



NOTIFICATION OF DEPARTMENT VIOLATION PROCESS

Name: _____

DOC number: _____

County, cause, and commitment number(s):

Per RCW 9.94A.631, if a supervised individual violates any condition or requirement of a sentence, a case manager may arrest or cause the arrest of the individual without a warrant, pending a determination by the court or by the Department of Corrections.

The Department has determined you meet the criteria for Swift and Certain Sanctioning. The emphasis of Swift and Certain Sanctioning is to encourage compliance with your court and Department conditions. *It is your responsibility to understand your conditions. Your case manager is available to answer any questions you may have. Failure to comply will result in Swift and Certain Sanctioning.*

PROCESS

1. All violations will be addressed through a Department violation process, unless addressed under *Other Jurisdictions* below.
2. Low level violation processes may be addressed with a Stipulated Agreement or a short term confinement sanction of up to 3 days in custody, unless a hearing process is required due to aggravating circumstances.
3. For Interstate Compact causes, if the recommendation is to return you to the sending state, a Probable Cause hearing will be held.
4. Any high level violations will be addressed through a hearing process, unless a mitigated response is approved per Department policy.
5. A hearing process will be a hearing with a Department Hearing Officer. If you are found guilty, you will receive a sanction of up to 15 days of confinement unless you are subject to a return under RCW 9.94A.633 or reclassification.
6. You have the right to appeal any violation process.

NEW CRIMINAL BEHAVIOR

If you commit any new criminal offense, your case manager may detain you for up to 3 days and notify the prosecutor of your new criminal behavior.

Exception - If you have an underlying offense listed here, you will be held in confinement for 15 days or until a charging decision is made by the prosecutor, and may also be subject to return under RCW 9.94A.633 or reclassification: *Assault 1, Assault of a child 1 or 2, Burglary 1, Child molestation 1, Commercial sexual abuse of a minor, Dealing in depictions of minor engaged in sexually explicit conduct, Homicide by abuse, Indecent liberties with forcible compulsion, Indecent liberties with a person incapable of consent, Kidnapping 1, Murder 1 or 2, Promoting commercial sexual abuse of a minor, Rape 1 or 2, Rape of a child 1 or 2, Robbery 1, Sexual exploitation of a minor, Vehicular homicide while under the influence of intoxicating liquor or any drug*

OTHER JURISDICTIONS

If you violate a condition or requirement of your Swift and Certain eligible cause, and the violation is addressed by another jurisdiction (i.e., Board or court), the sanction will count as one violation process against the Swift and Certain eligible cause.

By signing below, I am acknowledging that I have received a copy of this notification, the Behavior Accountability Guide, my conditions, and my Judgment and Sentence. I have read, or have had read to me, the above notification of the Department's violation process, and I understand what is expected.

Signature

Date

Case manager

Signature

Date

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.

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