



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/REENTRY/FIELD
FACILITY/SPANISH MANUALS

REVISION DATE
10/20/21

PAGE NUMBER
1 of 5

NUMBER
DOC 320.110

POLICY

TITLE
COMMUNITY CUSTODY BOARD HEARINGS

REVIEW/REVISION HISTORY:

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

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

10/6/21

Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 10/20/21	PAGE NUMBER 2 of 5	NUMBER DOC 320.110
	TITLE COMMUNITY CUSTODY BOARD HEARINGS		

REFERENCES:


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

POLICY:

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

DIRECTIVE:

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

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 10/20/21	PAGE NUMBER 3 of 5	NUMBER DOC 320.110
	TITLE COMMUNITY CUSTODY BOARD HEARINGS		

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

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

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

III. .420 Hearings

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

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

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

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

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


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

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

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

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

IV. Cashaw Hearings

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 10/20/21	PAGE NUMBER 4 of 5	NUMBER DOC 320.110
	TITLE COMMUNITY CUSTODY BOARD HEARINGS		

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

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

V. Akridge Hearings

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

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

VI. Community Custody Violation/Revocation Hearings

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

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

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

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

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

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



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/REENTRY/FIELD
FACILITY/SPANISH MANUALS

REVISION DATE
10/20/21

PAGE NUMBER
5 of 5

NUMBER
DOC 320.110

POLICY

TITLE
COMMUNITY CUSTODY BOARD HEARINGS

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

DEFINITIONS:

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

ATTACHMENTS:

Community Custody Board Offenses (Attachment 1)

DOC FORMS:

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