



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**FIELD**

REVISION DATE  
11/1/13

PAGE NUMBER  
1 of 5

NUMBER  
**DOC 350.380**

**POLICY**

TITLE  
**DISCHARGE, TERMINATION, AND CLOSURE  
OF SUPERVISION**

**REVIEW/REVISION HISTORY:**

- Effective: 12/16/02
- Revised: 9/30/04
- Revised: 3/29/07
- Revised: 5/30/08
- Revised: 6/5/09
- Revised: 2/12/10
- Revised: 3/25/11
- Revised: 10/1/11
- Revised: 11/1/13

**SUMMARY OF REVISION/REVIEW:**

II.B. - Adjusted formatting for clarity

**APPROVED:**

Signature on file

\_\_\_\_\_  
**BERNARD WARNER**, Secretary  
Department of Corrections

9/30/13  
\_\_\_\_\_  
Date Signed

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**REFERENCES:**

DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [RCW 9.96](#); [RCW 10.99](#); [DOC 380.300 Supervision of Offenders on Conditional Release, Insanity Acquittal, and Supervised Appeal](#)

**POLICY:**

- I. The Department has developed guidelines for closing its supervision of offenders.

**DIRECTIVE:**

- I. Responsibilities
  - A. The Community Corrections Officer (CCO), under Community Corrections Supervisor review, will complete discharge, termination, or closure of supervision recommendations for offenders and document it in the offenders' electronic file.
- II. Discharging from Supervision
  - A. The CCO will recommend discharge using DOC 09-128 Request for Termination/ Discharge and DOC 09-028 Certificate and Order of Discharge when:
    1. The offender has reached the Maximum Expiration (Max Ex) date or Department supervision has been closed,
    2. The offender has completed all sentence requirements, including payment of Cost of Supervision (COS)/supervision intake fees and Legal Financial Obligations (LFOs), and
    3. The Department has not recommended the court extend conditions for an eligible sex offender beyond the Max Ex date.
  - B. Unless otherwise ordered by the sentencing court, a Certificate of Discharge will not terminate the offender's obligation to comply with an order issued under RCW 10.99 excluding or prohibiting the offender from having contact with a specified person or coming within a set distance of any location specified in the Judgment and Sentence.
    1. An offender who violates such an order after a Certificate of Discharge has been issued will be subject to prosecution according to the chapter under which the order was originally issued.
    2. Terminations and discharges will not impact sex offender registration requirements.

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C. The CCO will recommend discharge of a sex offender not under the jurisdiction of the Indeterminate Sentence Review Board (ISRB) who committed a sex offense(s) on or after June 6, 1996, when the offender has:

1. Reached the Max Ex date, and
2. Completed all sentence requirements, including payment of COS/supervision intake fees and LFOs.

### III. Discharging by First Time Offender Waiver

A. The CCO will recommend discharge for any offender sentenced as a first time offender before July 25, 1999, who has served at least one year of community supervision and has completed all court ordered conditions.

### IV. Terminating Supervision

A. The CCO will recommend termination of an offender sentenced under the Sentencing Reform Act (SRA) or the Offender Accountability Act (OAA) using DOC 09-128 Request for Termination/Discharge and DOC 09-080 Order Terminating Supervision, when the offender:

1. Has reached the Max Ex date, and
2. Has not completed all court ordered conditions of supervision.

B. If the Department has imposed conditions that should be extended beyond the Max Ex date, the CCO will submit DOC 09-128 Request for Termination/Discharge, DOC 09-080 Order Terminating Supervision, and DOC 09-259 Court - Special & Order Extending Conditions to the court. The effective date of the termination will be the Max Ex date.

C. The county clerk will be responsible for requesting the discharge if LFOs were outstanding at the time of the closure/termination. The Department will provide information regarding satisfaction of COS/supervision intake fee payments if requested by the county clerk.

D. When an offender sentenced to probation for a misdemeanor reaches the Max Ex date, the CCO will terminate and close Department interest using DOC 09-265 Court - Special Supervision Closure.

E. The CCO will recommend termination of an offender who received a suspended sentence under pre-SRA probation using DOC 09-122 Court - Notice of Violation, DOC 09-096 Court - Request for Termination of Suspended Sentence, and DOC 09-390 Order Terminating Probation when the offender:

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1. Has reached the Max Ex date, and
2. Has not completed all requirements of the court, but has reached the maximum termination date of the suspended or deferred sentence.

#### V. Closing Supervision

- A. The CCO will close supervision of an offender using DOC 09-265 Court - Special Supervision Closure when:
  1. COS/supervision intake fees or LFOs are owed at the end of the term of supervision, or
  2. The offender is not eligible for active supervision per the [Supervision Eligibility Screening Tool - Misdemeanor](#) or [Supervision Eligibility Screening Tool - Felony](#), available under Community Corrections on InsideDOC.
- B. The CCO will close supervision of an offender using DOC 09-265 Court - Special Supervision Closure when the offender is not eligible for active supervision at the scheduled end date of the established term of community custody supervision.

#### VI. Dismissing an Offender

- A. The CCO will recommend dismissal of an offender who received a deferred sentence pre-SRA using DOC 09-095 Court - Request for Dismissal, with DOC 09-092 Court - Order for Dismissal attached, when the offender has:
  1. Reached the statutory Max Ex date, and
  2. Completed all sentence requirements, including payment of COS/ supervision intake fees and LFOs.

#### VII. Discharging on Insanity Acquittal

- A. The CCO will recommend final discharge of an offender sentenced to an insanity acquittal using DOC 09-124 Court - Special when:
  1. The offender has met conditional release requirements,
  2. The Department of Social and Health Services has certified the offender is no longer a substantial danger to others and is unlikely to commit criminal acts jeopardizing public safety or security, and
  3. The Field Administrator has approved the recommendation.

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## VIII. Indeterminate Sentence Review Board Discharge

### A. Final Discharge

1. The ISRB will automatically issue a final discharge when an offender who has not been revoked has served 3 years on parole in the community, exception for sex offenders who committed their offense on or after September 1, 2001.
2. An offender who reaches the Max Ex date prior to serving 3 years on parole must submit a written request to the ISRB for a final discharge.
3. On or after the statutory maximum, the offender must submit a written request to the ISRB for final discharge restoring civil rights.

### B. Conditional Discharge

1. Except for sex offenders who committed their offense on or after September 1, 2001, and only in exceptional circumstances, the CCO may recommend the ISRB grant a conditional discharge from supervision for an offender released on parole, in lieu of a final discharge, using DOC 09-116 Board - Request for Conditional Discharge from Supervision.

### DEFINITIONS:

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

### ATTACHMENTS:

None

### DOC FORMS:

[DOC 09-028 Certificate and Order of Discharge](#)  
[DOC 09-080 Order Terminating Supervision](#)  
[DOC 09-092 Court - Order for Dismissal](#)  
[DOC 09-095 Court - Request for Dismissal](#)  
[DOC 09-096 Court - Request for Termination of Suspended Sentence](#)  
[DOC 09-116 Board - Request for Conditional Discharge from Supervision](#)  
[DOC 09-122 Court - Notice of Violation](#)  
[DOC 09-124 Court - Special](#)  
[DOC 09-128 Request for Termination/Discharge](#)  
[DOC 09-259 Court - Special & Order Extending Conditions](#)  
[DOC 09-265 Court - Special Supervision Closure](#)  
[DOC 09-390 Order Terminating Probation](#)