

Resolution Program Pocket Guide



Issues Accepted as a Resolution Request

An Incarcerated/Supervised Individual can submit a Resolution Request on a variety of topics. This includes, but is not limited to:

- ◆ Department of Corrections policies, rules, and procedures.
- ◆ Application or lack of application of policies, rules, and procedures.
- ◆ Lack of policies, rules, or procedures that directly affect the living conditions or safety of the Incarcerated/Supervised Individual.
- ◆ Actions of employees, contract staff, or volunteers over whom the facility or supervising office has jurisdiction
- ◆ Actions of other Incarcerated/Supervised Individuals.
- ◆ Retaliation against an Incarcerated/Supervised Individual for good faith participation in the Resolution Program.
- ◆ Physical plant conditions
- ◆ Health Services
- ◆ Banking accounts
- ◆ Food Services
- ◆ Religious Program
- ◆ Law firms and/or attorneys contracting with the Department of Corrections.

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Issues Accepted as a Resolution Request

- ◆ Sentence Structure and Records
- ◆ Personal safety
- ◆ An Incarcerated/Supervised Individual can only file a Resolution Request on behalf of a visitor who is disabled and unable to pursue the issue with the Superintendent/designee by telephone or mail. The visitor must be on the Incarcerated/Supervised Individual's visit list and the Resolution Request must focus solely on some aspect of an ADA violation.
- ◆ If a response provided by a Resolution Program review is not honored or completed. The request will not be considered a duplicate concern.

Issues Not Accepted as a Resolution Request "Separate Appeal Processes"

Incarcerated/Supervised Individuals cannot submit a Resolution Request on any issue where there is an available formal review and/or appeals process. Incarcerated/Supervised Individuals need to follow the correct review/appeal process to resolve their issues. This includes, but is not limited to:

- ◆ Community Corrections Officer (CCO) recommendations to a DOC Hearings Officer
- ◆ The Resolution Specialist infracting an Incarcerated/Supervised Individual for submitting threatening or malicious Resolution Requests.

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Resolution Request Not Accepted "Separate Appeal Process"

- ◆ An alleged inadequate review or response to your Resolution Request. If you have concerns with the outcome of a review response to your Resolution Request you will need to follow the Resolution Program appeal process.
- ◆ Special conditions imposed by a CCO in accordance with Department Policy.
- ◆ The Resolution Specialist decision that a Resolution Request is not an issue that meets criteria as something accepted as a Resolution Request. The reasons listed may be appealed to the Resolution Program Manager, but the decision from the Program Manager is final.
- ◆ Indeterminate Sentence Review Board decisions
- ◆ End of Sentence Review Committee and risk decisions, community custody violation hearings, court testimony or work release termination committee actions and decisions.
- ◆ Infractions/sanctions/disciplinary hearings decisions
- ◆ A Resolution Request on employees, contract staff, and volunteers for writing an infraction or causing an infraction to be written will not be accepted, as the matter will be adjudicated through the disciplinary hearing process in accordance with WAC.
- ◆ Public disclosure requests/denials for information.

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Resolution Requests Not Accepted “Separate Appeal Process”

- ◆ Behavior Observation Entries
- ◆ Care Review Committee decisions
- ◆ Accommodation Status Requests decisions
- ◆ Medical records review/change request
- ◆ Mail rejection
- ◆ Visit denial
- ◆ Property rejection
- ◆ Classification, Facility Risk Management Team (FRMT), disciplinary, community release referral decisions.
- ◆ Incarcerated/Supervised Individual release plan denials
- ◆ Intensive Management Status (IMS) assignment
- ◆ Segregation placement

Resolution Request Not Accepted as they are “Outside of DOC’s Jurisdiction”

- ◆ State and Federal law [Includes Washington Administrative Code (WAC) and Revised Code of Washington (RCW)].
- ◆ Issues at a facility to which the Incarcerated/Supervised Individual has never been confined or assigned.

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Resolution Request Not Accepted “Outside of DOC Jurisdiction”

- ◆ Court-ordered pre-sentencing reports and or court decisions.
- ◆ Concerns with staff outside of the individuals assigned facility.
- ◆ Decisions made by Department of Enterprise Services/ Risk Management regarding the disposition of Tort claims.
- ◆ Prison compacts
- ◆ Issues with actions of persons outside the jurisdiction of the facility/office.
- ◆ Incarcerated/Supervised Individuals under city or county jurisdiction, but housed in a state facility, cannot file Resolution Requests that pertain to city/county policies, procedures, and other matters not under the jurisdiction of DOC.
- ◆ Incarcerated/Supervised Individuals serving DOC sanction time in a county jail facility will need to follow the resolution process in place at the jail where it occurred.
- ◆ Department of Natural Resources (DNR) policies and procedures.

Resolution Request Not Accepted Because “Program Criteria” Was Not Followed

- ◆ Claims based on speculation or hearsay information.

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Resolution Request Not Accepted Because “Program Criteria” Was Not Followed

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Resolution Request Not Accepted “Program Criteria”

- ◆ Claims filed beyond 30 days from the date of the incident.
- ◆ Third party information or what someone said they heard.
- ◆ Actions or incidents which have not occurred.
- ◆ Once an Incarcerated/Supervised Individual has been transferred, and wishes to file a Resolution Request with their previous facility, it will only be for appeals, property, or accounting issues.
- ◆ When the individual has 5 open Resolution Requests. (Exceptions to the rule can be made for medical concerns)
- ◆ More than one Resolution Requests about the same issue or incident is filed by an individual when they have an open review on the same concern.
- ◆ Repeat concerns of past issues or incidents for which a Resolution has already been filed. Once a response has been provided, and the appeal is exhausted, the administrative process has been completed.
- ◆ Decision to place an Incarcerated/Supervised Individual on Resolution Program abuse status and/or authorize an infraction for the abuse of the program.
- ◆ The individual does not follow the rewrite instructions.
- ◆ A Resolution Request submitted as a “Class Action” request. These will be sent back for a rewrite to remove the group language.

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Submitting the Resolution Request Form

The Resolution Request should contain, but not limited to:

- ◆ The entire Resolution Request summary must fit in the provided section of one DOC 05-165 form.
- ◆ Please include full names, what happened, when it happened, where it happened, why it happened, and how it happened clearly explaining the concern for resolution.
- ◆ Identify the specific incident/action that occurred.
- ◆ Identify the specific written policy or procedure that was not followed.
- ◆ Identify a local practice or application of a policy or procedure which the Incarcerated/Supervised Individual believes is not in compliance with policy.
- ◆ Attempt to provide a resolution to the concern.
- ◆ Identify how the issue or incident affects you personally as an individual.
- ◆ Please ensure your request is written in plain talk language, legible and follows a timeline.
- ◆ The Resolution Request form must be submitted on his or her own behalf and may not be submitted on behalf of another Incarcerated/Supervised Individual.

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The Resolution Request must identify at the minimum:

- ◆ Name of all individuals involved.
- ◆ Date and approximate time of incident.
- ◆ Location of incident.
- ◆ Outline of a clear and concise concern.

Rewrites of Submitted Resolution Requests

The request for rewriting a submitted Resolution Request is between the Resolution Specialist and the Incarcerated/ Supervised Individual and cannot be appealed to the Resolution Program Manager.

Resolution Program staff will return Resolution Request (s) with directions to rewrite when, but not limited to:

- ◆ The resolution does not fit in the allowed section of DOC 05-165 form.
- ◆ The Resolution contains excessive citations of law or legal terminology.
- ◆ The Resolution Request contains more than one concern identified in the request.
- ◆ There is not enough information in the request i.e.; dates, times, names, policies, or the issue to be resolved is unclear.

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Rewrites of Submitted Resolution Requests

- ◆ The Resolution Request needs to be a simple, straightforward statement of concern identifying only one issue per request.
- ◆ The Resolution Request contains profanity language or racial bias. (Except when used as a direct quote).
- ◆ An appeal is filed on a Resolution Request where the issue described is different than what was stated in the original request.
- ◆ If additional individuals are named in an appeal, which were not named in the initial Resolution Request.
- ◆ Multiple Resolution Requests are submitted at the same time regarding the same issue. The requests will be assigned one Log ID number and the Resolution Specialist will accept the one Resolution Request that has the most information or meets the required criteria for a review. If none of the Resolution Requests meet the necessary criteria, a rewrite will then be requested.
- ◆ If the Resolution Request is unclear and more information is needed to properly understand or respond to the concern properly.
- ◆ If the Resolution Request does not meet the criteria of the program.
- ◆ Resolution Request is not signed and/or dated.

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Time Frames

Specific timeframes are set at each level to ensure a prompt response for each Resolution. The entire resolution process, from level 0 to completion of level III, can be done within 90 working days. The process could take longer if it involves rewrites, mail, or involves a more complicated review process. It is the responsibility of both staff members and Incarcerated/Supervised Individuals to ensure Resolution Requests rewrites, appeals, and responses occur within established timeframes.

Submission of Resolution Request, rewrites, and appeals have the following timeframes;

Initial Resolution Request: Must be filed within 30 working days of the incident/action or when they were made aware of the incident.

All rewrite requests: Must be received within 10 working days of receipt of the Resolution Specialist's response, unless specified differently.

Appeals must be submitted: Must be received within 10 working days of receipt of the response at any level.

Updated 12/1/2022

500-GU005 (R. 12/2022)

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