May 6, 2020

TO: Correctional Hearing Officers
   Community Corrections Staff

FROM: Jeannie Miller, Assistant Secretary
       Administrative Operations Division

       Mac Pevey, Assistant Secretary
       Community Corrections Division

SUBJECT: Updated - Negotiated Sanction Reviews and Telephonic Hearings Policy Changes
         Response to COVID-19

Due to the impacts of COVID-19, the Department continues to identify processes and policy changes that
will allow for effectiveness and efficiencies in assisting with providing opportunities to keep staff and
those under our supervision safe and healthy. Process changes have been identified that impact DOC
460.140 Hearings and Appeals.

Effective immediately, the Department is granting a policy exception to DOC 460.140 Hearings and
Appeals, allowing Negotiated Sanction (NS) reviews and hearings to be conducted telephonically or via
video conferencing technology (e.g. Skype) rather than in-person, should the need exist. When a NS
review or a full hearing is conducted telephonically or via video conferencing, the hearings process and
procedures at the time of the actual proceeding will continue to follow DOC 460.140 Hearings and
Appeals.

- If a telephonic or video process is needed, the Community Corrections Officer (CCO) will send the
  request to the local Hearings Supervisor. The Hearings Supervisor will contact the Correctional
  Records Technician (CRT) to notify them that the hearing is to be scheduled.
- The CRT will specify in the hearing notice to the CCO and in the Hearing Preparation Sheet to the
  Correctional Hearing Officer (CHO) that the hearing will be telephonic or video.
- Hearings will follow all hearings elements as outlined by policy and will record the proceeding in
  accordance with current practice.
- The CHO, CCO, and supervised individual will participate in the telephonic or video hearing.
- At the completion of the hearing, in accordance with local practice, the CHO or CCO will deliver the
  DOC 09-238 Confinement Order to the holding facility and distribute hearing-related documents to
  the supervised individual.

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Should there be a need for clarification, please contact Regional Administrator Donta Harper or Hearings Administrator Thomas Layne.

JM:MP:tl.dh
cc: Executive Strategy Team
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    DOC Covid19 Mailbox
    DOC Joint Information Center Mailbox

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