



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

POLICY

APPLICABILITY
PRISON
FACILITY/SPANISH MANUALS

REVISION DATE
8/31/23

PAGE NUMBER
1 of 7

NUMBER
DOC 590.200

TITLE
MARRIAGES AND STATE REGISTERED DOMESTIC PARTNERSHIPS

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
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- 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

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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.

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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.

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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.

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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.

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- 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.

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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