. Risk level identified through the assessment, and
 - 5. Length of time needed to successfully complete Prison-based treatment based on medical/mental health needs.

- B. Individuals approved for SOTAP participation who are transferred to a treatment facility, and then refuse treatment, will receive a 557 violation.
- C. The case manager will notify the SOTAP Operations Manager/designee if the custody level changes and/or the individual becomes ineligible to participate at the facility providing SOTAP treatment before transfer.

V. Treatment Services

- A. The assigned treatment provider will schedule an intake appointment to review and sign the following:
 - 1. DOC 02-025 Sex Offense Treatment and Assessment Programs Limits of Confidentiality
 - 2. DOC 02-330 Sex Offense Treatment and Assessment Programs Informed Consent for Prison Treatment
 - 3. DOC 02-402 Sex Offense Treatment and Assessment Programs Informed Consent for Community Treatment
 - 4. DOC 02-026 Sex Offender Treatment and Assessment Programs Recorded Treatment Sessions, as needed
- B. A Department-approved, validated needs assessment will be completed according to instrument standards on all SOTAP participants to assess treatment needs, inform specialty group programming, establish the Sex Offense (SO) Risk Category in the electronic file, and identify targeted interventions related to the individual criminogenic risk factors linked to sexual recidivism.
- C. SOTAP clinical personnel will adhere to the approved clinical treatment program, including all written materials and established manuals/protocols, and use cognitive behavioral principles of intervention during the course of treatment.
- D. The SOTAP Psychologist 4 may conduct research and will provide clinical consultation and prepare psychological assessment reports using psychological testing for program participants, as needed and when clinically relevant.
 - 1. The SOTAP Psychologist 4 is not the primary mental healthcare provider for SOTAP participants but will consult with mental health employees/contract staff regarding any mental health-related concerns.
- E. Individuals on community supervision who have completed Prison-based treatment will continue Department-approved treatment services in the community.

1. Individuals returning to community supervision after additional confinement time will be assessed by the SOTAP Director/designee to determine appropriateness for continued treatment.
 - a. Individuals ordered to return to treatment after any previous participation in the program must be approved and admitted by SOTAP and have a treatment condition added to their conditions of supervision.
2. In areas where SOTAP services are unavailable, SOTAP may contract with certified sexual offense treatment providers to provide community-based treatment.
3. Community-based treatment will be provided for at least 12 months, unless directed otherwise by the SOTAP Community Program Manager.

VI. Refusing or Failing to Maintain Programming

- A. Individuals who withdraw from treatment will be considered refusing to participate and subject to disciplinary action.
 1. If an individual reconsiders participation, a request to return must be submitted in writing to the SOTAP Program Manager/designee within 3 business days of the withdrawal notice.
- B. Individuals may be unsuccessfully discharged from treatment for the following reasons and will be subject to disciplinary action:
 1. Intentional violation of confidentiality of other participants
 2. Safety or security concerns
 3. Prohibited sexual behavior
 4. Behaviors that are disruptive to the orderly operation of the program or the secure and orderly operation of the facility
 5. Classification into Close or Maximum custody, unless granted an override by the Headquarters Classification Unit
 6. Lack of progress in treatment, as determined by the SOTAP Program Manager
 7. Use of alcohol, cannabis, or illicit substances

8. Missing more than 3 group or individual sessions without contacting the provider
- C. Individuals who are unsuccessfully discharged from treatment may appeal to the SOTAP Director/designee. Appeals must be submitted within 3 business days of the unsuccessful discharge notice and will be documented as a case note in the SOTAP section of the electronic file.

VII. Treatment Records and Confidentiality

- A. SOTAP employees/contract staff will maintain treatment records (e.g., clinical progress, case notes, treatment plans and assessments, treatment and progress summaries, client assignment, correspondence) in the SOTAP section of the individual's electronic treatment file.
1. Throughout the course of treatment, SOTAP clinical personnel will document clinical progress notes in the individual's electronic file per established SOTAP standards and timeframes.
 2. Psychological testing and assessment reports completed by the SOTAP Psychologist 4 will be maintained in the health record, separate from the treatment file.
 - a. Psychological testing, including raw scores, will be maintained in a secure location accessible only by SOTAP licensed psychologists and only disclosed as authorized by law.
 3. Treatment records will be handled as confidential, protected health information.
 4. Reports of sexual misconduct will be reported and handled per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.
- B. Disclosure with Client Authorization
1. Individuals may sign DOC 02-406 Sex Offense Treatment and Assessment Programs Release of Confidential Information to share relevant information with other parties (e.g., family members, private treatment providers).
 - a. Individuals may revoke a disclosure authorization by submitting a written request to the SOTAP Psychologist or Program Manager at any time before a disclosure is made per RCW 70.02.080.

2. Individuals may submit a request to examine their own treatment records, including psychological assessment reports.
 - a. Requests to examine records will be submitted in writing to the SOTAP Psychologist or Program Manager. A response will be made within 15 business days of receiving the request.
 - 1) Psychological assessment reports should be reviewed in the presence of the SOTAP Psychologist 4.
 - 2) Examination may be denied if the SOTAP Psychologist 4 concludes the assessment information is likely to cause substantial harm to the individual, including self-harm or psychological deterioration, misuse or misrepresentation of testing data, or for any reason per RCW 70.02.090.
 - b. Requests for copies will be submitted per DOC 280.510 Public Disclosure of Records.
- C. Disclosure without Client Authorization
1. In the course of official duties, access to the SOTAP psychological file is granted to SOTAP employees and Department mental health providers.
 2. Risk assessment reports will be made available to SOTAP employees/ contract staff.
 3. Information provided by individuals and described in any non-psychological reports prepared by SOTAP clinical personnel will be shared with Department employees/contract staff and criminal justice entities on a need-to-know basis.
 4. Information may be disclosed and/or exchanged with health services providers in the community to ensure the continuity of care per RCW 70.02.050(1)(a) and RCW 74.09.555.
 5. Psychological assessment reports will be disclosed without the individual's permission when required by law or court order. Reports will also be released to fulfill the Department's obligation to warn or to protect the public on a need-to-know basis.
 6. Psychological assessment reports will be released to the Board upon written request. A copy of the request will be placed in the treatment and psychological files.

7. Records may be disclosed in other circumstances as permitted by court order, RCW 70.02.050, RCW 70.02.900, or other statute.

VIII. Quality Assurance

- A. SOTAP employees/contract staff will follow the SOTAP Operations Protocol for risk assessments and treatment services/documentation. The protocol will be reviewed yearly and updated as needed.
- B. Designated SOTAP employees/contract staff who may conduct risk assessments will:
 1. Within available resources, successfully complete risk assessment training facilitated by an approved trainer in the use of the validated risk assessment as close to their start date as training is available.
 2. Participate in ongoing training when available.
 3. Participate in at least quarterly interrater reliability exercises to ensure adherence to established risk assessment tool standards.
- C. Within available resources, the SOTAP Clinical Quality Assurance and Training Manager will engage in regular, ongoing quality assurance activities.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 02-025 Sex Offense Treatment and Assessment Programs Limits of Confidentiality

DOC 02-026 Sex Offender Treatment and Assessment Programs Recorded Treatment Sessions

DOC 02-330 Sex Offense Treatment and Assessment Programs Informed Consent for Prison Treatment

DOC 02-402 Sex Offense Treatment and Assessment Programs Informed Consent for Community Treatment

DOC 02-406 Sex Offense Treatment and Assessment Programs Release of Confidential Information



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DOC 580.000

POLICY

TITLE
**SUBSTANCE USE DISORDER
TREATMENT SERVICES**

REVIEW/REVISION HISTORY:

Effective: 4/11/00 DOC 670.500	Revised: 8/18/11
Revised: 5/4/01	Revised: 10/12/15 DOC 580.000
Revised: 1/21/03	Revised: 1/18/17
Revised: 11/29/06	Revised: 1/1/19
Revised: 7/27/07	Revised: 2/19/19
Revised: 4/28/08 AB 08-007	Revised: 2/1/21
Revised: 12/26/08 DOC 580.000	Revised: 6/3/22
Revised: 4/13/09 AB 09-013	Revised: 7/26/24
Revised: 7/19/10 DOC 670.500	

SUMMARY OF REVISION/REVIEW:

Adjusted terminology throughout per WAC 246-341-0200
 II.A., IV.B., and VI.B. - Adjusted language for clarification
 II.B. - Added language for clarification
 II.B.1. and IV.A.2. - Added DOC 14-060 Patient Rights
 IV - Added Reentry Center applicability
 Removed VI.B.1. that individuals infracted for refusing to comply with treatment recommendations and/or programming while in custody will not be eligible for Reentry Center placement
 Removed VI.B.2.b. that appeals must be postmarked and submitted to the SARU Administrator within 5 business days of the individual receiving notification


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

6/25/24

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 69.51A](#); [WAC 246-341](#); DOC 280.510 Public Disclosure of Records; DOC 420.380 Drug/Alcohol Testing; DOC 580.655 Drug Sentencing Alternative; [42 CFR Part 2](#); [American Society of Addiction Medicine \(ASAM\) Criteria](#); [Records Retention Schedule](#); Substance Abuse and Recovery Treatment Services Practice and Procedures Administrative Manual

POLICY:


- I. The Department, as certified by the Department of Health (DOH), has established guidelines for the clinical management of individuals with a substance use disorder per WAC 246-341.
- II. The Substance Abuse Recovery Unit (SARU) maintains a Substance Abuse and Recovery Treatment Services Practice and Procedures Administrative Manual that specifies programs, philosophy, goals, and measurable objectives, including related documentation and access to Department substance use disorder treatment program services, within available resources.
 - A. The manual is reviewed and updated as required by DOH.
- III. The SARU will ensure the integrity of clinical protocols, practices, curriculum, and methodologies used when providing treatment program services to individuals.

DIRECTIVE:

- I. Responsibilities
 - A. The SARU Program Administrator is responsible for the oversight and management of clinical treatment program services and individual service records within the Department.
- II. Treatment Screening Process
 - A. Individuals arriving at a Reception Diagnostic Center may be administered authorized substance use disorder and opioid screening instruments, within available resources.
 1. Results will be forwarded to SARU records employees, who will document the results on the Program Summary screen in the electronic file.

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- B. Individuals whose initial screening result indicates the probability of a substance use disorder may be assessed using DOC 14-040 Substance Use Disorder Assessment, within available resources.
 - 1. DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information, DOC 14-039 Substance Use Disorder Treatment Participation Requirements, DOC 14-060 Patient Rights, and, if applicable, DOC 14-042 Prison Drug Sentencing Alternative Agreement will be signed at the time of the assessment.
 - a. If the assessment finds that a Drug Offender Sentencing Alternative (DOSA) individual does not have a substance use disorder, the Substance Use Disorder Professional (SUDP) will provide notification per DOC 580.655 Drug Sentencing Alternative.
 - 2. An assessment outcome indicating a substance use disorder is required for admission into DOH certified substance use disorder treatment provided by the Department.
- III. Referrals for Substance Use Disorder Services
- A. Referrals for Department-funded treatment program services in the community will only be made if the individual has at least 90 days remaining until the Scheduled End Date to allow for the completion of treatment.
 - B. Referrals for SARU treatment program services in Prisons may be accepted for individuals who have a substance use disorder and determined to need services.
- IV. SARU Treatment in Prisons and Reentry Centers
- A. At the time of admission into the treatment program, the SUDP will ensure the following forms have been completed:
 - 1. DOC 14-039 Substance Use Disorder Treatment Participation Requirements
 - 2. DOC 14-060 Patient Rights
 - 3. DOC 14-066 Behavioral Health Program Disclosure and Signature Authentication
 - 4. DOC 14-042 Prison Drug Sentencing Alternative Agreement, if applicable
 - B. Individuals will be placed in the corresponding level of care per American Society of Addiction Medicine (ASAM) Criteria. Treatment program service levels may be adjusted by SARU clinical managers based on availability of resources, length of time in confinement, and/or other clinical variables.


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- C. All treatment service levels will use a coordinated team-staff approach to the delivery of treatment program services.
 - 1. Collateral contacts between employees and the SUDP/Substance Use Disorder Trainee (SUDT) will be documented in the individual service record.

- D. During treatment, the SUDP/SUDT will:
 - 1. Develop an Individual Service Plan with each individual per ASAM Criteria using DOC 14-173 Substance Use Disorder Individual Service Plan.
 - a. The plan will address counseling needs (e.g., relapse prevention and management, high risk management) per WAC 246-341-620.
 - 2. Submit treatment admission documentation to SARU records employees.
 - 3. Develop a clinical discharge summary, including continuing care recommendations and ASAM criteria, using DOC 14-044 Substance Use Disorder Discharge Summary and Continued Care Plan.

- V. Treatment Requirements for Participants
 - A. Participation in the treatment program is contingent on compliance with DOC 14-039 Substance Use Disorder Treatment Participation Requirements.
 - B. All treatment requirements identified in the Individual Service Plan must be completed in order to successfully complete each service level of treatment.
 - C. Individuals will comply with drug/alcohol testing per DOC 420.380 Drug/Alcohol Testing.
 - D. Lack of progress in treatment will be reported to the case manager and/or documented in a progress report to the courts when requested or required.
 - E. Other programming should be coordinated around the substance use disorder treatment schedule.

- VI. Failure to Comply
 - A. If an individual is terminated/absconds from contracted community-based residential treatment after regular business hours, contract staff will notify the Warrants Desk at Headquarters and case manager.

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1. The Warrants Desk will notify the case manager and Community Corrections Supervisor via email.

- B. Individuals who refuse admission, do not complete the treatment program due to their refusal to continue treatment, or are out of compliance with program requirements may be subject to the disciplinary process.
 1. Discharge summaries and recommendations for DOSA individuals receiving services in Prison will be reviewed by the DOSA Treatment Compliance Manager/designee.
 - a. If termination from treatment is appropriate, the primary SUDP/ SUDT or their supervisor will notify the individual and provide DOC 14-188 Substance Abuse Recovery Unit Treatment Termination Notice.
 - b. The violation process for DOSA individuals terminated from treatment will be followed per DOC 580.655 Drug Sentencing Alternative.

VII. Records Retention and Access

- A. Department substance use disorder individual service records are confidential and managed per 42 CFR Part 2 language prohibiting re-disclosure and all relevant federal and state laws and Department policies.
- B. The release of individual service records will be handled by the SARU, through the Public Disclosure Unit per DOC 280.510 Public Disclosure of Records.
- C. Information contained in the individual service record is available on a “need to know” basis only and may be requested through SARU records employees.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Drug Offender Sentencing Alternative (DOSA), Substance Use Disorder. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:



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- DOC 14-039 Substance Use Disorder Treatment Participation Requirements
- DOC 14-040 Substance Use Disorder Assessment
- DOC 14-042 Prison Drug Sentencing Alternative Agreement
- DOC 14-044 Substance Use Disorder Discharge Summary and Continued Care Plan
- DOC 14-060 Patient Rights
- DOC 14-066 Behavioral Health Program Disclosure and Signature Authentication
- DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information
- DOC 14-173 Substance Use Disorder Individual Service Plan
- DOC 14-188 Substance Abuse Recovery Unit Treatment Termination Notice



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POLICY

TITLE
DRUG SENTENCING ALTERNATIVE

REVIEW/REVISION HISTORY:

- Effective: 6/23/00 DOC 670.655
- Revised: 8/9/01
- Revised: 3/6/03
- Revised: 3/5/07
- Revised: 7/20/07 AB 07-020
- Revised: 12/26/08 DOC 580.655
- Revised: 3/20/09 AB 09-008
- Revised: 7/19/10 DOC 670.655
- Revised: 10/1/11
- Revised: 10/12/15 DOC 580.655
- Revised: 3/29/16
- Revised: 10/18/16
- Revised: 1/1/19
- Revised: 10/28/19
- Revised: 11/5/20
- Revised: 3/23/22
- Revised: 6/14/24

SUMMARY OF REVISION/REVIEW:

II.A.1.a.3)a), V.B.1.b.2), and V.B.3.- Added clarifying language
Removed examples of imposed conditions in II.A.3.
VI.B.1.c.3) - Adjusted language for clarification


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

5/17/24

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [WAC 137-24](#); DOC 300.380 Classification and Custody Facility Plan Review; DOC 310.150 Reception, Initial Classification, and Custody Facility Plan; DOC 380.200 Supervision of Individuals in the Community; DOC 380.605 Interstate Compact; DOC 390.600 Imposed Conditions; DOC 460.130 Response to Violations and New Criminal Activity; DOC 460.140 Hearings and Appeals; DOC 580.000 Substance Use Disorder Treatment Services

POLICY:

- I. The Department has established procedures for the Drug Offender Sentencing Alternative (DOSA) program for individuals sentenced to DOSA per RCW 9.94A.660 to include the recommended level of care for Substance Use Disorder (SUD) treatment within available resources.
- II. An individual is considered an active participant in the DOSA program:
 - A. During total/partial confinement while serving the DOSA sentence or when a past or future DOSA sentence is served during that confinement period, and
 - B. While in the community during the time the DOSA community custody cause is being served.

DIRECTIVE:

- I. General Requirements
 - A. Before sentencing, the court may order the Department to conduct a risk assessment report and/or an SUD screening report, which will be documented on DOC 09-173 Risk Assessment Report or DOC 14-045 Substance Use Disorder Pre-Screen.
 - B. Before imposing a Residential DOSA sentence, the court may order the Department to conduct an SUD examination.
 1. The individual will sign DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information at the time of the examination.
 2. The Substance Use Disorder Professional (SUDP) will complete DOC 14-179 Residential Drug Sentencing Alternative Examination Report.

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a. The SUDP will complete DOC 14-182 Drug Sentencing Alternative Non-Eligibility Finding Report if the individual is not eligible per RCW 9.94A.660.

C. The sentencing court may order the individual back to court at any time per RCW 9.94A.660.

D. Individuals will be ineligible for the DOSA program if subject to a valid Immigration and Customs Enforcement (ICE) deportation/removal order.

II. General Responsibilities

A. The case manager will:

1. Review the individual's compliance with the DOSA program and complete:

a. DOC 07-038 Drug Sentencing Alternative Compliance Review:

1) When a Custody Facility Plan is initiated or updated per DOC 300.380 Classification and Custody Facility Plan Review.

2) When the individual requests to transfer out of state per DOC 380.605 Interstate Compact.


3) 45 days before the Earned Release Date (ERD).

a) Compliance will be documented in the Release Notification Status screen in the electronic file by a Correctional Program Manager (CPM)/Reentry Center Manager (RCM)/Community Corrections Supervisor (CCS) or higher rank.

b. DOC 02-175 Three Month (M3) Review Checklist per DOC 380.200 Supervision of Individuals in the Community.

2. Monitor the individual's progress and compliance with treatment in coordination with the SUDP.

a. Progress will be documented in the electronic file in Treatment and EM Conditions under the Supervision Activities section for individuals on community supervision or in partial confinement receiving treatment by a community SUDP.

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3. Impose community supervision conditions on all active causes for Prison DOSA individuals per DOC 390.600 Imposed Conditions, if not imposed by the sentencing court.
4. Coordinate the transport of the individual to a community-based inpatient treatment facility when no other alternative is available for Residential DOSA cases.
5. Verify the individual is admitted to SUD treatment in the community.

III. Total Confinement Prison DOSA

- A. Individuals arriving at Reception Diagnostic Centers may be screened and assessed per DOC 310.150 Reception, Initial Classification, and Custody Facility Plan and DOC 580.000 Substance Use Disorder Treatment Services.
 1. DOC 14-042 Prison Drug Sentencing Alternative Agreement will be signed at the time of the SUD assessment.
- B. If the SUDP determines the SUD assessment indicates the individual is not in need of treatment, the SUDP will notify the DOSA Treatment Compliance Manager/designee.
 1. The DOSA Treatment Compliance Manager/designee will notify the Senior Records Manager, who will use DOC 09-124 Court - Special to notify the sentencing court within 10 days of receiving the decision.
- C. Case managers who become aware of mental health issues that may affect participation in treatment will notify the DOSA Treatment Compliance Manager/designee. The Substance Abuse Recovery Unit (SARU) Administrator will consult the Director of Mental Health as needed to determine the individual's ability to participate.
 1. The DOSA Treatment Compliance Manager/designee will notify the case manager of the final decision.

IV. Residential DOSA

- A. The Field Administrator for the county where the residential treatment facility (e.g., therapeutic community, inpatient program) is located will designate a CCS/designee to act as a liaison between the treatment facility and the Department.
- B. The case manager will submit DOC 09-260 Court Special - Drug Sentencing Alternative to the court one week before a scheduled court hearing and provide



POLICY

TITLE **DRUG SENTENCING ALTERNATIVE**

progress information, provided by the treatment facility, while the individual is in treatment.

- C. Case managers will coordinate with the individual and treatment facility before release to community supervision to arrange necessary clean and sober housing, if appropriate.

V. Violations of the DOSA Program

- A. Violations for Residential DOSA individuals will be reported to the sentencing court per DOC 460.130 Response to Violations and New Criminal Activity.

- 1. For Residential DOSA individuals subject to a valid deportation/removal order, the case manager will notify the sentencing court using DOC 09-124 Court - Special.

- B. Individuals with a Prison DOSA sentence serving total/partial confinement time are in violation of the DOSA program and will be reclassified to serve the remainder of the DOSA sentence if they fail to complete or are administratively terminated from the DOSA program.

- 1. Willful violations of the DOSA program, proven by a preponderance of evidence, will result in reclassification of the sentence structure.

- a. Failure to enter into SUD treatment as directed will be considered failure to complete the DOSA program.

- b. An individual may be administratively terminated for treatment-related or drug-related behavior as determined by the:


- 1) SARU for individuals in Prison.
- 2) RCM/CCS for individuals serving partial confinement time.

- c. Negotiated sanctions may not be used for failing to complete or being administratively terminated from SUD treatment.

- 2. If the SUDP/supervisor or DOSA Treatment Compliance Manager/designee determines an individual serving the confinement portion of a DOSA sentence in Prison has violated the DOSA program:


- a. The SUDP/supervisor or DOSA Treatment Compliance Manager/designee will:

- 1) Complete DOC 14-044 Substance Use Disorder Discharge Summary and Continued Care Plan and/or DOC 14-197

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Drug Sentencing Alternative Treatment Termination Report including reasons for terminations and forward it to the DOSA Treatment Compliance Manager/designee for review,


- 2) Notify the case manager, and
 - 3) Be available to testify at the hearing or assign a designee.
- b. Discharge summaries and recommendations for individuals receiving services in Prison will be reviewed per DOC 580.000 Substance Use Disorder Treatment Services.
- 1) The DOSA Treatment Compliance Manager/designee will notify the SUDP/supervisor and case manager of a decision made based on recommendations.
 - 2) If the decision is that the individual should not be terminated from SUD treatment, no hearing will be held and the individual will be retained in the DOSA program and treatment within available resources.
3. DOC 17-076 Initial Serious Infraction Report, citing a 762 violation consistent with infraction language, will be completed and forwarded to the CPM/RCM/CCS/designee for preponderance of evidence review.
- a. DOC 17-069 Infraction Review Checklist will be completed with the report, including supporting documents and evidence, by the:
 - 1) DOSA Hearing Manager for individuals in Prison.
 - 2) Case manager for individuals serving partial confinement time.
 - b. 557 and 810 violations will not be used for individuals in violation of the DOSA program.
- C. Individuals with a Prison DOSA sentence serving community supervision on an active DOSA cause are in violation of the DOSA program and will be reclassified to serve the remainder of the DOSA sentence if they fail to complete or are administratively terminated from SUD treatment.
1. Failure to enter into SUD treatment as directed will be considered failure to complete the DOSA program.

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2. Negotiated sanctions may not be used for failing to complete or being administratively terminated from SUD treatment.
3. For individuals on community custody, the case manager will report the violation per DOC 460.130 Response to Violations and New Criminal Activity.

VI. Hearings

- A. The Hearings Unit will preside over hearings for Prison DOSA individuals who are in violation of the DOSA program. Hearings will be conducted per DOC 460.140 Hearings and Appeals.
 1. To prepare for the hearing, the case manager/DOSA Hearing Manager will:
 - a. In total/partial confinement, email a request to schedule a hearing to dochearingsunit@doc1.wa.gov.
 - b. Compile relevant documentation, including behavioral information and/or discharge summary provided by the SARU or community treatment provider.
 - 1) When applicable, the case manager/DOSA Hearing Manager will coordinate with the case manager where the violation behavior occurred to prepare and/or gather necessary documents and arrange the scheduling of witnesses.
 - 2) SARU clinical documentation (e.g., discharge summaries, agreements) related to treatment while in Prison will be requested by emailing docsadosarecords@doc1.wa.gov.
 - 3) Clinical treatment documentation related to a community-based treatment should be requested directly from the community treatment provider.
 2. In Prisons, the Department SUD Regional Director/supervisor/designee may attend the hearing and will be prepared to testify and respond to questions for treatment-related issues.
 - a. Participation by phone will be allowed if in-person attendance is not possible.

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3. If the individual is found not guilty or a guilty finding is reversed or vacated on appeal:
 - a. Prison individuals will be reinstated into the DOSA program and SUD treatment, within available resources, according to clinical placement by the SARU.
 - b. Individuals in partial confinement or on community custody will be directed to resume SUD treatment in the community.
 4. If the Hearing Officer determines by a preponderance of the evidence that the individual was in violation of the DOSA program, the Hearing Officer will reclassify the individual to serve the remaining portion of the DOSA sentence as follows:
 - a. All Prison DOSA causes will be reclassified for individuals in total/partial confinement who have served or will serve the confinement portion of the DOSA sentence.
 - b. All active Prison DOSA causes will be reclassified for individuals on community custody.
- B. The Hearings Unit will preside over hearings for individuals with a Prison DOSA sentence serving total/partial confinement time or community supervision on an active DOSA cause, who are subject to a valid ICE deportation/removal order per DOC 460.140 Hearings and Appeals.
1. To prepare for the hearing, the case manager will:
 - a. Email a request to dochearingsunit@doc1.wa.gov to schedule a hearing,
 - b. Compile relevant documentation, including the ICE deportation/removal order,
 - c. Complete and serve DOC 09-231 Notice of Allegations, Hearing, Rights, and Waiver no less than 24 hours and no more than 5 business days before the hearing to the individual with:
 - 1) DOC 09-248 Prison DOSA Deportation/Removal Order Hearing Disposition Report,
 - 2) The deportation/removal order, and

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3) Additional supporting evidence that will be used at the hearing.

d. Be available to present evidence and/or testify at the hearing.

VII. Out-of-State Transfer for DOSA Individuals

A. Case managers will review the individual's compliance with the DOSA program using DOC 07-038 Drug Sentencing Alternative Compliance Review before submitting a request to transfer out-of-state.

1. Individuals will be responsible for any requirements of their Judgment and Sentence, including treatment.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Case Manager, Community Custody, Drug Offender Sentencing Alternative (DOSA), Substance Use Disorder. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

DOC 02-175 Three Month (M3) Review Checklist
 DOC 07-038 Drug Sentencing Alternative Compliance Review
 DOC 09-124 Court - Special
 DOC 09-173 Risk Assessment Report
 DOC 09-231 Notice of Allegations, Hearing, Rights, and Waiver
 DOC 09-248 Prison DOSA Deportation/Removal Order Hearing Disposition Report
 DOC 09-260 Court Special - Drug Sentencing Alternative
 DOC 14-042 Prison Drug Sentencing Alternative Agreement
 DOC 14-044 Substance Use Disorder Discharge Summary and Continued Care Plan
 DOC 14-045 Substance Use Disorder Pre-Screen
 DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information
 DOC 14-179 Residential Drug Sentencing Alternative Examination Report
 DOC 14-182 Drug Sentencing Alternative Non-Eligibility Finding Report
 DOC 14-197 Drug Sentencing Alternative Treatment Termination Report
 DOC 17-069 Infraction Review Checklist
 DOC 17-076 Initial Serious Infraction Report

REVIEW/REVISION HISTORY:

Effective: 3/15/01
Revised: 6/8/06
Revised: 7/11/07
Revised: 2/27/09
Revised: 6/26/09 AB 09-020
Revised: 3/8/10
Revised: 7/30/10
Revised: 6/6/11
Revised: 4/8/13
Revised: 10/1/13
Revised: 9/15/16
Revised: 5/1/20
Revised: 3/20/24

SUMMARY OF REVISION/REVIEW:

Major changes to include updated procedures and eligibility requirements. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

2/21/24

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 7.105.010](#); [RCW 9.94.010](#); [RCW 9.94A.030](#); [RCW 10.99.020](#); [RCW 26.50.010](#); [RCW 71.105.010](#); [RCW 72.02.280](#); [RCW 72.09.015](#); [RCW 72.09.470](#); [RCW 72.09.490](#); [WAC 137-28](#); [WAC 137-54](#); DOC 100.560 Non-Discrimination and Accessibility for Visitors/Guests with Disabilities; DOC 210.060 Donations; DOC 420.150 Counts; DOC 420.310 Searches of Incarcerated Individuals; DOC 420.340 Searching and Detaining Facility Visitors; DOC 420.380 Drug/Alcohol Testing; DOC 450.300 Visits for Incarcerated Individuals; DOC 590.200 Marriages and State Registered Domestic Partnerships; [Americans with Disabilities Act](#); [EFV Resource Guide for Families](#)

POLICY:

- I. The Department has established an Extended Family Visit (EFV) Program that facilitates visits between an eligible incarcerated individual and the individual's immediate family, as defined in RCW 72.09.015, in a private visit unit to support building sustainable relationships important to reentry and provide an incentive for those serving long-term sentences to engage in positive behavioral choices.
- II. Participation is a privilege that is screened to ensure the safety of participants and employees/contract staff, while maintaining the orderly operations of the facility.
 - A. EFVs are authorized to the extent the facility is equipped and staffed to accommodate the program.

DIRECTIVE:

- I. General Requirements
 - A. Before opening a new EFV unit, the proposed site and process will be approved by the appropriate Deputy Assistant Secretary.
 1. All units must comply with facility security and property policies to provide as safe and secure an environment as possible.
 2. Units will be in a secure area, reasonably screened from view of the population, and provide an evacuation route in the event of an emergency.
 - B. An EFV unit consists of a mobile home or similar structure and will be furnished per the EFV Resource Guide for Families, consisting of at least one bedroom, kitchen, bathroom, and living room.

1. The Superintendent/designee will ensure adequate accommodations are available per DOC 100.560 Non-Discrimination and Accessibility for Visitors/Guests with Disabilities.
 2. Communications will be provided between the EFV units and the facility's designated control points.
- C. Facilities will identify the number of occupants authorized for each EFV unit.
- D. More information regarding EFVs may be found on the Family & Visitor's section of the Department's external website under Prison Visits, and the EFV Resource Guide for Families.

II. Application Process

- A. Participants must meet eligibility requirements per Attachment 1.
- B. The family member will submit the following completed forms and any required documents to the Headquarters EFV Unit:
1. DOC 20-279 Visitor Consent to Medical Treatment and Waiver of Liability
 2. DOC 21-415 Extended Family Visit Application/Acknowledgment
 3. DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort if application is for a minor
- C. The Headquarters EFV Unit will:
1. Conduct and review background criminal history checks for participants upon application and periodically after approval.
 2. Request additional information from the applicant as needed (e.g., court orders related to past arrests/convictions).
 3. Forward all required documentation and completed forms to the assigned case manager.
- D. The case manager will:
1. Review available information that may impact eligibility, and
 2. Send a request to Health Services to review for any medical/mental health concerns.

- E. Health Services will provide a recommendation using DOC 14-212 Extended Family Visit Medical/Mental Health Screening. Further screening may be required if an individual:
1. Has a history of mental illness and/or current mental health symptoms that cause concern (e.g., PULHES “S” code of 4).
 2. Is being treated for a condition which may be transmitted to the visitor or may be adversely affected if the visit occurs (e.g., is receiving inpatient infirmary care, has an unstable medical condition).
 - a. Health Services will conduct an initial counseling session with the individual if the individual:
 - 1) Has been diagnosed with a communicable disease, or
 - 2) Is on medication that can cause birth defects, if the EFV includes a spouse/state registered domestic partner.
 - b. If the individual has a communicable disease, a health care provider will conduct a counseling session with the participants to make them aware of the implications and to provide additional information.
 - 1) Participants will sign DOC 13-437 Family Visit Counseling.
 - 2) The individual will complete DOC 13-035 Authorization for Disclosure of Health Information to inform the spouse/state registered domestic partner of the communicable disease before the EFV will be approved.
- F. The multidisciplinary Facility Risk Management Team (FRMT) will meet with the individual and make a recommendation to the Superintendent/designee on DOC 21-417 Extended Family Visit Facility Action.
- G. A multidisciplinary FRMT will be held to review the application even if it appears the individual may not be eligible.
1. The Health Services recommendation will be reviewed by the multidisciplinary FRMT and forwarded to the Superintendent/designee with the EFV application.
- H. All EFV participants require Superintendent/designee approval.

1. The Superintendent/designee may approve the following situations on a case-by-case basis:
 - a. A family applicant who has previously been under the jurisdiction of the Department.
 - b. Two individuals housed at the same facility may participate in the same EFV if all eligible participants are immediate family members. Otherwise, one incarcerated individual will visit at a time.
2. DOC 21-470 Extended Family Visit Review Decision/Recommendation and all related EFV documentation will be submitted to the Headquarters EFV Unit.

I. The Headquarters EFV Unit will:

1. Notify participants in writing of approval or denial of EFV privileges to include the reason for denial.
2. Scan the completed EFV application and supporting documentation into the individual's electronic imaging file.

J. An individual who is approved to participate in EFVs will be allowed to continue to participate in the program when transferred to another Department Prison without repeating the authorization process.

1. The receiving facility will schedule EFVs without requiring participants to reapply, but will ensure new charges or violations have not occurred that would prohibit participation.

III. EFV Review Committee

- A. The EFV Review Committee will review EFV applications for individuals with sex/serious violent offenses, documented history of domestic violence, safety/security concerns, and appeals.
- B. The appropriate Deputy Assistant Secretary will:
 1. Chair the committee and is required to attend meetings.
 2. Consider the committee's input and make the final decision.
- C. The committee will document the decision on DOC 21-470 Extended Family Visit Review Decision/Recommendation.

- D. The Headquarters EFV Unit will:
 - 1. Notify the individual, family member, and facility of the final decision.
 - 2. Document the decision in the individual's electronic file.

IV. Scheduling and Orientation

- A. When an applicant is approved, a facility employee will notify the individual and/or applicant of the scheduling process.
- B. The Superintendent/designee will establish procedures for scheduling approved individuals and visitors, including:
 - 1. Verification of continued eligibility by the individual's case manager
 - 2. Conducting and reviewing criminal history checks for visitors,
 - 3. Cancellation and fill-in procedures
 - 4. Notification to visitors, individuals, and employees (e.g., visit/processing employees)
- C. Before the first visit at each facility:
 - 1. Visitors will submit DOC 14-213 Visitor Medication and Durable Medical Equipment Questionnaire.
 - a. Visitors will notify custody employees upon arriving at the facility if there are changes to the questionnaire.
 - 2. All participants will receive a program orientation and sign DOC 21-665 Extended Family Visit Orientation.
- D. EFVs will be scheduled based on availability and may only occur once every 30 days calculated from the date of the last EFV.
 - 1. A participant may apply for a subsequent visit during or after a previously approved visit.
 - 2. The scheduling employee will allow visitors travelling from out of state/country to schedule visits up to 60 days prior to the visit.
- E. EFVs will be scheduled for no less than one night and no more than 2 nights and conducted per Attachment 2.

F. If an incarcerated individual receives an infraction that disqualifies from visiting, the Hearings Officer/case manager will notify the EFV scheduling employee of the ineligibility for an EFV.

1. A new application may be submitted once the individual is eligible.

V. Service Animals

A. Service animals that meet the requirements of the Americans with Disabilities Act may be allowed to attend the visit with their designated escort.

B. Service animals will not be allowed when a participating individual has a documented history of animal abuse or mistreatment.

VI. Suspension/Termination

A. Any violation of visit rules and procedures is cause for termination of the visit per DOC 450.300 Visits for Incarcerated Individuals. The individual will be subject to disciplinary action for rule violations and/or the visitor may be suspended for a designated period or terminated from visiting.

B. Employees recommending suspension or termination will notify the individual's case manager to schedule a multidisciplinary FRMT.

1. The multidisciplinary FRMT will meet with the individual and make a recommendation to the Superintendent/designee on DOC 21-417 Extended Family Visit Facility Action.

2. If approved, the Superintendent/designee will:

a. Notify facility visit employees and the EFV scheduling employee and document the suspension/termination in the statewide visit system.

1) The facility will immediately notify the Headquarters EFV Unit.

b. Notify the individual and visitor(s) within 30 days or at the conclusion of a pending investigation. The letter will be scanned into the individual's electronic imaging file.

VII. Appeals

- A. The individual or visitor may appeal denial of participation in EFV services to the appropriate Assistant Secretary for Prisons. Only one appeal per denied party may be submitted.
1. Appeals must be in writing and clearly state the facts that support the reason for the appeal.
 2. The EFV Review Committee will review the appeal and make a recommendation to the appropriate Assistant Secretary for Prisons using DOC 21-470 Extended Family Visit Review Decision/Recommendation.
 3. The appropriate Assistant Secretary for Prisons has final decision-making authority for EFV participation.
 - a. The appropriate Assistant Secretary for Prisons/designee will send a letter to inform the person who submitted the appeal of the final decision.

DEFINITIONS:

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

ATTACHMENTS:

Extended Family Visit Eligibility (Attachment 1)
Extended Family Visit Procedures (Attachment 2)

DOC FORMS:

DOC 13-035 Authorization for Disclosure of Health Information
DOC 13-437 Family Visit Counseling
DOC 14-212 Extended Family Visit Medical/Mental Health Screening
DOC 14-213 Visitor Medication and Durable Medical Equipment Questionnaire
DOC 20-279 Visitor Consent to Medical Treatment and Waiver of Liability
DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort
DOC 21-007 Extended Family Visit Allowable Items Inventory
DOC 21-148 Extended Family Visit Property Waiver
DOC 21-415 Extended Family Visit Application/Acknowledgment
DOC 21-417 Extended Family Visit Facility Action
DOC 21-470 Extended Family Visit Review Decision/Recommendation
DOC 21-665 Extended Family Visit Orientation

REQUIREMENTS FOR INCARCERATED INDIVIDUALS

An individual must meet the following criteria to participate in an Extended Family Visit (EFV):

- Has served 6 consecutive months in Prison
- Is actively participating in programming requirements (e.g., education, work, treatment), or a reasonable effort has been made to obtain a school or work assignment
- Is not assigned to maximum/close custody or in Restrictive Housing at the time of application
- Must receive authorization from the sending state if under an Interstate Compact
- Does not have any outstanding or unresolved felony charges, warrants, or detainers in any jurisdiction, and is not a suspect in a criminal investigation by any law enforcement agency
 - Immigration and Customs Enforcement detainers will not prohibit participation in EFV privileges

Possible Disqualifiers:

An individual may be denied EFV privileges:

- Based on the nature of the crime, documented criminal history (e.g., history of domestic violence as defined in RCW 7.105.010), and current/prior behavior
- If there is a documented reason to believe that the individual is a danger to self, the visitor(s), or the orderly operation of the facility

Individuals with a sex/serious violent offense as defined in RCW 9.94A.030 will only be eligible for an EFV if screened through Sex Offense Treatment and Assessment Programs (SOTAP) and approved by the EFV Review Committee

- SOTAP employees/contract staff will provide a recommendation and document any concerns regarding participation
- The committee will determine eligibility based on established criteria

Violations:

The individual must not have any pending, non-adjudicated serious violations regardless of category that may result in the visit being denied

Individuals found guilty of any of the following violations will be eligible for EFV privileges after the applicable time limit. Time limits start on the date guilt has been determined:

- 5 years for a Category A violation
- 3 years for a Category B, Level 1 violation
- One year for a Category B, Level 2 violation
 - 505, 652, 682, and 750 violations do not automatically exclude EFV participation and will be considered on a case-by-case basis

A multidisciplinary Facility Risk Management Team (FRMT) review must occur after an individual receives any guilty finding for a serious violation to determine continued eligibility

REQUIREMENTS FOR FAMILY MEMBERS

The applicant must be on the individual's approved visitor list per DOC 450.300 Visits for Incarcerated Individuals and have previously visited with the individual a minimum of 6 times, to include video visits, within the last 12 months

- At least one visit must have been in-person regardless of the visitor's residential address
- Exceptions to the visitor guidelines will not be granted for EFV privileges
- If initially denied by the EFV Review Committee based only on lack of visit history, the family member may contact the facility once the minimum number of visits has been completed

An applicant cannot:

- Be on any type of correctional/court-ordered supervision
- Be the subject of pending felony criminal or drug-related action
- Be a juvenile on probation, community supervision, community placement, in a Reentry Center, in a group or home on authorized leave, or the subject of pending felony criminal or drug-related charges
- Have testified against the individual in any crime resulting in conviction
- Have any documented history of domestic violence against any person of a similar relationship to the individual unless approved by the EFV Review Committee

Spouses/state registered domestic partners must meet the following additional requirements:

- If the marriage/state registered domestic partnership is entered after the individual is under the jurisdiction of the Department, it must meet the requirements of DOC 590.200 Marriages and State Registered Domestic Partnerships
 - Applicants may be considered one year from the date of the marriage/state registered domestic partnership
- Individuals adopted after the date of the crime of conviction may be considered 3 years after the date of adoption

REQUIREMENTS FOR MINORS

Minors must meet the following additional requirements. Minors may not be eligible to participate if the individual has a history of sex offenses/violence toward children

- The minor must be accompanied and supervised by an approved EFV participant and have written notarized consent of the non-incarcerated custodial parent/legal guardian on DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort
- A minor who is a victim of the individual's sexual offense, physical abuse, or other mistreatment will not be eligible to participate
- Newborns and infants must be approved through the application process prior to participating in the program

Minors must submit a new application upon turning 18 years old for approval as an adult

- At least 30 days should be allowed for processing
- The person will only be eligible to participate if a new application has been submitted and approved within 90 days of turning 18 years old
- If a new application is not received or the criminal background check produces disqualifying criteria, the person will be removed from the approved visit list

The Superintendent/designee has the authority to approve, suspend, interrupt, or cancel visits. The visit may be interrupted during an emergency or for an operational concern

Procedures for urinalysis testing of the individual before, during, and after visiting will be conducted per DOC 420.380 Drug/Alcohol Testing

Searches and Counts

The Superintendent/designee will establish search procedures for:

- Visitors and their property entering and leaving the facility, consistent with DOC 420.340 Searching and Detaining Facility Visitors
- Individuals entering and leaving the Extended Family Visit (EFV) unit, consistent with DOC 420.310 Searches of Incarcerated Individuals
- The visit area before and after the visit

The Superintendent/designee will establish count procedures for the visit area consistent with DOC 420.150 Counts

Medications, Durable Medical Equipment, and Medical Care for Visitors

The Superintendent/designee will establish procedures for the control of visitor medications and durable medical equipment (e.g., cane/walker, oxygen equipment) during the visit

Visitors will document the need for any durable medical equipment and Over the Counter and prescribed medication on DOC 14-213 Visitor Medication and Durable Medical Equipment Questionnaire

- The facility must receive the form before the visit
- Medications are for visitor use only
- Medication will only be allowed if current and in the original container/packaging (e.g., blister pack)
 - Prescription medication must be labeled by a licensed pharmacy
- Visitors may bring only the prescribed/recommended amount of medication to last the duration of the visit

Medical care for visitors will be limited to emergency medical treatment provided by facility medical employees/contract staff, if available onsite

Family Planning and Prevention of Sexually Transmitted Infections

Condoms will be available in the EFV unit and checked monthly (e.g., expiration dates) by Health Services

- Spouses/state registered domestic partners may bring additional barrier protection and/or birth control (e.g., birth control pills)

Family planning information will be made available upon request from Health Services where the individual is housed

Allowable Items for Visitors

Visitors may bring items identified in the EFV Resource Guide for Families

- An ice chest may be used to transport cold products to the facility/EFV unit as identified by the facility
- Employees will inspect and/or x-ray food items
- When necessary, employees will watch as the visitor transfers items to plastic bags/containers provided by the visitor
 - Items may not be allowed if a plastic bag/container has not been provided by the visitor for the item to be transferred
 - Liquid will not be transferred to a plastic bag

Allowable Items for Individuals

In addition to what they are wearing, individuals are only allowed to bring items identified in the EFV Resource Guide for Families

- Items will be inventoried at the beginning and end of the EFV using DOC 21-007 Extended Family Visit Allowable Items Inventory
- Individuals are encouraged to secure their personal property in their locker or other secured space before attending the EFV and will sign DOC 21-148 Extended Family Visit Property Waiver if leaving personal property unsecured

Donations

CDs, DVDs, videotapes, and computer games will only be allowed if donated to the facility for EFV use in advance of the visit and the Superintendent/designee will establish a checkout procedure for these items

- Donations will follow DOC 210.060 Donations
- Donated CDs, DVDs, and videotapes must be rated PG-13 and under or equivalent
- Donated video and computer games must be rated Everyone 10+ and under or equivalent
- Unrated (i.e., "NR") items will not be allowed

Safety and Sanitation

The Superintendent/designee will ensure that the EFV unit and surrounding areas are kept in a safe and sanitary manner

- Written information on emergency and evacuation procedures will be maintained in a conspicuous, easy to locate place in the units

- Individuals and visitors will ensure that the EFV visit area is left in clean and undamaged condition per established checkout instructions
- A schedule will be established to maintain cleanliness. Units will be periodically closed for extermination, painting, major repairs, and deep cleaning
- An ongoing inventory will be maintained of EFV unit contents

REVIEW/REVISION HISTORY:

Effective: 12/7/84 DOC 730.010
Revised: 10/1/85
Revised: 11/20/87 DOC 590.200
Revised: 4/11/03
Revised: 12/1/06
Revised: 3/20/08
Revised: 3/10/09
Revised: 1/18/11
Revised: 11/19/12
Revised: 3/15/13
Revised: 7/20/16
Revised: 7/27/17
Revised: 8/13/20
Revised: 9/5/22
Revised: 8/31/23

SUMMARY OF REVISION/REVIEW:

Major changes to include applicability, organization of information, and updated processes.
Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

8/4/23

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 26.04](#); [RCW 26.60](#); [WAC 137-54-030](#); [WAC 137-54-040](#); DOC 280.310 Information Technology Access and Security; DOC 450.300 Visits for Incarcerated Individuals; DOC 560.200 Religious Programs; DOC 590.100 Extended Family Visiting; DOC 700.100 Class III Work Programs; [Visitor Guidelines](#)

POLICY:

- I. The Department will provide a means for individuals in Prison to marry or enter a state registered domestic partnership (SRDP) during their incarceration. The Department neither approves nor disapproves of marriage or domestic partnership.
- II. Marriages must comply with RCW 26.04 and SRDPs must comply with RCW 26.60.
- III. Applicants must adhere to policy requirements to be considered for programs and privileges offered for married individuals/state registered domestic partners (i.e., partners).

DIRECTIVE:

- I. Requirements and Eligibility
 - A. Individuals must be assigned to a parent facility before beginning the marriage/SRDP application process.
 - B. Individuals in restrictive housing can initiate a marriage/SRDP application, however, the ceremony may be postponed until the individual is released from restrictive housing based on restrictions for contact visits and officiant expectations.
 - C. Out-of-state boarders must have permission from the sending agency or Regional Director of the Federal Bureau of Prisons.
 - D. The intended spouse/partner must be on the individual's approved visitor list per DOC 450.300 Visits for Incarcerated Individuals.
 1. If a marriage/SRDP application is approved and the intended spouse/partner is not on the approved visitor list, the participants will only be allowed to partake in a virtual ceremony.
 - E. The individual and the intended spouse/partner must be eligible to legally marry or enter an SRDP in Washington State.

- F. Individuals who marry or enter an SRDP are not guaranteed participation in extended family visits and must apply per DOC 590.100 Extended Family Visiting.

II. Application Process

- A. The intended spouse/partner and incarcerated individual will complete and submit DOC 20-213 Marriage/State Registered Domestic Partnership Application to the assigned case manager with copies of any applicable divorce/dissolution decrees for all prior marriages/SRDPs.
 - 1. The intended spouse/partner must also submit a copy of their photo identification.
- B. The case manager will:
 - 1. Initiate DOC 20-443 Marriage/State Registered Domestic Partnership Process Checklist and process applications by reviewing submitted documents to determine eligibility.
 - 2. Review all no contact and/or protection orders and Judgment and Sentence conditions.
- C. Applications involving a person who was a victim of the individual will be thoroughly reviewed and may be denied.
- D. The Facility Risk Management Team will meet and provide a recommendation for the Superintendent/designee to review and approve.
 - 1. If denied, an appeal may be submitted to the appropriate Deputy Assistant Secretary for Prisons within 10 days.
 - 2. The case manager will hold the DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing and all related documents (i.e., marriage/SRDP packet) to allow for the appeal to be reviewed and approved/denied.
- E. If approved to proceed, the case manager will allow the individual to review the Criminal Conviction Record (CCR) that will be provided to the intended spouse/partner.
 - 1. The individual must sign DOC 20-215 Marriage/State Registered Domestic Partnership Approval for Release of Information to allow the assigned case manager to release the CCR.

a. If the individual declines, the case manager will notify the intended spouse/partner that the individual has declined release of the CCR, and the following will only be provided for the current conviction:

- 1) Current crime(s) of conviction
- 2) Sentence structure
- 3) Minimum term
- 4) Maximum expiration date
- 5) Early release date

F. The intended spouse/partner must sign the release of information indicating the intended spouse/partner has read and understands the information received and still wishes to proceed with the marriage/SRDP.

G. Application processing will continue with the originating case manager while an individual is in restrictive housing or out-to-court.

1. If an individual is transferred to another parent facility, the marriage/SRDP packet will be scanned and sent to the new case manager and documented in the individual's electronic file.

H. The individual and the intended spouse/partner may be required to participate in counseling by an outside officiant prior to marriage or entering an SRDP.

1. The Department is not responsible for providing employees to facilitate counseling requested by an outside officiant.

2. The counseling may be conducted by the officiating clergy or a certified professional counselor obtained by the couple.

3. The couple will be responsible for any costs associated with the counseling.

I. Once final approval is received, the marriage/SRDP packet will be forwarded to the Religious Coordinator, who will:

1. Continue the process per DOC 20-443 Marriage/State Registered Domestic Partnership Process Checklist.

2. Meet with the individual to discuss the marriage/SRDP process.

III. License/Certificate

A. The intended spouse/partner is responsible for obtaining the application for the license/certificate.

1. The intended spouse/partner will obtain the license application/declaration and send it to the Religious Coordinator.
2. The Religious Coordinator will arrange for the individual to meet with a notary public to sign the application.
3. The individual will provide a prefranked envelope or DOC 02-003 Postage Transfer to return the license application/declaration to the intended spouse/partner to obtain the license/certificate.

IV. Ceremonies

- A. A ceremony will be held for marriages in compliance with state statute. While not legally required, a ceremony will be offered to those entering an SRDP.
 1. The ceremony may be postponed if there is a disturbance or emergency within the facility.
- B. The facility Religious Coordinator will supervise the arrangements of the ceremony, which will be performed by:
 1. Volunteer clergy,
 2. An approved contract religious provider, or
 3. An outside officiant (e.g., magistrate, clergy) obtained by the individual and intended spouse/partner.
 - a. Any outside officiant must clear a National Crime Information Center (NCIC) background check and have Superintendent/designee approval based on the following:
 - 1) An officiant performing a religious ceremony must:
 - a) Be qualified per RCW 26.04 to perform marriages in Washington State,
 - b) Be approved to enter the facility based on the background check, and
 - c) Submit a certified document verifying authority to perform the ceremony as recognized by the religious or faith-based organization of the individual, along with a current letter of appointment or a letter stating the officiant is in good standing from the ordaining body/religious authority.

- b. A member of the judiciary performing a civil ceremony must submit a letter of appointment or oath of office.
- C. The couple will be responsible for costs associated with the ceremony.
- D. The ceremony will be private and conducted without media coverage. In addition to the couple and officiant, up to 6 of the following persons may attend the ceremony:
 - 1. Ceremony participants required by the religion or faith-based organization of the individual or intended spouse/partner.
 - a. Participants must clear an NCIC background check and require Superintendent/designee approval.
 - 2. Children of the individual and/or intended spouse/partner if on the individual's approved visitor's list.
 - 3. A professional photographer who must clear an NCIC background check and requires Superintendent/designee approval.
 - 4. Another incarcerated individual as a witness for the individual marrying, if approved by the Superintendent/designee.
- E. All attendees must comply with dress standards in the Visitor's Guidelines. Exceptions require Superintendent/designee approval.
 - 1. The intended spouse/partner may bring clothing for the individual to wear during the ceremony, if approved in advance.
- F. Any items brought into the facility by an outside officiant or attendee require prior approval from the Superintendent/designee.
 - 1. Religious items will be consistent with the requirements for allowable religious items per DOC 560.200 Religious Programs.
- G. After the ceremony, the Religious Coordinator will complete the Authorized Marriage/State Registered Domestic Partnership Report section of DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing.
 - 1. The completed marriage/SRDP packet will be scanned into the electronic imaging file.
 - 2. The license/certificate will be scanned separately under appropriate electronic coding.

V. Photographs

- A. The couple will be responsible for any costs associated with photographs.
- B. Photographers will be an approved worker per DOC 700.100 Class III Work Programs or an approved professional photographer retained by the individual or intended spouse/partner.
 - 1. Outside photographers will be required to turn over the memory card with photographs for internal review before leaving the facility.
- C. If a digital camera is available at the facility, the intended spouse/partner may bring a memory card to use in the camera consistent with DOC 280.310 Information Technology Access and Security.
- D. Photographs will be reviewed for content and compliance with policy.
 - 1. Photographs with suggestive or rude posturing, gang signs, or the appearance of gang affiliation will not be permitted.
 - 2. Individuals participating as part of the wedding party may be photographed with other wedding party members.
 - 3. If a professional photographer is used, the facility will send the memory card to the photographer upon completion of review.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 02-003 Postage Transfer

DOC 20-213 Marriage/State Registered Domestic Partnership Application

DOC 20-215 Marriage/State Registered Domestic Partnership Approval for Release of Information

DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing

DOC 20-443 Marriage/State Registered Domestic Partnership Process Checklist

REVIEW/REVISION HISTORY:

Effective: 10/10/06
Reviewed: 1/16/08
Revised: 1/20/09
Reviewed: 11/1/10
Revised: 7/17/20
Revised: 8/9/23

SUMMARY OF REVISION/REVIEW:

Policy Statement I. and Directive I.A. - Added clarifying language
I.B., II.C.2., IV.B.1., V.A., and VI.A. - Adjusted language for clarification
Added I.B.1.-3. vaccines that are required for participation

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

7/7/23

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated in this policy; [RCW 28A.400.322](#); [RCW 43.216](#); [WAC 110-300](#); DOC 420.310 Searches of Incarcerated Individuals; DOC 420.340 Searching and Detaining Facility Visitors; DOC 450.120 Packages for Offenders; DOC 490.100 Incarcerated Volunteers

POLICY:

- I. The Department has established procedures in partnership with local agencies and providers, including the Department of Children, Youth, and Families (DCYF) Early Head Start (EHS), to allow eligible pregnant individuals at Washington Corrections Center for Women (WCCW) to establish a healthy mother/child attachment, promote positive parenting skills, and provide services for transition to the community.

DIRECTIVE:

- I. Eligibility
 - A. Individuals must meet the following criteria to participate in the Residential Parenting Program (RPP):
 - 1. Pregnant before arriving at a Department facility and expecting to give birth while housed at WCCW.
 - 2. Assigned Minimum (MI)2 or MI1 custody level.
 - 3. The Earned Release Date is before the anticipated date when the child would be 30 months old.
 - 4. Approved by Child Protective Services (CPS).
 - 5. Does not have any of the following:
 - a. Current no contact order with minor children
 - b. Conviction for a crime against children per RCW 28A.400.322
 - c. Conviction for a sex offense(s) and/or sexual motivation behavior
 - B. RPP mothers, incarcerated caregivers, and children must have the following vaccinations as recommended by the Centers for Disease Control and Prevention:
 - 1. Annual influenza appropriate for the upcoming influenza season
 - 2. Measles, Mumps, and Rubella (MMR)

- a. Adults must have an MMR vaccine if there is no evidence of immunity as defined by the Advisory Committee on Immunization Practices (ACIP), unless there is a medical contraindication.
 - 3. Tetanus, Diphtheria, and Pertussis (Tdap)
 - a. Adults must have had the vaccine at least once as an adult.
- C. Individuals with restrictions/limitations documented on a current Health Status Report and/or DOC 13-508 Accommodation Status Report may be restricted from participation.

II. Application Process

- A. Applications for individuals under federal jurisdiction will be pre-screened by the Federal Bureau of Prisons before being reviewed for eligibility.
- B. Individuals will submit the following to the RPP Correctional Unit Supervisor (CUS)/designee:
 - 1. DOC 13-035 Authorization for Disclosure of Health Information
 - 2. DOC 20-332 Residential Parenting Program Participant Application
 - 3. DOC 20-336 Residential Parenting Program Emergency Caregiver Application
- C. The RPP CUS/designee will:
 - 1. Screen emergency caregivers using DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check NCIC/WACIC Check and contact CPS for approval.
 - a. If an emergency caregiver is not available, CPS will be the designated contact for emergency placement of the child.
 - 2. Complete DOC 20-333 Residential Parenting Program Case Plan for review by a multidisciplinary Facility Risk Management Teams (FRMT).
 - a. The multidisciplinary FRMT will be chaired by the Correctional Program Manager (CPM)/designee and include participating team members from EHS and medical/mental health.
- D. The Superintendent will provide final approval for participation in the RPP.
 - 1. Approved individuals will be required to attend parenting classes and parent-child activities provided by the Department and EHS.

III. Childbirth

- A. Employees will be assigned to conduct a hospital watch for individuals being transported to a hospital for labor and childbirth.
 - 1. The RPP CUS/case manager will notify the Federal Bureau of Prisons if an individual in labor under federal jurisdiction has been admitted to a hospital.
 - a. Notification will be made by the Shift Commander after business hours.
 - 2. In addition to approved visitors, individuals may have a volunteer doula present during labor and up to 2 hours after childbirth.

IV. Childcare

- A. RPP mothers will be the primary caregivers and responsible for the health/safety of their child(ren).
- B. Children may be cared for by qualified incarcerated caregivers or EHS contract staff when they are not in the care of their mothers.
 - 1. Incarcerated caregivers will be considered volunteers per DOC 490.100 Incarcerated Volunteers and must meet the following additional RPP criteria:
 - a. Does not have any of the following:
 - 1) Conviction for a violent or serious violent offense. Accomplices may be considered on a case-by-case basis
 - 2) Conviction for assault or domestic violence
 - 3) History of committing arson
 - 4) PULHESDXTR "S3" code or above
 - b. Complete training in the skills required for nursery care before providing care.
- C. A Child Development Center may be provided for children in the RPP. The number of children who can be cared for is limited by licensing requirements per WAC 110-300.

- D. Concerns regarding the health/safety of a child(ren) will be reported to the Shift Lieutenant and/or RPP CUS for approval to contact CPS. Concerns will be documented and investigated as appropriate.
 - 1. A telephone will be available in the RPP unit 24 hours a day to contact the local hospital for emergency medical evaluations and recommendations.

V. Packages for Children

- A. Packages for children in the RPP must be arranged through the case manager and comply with weight requirements per DOC 450.120 Packages for Offenders.
- B. In addition to monthly and holiday packages for the mother, the child may receive:
 - 1. One package within 30 days before/after childbirth
 - 2. One package each quarter (i.e., January-March, April-June, July-September, and October-December)
 - 3. One holiday package between October 15 and December 31
 - 4. One birthday package during the child's birthday month

VI. Searches

- A. Searches will be conducted per DOC 420.310 Searches of Incarcerated Individuals and DOC 420.340 Searching and Detaining Facility Visitors.
 - 1. Mothers will not be searched in the presence of their child(ren). Arrangements will be made for an incarcerated caregiver to care for the child(ren) during the search.

VII. Community Visits

- A. Child(ren) may be picked up from the facility by a friend/family member 6 weeks after childbirth as approved on DOC 20-329 Residential Parenting Program Community Visit Authorization.
 - 1. The person picking up the child(ren) must be approved by CPS and the RPP CUS.
 - 2. The RPP CUS/case manager will determine the duration and frequency of visits.

- B. RPP employees will inventory the child's property when leaving and entering the facility using DOC 20-335 Residential Parenting Program Child Property Release.
 - 1. Upon return to the facility, the child and any property will be searched.
 - 2. Items not documented on the property record, including open containers (e.g., beverages/food), will not be allowed into the facility.

VIII. Termination

- A. Termination from the RPP may be recommended if:
 - 1. The individual:
 - a. Violates any of the RPP guidelines
 - b. Provided false information during the screening process
 - c. Commits a serious violation
 - d. Is demoted from MI2/MI1 custody
 - e. Is incapable of caring for the child(ren)
 - f. Is not in compliance with the current case plan
 - g. Requests to be removed from the program
 - 2. DCYF/CPS recommends termination, and/or
 - 3. Participation presents a serious/imminent danger to the health/safety of the child(ren).
- B. If participation is terminated, the emergency caregiver will be contacted to take custody of the child(ren).
 - 1. The child(ren) will be cared for by an incarcerated caregiver until the emergency caregiver arrives.
 - 2. If the emergency caregiver is unable/refuses to take custody of the child(ren), CPS will be contacted to determine placement.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check
NCIC/WACIC Check

DOC 13-035 Authorization for Disclosure of Health Information

DOC 13-508 Accommodation Status Report

DOC 20-329 Residential Parenting Program Community Visit Authorization

DOC 20-332 Residential Parenting Program Participant Application

DOC 20-333 Residential Parenting Program Case Plan

DOC 20-335 Residential Parenting Program Child Property Release

DOC 20-336 Residential Parenting Program Emergency Caregiver Application

REVIEW/REVISION HISTORY:

Effective: 10/11/00
Revised: 7/28/05
Revised: 1/13/09

SUMMARY OF REVISION/REVIEW:

Major changes. Read carefully!

Signature on File

ELDON VAIL, Secretary
Department of Corrections

12/15/08

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [ACA 4-4428](#); [DOC 500.000 Education and Vocational Programs for Offenders](#); [DOC 590.300 Resource Program Management](#)

POLICY:

- I. The Department will identify and provide standardized offender change programs that are responsive to offender risk, need, and gender specific factors to reduce re-offending and increase success upon re-entry. Life without parole (LWOP) offenders may participate in offender change programs.
- II. The Department will use an established process to plan, develop, and approve offender change programs and conduct quality assurance reviews. The Department has a social service program that provides a range of resources appropriate to offender needs, including individual and family counseling, family planning and parental education, and community services. [4-4428]

DIRECTIVE:

- I. Program Approval Process
 - A. Pilot proposals will be submitted for approval using DOC 02-334 Offender Change Program Proposal.
 - B. Members of the Offender Change Programs Standards Committee, appointed by the Assistant Secretary for Offender Treatment and Re-entry Programs, will review and approve all offender change program proposals and monitor quality. This committee will include representatives from:
 - 1. Offender Treatment and Re-entry Programs,
 - 2. Prisons (i.e., Superintendents, including at least one from a female facility),
 - 3. Educational Services/State Board of Community and Technical Colleges,
 - 4. Community Corrections (i.e., Field Administrators),
 - 5. Community Partnership Program,
 - 6. Victim Advocacy,
 - 7. Research,
 - 8. Health Services/Mental Health,
 - 9. Hearings,
 - 10. Organizational Development, and
 - 11. Indeterminate Sentence Review Board (ISRB).

- C. The Offender Change Programs Standards Committee will appoint a committee chair. The committee chair will be rotated among the committee members.

II. Program Review

- A. The Offender Treatment and Re-entry Programs Division will coordinate the local program reviews to obtain input from participants, facilitators, and stakeholders to identify the need for changes to the program content, format, or design.
- B. The Offender Change Programs Standards Committee will conduct a program review every 3 years on each offender change program.
 - 1. The information gathered from program analysis, research, and feedback will be reviewed to determine the scope of change.
 - a. If the scope of change is minor (i.e., 30 percent or less), the initiating staff will revise the program and submit to the Offender Change Programs Standards Committee for approval, and then the materials will be revised and disseminated to facilitators.
 - b. If the scope of change is major (i.e., more than 30 percent), the initiating staff will present a summary of the scope of change to the Offender Change Programs Standards Committee for approval and identification of a workgroup to revise the program, including a plan for a training update for current facilitators, if needed.

III. Monitoring

- A. The Offender Treatment and Re-entry Programs Division will monitor standardized offender change programs provided by Department staff, contract staff, and volunteers intended to change offender behavior, thinking, or attitudes that may contribute to criminality or intended to assist in offender re-entry. Non-standardized programs should be submitted through the established process for consideration as a standard offender change program.
 - 1. The Offender Treatment and Re-entry Programs Division will update the Resource Program Manager per DOC 590.300 Resource Program Management.
- B. The Offender Change Programs Standards Committee will:
 - 1. Maintain a list of offender change programs offered, and
 - 2. Provide a schedule of regional offender change programs scheduled to be provided by a facilitator.

IV. Training

- A. Organizational Development will assist Offender Treatment and Re-Entry Program staff to develop facilitator training, coordinate training events, and track training completions.
- B. Prior to facilitating a program, the staff, contractor, or volunteer must attend the facilitation training, gender responsive training, and the appropriate offender change program training.

V. Quality Assurance

- A. Offender Treatment and Re-entry Programs staff will facilitate a quality assurance process at sites where the program is offered.
- B. Master trainers and experienced facilitators will conduct quality assurance reviews.

VI. Data Collection

- A. The facilitator/designee will update RPM per DOC 590.300 Resource Program Management, if available.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

[DOC 02-334 Offender Change Program Proposal](#)



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
OFFICE OF THE SECRETARY

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ADMINISTRATIVE BULLETIN AB-09-011

DATE: April 2, 2009
TO: Executive Staff
FROM: Eldon Vail
Secretary
RE: **DOC 590.350 Offender Change Programs**

Changes to this policy are effective immediately.

Change Policy statement II.:

- II. The Department will use an established process to plan, develop, and approve offender change programs and conduct quality assurance reviews. The Department has ~~a social service program that~~ collaborates with the community and other agencies and organizations to provide a range of resources ~~appropriate to offender needs, including individual and family counseling, family planning and parental education, and community services~~ to assist offenders and their families in meeting re-entry needs. [4-4428]

Direct any questions regarding this administrative bulletin to Anmarie Aylward, Offender Programs Administrator.

cc: Autumn Witten, Policy Program Manager

REVIEW/REVISION HISTORY:

Effective: 1/5/00
Revised: 5/24/04
Revised: 2/14/06 AB 06-003
Revised: 6/7/07 AB 07-016
Revised: 5/20/08
Revised: 7/17/09
Revised: 6/20/11
Revised: 1/21/13
Revised: 11/16/15
Revised: 9/25/18
Revised: 11/5/20
Revised: 4/15/21
Revised: 11/8/21
Revised: 10/6/22

SUMMARY OF REVISION/REVIEW:

I.A.3.a.1), I.C., I.G.2., V.F., V.F.2., VI.A., and VI.E.1. - Adjusted language for clarification
Removed I.A.5.c. that notary services will not be provided for financial matters
Added I.E. that resources will be provided whenever possible for individuals testifying when requested by the Executive Policy Office
Added V.F.2.a. that electronic documents are not considered legal mail
VI.D.1.a. & b. and VI.E. - Added clarifying language

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

9/26/22

Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 10.73.090](#); DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 320.255 Restrictive Housing; DOC 440.000 Personal Property for Offenders; DOC 450.100 Mail for Individuals in Prison; DOC 450.200 Telephone Use by Incarcerated Individuals; [28 U.S.C. 2244\(d\)\(1\)](#)

POLICY:

- I. All incarcerated individuals, regardless of language barriers or financial/educational status, will be provided with meaningful access to the courts.
- II. Individuals in restrictive housing will have access to legal documents, materials, and resources per DOC 320.255 Restrictive Housing.
- III. Incoming and outgoing legal mail will be processed per DOC 450.100 Mail for Individuals in Prison.

DIRECTIVE:

- I. General Requirements
 - A. Incarcerated individuals will be given the opportunity to:
 1. Communicate with the courts and legal counsel.
 2. Research and prepare legal matters in the following order of priority:
 - a. Actions related to their sentence and/or confinement, including county jail time.
 - b. Actions related to their civil rights.
 - c. Actions related to proceedings in a dependency court.
 3. Access materials necessary for preparing and filing a legal pleading, as follows:
 - a. Paper, writing tools, and legal and manila envelopes may be purchased through the commissary.
 - 1) Individuals documented as indigent, and unable to purchase 9" x 12" manila envelopes through commissary, will only be provided envelopes when sending authorized legal mail per DOC 450.100 Mail for Individuals in Prison.

- b. Writing tools will be available for loan and additional paper may be provided for individuals who run out before finishing their work while in the Law Library.
 - c. Carbon paper may be made available for use only while in the Law Library.
 - 4. Purchase and retain personal legal reference books and materials from authorized sources, subject to the property limitations per DOC 440.000 Personal Property for Offenders.
 - 5. Obtain free notary services, as appropriate.
 - a. Facilities will establish procedures for providing free notary services to incarcerated individuals.
 - b. Incarcerated individuals receiving a legal name change will be provided access to free notary services under the new legal name for purposes of accessing community-based essential services (e.g., federal/state assistance, licensing, power of attorney, court records/pleadings).
 - 6. Communicate with family members, friends, and support groups by means of visitation, mail, and/or telephone to obtain assistance in pursuing legal matters.
 - a. Individuals will be provided reasonable opportunity to access telephones for confidential legal matters per DOC 450.200 Telephone Use by Incarcerated Individuals.
- B. Attorneys may communicate with incarcerated individuals per [Attorney Communication with Individuals Incarcerated at DOC](#).
- C. Employees will ensure individuals have access to Department resources for legal proceedings when the individual has been approved for a telephonic/virtual appearance for actions listed on DOC 02-027 Virtual/Telephonic Hearing Request.
- D. Virtual hearings will be coordinated through the Legal Liaison Officer, who will ensure all information on DOC 02-027 Virtual/Telephonic Hearing Request has been received from the court.

1. Individuals assigned to a work crew for an extended period (e.g., Department of Natural Resources fire crew) may choose to opt out of a scheduled virtual hearing.
 - a. An employee will ensure the individual's decision is documented on DOC 02-029 Virtual Hearing Acknowledgement Waiver and it is signed before forwarding to the Legal Liaison Officer.
- E. Resources will be provided whenever possible for individuals testifying for the legislature when requested by the Executive Policy Office.
- F. Facilities will establish processes for employees to serve legal documents (e.g., court summons) to incarcerated individuals.
- G. Confidential attorney visitation to discuss legal matters will be allowed.
 1. The Superintendent may set reasonable limits on the time, place, and manner of visits with legal counsel or verified representatives employed by legal counsel.
 2. With prior approval, attorneys/verified representatives may present documents for review during legal visits. Documents intended for possession by the individual must be sent per DOC 450.100 Mail for Individuals in Prison.
- H. Individuals must notify the case manager of pending legal actions when a permanent transfer is being proposed/planned.
 1. If an individual informs an employee of any verified court-imposed deadline or can demonstrate prejudice to a current case, the employee should provide priority handling of that individual's personal legal documents/papers during a transfer.

II. Assistance in Legal Matters

- A. An incarcerated individual may confer with another incarcerated individual in researching and preparing legal pleadings.
 1. No incarcerated individual may represent, attend, hear, or participate in another individual's legal matter before a legal tribunal unless called as a witness.
 2. An incarcerated individual cannot, under any circumstances, receive any form of favor or payment for the time, efforts, equipment, or materials used

in assisting another individual. Anyone found to be in violation of this requirement will be subject to disciplinary action.

- a. No contract agreement, fee, or consideration may be charged by an incarcerated individual who assists another with any legal matter.
3. Access Assistants may assist individuals with disabilities in the Law Library per written expectations set by their supervisor as part of a work program, and when related to legal documents (e.g., reading, writing).
 - a. Assistants will not be authorized to provide legal advice or assistance with legal matters.
- B. Incarcerated individuals may assist each other in preparing legal documents in the Law Library when the schedule allows.
 1. When possible, sufficient time in the Law Library should be provided to both individuals.
 2. The Superintendent may limit the time, place, and manner in which individuals confer inside or outside of the Law Library based on security levels, housing assignment, security concerns, and general order of the facility.
- C. An incarcerated individual assisting another in legal matters may only possess the other's legal documents/papers while both are in the Law Library, or other area designated by the Superintendent.
 1. All personal legal documents/papers must be retained by the individual(s) directly involved in the legal matter.
- D. Individuals who are unable to read or write English or otherwise disabled will be referred by the Law Librarian first to contracted attorneys, then trained law clerks. Other incarcerated individuals may also provide legal assistance.
- E. Software and headphones will be available in each Law Library to assist visually impaired individuals.
 1. The equipment will be tested and documented monthly by the Law Librarian.
- F. Individuals wanting to serve legal documents on a Department employee or contract staff may not use other incarcerated individuals, employees, or contract staff. An individual may:

1. Ask the court for assistance,
2. Ask or retain a person outside the facility (e.g., county Sheriff, commercial process server) to serve the documents, or
3. Ask for assistance from the facility's legal service contractor(s), where available.
 - a. Legal service contractors can assist only if:
 - 1) The documents being served are a summons and complaint filed in a state superior court, challenging conditions of confinement, and
 - 2) The employee or contract staff works in the same facility where the incarcerated individual is currently housed.
 - b. Legal service contractors will not assist with federal complaints, personal restraint petitions, Public Records Act suits, and cases against the Department or another state agency.

III. Possession of Legal Materials/Documents

- A. Individuals will be allowed to possess their personal legal materials/documents with the exception of those housed at the Reception Diagnostic Centers (RDCs).
 1. Except for community custody violators, personal legal materials/documents will be stored in the Law Library at RDCs. Individuals will have access upon request through the Law Librarian only.
 - a. Community custody violators at an RDC may possess personal legal materials/documents.
 2. Individuals may possess discovery documents pertaining to their own criminal case if redacted.
 - a. If preparing to challenge their convictions, individuals will be given the opportunity to view, but not possess un-redacted criminal discovery documents pertaining to their criminal case.
 - 1) This is not applicable to public disclosure material/requests.
 - b. Facilities will establish procedures to allow individuals to view un-redacted criminal discovery documents. The process will include, but not be limited to, the storage and disposition of the documents.

3. Individuals will not possess legal materials (e.g., case law, legal documents) containing information about another Washington State incarcerated individual.
- B. The Superintendent may limit the quantity of legal materials an individual may accumulate in order to maintain adequate sanitary conditions, meet storage space limitations, reduce fire hazards, and provide reasonable ease for conducting security inspections. Limitations may also be placed on the possession time and amount of personal legal documents/papers allowed in a specific security level and/or housing unit.
- C. The Superintendent may authorize additional storage if personal legal documents/papers needed to meet a court-imposed deadline exceed the storage limit specified in DOC 440.000 Personal Property for Offenders.
- D. Legal materials, copies of the individual's prior cases, and other public documents that have a very common, general availability and use will be handled the same as all other property, books, and papers.
- E. Personal legal documents/papers will not be read by employees during inspections and security searches if the documents/papers are stored in an authorized container (e.g., envelope, folder, box) separate from other legal materials.
 1. The container must be clearly marked as personal legal documents/papers and stored in an area designated by the facility.
 2. Each document within the container must be clearly labeled with the individual's name, DOC number, and the document title in the top inch of the document.
 3. Personal legal documents/papers that are not properly stored and labeled will be handled the same as other property.
- F. The Superintendent may limit access to legal pleadings and personal legal materials, depending upon behavior, security, and rules of the housing unit.

IV. Legal Media Recordings

- A. The Superintendent/designee will retain and store audio/video recordings received from one of the following:
 1. A court, if sending proceedings and other recordings that are submitted as evidence for the current conviction.

2. The Prosecuting Attorney, if sending recorded court proceedings that were submitted as evidence in an appellate case.
 3. Prisons, Community Corrections, or the Indeterminate Sentence Review Board for Department hearings.
- B. Recordings will be documented on DOC 19-080 Receipt of Legal Media Materials and retained for 90 days after the final level of administrative or court appeal.
1. Every 90 days, individuals will notify the Superintendent/designee of the status of the appeal. If notification has not been received 90 days after the final level of appeal, the individual will be notified of disposition options per DOC 440.000 Personal Property for Offenders.
- C. The individual must make a request to the Superintendent/designee to be placed on callout to view/listen to the individual's own recording(s).

V. Photocopying/Scanning

- A. Photocopy/scanning requests will be submitted to the Law Librarian/designee(s) on DOC 19-084 Legal Copy/Indigent Postage/Scanning Request, allowing 5 business days from the day it is received to schedule the request in advance of any known deadlines.
- B. Individuals may obtain photocopies of their own legal pleadings being submitted to the court, opposing party, or opposing counsel in cases regarding current conviction, conditions of confinement including county jail confinement, challenges to the sentence, and/or child dependency.
1. Incarcerated individuals representing themselves may incur a debt for photocopies if they do not have sufficient funds to pay the required fee at the time of the request. Photocopying fees will be recovered per DOC 200.000 Trust Accounts for Incarcerated Individuals.
 2. Photocopying will be limited to:
 - a. The number of copies necessary to meet specific court rules, including bench/judge's copies
 - b. One copy each for the opposing party(ies)
 - c. One copy for the counsel of record listed on the Judgment and Sentence for appeals
 - d. One copy for the individual's records if the individual is not keeping the original

- e. Up to 5 pages being submitted to the Office of Corrections Ombuds (OCO), which will not be processed as legal mail
 - 1) The individual waives confidentiality for the purposes of photocopying and sending to the OCO.
- 3. Photocopies should be made in the requestor's presence, except for those in restrictive housing if it compromises security. If the requestor is not prepared for the scheduled photocopying appointment, the requestor may either:
 - a. Agree to return at a reasonable, specific time for the copying to be completed, or
 - b. Waive having the copies made in the requestor's presence and return to pick up the copies at an agreed upon time.
- 4. Photocopies will be treated as legal mail per DOC 450.100 Mail for Individuals in Prison and will be mailed out immediately.
 - a. Public Records Act requests and associated documents are not considered legal mail/documents and are not eligible for photocopying/scanning.
- C. Individuals may obtain a photocopy for the following if they have sufficient funds to pay the required fee at the time of the request:
 - 1. Working legal documents for active cases or letters to legal entities per 450.100 Mail for Individuals in Prison, and
 - 2. Legal documents/papers or legal materials which are not legal pleadings, including but not limited to:
 - a. Family law documents,
 - b. Legal name change documents, or
 - c. Tort claims.
- D. DOC 06-075 Request to Transfer Funds must be completed to request withdrawals from the individual's account to pay for photocopy services. The fee for any photocopies is 20 cents per page.
- E. The Superintendent may restrict access to photocopies if there is documentation that the requestor is barred from litigation in a particular court, or is making excessive requests, such as requesting:

1. More than one additional copy other than the original for personal mailing.
 2. More copies of briefs, appeals, and writs of habeas corpus than the court requires.
- F. Except for copies for discovery, electronically filed cases will be scanned per the respective court's guidelines.
1. After the document is scanned, it will be returned to the requestor. No other copies will be provided.
 2. When the court sends a document(s) electronically (e.g., Notice of Electronic Filing) that specifies distribution to an individual, the document(s) will be placed in a plain, unsealed envelope within 2 business days by a designated employee and delivered to the incarcerated individual via internal mail.
 - a. Electronic documents are not considered legal mail.

VI. Law Library

- A. All Level 3 and higher facilities will have at least one Law Library. Individuals will have access to a Law Library and/or the resources of a Law Library and access to legal service contractors.
1. The Law Library will contain relevant and up-to-date:
 - a. Constitutional, statutory, and case materials
 - b. Applicable state and federal court rules
 - c. Practice treatises
- B. Each Law Library will be maintained by a Law Librarian.
1. Incarcerated individuals will be hired as clerks and trained to work with the Law Librarian to provide effective Law Library assistance.
 2. Employees may open the Law Library when the Law Librarian is unavailable as long as incarcerated individuals are supervised while in the Law Library.
- C. Each Law Library will provide reasonable access to the general population. Facilities will make reasonable adjustments to allow individuals to use the Law Library during weekend and evening hours, when necessary.
1. An individual housed at a minimum facility who has legal needs regarding electronic filing, habeas corpus, civil rights actions, challenges to the

individual's conditions of confinement, and/or child dependency may request an initial temporary transfer to a major facility designated by the Department to use the Law Library for up to 90 days.

- a. The individual will be allowed full access to the Law Library as scheduling allows or per priority access procedures and must attend all callouts.
- b. During the temporary transfer, individuals will not be able to program (e.g., attend school/work).
- c. Individuals housed in a Minimum Security Unit at a Level 3 or higher facility must be physically transferred through Headquarters to use the Law Library.
- d. Extension of initial transfer timelines will be made at the discretion of the receiving Superintendent.

2. Access to a Law Library employee will be available to individuals in long-term restrictive housing upon written request to:

- a. Provide timely guidance relating to the resources available from the Law Library, or
- b. Answer questions and/or make necessary referrals to other available legal services.

D. Priority Access

1. The Superintendent/designee may grant priority access or accommodation to an individual who demonstrates an exceptional need regarding actions related to the individual's sentence, confinement, civil rights, and/or child dependency such as:
 - a. A documented or identifiable court response deadline within 45 days of the request.
 - b. Any demonstrated prejudice to a case if priority access is not obtained.
 - c. An identifiable deadline imposed by court rule or statute including deadlines for appeals or imposed per RCW 10.73.090 or 28 U.S.C. 2244(d)(1).

2. To request priority access, individuals will complete and submit DOC 02-247 Law Library Request for Priority Access to the designated employee. Copies of court documents can be included as attachments at no cost to the individual.
 - a. If the employee cannot determine whether the individual has correctly identified a deadline, the individual will be given up to 5 business days to locate additional documentation for consideration before needing to submit a new request.
 - b. If no deadline is established, the form will be returned to the individual with reasons noted.
- E. Each Law Library will maintain a Brief Bank in which any incarcerated individual can file a copy of a legal pleading related to terms of confinement or conditions of sentencing, or actions related to child dependency proceedings that may be helpful to another, provided the pleading does not threaten legitimate penological objectives or security needs.
 1. Individuals who submit briefs to the Brief Bank must redact the names of the parties and any other sensitive/confidential information.
 2. Law Librarians will index briefs and make them available for review in the Law Library and to those in restrictive housing.
- F. The Superintendent may establish reasonable restrictions consistent with legitimate penological goals and security needs regarding the possession, time, and quantity of reference materials allowed in the Law Library.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Exhibit, Indigent, Legal Materials, Legal Matter, Legal Pleadings, Personal Legal Documents/Papers. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

DOC 02-027 Virtual/Telephonic Hearing Request
DOC 02-029 Virtual Hearing Acknowledgement Waiver
DOC 02-247 Law Library Request for Priority Access

DOC 06-075 Request to Transfer Funds
DOC 19-080 Receipt of Legal Media Materials
DOC 19-084 Legal Copy/Indigent Postage/Scanning Request