Department of Corrections
WASHINGTON STATE

STATEWIDE FAMILY COUNCIL MEETING MINUTES

Date/Time/Location: May 19, 2018 10:00 – 3:00 Correctional Industries, Tumwater, WA

MEETING ATTENDEES

Department Co-chair: Scott Russell
Department Secretary: Steve Sinclair - unavailable

Family Co-Chair: Loretta Rafay, MCC

Family secretary: Yoshikovasha Garcia, AHCC

State Council Representatives:

Melody Simle, CCCC
Loretta Rafay, MCC
Dora Williams, AHCC
Laurie Dawson, WCCW - Absent
Patti Tilford, WCC - Absent
Suzanne Cook, WSP
Barbara Kaelberer, MCCW
Verna Westman, SCCC
Portia Linear, CRCC
Carol Foss, CBCC
Denise Jackson, LCC - Absent
Julie Winkler, OCC

Family Participants:
Verna Westman - SCCC
Jim Jackson - LCC
Byron Coates –TRU
Susan Cooksey - SCCC
Felix D'Allesandro - WSR
Carol Welch - WSR
Miriam Fry – SCCC
Michelle Foxx – MCC
Kehaulani Walker – CRCC
Jody Bullard – TRU
Dave Bullard – TRU
Lethaniel Ray – WCCW
Wendy Dubinsky – WSP
Joanne Pfeifer – WSR
Carra Morgan – CRCC
Kendra Wynn – CRCC
Anna Ivanov – WSP
Julie Triggs - CBCC

DOC guests:
Michael Obenland, Superintendent, MCC
Belinda Stewart, Program Administrator
Rob Herzog, Assistant Secretary, Prisons Division
Jane Newman, GTL
Mark Kucza, Advance Corrections Project Director
Ruben Rivera, Chief of Investigative Operations
Bruce Wood, Family Services Unit
Michelle Walker, Prison Disciplinary Program Manager

AGENDA		
Topic	**Discussion/Key Points**	**Next Steps/Family Comments**
Announcements	Loretta Rafay & Scott Russell started the introduction All attendees introduced themselves and told which organization/facility/department they represent. An independent facilitator is being brought in to the DOC to help families and DOC communicate when at an impasse on certain issues. Third June 15 – questions to bidders, by June 22 – responses from bidders, July 15th – announcement of the bidder. *34 prequalified vendor: they are taking in consideration the quality of service, ease of navigation. through July 23rd new contracts for the mediators, to develop a charter that benefits and gives structure to be tough - outside DOC* Goals, objectives, outcomes. Develop a charter together. Joyce Newman's son at SCCC died in prison after 26 years. A card was passed around and signed for Joyce. Bruce – Parenting inside out at FSU, parenting inside and out Announcements from Scott Russell: Julie Martin – Announced as permanent deputy secretary, was previously interim Doug Cole – CCCC, now at HQ Dave Flynn – now CCCC Superintendent Charlotte Headley – now WCCW Associate Superintendent **SEE ATTACHMENT 1 AT END OF DOCUMENT**	

Selection of new SFC Secretary	Offered to Council Reps, then opened to all members. Yoshi Garcia from AHCC will be our new SFC Secretary.	
WA One Assessment – Mark Kucza	WA ONE was implemented December 15, 2017. *Completion goal of all initial assessments by June 14th, not set in stone.* *Page 1. Objective is reduce recidivism and help incarcerated individuals set a personal growth goal.* *Custody classification and Risk classification are completely separate.* ***RNR* (Risk Need Responsivity) *Aspects of WA ONE:*** • **Slide 2**: Risk. Using best practices in the profession such as the WA One risk assessment tool. Fourth generation RNR assessment tool. Most up to date tool the corrections profession has. **Focus today is properly training and utilizing the tool itself.** It takes certain components from research and science. *Initial implementation this last year was only based on static info. Foundational difference is in the way you approach and ask questions. There is an initial interview in which counselor enters responses and system develops the questionnaire.* • **Slide 2:** Need. 25 years of research work on developing such tools. *(WA One) Actuarially validated RNR tool, evaluated by an actuary,* to identify who to target with interventions and to determine who we spend the most time with. Takes people and puts them in categories based on models built from past DOC data. If facility does not have the particular program needed, DOC can ask for money, but is getting harder and harder to get from the legislature. "But data speaks volumes" so can use to get the legislature to provide funding. Transferring people to facility where program exists is rarely happening; meanwhile people are being transferred for other reasons all the time. Automated capacity management systems could be used to tell DOC where space is opening up in various institutions. Automated program prioritization software could also help identify top priority people. Separate collaborative focuses around the programs developed for the inmates. Evidence based. Program placement can be back end loaded, just before release, or front end loaded, just after entry. Agency needs to apply research to how implemented. GED is front end. Theory of back end loading: cram people with programming to prepare them for all the temptations they are about to encounter upon release. **Slide 6:** 44,000 sets of existing data used as starting point, covers 2008-2010. Shared data with WSU created, based on outcomes of those 44,000 people. 2009 legislature passed 5288 bill to require DOC to identify highest risk, highest needs. Removed a requirement for supervision of some low-risk individuals. IRLC (RLC is an abbreviation for Risk Level Classification) determines priority for getting into a program, whether a person may have supervision when re-	

leased. ESSB 5288 legislation is reason. http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bill%20Reports/House/5288-S.E%20HBR%20WAYS%2009.pdf

- **Slide 2**: Responsivity principle. General responsivity – based on that need, targets individuals for enrollment in specific programs, like Thinking for a Change. **VS.** Specific responsivity – What makes the individual unique? The individual's case manager needs to know about specific life experiences or needs that make the individual tic, to reach that individual.

- **Slide 2:** Fidelity principle – *Everyone* who comes into reception center – reception counters do the initial WA ONE assessment. Make sure we are following the same practices every time we implement a program at difference facilities, ensuring consistency across the state. Important to follow consistent research-rooted methodology to ensure consistent outcomes. Positive consistency increases likelihood of good outcomes. Continuous Quality Improvement model. Training counselors in facilities and CCO's in community on how to carry out. Monitor processes, audit procedures. Supposed to result in calibrating staff assessments over time. Workload is a challenge. Counselors are also still wasting time doing processes that are obsolete. *Counselors - 6 out of all CCO's available are college graduates, majority come from inside the ranks.*

- **Slide 2:** Professional discretion – not every incident or example fits into a policy. There have to be exceptions. Correctional professionals (Counselors) need to have some discretion in how they implement policies and tools as to meet the needs of individuals. Research says keeping low and high risk together can exacerbate recidivism rates. DOC is in norming period, stabilizing period. Going from a static to a dynamic process. "Principles of engagement, relationship principle (a principle of effective intervention)" – Case managers received some training on how to build this relationship with the incarcerated, outcomes depend on a good relationship. [DOC will have a different perspective of what a good relationship is than other stakeholders.] Caseload managers are only getting 7 days of training, compare to counselors/case managers in any other agency/business.

- **Slide 4:** Strongest interventions/resources/tax dollars should not be focused on lowest risk population. Counselor to prisoner ratio depends on custody level. Legislation required assessment of workload. DOC knows they need to look at this. CCO's (Community Corrections Officers) – resources are driven by risk assessment rather than the CCO's caseload, which will contain individuals with different risk levels. *Limited connection for the next 2 years at least as it gathers data, no software connection, behavior observation. They can now at the RLC.*

- **Slide 3:** WA ONE – Replaces static risk assessment tool that used static factors : conviction type, age at conviction, etc. Focused primarily on criminal history. Actuarially validated static risk assessment tool. Determines who most of resources are focused on. Were using separate needs assessment tool. Had 55 items. Dynamic items. Things that change: program participation, educational level, social relationships, etc. Staff was trained to administer separate tools. WA ONE combines both types in one tool. Insurance industry as model. 100 years of actuarial data used to make algorithm. WA ONE operates on same principle. Actuarially validated risk need responsivity tool. WSIPP identified tool that has strongest predictive power to determine recidivism outcome. WSIPP is investigative arm of the legislature. WSIPP did study of various tools that had been used in state.

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- **Slide 4** Frequency – Static risk assessment used to occur upon intake to WA DOC, and was only re-done when criminal history changed. WA ONE is designed to assess change over time. "There's a direct correlation between their behavior and their risk level." Risk level classification is different process from custody classification. <u>They are separate.</u> Risk assessment questionnaire – computer program, algorithm does the calculation. Questions come from a combo of static and dynamic risk assessment. Validated actuarial risk assessment process. Was not expensive.

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- ***Slide 7:*** *Training last 20 months training counselors. Monitor, audit and bring all counselors up to speed. And CCO's have asked for quality assurance, goal is to create manageable workload. Case management support/ mentoring/ coaching/ assessment.* Auditing of counselors involves supervisors, reports, transparencies. (More than twenty reports have been created to increase transparency?)

- ***Slide 8:*** *Static concepts still remain, now the addition of domain fluidity has been added*
  - *Visitations (reduce recidivism)* "Correlation between people who get face-to-visits have lower likelihood for recidivism" – Mark Kucza – See WSU assessment of the 44,000 individual cases. Prosocial relationships vs. STG relationships as prediction factor.
  - *STG membership (increase recidivism because in gang)*
  - *Programing (reduce recidivism)*
  - *Residential (before entering into incarceration this situation has an impact on chances of recidivism)*
  - *Vocational/ education (reduces recidivism, if it can be used on exiting the system)*

- *Employment (reduces the chances of recidivism)*
- *Social Influences (prosocial positive influencers reduce recidivism*
- *Drugs/ Alcohol (extent of use or abuse is a determining factor)*
- *Mental health (unstable* mental health equals higher recidivism risk.)
- *Behavior (opportunistic or aggressive behavior)*

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- **Slide 10:** WA ONE was previously called Strong – R. WSIPP identified it as the strongest tool because it *is built on our demographics of WA State.*
- Were the four categories of risk? → Now there are six levels.
- Behavioral Observations – do not serve as quantitative variables in the assessment algorithms, but are used in qualitative assessments. How algorithm works: has various models, questions weighted differently based on each individual's risk assessment.
- They are currently converting all cases in the state from the old system to the new. So far over 30,0000 people in both prisons and community corrections has received WA ONE assessment.
- Property crimes are a higher priority than are drug offenses in WA State.

- **Slide 11:** Questions/**Comments**:

- What article or evidence states that property crimes are a higher priority than drug offenses? What kind of discretion do counselors have? Families in attendance of this meeting are concerned of the flexibility in determining the conversation they have with the individual. **WA ONE can generate reports at any time to show how often case managers are assessing. This is to help improve transparency.**
- Are incarcerated told what their risk level is during assessment process?
- How does demographics of Monroe facility compare to the rest of the facilities? Is there a specific type of incarcerated individual that ends up at Monroe?
- Data gathered from Monroe facility, Monroe has the highest expenditure in the state of WA per incarcerated individual. See → http://www.doc.wa.gov/docs/publications/reports/200-AR001.pdf
- Does the cost spent on individuals at the facility change the validity of the data?
- How often are they reevaluated for RLCs? Every six months automatic, and can also do whenever case manager deems it's appropriate. (In response to be change in behavior or circumstances.)
- Are the programs themselves being reassessed, not just eligibility for them? **WSU is also reviewing the programs, as is WSIPP. Both provided info about the programs. Agency was told to invest in evidence-based, research-based, promising practice programs.** Used to

be that superintendents had more discretion. Thinking for a change, education, sex offender treatment program. Known to reduce recidivism. Dollars increasingly invested in programs where evidence shows recidivism reduction.

- Why is assessment driven by risk and not by the goal of reducing recidivism?
- **Before, incarcerated could not change risk level, so had not incentive to focus on certain areas. Same set of questions for all prisoners, but algorithms are broken into different types. Any individual item on the questionnaire is not weighted enough to make much of a difference. Right now no link between visiting privileges and risk assessment results. Is this something the agency needs to look at in the future, because acknowledging good behavior gives good outcomes? "Behavioral observations have nothing to do with WA ONE"- Mark**
- What is incentive for people with LWOP? Limited connection right now between risk assessment and operations/privileges.
- How does WA ONE assessment work for rights of people with plea deals? *90% take plea deals how this affects them not going on the record about their crime. How does this affect an appeal if they can't talk about a pending appeal?* **People are not compelled to answer questions about their crime.**
- Are incarcerated individuals specifically told that they don't have to answer the questions?
- Does authority figure asking the question give the impression that they have to answer the question? It has to occur to the individual to not answer.
- What if case manager says "Well I'll fill it in myself?" Case managers can fill in answers in assessment based on other criminal history documents.
- Is this marked explicitly as having been recorded by the counselor, not as an answer given by the incarcerated person?
- **Superintendents are thinking more and more about case management as an engagement rather than transactional process as they fill those positions.**
- Superintendent Obenland – There is a **big shift happening in DOC's culture.** Some staff have retired because they don't like this shift there is frustration. Interview focus has changed, now focuses more heavily on WA ONE and how it should be administered. Merit being considered more than seniority in hiring.
- **WA ONE training videos for counselors exists, could be shown at SFC.**
- **All loved ones can request print case plan from counselor. Show past programming, etc.**
- **WA ONE – Is administered through an interpreter if English is not the primary language.**

	• WAC for correction of erroneous records has been rescinded by DOC. http://www.doc.wa.gov/about/agency/executive-policy/rule-making.htm New policy with appeal process should be out later this month. *Summary: It determines whether or not they have to be supervised when released. Although some are expected from WA One making a difference in supervision level upon release: i.e. DOSA and sex offenders that have to supervise regardless of risk. Everyone receives the same questions, but there is a different weight on certain questions, based on the initial interview. Incarcerated individuals are NOT compelled to answer questions.* **SEE ATTACHMENT 2 AT END OF DOCUMENT**	
WSP Food Incident – Rob Herzog	• DOC leadership met with WSP tier reps/OCLs, had to acknowledge validity of the complaints about nutritional quality and general quality of food. • Gave them expected completion dates for action items. • Based on action plan, at second day of meeting they decided to end food strike. • Two weeks later, DOC HQ returned, did on-site assessment and met with OCLs to see how they perceived DOC compliance with action items. • Will go back again in June to meet with them. • Purchase of warming ovens for each unit so food won't be cold, or won't get soggy/messed up from being stacked in central warming oven. • Emergency funds of $46,000 dollars to cover these. Requires new electrical infrastructure as well as $197,000 dollars for warming ovens, twelve week delivery process. Some units at WSP do not go to dining halls, they eat in the units. • Admits that DOC should not have let the food problem get to the level it was. • Rob had call with CI, deputy directors yesterday to discuss that changes at WSP, where applicable (not infrastructure stuff), need to be rolled out at the rest of the facilities. Not just in the closed loop at half the facilities, but also in the traditional meal systems at the other half. • Will take two years, but breakfast boats will be eliminated. Breakfast mainline will be reinstated. Requires changing of daily service, re-staffing of dining in the morning. State guidelines, along with the recipes already produced by WA GOV included to help us getting on track sooner than the predicted 2 years? 1. WA Institutional guidelines for healthy nutrition https://www.doh.wa.gov/Portals/1/Documents/Pubs/340-224-InstitutionsImplementationGuide.pdf	

	2. Reasons to serve healthier food: https://cspinet.org/sites/default/files/attachment/9%20Reasons%20to%20Offer%20Healthier%20Options%20at%20Public%20Facilities.pdf 3. How to implement https://cspinet.org/sites/default/files/attachment/Successful%20Implementation.pdf • Monroe should be the next facility. • Rob says one reason breakfast boats were implemented was to make a quicker start to getting programming going in the morning; Obenland is here and says this is true at MCC. Allows morning gym movement. • Family member asks why it took a food strike when DOC has been critized for two years now for lack of compliance with EO 13-06? ← **Quality of food is a big concern. What data do we need to get funding for EO 13-06 from legislature?** Rob says this executive order was an unfunded mandate. Food was also not a top priority, despite DOC knowing that this is a perennial riot risk. • Family member asks if there is anything Rob can do to get visiting vending to comply with EO. Rob says vendors say healthy food doesn't sell in vending machines. Families say that's not what they see in the visiting rooms. • Belinda will visit WSP next week, ask two family members from WSP to go with her to talk to the vendor. She says that if Swire is not going to provide healthy food, DOC needs to look at other options. **SEE ATTACHMENT 3 AT END OF DOCUMENT**	
Lunch		
Phone Contract – Ruben Rivera	***Jpay*** *- 12/31/18 will be different but not his contract… (unknown if it will be extended) - Costs, complications, from vendor to vendor, some have streaming and programs, can it be transferred from vendor to vendor.* ***GTL*** *- contract does not end 12/31/18 most likely we are going to extend because, GTL has the capabilities, but there are complications with the other vendor. Phone contract is currently scheduled to end at same times, until new one is implemented not to do any change over. Reason: it took GTL 8 months to put together the ability to allow incarcerated individuals to be able to complete orders over the phone. So the changeover is going to be a ton of work and insane!* *Difficulty writing the programming so that everything can be seamless and integrated.* ***We wanting a voice on this topic from the SFC*** *One of the difficulties is a rule stating they can have a jplayer or a radio, but not both.*	

	Choose a name to be a rep for the new phone contracts • Not progressing as fast as they would like, some delays • Some of the phone issues are caused by facility infrastructure problems, not the vendor. Pushing 5 before part of recording about "this call may be recorded" can lock you out of the phone call. • A family member was supposed to be on the panel the last time they did an RFP for a new phone contract, but was never contacted again. Rivera can't say it's something that could happen again, but can't guarantee, but we emphasize that we want to be part of that process. In addition wants us to be part of the conversation has yet to be seen. • Vague statements: "There are some complications…" • JPay devices cost different amounts in different states. • Lower level GTL staff has poor customer service sometimes. • Verizon and AT&T no longer accept collect calls, so this is now restricting some prison phone calls. Century Link is next. • GTL provides one free phone call a year for indigent prisoners. "Birthday call". Can a provision go into the RFP for this? • Securis (JPay), ICS, GTL have therefore decided to limit the amount of money per month allowed in collect calls. • WE can't see balance on their phone accounts because it is part of their trust account. • GTL used to provide cell phones upon release? State of Washington also has limited subsidized plan. • DOC Contracts department makes final decision on who gets included in RFP process. • Scott will advocate for us to send a rep for RFP. • Veterans groups on Puget Sound area community colleges can get free ORCA cards for formerly incarcerated vets. *What other organizations could work with inmates and what things they can do to help. How can we collaborate with them?* • Phone contract is most likely going to be extended for now. GTL has the ability to consolidate all services, but so do other companies. Rivera can't answer right now how long the extension would last. • Some vendors have music streaming services. DOC won't let prisoners have both Jplayer and radio. We would like a service that allows access, especially Publicly Broadcasted radio.	
Hearings – Michelle Walker	Michelle Walker (has had this position since 2014, background is in reentry of high risk incarcerated) – Hearings. Her focus is to *make the system fair, give everyone a voice at hearings. Disciplinary manager of infractions within the system. If the person files an appeal she has full oversite of this process and follows the WACS. She requested to be on the agenda. Policies are being updated June 1st. Policies have been signed, arrangements are being made to have access they will be sent out to Units on Monday* • *Processes that addresses mental health hindrances (need to be able to prepare your own defense, do you understand the questions and the*	

process) Pulled in mental health professionals, avoid sanctions that make Policies 460.000

- *Disciplinary sanctions, instead of being responsive, be aware of incentive and de-incentivizing. Imposing sanctions before you do something wrong.*

- *What makes you not want to get an infraction? 75% do what they need to 25% are off task. Back ground as re-entry specialists. What happen? What is your incentive to not get in trouble?*

Introduction or transfer of drugs into a facility. Disciplinary sanctions policy. DOC already has other types of mandatory sanctions, ex. cell phone contraband, refusing to program. For 603, staff has to document that the incarcerated person actually MADE ARRANGEMENTS to bring drugs in. Cannot be infracted if drugs were just sent in. 75 days loss of good conduct time, or earned time in lieu of good conduct time for some sentences. 180 days of weight lifting and fee based loss, suspension of visits for 180 days, loss of commissary for 180 days, loss of JPay and telephone, will only have access to written correspondence as required by RCW on envelopes (also toiletries) for indigent incarcerated people. Loss of one year access to family friendly AD other special events for 12 months, loss of housing assignment, will be referred to FRMT for further decisions. (Classification, etc.) If they fall under ISRB, they will be referred to that board. Will be referred for Persistent Prison Misbehavior if relevant. This will now be different in that it is **automatically harshest level.** Most sanctions come with increasing severity for repeat offense. 180 days of Segregation is not used for this anymore, now 30 days. Sanctions are not stayed while appeal process happens.

- The logic is to take away the thing the prisoner cares about most to create incentive.
- It's the WACs that define what a privilege is.
- There is no research on which sanctions do and don't work.
- New hearings policy is about to go up. DOC 460.000 New language pertaining to those with mental health condition or who are unable to understand the process. Person must be able to defend themselves. It's a difficult determination for a hearings officer to determine. Just because they ask the person if they understand what the sanctions will mean and the person says yes don't mean they understand. Mental health staff will now be brought into the process. **Policy will now ensure that the sanction given does not exacerbate the mental health condition.** Should be posted in the facilities on Monday.
- Attitude used to be same disciplinary process for all prisoners. Walker now feels there needs to be a more customized, individualized approach if the goal is to reduce the behavior that causes the infractions. 75% of the population is not getting infractions.

Contraband introduction: one of the biggest issues that happens in the

	facilities. She works with INI to look back at phone calls and JPay correspondence to see what's causing the fights, etc. Huge mandatory sanction change on a 603 WAC violation (is actually a pretty rare infraction…1 to 2 per week statewide… because requires that plan to traffic drugs be part of what happened. Dirty U/A alone is not enough.): There is a Teamsters process for disciplinary action when staff introduces contraband, Article 8, just cause. Multiple levels of reprimand depending on severity. • Pancake analogy. • Logical consequence model = when sanction is related the actual activities involved in the behavior. • Should visits ever be terminated indefinitely for contraband introduction? Cannot introduce contraband through glass. • Staff have a bag limit, should not be bringing in five bags. About one in seven staff is searched; other bags go through x-ray machine. Just cause reasonable suspicion process: if staff smells of drugs/alcohol, can be made to do U/A. CDL staff has to do regular U/As. No one else. • Scott "We recognize we live in a glass house. We have to look internally as well." • Can't grieve an infraction, but can grieve staff misconduct in case of repeat infraction from same officer. 360 reviews are when she goes and interviews everyone who was involved with the overturned infraction to retrain staff on process. Did 45 at CBCC from a large scale event??? In November, got lots of pushback from unit staff. • She will have HQ conversation about possibility of adjusting language surrounding contact with family as a sanction. • "**VISIT ROOM IS NOT PRIMARY POINT OF CONTRABAND INTRODUCTION**" says Walker. She says majority gets thrown over fence and comes in other ways. • Due process and timing in service of an infraction. It used to be within 72 hours (for those in IMU on pre-hearing confinement). Now it can be whenever. Why is so much time allowed? Ad-seg vs. pre-hearing confinement had two separate policies/processes and wrong one was being used. Hearing has to happen within three days of being served, but initial serving can be dragged out based on waiting for investigation. • From the time the incident occurs until the infraction is written, and from then to the hearing, and then to the implementation of the sanction. Average is 1.5 days in most facilities, but some cases could be two weeks. Meanwhile, person is sitting in IMU. Statewide they are trying to cut down on which sanctions go to seg. Should only be for things that pose risk of violence or other serious issue. **SEE ATTACHMENT 4 AT END OF DOCUMENT**	
Policy Update – Belinda Stewart	*Policy Updates, New policy updates* • *Word "caress" has been removed* • *Special visit distance to qualify is now 250 miles*	

- *If you bring contraband, terminated period.*
- *Smoking not allowed, chew not allowed by incarcerated individuals. CO's it is on their breaks, we have seen chew while on duty.*
- *1st time introductory Video for first time visitors. Everything that needs to be talked about or addressed. Pictorial Guide*
- *What impacts do the new guidelines have on the families?*
- *No Handkerchiefs*
- *Special visits for 111. 3. Talk to visiting sergeant at AHCC*
- *RCW requiring 10 envelopes*
- *How are they compensated if they are wrongfully convicted, isolation is removed, reduced segregation, if found guilty, they can appeal concern when very little evidence supporting why things are being removed by staff. How are drugs coming in?*
- *Concerned that incarcerated loved ones and we are scrutinized when CO's are bringing 5-6 bags at Stafford Creek.*
- *People turned over to police and penalized. Zero tolerance. Every shift is randomizer for a pat, and search. Are there random tests? yes although only for CDL or any machinery*
- *What can an inmate do if they continue to get persistent infractions from the same CO? Large scale incidents, from staff when they are writing excessive infractions.*

- *How much trouble is it to remove an infraction? So not to impact families. 45 days of halt to visitations.*
- *603's in the last 5 years was 3 pages. 1-2 a week for bringing it in, not a dirty UI, it can take longer.*

We see inconsistency in entering when visiting. Visiting room is not the main. DNR worker crews, tossed over the fence, due process when serving for an infraction used to be 72 hrs. Now it is an open ended. If in IMU need 3 days to be processed. Ad Seg vs. Pre hearing confinement

CO's are being evaluated on their suffiencies

HIPPA and PREA Codes? What are they? What do they do?
mdwalker1@doc1.wa.gov

Brenda is the only person doing focus groups.

- This group needs to decide who will be in video.
- Belinda wants to set a benchmark for clothing denial reductions
- Focus groups: U/A, grievance, mailroom: Have not met yet. Belinda says she can only work on one focus group at a time on top of the visiting group
- DOC is not allowing a child to remove their own hijab during a visit if worn in, yet visiting clothing policy supposedly doesn't apply to children under eight. Child can take sweater off but not hijab. Belinda will work on it with concerned families outside of SFC.

	• Family Council policy is still in policy office. Dobson will email. **SEE ATTACHMENT 5 AT THE END OF DOCUMENT**	
Conference August 23-24 – Dora Williams	CPTS group – conference will be in Spokane this year. Reentry. Theme: "Picking up the pieces" Dora wants to have some of our members attend to be on panel. August 23-24th **SEE ATTACHMENT 6 AT THE END OF DOCUMENT**	
Post 13 – Byron Coates	American Legion represents veterans before federal VA. Byron announces that a Post 13 will be created that is to be held by formerly incarcerated version. *Frank sterling will attend to help the proposal to create Post 13, meeting with division commander.*	
Facility Updates	*Families were asked to submit facility updates by email, since these eat up too much time at SFC meetings. Here are the updates that were submitted. These were not read out loud or discussed at the SFC meeting, but are included here in keeping with past practice:* **AHCC**: Vending machines - changing from keys to cards. Visiting/ EFV The associates went through the the trailers and found they needed lots of work. Will do monthly deep cleaning and follow up with weekly cleanings. With the cleaning one efv might be Have purchased new beds , bedding, appliance, and utensils. Kids are will be more kid appealing. A mural will be painted on the wall, play rugs and some updates some toys. Jennifer Pace/ re-entry conference - Talked about the upcoming summer insitution re-entry Confernce looking for volunteers will reduce cost for volunteers. **LCC**: Plan for vendor rep (Evergreen) to attend council meeting now that weather cooperating. Cover for visiting gate pending budget approval. New program of leather working in process of being added in future. Suggestion boxes in place. Feedback is slow at present, still a work in progress. **OCC**: Most of the discussion concerned the food and coffee available (actually not available) in the visiting room. We are hoping to invite the vendor for our ne t meeting. Also discussed were lamps, phone issues, jPay issues, EFV facilities and times available for gym for the men. We elected a family co-chair (our first in years!) and agreed to use the facility rep as our secretary.	
Additional Business and Future Agenda Items	**Agenda Items for July 21, 2018 meeting:** • Education and computer access - computer classes, laptop program. Updates on that. Sarah Sytsma	

	• Veterans benefits for the incarcerated, Vet reps being told they are no longer vet reps? Jim Harms. Updates from Byron on American Legion Post 13. • Classification Counselors – What is their training, FRMT process, waiving rights to attend FRMTs, • Quick update on Wi-Fi for JPay – TBD who DOC person will be. • Quick update on food issues – Loretta **Future Agenda Items Beyond May** *NONE DISCUSSED* **Thanks to everyone for participating!** **Next Meeting Date: July 21, 2018**	

ATTACHMENT 1: ROLE OF 3RD PARTY

Part 1: The Role of the 3rd Part: What do you believe the 3rd party should do?

1. **Mediator:** (Primary role is to get people collaborating)

SFC	DOC
Break the us vs them	There is a role but only a last result If mediation then focused/less member involvement Systemic/Enterprise not individual concerns or agendas

2. **Liaison:** (Primary role is to control the flow of communication)

SFC	DOC
Coordinate with • Family Services Unit • COMS – Communication • Work with independent Ombuds • Work with union on barriers to change • Superintendents (All) • Legislature/DOC Policy Owners • WA State Re-entry Council • WA State Re-entry Task Force • ACLU • Colombia Legal Services • Disability Rights WA	Define communication, not control Manage the flow of communication • Equal floor time • Everybody has a voice Focus on the future state – how do we move forward?

3. **Facilitator:** (Primary role is to control process and drive initiatives i.e. re charter)

SFC	DOC
Attend family council meetings	#1 Choice Ensure conversations are respectful and appropriate Everybody has a "voice" Establish a safe environment/ground rules Be flexible on how you solicit info Establish why the council was created – revisit mission and vision – why are we here?

4. **Advocate:** (Primary role is to take up Statewide family council causes)

SFC	DOC
Global human rights re: prisoners Global best practices	Not needed Needs to be neutral Need collaboration

5. **Community Builder:** (Primary role is to foster interaction between stakeholder groups i.e. DOC SFC, legislature, non-profits)

SFC	DOC
No data collected	No Long term - future maybe Need to focus on two groups - DOC and SFC at this time

6. **Dispute Resolver:** (Primary role is to arbitrate disagreements)

SFC	DOC
Break down one roadblock/issue at a time	Not needed Communication managed by facilitator Look for common ground Somebody who can address issues before dispute How do we handle disagreements?

7. **Relationship Builder:** (Primary role is to help everyone honor each other as individuals)

SFC	DOC
No data collected	Need somebody to facilitate activities and process Bring people together Provide agreed structure/agreed parameters

8. **Other Role:** (Please describe that role)

SFC	DOC
Fearless Challenge status quo Families should get to review the final RFP before it is posted and help interview. Get to the second date!	Establish group norms/guidelines inside and outside the meetings Equalize voice of all FC members Shared understanding – focus on future Identify mutual values, goals/purpose
Honest Broker	Sergeant of Arms
Focus on mission Transforming lives Focus on family inclusion Focus on policy alignment Change the mission Instill the mantra "Our mission – your future"	Enforce agreed meeting rules/norms

Part 2: Qualification of the 3rd Party: What do you believe the ideal candidate looks like?

1. **What education criteria?**

SFC	DOC
Masters / PhD / JD • Social work • Human rights • Humanities	No data collected

2. **What work experience?**

SFC	DOC
Dispute resolution Interpret statute/code Abilene Paradox Corporate dispute resolution Worked with families of incarcerated individuals Applying global best practices re: Mandela Rules/Bangkok/gender responsive/aligned with trauma informed care/practice 5-10 years MBTI Conflict resolution	No data collected

3. **What specialized training?**

SFC	DOC
De-escalation MBTI Trauma-informed care Conflict resolution Dispute resolution Population family types Cultural Breaking barriers	No data collected

4. **What criminal justice system affiliation?**

SFC	DOC
Dispute resolution center/ADR Mediator Independent Outside of WA DOC	No data collected

5. **What else?**

SFC	DOC
Project management Program assessment Quality assurance Formal plan with goals, tasks, and follow-up Report writing documenting process and results Authority/Accountability Big picture perspective	

Additional Data Collected From SFC

Deliverables

- Written plan for tasks and implementation - Incorporated/formalized into Policy
- Comprehensive analysis/report on WAC/RCW/DOC Policy/Practice alignment
- Pre-post efficacy measures for term of service
- Systems Integration - DOC/Family/Incarcerated Individuals
- How to sustain positive progress? What tools/practice/process

Washington ONE Assessment

Statewide Family Council, May 19th, 2018

Mark Kucza

Risk Need Responsivity

Who to target for intervention

What Need(s) to focus on

How to target Need(s)

Adherence to program principles

Make informed decisions

Department of Corrections
WASHINGTON STATE

Previous State

- Separate Risk and Need Assessment Tools
- Static, “2nd Generation” Risk Tool
- Non-Validated Needs Tool

Department of Corrections
WASHINGTON STATE

Historical Perspective

2008 Static Risk Assessment

- ✓ Static
- ✓ Assesses risk to reoffend

2008 Offender Needs Assessment

- ✓ Dynamic
- ✓ Assesses criminogenic need

2009 ESSB 5288

- Required focus on higher risk individuals
- Removed requirement for supervision on some lower risk individuals
- Required an assessment tool recommended by WSIPP

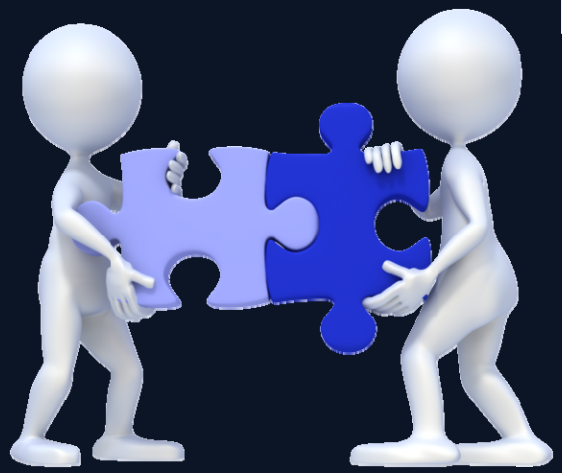
Static Risk Levels

SRA Risk Levels

- ✓ One model for all
- ✓ Static factors only

Collaborative Partnerships

Washington State Institute for Public Policy



Washington State University

Validated RNR Tools

- More accurately predict likelihood of recidivism
- Replace guesswork with data
- Help reduce recidivism
- Help reduce disparities among individuals
- Improve system transparency
- Enhance resource allocation

Department of Corrections
WASHINGTON STATE

Washington ONE

Criminal Conviction Record

- Verified Criminal Convictions

Correctional Events

- Time Since Last Conviction
- Infractions
- Prison Visits
- STG Membership
- Completed Programming

Domains

- Residential
- Education/Vocational
- Employment
- Social Influences
- Substance Abuse
- Mental Health
- Aggression
- Attitudes & Behaviors

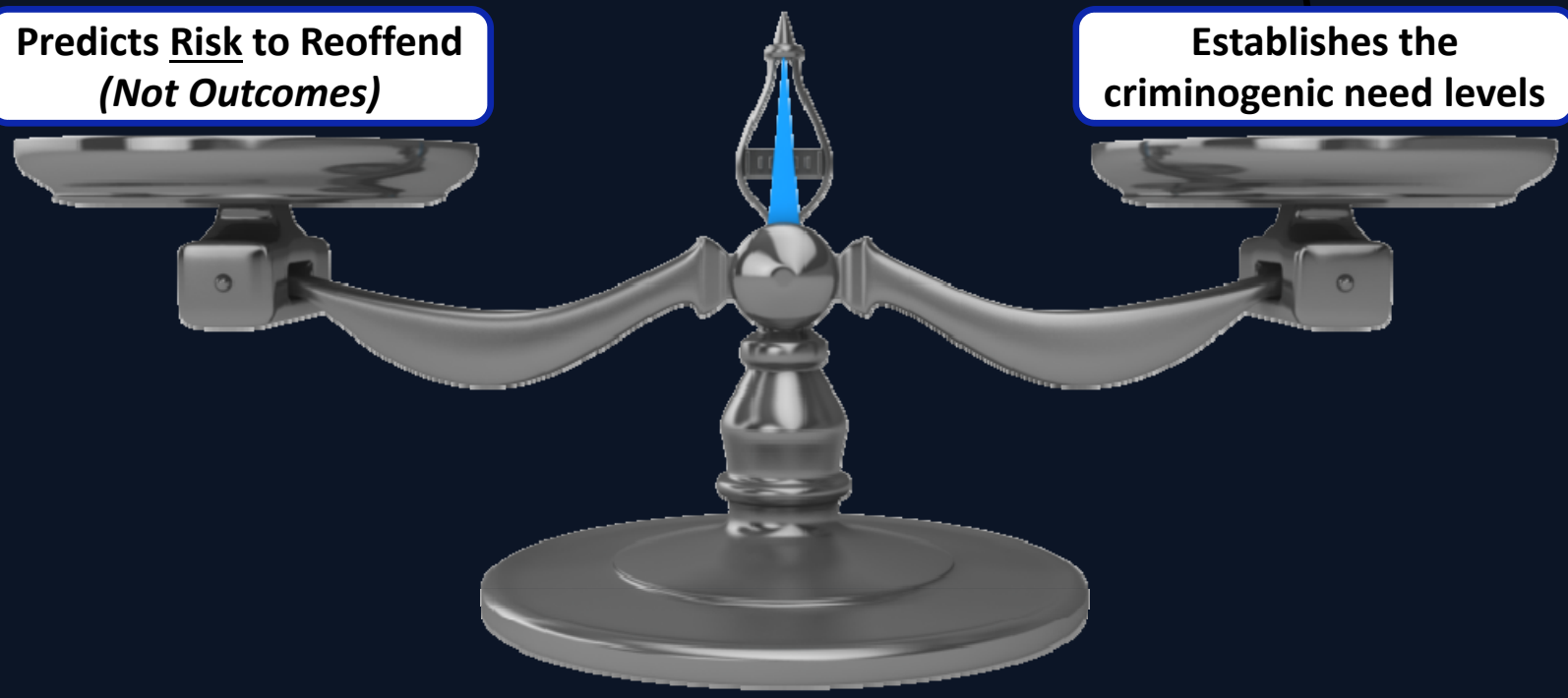
Washington ONE

Risk Assessment

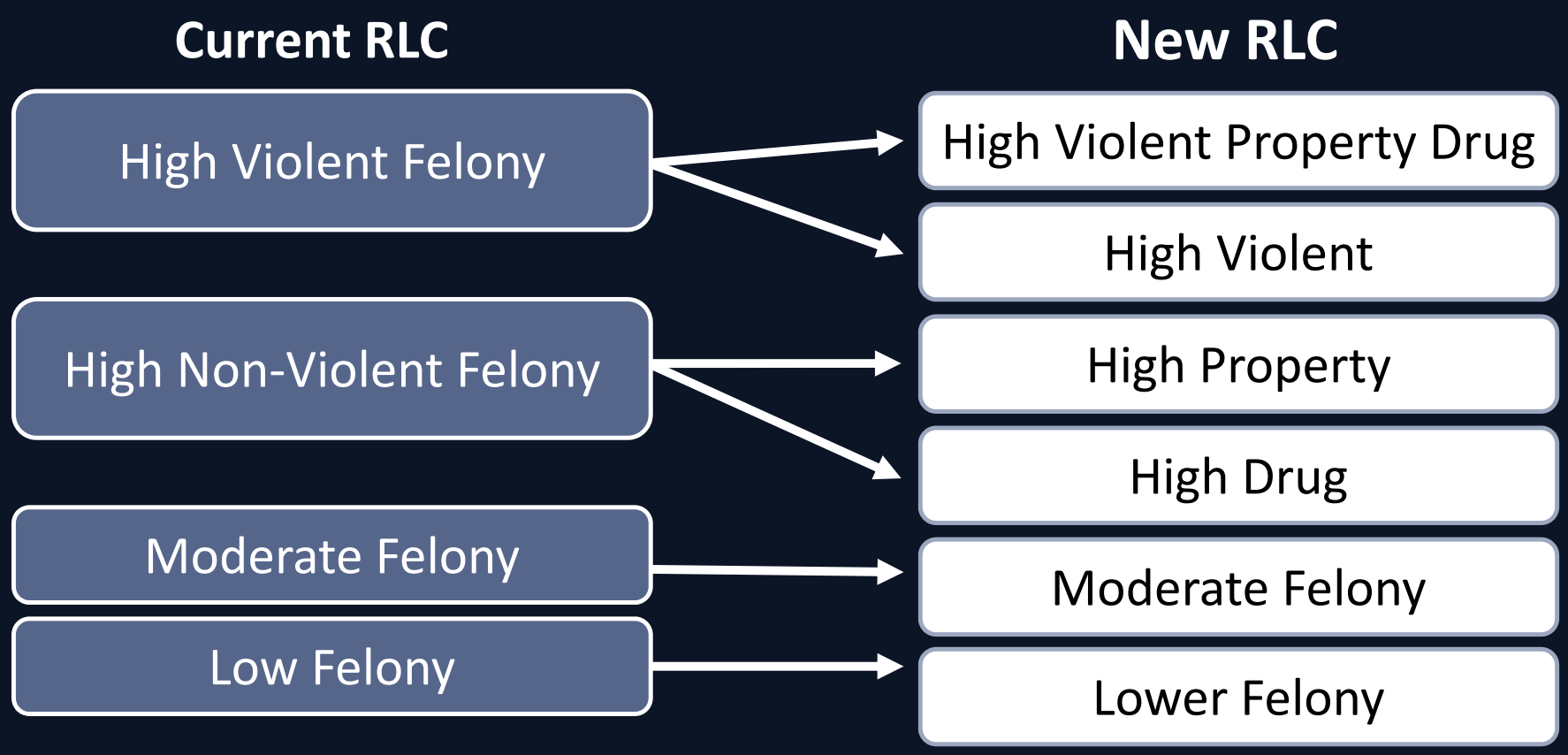
Predicts Risk to Reoffend
(Not Outcomes)

Needs Assessment

Establishes the criminogenic need levels



Risk Level Classification



Department of Corrections
WASHINGTON STATE

Questions?

ATTACHMENT 3

WASHINGTON STATE
CORRECTIONAL INDUSTRIES

Department of Corrections
PO Box 41115
Olympia, Washington
98504-1115

Washington State Penitentiary Food Refusal Event

On April 1, 2018, Washington State Penitentiary's (WSP) West Complex (WC) and South Complex (SC) began a peaceful food refusal event focused on issues with food quality and nutritionals. A series of meetings between facility staff and Offender Communication Liaisons (OCL) for the affected living units identified specific concerns, including diminished food quality, limited meal variety, and a desire for overall healthier nutrition. The population also made specific requests including, but not limited to, hot breakfast (in lieu of breakfast "boats") with cold milk, improved food quality, and better communication. On April 6, 2018, a DOC team consisting of Rob Herzog, Danielle Armbruster, Don Holbrook and Scott Edwards met with the OCL for each Close and Medium Custody unit. The purpose of the meetings was to convey the agency's ownership of these issues and outline a corrective action plan to address the population's concerns. The meetings represented a positive dialogue with the OCL, and the food refusal event was successfully terminated by the population, effective April 7, 2018. The following represents actions completed (and in development) to improve Food Service operations at WSP.

Corrective Actions Completed

- April 11, a WC/SC Week-1 dinner modified to add Cheeseburger and Tri-potato meal to menu going forward (permanent change).

- April 12, newly established Quality Control Manager began on-site focus on improved product sourcing, meal preparation and plating methods, service to the living units, and feedback from the incarcerated on food quality issues.

- April 12, full menu nutritionals distributed to all WSP living units (posted April 20). Note: As of May, full menu nutritionals are being distributed to each prison facility, statewide. This includes Mainline, Kosher, Halal, and Mainline Alternative.

- April 13, hot oatmeal with occasional fruit mix-in as well as a carton of cold milk served for breakfast seven (7) days per week. This is in addition to a partial breakfast tray, including peanut butter, jelly, two slices of bread, breakfast bar, and muffin.

- April 17, conducted WC and SC pantry evaluation to identify equipment and infrastructure needs for improving quality (intent is to replicate service model in effect for Baker, Adams, and Rainier living units).

- April 23, a DOC team met with the OCL for each living unit (including East Complex) to provide a status update on corrective actions and to discuss next steps.

- April 24, additional small wares implemented (sheet pans) to improve food quality. Tasting Reports reinstated for institution. Land-line implemented for reporting perceived issues with food quality.

- April 25, Quality Control Kiosk Program implemented for all living units, with 20 feedback messages received first day. Note: As of early May, the facility is averaging 3-5 feedback messages per day on various food topics.

- April 25, Food Service Representatives monthly meeting schedule established. Tasting reports being received from Custody staff.

- April 25, Washington State Governor's Office Senior Policy Advisor for Public Safety, Sonja Hallum toured WSP to include Food Service operations.

- April 26, Food Service Administration working with Food Manufacturing to begin reviewing opportunities to add flavor via spices (not sodium) to improve meal palatability.

- April 29, WC/SC will see more menu changes with the addition of an Orange Chicken meal as well as a Beef Fajita/Cajun Beans meal. Intent is to achieve meal consistency across all WSP living units.

- May 4, four (4) hot/cold meal carts ordered to improve IMU food service operations. Delivery anticipated by June 29. The carts will support full hot breakfast service once implemented.

- May 8, equipment vendor on-site to review WC/SC living units and to demonstrate equipment necessary for future hot breakfast service model. Quote received to purchase twelve (12) re-therm ovens and other equipment.

- May 9, first Food Service Representative meeting conducted with each living unit.

- May 13, Meatloaf with Mash Potatoes meal replaced with a Chicken Polish Dog with Rice/Beans (popular with the population).

- May 18, the electrical Load Study for WC/SC living units completed (anticipated date).

Corrective Actions in Development

- Menu Revisions – Further WSP menu changes under review, to include hot breakfast variety (in addition to oatmeal). Full hot breakfast will not be achieved until new equipment implemented for WC/SC living units, with complete elimination of breakfast boat at WSP (and phased elimination of breakfast boats for all CI Food Service operations over time).

- WSP Facility Enhancements – Necessary electrical infrastructure to be implemented for WC/SC living units following completion of the Load Study. Equipment order also pending Load Study completion, with anticipated delivery in 10-12 weeks.

- Communication Program – In addition to daily feedback via the Kiosk Program, Food Service Representative meetings will continue on a monthly basis going forward. A statewide quarterly Food Service newsletter will also begin in June 2018. The intent of the newsletter is to increase transparency and information concerning the food served by the DOC.

- Quality Control Program – WSP Food Service observation and assessment underway with anticipated changes affecting most procedures and practices. Weekly quality control reports are submitted each Friday to document activities and progress. The timeline for sustainable program development estimated to be six months to one year. Program to be replicated statewide, where appropriate.

- Executive Order 13-06 – Menu changes at WSP (and elsewhere) require nutritional analyses and confirmation by a registered dietitian. Contract support to be provided via DSHS until the DOC Dietary Services Manager recruitment is completed (interviews scheduled).

- Executive Order 13-06 – Ongoing collaboration with the Department of Health (DOH) on Executive Order implementation. A Memorandum of Understanding is in development to aid in staff trainings, educational materials and research and development assistance.

ATTACHMENT 4

STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS	APPLICABILITY **PRISON** OFFENDER/SPANISH MANUALS		
	REVISION DATE 6/1/18	PAGE NUMBER 1 of 15	NUMBER **DOC 460.000**
POLICY	TITLE **DISCIPLINARY PROCESS FOR PRISONS**		

REVIEW/REVISION HISTORY:

Effective: 11/5/99 DOC 461.000
Revised: 7/17/06 DOC 460.000
Revised: 12/11/06 AB 06-015
Revised: 9/24/07
Revised: 1/23/09
Revised: 12/6/10
Revised: 1/1/11
Revised: 9/24/12
Revised: 1/8/16
Revised: 6/1/18

SUMMARY OF REVISION/REVIEW:

Major changes to include moving information to DOC 460.050 Disciplinary Sanctions, adding exceptions for alternate Hearing Officers, adding procedures for mental health recommendations for sanctions, and updating training requirements. Read carefully!

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

5/15/18
Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; RCW 2.43.050; RCW 72.09.130; WAC 137-25; WAC 137-28; ACA 4-4227; ACA 4-4229; ACA 4-4230; ACA 4-4231; ACA 4-4233; ACA 4-4234; ACA 4-4236; ACA 4-4237; ACA 4-4238; ACA 4-4239; ACA 4-4240; ACA 4-4242; ACA 4-4243; ACA 4-4244; ACA 4-4245; ACA 4-4246; ACA 4-4247; ACA 4-4248; ACA 4-4252; DOC 280.510 Public Disclosure of Records; DOC 300.010 Offender Behavior Observation; DOC 320.100 Indeterminate Sentence Review Board (ISRB); DOC 350.240 Ten Day Release; DOC 420.375 Contraband and Evidence Handling; DOC 450.500 Language Services for Limited English Proficient (LEP) Offenders; DOC 460.050 Disciplinary Sanctions; DOC 470.150 Confidential Offender Information; DOC 580.655 Special Drug Offender Sentencing Alternative; DOC 690.400 Offenders with Disabilities; Records Retention Schedule; WAC Handbook; WAC Violation Guidelines

POLICY:

I. [4-4227] The Department has established procedures to identify and address offender misconduct and govern progressive offender discipline in Prisons. WAC 137-25, WAC 137-28, and DOC 460.050 Disciplinary Sanctions will be followed to maintain facility order and security and to support respect for rules and the rights of others.

II. Offenders are responsible for their own behavior and will be held accountable when violating rules and regulations.

III. Offenders will have access to disciplinary rules, policies, and procedures, including their rights and responsibilities, acts prohibited in the facility, and disciplinary action that may be taken as a result of misconduct.

DIRECTIVE:

I. General Requirements

A. Disciplinary hearings should be held in the facility where the alleged violation(s) occurred. When the offender is transferred before a hearing is conducted, the infraction report will be scanned/emailed and the infraction packet will be mailed to the receiving facility.

1. Confidential information will be handled per DOC 470.150 Confidential Offender Information.

2. Evidence will be processed per DOC 420.375 Contraband and Evidence Handling.

B. An offender will not be placed on disciplinary segregation before a hearing with the Disciplinary Hearing Officer. [4-4252]

II. Responsibilities

A. The Prisons Disciplinary Program Manager will oversee the Prison disciplinary process and serve as a liaison to facilities.

B. Superintendents will determine Disciplinary Hearing Officer, Hearing Clerk, and Infraction Review Officer assignments. Employees may not fill Disciplinary Hearing Officer and Infraction Review Officer roles for the same violation.

1. Disciplinary Hearing Officers

a. Disciplinary Hearing Officers must have the rank of Lieutenant, Correctional Unit Supervisor (CUS), or Corrections Specialist 2 or higher.

1) CUSs will be delegated as primary Disciplinary Hearing Officers for Category D serious violation hearings.

2) Sergeants may be delegated as Disciplinary Hearing Officers for general infraction hearings only.

b. Alternate Disciplinary Hearing Officers will not:

1) Conduct Prison Rape Elimination Act (PREA)-related hearings, except when authorized by the Superintendent/ designee to meet hearing timeframe requirements when the primary Disciplinary Hearing Officer is absent from the facility.

2) Act on general violation appeals, unless:

a) Approved by the Superintendent/designee when the primary Disciplinary Hearing Officer is absent from the facility, or

b) The primary Disciplinary Hearing Officer conducted the hearing that is being appealed.

2. Infraction Review Officers

a. Serious Infraction Review Officers must have the rank of Lieutenant, CUS, Chief Investigator 3, Investigator 2, Corrections Specialist 2 or higher.

1) Serious Infraction Review Officer responsibilities may be delegated to Sergeants at stand-alone Level 2 facilities.

b. General Infraction Review Officers must have the rank of Sergeant or higher.

c. Intelligence and Investigation Unit investigators will complete infraction reviews for infraction reports that include:

1) Confidential information, and/or

2) A violation(s) for or reference to any unauthorized club, organization, gang, or security threat group.

d. Infraction Review Officers will assess and evaluate the accuracy of the infraction packet, which includes:

1) Verifying the incident,
2) Confirming the appropriateness of the violation(s) charged,
3) Ensuring the thoroughness of the information in the packet, and

4) Verifying that the supporting documents are included and that all evidence was collected, photographed, and handled correctly.

C. The Superintendent may delegate serious violation appeal review responsibilities to:

1. An Associate Superintendent in major facilities (i.e., Level 3 or higher).

2. A Correctional Program Manager in stand-alone Level 2 facilities.

D. All disciplinary hearings will be conducted by an impartial Disciplinary Hearing Officer, who will not conduct hearings when they have direct personal involvement in the violation(s) being considered.

1. When an alternate Disciplinary Hearing Officer is required due to a conflict of interest or impartiality concerns, s/he will notify the Superintendent/ designee, who will select and authorize the alternate.

III. General Infraction Procedures [4-4230]

A. Employees/contract staff who observe or become aware of an act of offender misconduct that constitutes a general violation per WAC 137-28-220 will:

1. Address the behavior as an onsite adjustment and document it in a Behavior Observation Entry (BOE) per DOC 300.010 Offender Behavior Observation, or

2. If the behavior is not addressed through an onsite adjustment, or is progressive or repetitive in nature, complete and submit DOC 17-070 General Infraction Report, including a description of the incident and specific rule(s) violated. [4-4236]

B. [4-4236] The offender will be served DOC 17-070 General Infraction Report notifying him/her of the date, time, and place of the hearing not less than 24 hours before the hearing. [4-4238]

1. Offenders may waive their appearance to attend the hearing.

2. Failure to attend without cause will be considered refusing attendance.

C. General infraction hearings will be conducted within 5 business days of service of the infraction report and may be held within 24 hours with the offender's written consent on DOC 17-070 General Infraction Report.

1. Hearing extensions may be requested and granted using DOC 17-073 General Infraction Hearing Extension. Extensions of more than 3 business days require approval from the primary Disciplinary Hearing Officer.

D. General infraction hearings will not be audio recorded. Written hearing documentation will be retained per the Records Retention Schedule.

E. Offenders may request a Department advisor or Department interpreter if they are unable to read, speak, or understand English per DOC 450.500 Language Services for Limited English Proficient (LEP).

F. The Disciplinary Hearing Officer will only consider the evidence presented at the hearing. [4-4244]

G. The hearing decision and supporting reasons will be documented in the electronic file and on DOC 17-070 General Infraction Report. [4-4245] A copy of the report will be provided to the offender.

H. If the Disciplinary Hearing Officer determines that an offender is guilty, sanctions may be imposed per WAC 137-28, DOC 460.050 Disciplinary Sanctions, and other applicable policies.

1. Sanctions will be documented on DOC 17-085 Sanction Notification.

I. Offenders may appeal the decision and/or sanctions for a guilty finding within 2 business days of receiving the decision.

1. Appeals will be submitted using DOC 17-074 Disciplinary Hearing Appeal, including the reason s/he believes the action taken was incorrect and the desired relief.

a. DOC 17-077 Offender Appeal Receipt will be issued in response.

2. Sanctions will not be stayed pending an appeal.

3. The Disciplinary Hearing Officer will act on the appeal within 10 business days of receipt unless extended by the Superintendent. The severity of the sanction will not be increased.

4. The offender will be notified of the decision on DOC 17-084 General Infraction Appeal Decision within 3 business days unless extended by the Superintendent.

IV. Serious Infraction Procedures

A. [4-4233] Employees/contract staff who observe or become aware of an act of offender misconduct that constitutes a serious violation per WAC 137-25-030 will submit DOC 17-076 Initial Serious Infraction Report, including a description of the incident and clearly stating how the specific rule(s) was violated.

1. Employees/contract staff will submit DOC 17-069 Infraction Review Checklist when completing the report, including any supporting documents/evidence and a summary of confidential information.

2. Reports and documentation will be submitted and processed in a timely manner (i.e., as soon as time allows following the violation(s), by the end of shift, upon completion of investigation).

a. Reports may be submitted as the result of an investigation. The completion of the investigation will be considered time of discovery for the violation.

3. Prison Drug Offender Sentencing Alternative (DOSA) 762 violations will follow the violation process per DOC 580.655 Special Drug Offender Sentencing Alternative.

4. Employees will immediately notify the Indeterminate Sentence Review Board (Board) for offenders under Board jurisdiction with a scheduled release date, who have committed a serious violation per DOC 320.100 Indeterminate Sentence Review Board (ISRB).

B. Investigation results will be documented on DOC 02-077 Investigation Report per DOC 470.150 Confidential Offender Information.

1. Infraction Review Officers will document the date and time an investigation was initiated on DOC 17-069 Infraction Review Checklist. [4-4234]

2. DOC 21-425 Shift Commander/Unit Supervisor Use of Force Report will not be submitted with DOC 17-076 Initial Serious Infraction Report.

C. [4-4236] The offender will be notified of the date, time, and place of the hearing and served DOC 05-093 Disciplinary Hearing Notice/Appearance Waiver not less than 24 hours before the hearing, including DOC 17-076 Initial Serious Infraction Report, supporting non-confidential documents, and summaries of supporting evidence and any confidential information. [4-4238]

D. The Hearing Clerk will schedule the hearing to be held within 5 business days of service.

1. The hearing may be held within 24 hours of service with the offender's written consent on DOC 05-093 Disciplinary Hearing Notice/Appearance Waiver.

2. If the offender is in segregation, the hearing will be held within 3 business days of service, unless a continuance is granted. [4-4238]

E. Offenders may request a Department advisor or Department interpreter if they are unable to read, speak, or understand English per DOC 450.500 Language Services for Limited English Proficient (LEP).

F. Per DOC 350.240 Ten Day Release, hearings for Category A or B serious violations will be expedited for releasing offenders eligible for 10 day release.

G. Conduct of Hearing

1. Before the hearing begins, the Disciplinary Hearing Officer will ensure interpreters provide their qualifications and state their name and whether they are a certified or registered interpreter on the record per RCW 2.43.050.

2. The offender will be present at the hearing unless waived on DOC 05-093 Disciplinary Hearing Notice/Appearance Waiver, or s/he displays disruptive behavior during the hearing. [4-4237]

   a. If s/he refuses/waives attendance, the Disciplinary Hearing Officer will be notified both verbally and on DOC 17-071 Disciplinary Hearing Offender Refusal/Waiver of Attendance.

      1) Failure to attend without cause will be considered refusing attendance.

   b. The Disciplinary Hearing Officer will document the offender's absence and reason(s) on DOC 21-312 Disciplinary Hearing Minutes and Findings. [4-4237]

3. [4-4241] An offender may be excluded during the testimony of any employee, contract staff, volunteer, or offender whose testimony must be given in confidence. The Disciplinary Hearing Officer will ensure the offender's exclusion is documented on DOC 17-072 Disciplinary Hearings Review of Confidential Information Checklist.

4. [4-4242] The offender will have the opportunity to make a statement, present documentary evidence at the hearing, and request witnesses on his/her behalf.

   a. Written statements will be submitted on DOC 05-094 Witness Statement.

   b. The Disciplinary Hearing Officer will document the reason(s) for denying a request on DOC 21-312 Disciplinary Hearing Minutes and Findings.

   c. Any continuance/interruption to the hearing lasting longer than 24 hours requires completion of DOC 20-167 Continuance/ Postponement of Decision of Disciplinary Hearing and will be documented in the Prison Discipline screen in the electronic file.

5. [4-4240] Category A, B, and C infraction hearings will be audio recorded and retained per the Records Retention Schedule.

H. Disciplinary Hearing Officer Decision

1. All evidence presented at the hearing must be reviewed and considered. [4-4244]

2. Hearing proceedings, including the hearing decision and supporting reasons, will be documented in the electronic file and on DOC 21-312 Disciplinary Hearing Minutes and Findings, and scanned into the electronic imaging file. A copy of the minutes and findings will be given to the offender. [4-4245]

   a. DOC 21-312A Disciplinary Hearing Minutes and Findings Continuation Sheet may be used, as necessary.

   b. The infraction report and non-confidential supporting documents will be scanned into the electronic imaging file and filed in the central file upon completion of the hearing process.

   c. A copy of the non-redacted infraction report and supporting documentation will be maintained in the Disciplinary Hearing Office per the Records Retention Schedule.

3. If the Disciplinary Hearing Officer determines that the offender is guilty, s/he may impose sanctions per WAC 137-28, DOC 460.050 Disciplinary Sanctions, and other applicable policies.

   a. Sanctions imposed will be documented on DOC 17-085 Sanction Notification.

   b. Sanctions that include restitution will be documented on DOC 05-363 Restitution Review.

   c. Offenders sanctioned to disciplinary segregation will receive credit against the sanction for time served in segregation for that violation(s).

   d. The Disciplinary Hearing Officer will ensure mental health employees/contract staff at the hearing have the opportunity to recommend sanctions.

   e. If mental health employees/contract staff have concerns relating to a sanction(s) imposed after the conclusion of the hearing, s/he may:

1) Contact the Disciplinary Hearing Officer and the Superintendent/designee to consider a sanction change(s), or

2) Submit concerns/recommendations to the Director of Mental Health for review/consideration.

4. If the offender is found guilty and under Board jurisdiction, the Board will be notified in writing, including supporting documentation and a recommendation, per DOC 320.100 Indeterminate Sentence Review Board (ISRB).

5. When the offender is found guilty of only some of the rule violations originally charged, the record will clearly describe the violation(s) for not guilty findings and the charges will be redacted from the infraction report.

6. [4-4246] When all rule violations in the infraction report are dismissed or the offender is found not guilty of any violations during a hearing, no records pertaining to the violation(s) will be placed in the central file.

   a. The Disciplinary Hearing Officer may retain the records for statistical, litigation, and recordkeeping purposes.

7. When all charges have been expunged, the infraction record will be cleared/removed from the:

   a. Central file and mailed to the Disciplinary Hearings Coordinator to retain for statistical, litigation, and recordkeeping purposes.

   b. Electronic imaging file and the Infraction Summary in the electronic file.

I. [4-4248] Appeals

1. An offender may appeal the Disciplinary Hearing Officer's decision and/or sanctions to the Superintendent/designee within 15 business days.

   a. An offender cannot appeal a finding of guilt when s/he has pled guilty to the violation(s).

   b. Sanctions will not be stayed pending an appeal.

2. Appeals will be submitted to the Disciplinary Hearing Officer on DOC 17-074 Disciplinary Hearing Appeal, including the reason(s) why the offender

believes the finding(s) and action(s) taken was incorrect and specify the desired relief.

a. DOC 17-077 Offender Appeal Receipt will be issued in response.

3. Appeals will be immediately forwarded to the Superintendent/designee.

a. Appeals of findings or sanctions imposed for PREA-related violations will be submitted to the Prisons Command B Deputy Director.

4. The Superintendent/designee will act on the appeal within 10 business days of receipt by:

a. Affirming the decision and/or sanction(s),
b. Affirming the decision and reducing the sanction(s),
c. Dismissing/modifying downward the decision and the sanction(s),
d. Reversing/vacating the decision, or
e. Remanding the matter for a new hearing.

1) The severity of the original sanction may not be increased.

5. The offender will be promptly notified of the decision on DOC 09-197 Disciplinary Hearing Appeal Decision. The decision will be final.

J. [4-4239] Continuances

1. At any time during the hearing process, the Disciplinary Hearing Officer may continue the hearing for any reason, including:

a. To determine the offender's mental status or competency,
b. To appoint a Department advisor,
c. To obtain an interpreter,
d. To obtain witness(es) or witness statement(s),
e. To correct errors,
f. To obtain an alternate Disciplinary Hearing Officer,
g. To obtain crime lab reports or other documentation,
h. The witness(es) is temporarily unavailable,
i. To determine restitution costs,
j. The offender is unavailable (e.g., on escape status, court ordered custody, in transit to a non-Department facility),

k. A reasonable request by the offender. Denials will be documented by the Disciplinary Hearing Officer on DOC 21-312 Disciplinary Hearing Minutes and Findings and on the record, or

l. Due to unacceptable behavior by the offender, or the offender's refusal to participate in a reasonable manner.

2. Continuances will be for no longer than necessary, and not exceed 20 business days unless approved by the Superintendent.

a. For offenders housed in segregation, continuances may be granted for up to 5 business days.

b. For offenders who are unavailable, only one continuance is required until the offender returns to Department jurisdiction.

1) The hearing may be continued up to 20 business days after his/her return to Department jurisdiction.

3. The Disciplinary Hearing Officer will complete DOC 20-167 Continuance/ Postponement of Decision of Disciplinary Hearing when a continuance is required and appropriately document the hearing status in the electronic file.

K. Hearing Reviews

1. The Superintendent/designee will sign DOC 20-051 Serious Infraction Report and conduct a review of all hearings and dispositions to ensure conformity with policy, WAC 137-25, and WAC 137-28. [4-4247]

a. In major facilities, the Superintendent may delegate hearing review responsibilities to an Associate Superintendent.

b. In stand-alone Level 2 facilities, the Superintendent may delegate hearing review responsibilities to the Correctional Program Manager.

V. Reporting to Law Enforcement

A. The Superintendent should report any felony under state or federal law committed in a facility to local law enforcement. [4-4231]

B. Offenders may be referred for prosecution for persistent Prison misbehavior when found guilty of a serious violation that is not a Class A or B felony after

losing all potential earned release time credits per DOC 460.050 Disciplinary Sanctions.

VI. [4-4243] Department Advisors

A. An employee or Department representative who did not observe or investigate the violation may be appointed as a Department advisor to help an offender prepare for and participate in a disciplinary hearing.

B. The Disciplinary Hearing Officer will ensure a Department advisor is appointed when it is apparent that the offender is not capable of preparing his/her defense, understanding the disciplinary process and charges, and/or collecting and presenting evidence effectively. The need for a Department advisor may be determined during any stage of the disciplinary process.

1. Criteria to consider will include, but not be limited to:

a. The offender's literacy,

b. The complexity of the issue(s),

c. The offender's overall ability to speak for him/herself and adequately present his/her case,

d. The offender's mental status, as determined by a mental health professional or other employee with mental health training or experience,

e. The offender's ability to communicate in English, and

f. Any disability that might impair the offender's ability to adequately defend him/herself.

2. The appointment will be reported to the Disciplinary Hearing Office, appropriately documented, and clearly stated on the record.

C. The Department advisor will not provide legal advice or counsel, and information shared with the Department advisor is not privileged.

D. A list of trained Department advisors will be maintained by the Superintendent.

VII. Offender Requests for Access to Disciplinary Hearing Audio Records

A. At the conclusion of a disciplinary hearing, an offender may submit a written request to the Disciplinary Hearing Office to listen to their hearing, free of charge.

1. The audio will be forwarded to the law library or designated employee/contract staff for offender review and documented on DOC 17-088 Disciplinary Hearing Audio Request Log.

B. Copies of hearing audio recordings will be requested per DOC 280.510 Public Disclosure of Records.

C. Hearing audio recordings will not be transcribed for offenders by Disciplinary Hearing Office employees. Deaf and hard of hearing offenders may request transcription accommodation by contacting the facility ADA Coordinator per DOC 690.400 Offenders with Disabilities.

VIII. Training

A. The Training and Development Unit will ensure new employees are provided training on disciplinary procedures, including rules of offender conduct, the rationale for the rules, and available sanctions to impose as needed. [4-4229]

B. The Prison Disciplinary Program Manager will provide Disciplinary Hearing Officer training quarterly or as needed. This training is required for newly appointed Disciplinary Hearing Officers, Serious Infraction Review Officers, and Department advisors.

1. Employees assigned to conduct serious infraction hearings or as Serious Infraction Review Officers will attend the next scheduled Disciplinary Hearing Officer training.

C. The Superintendent will ensure employees are provided additional ongoing training on disciplinary procedures, as needed. [4-4229]

1. Training will include familiarity with local rules and procedures, WAC 137-25, WAC 137-28, and applicable policies.

D. The Prison Disciplinary Program Manager and the Attorney General's Office will provide additional training, as needed.

E. Appropriate employees will be notified of modifications to applicable policies, operational memorandums, WAC 137-25, WAC 137-28, WAC Handbook, and the WAC Violation Guidelines.

F. Employees who have not conducted a serious infraction hearing within the last 12 months will be required to demonstrate competency through a period of observations and review with the primary Disciplinary Hearing Officer(s).

1. A current list of employees eligible for conducting serious infraction hearings will be maintained by primary Disciplinary Hearing Officers.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 02-077 Investigation Report [4-4234]
DOC 05-093 Disciplinary Hearing Notice/Appearance Waiver [4-4236]
DOC 05-094 Witness Statement
DOC 05-363 Restitution Review
DOC 09-197 Disciplinary Hearing Appeal Decision
DOC 17-069 Infraction Review Checklist
DOC 17-070 General Infraction Report
DOC 17-071 Disciplinary Hearing Offender Refusal/Waiver of Attendance
DOC 17-072 Disciplinary Hearings Review of Confidential Information Checklist
DOC 17-073 General Infraction Hearing Extension
DOC 17-074 Disciplinary Hearing Appeal
DOC 17-076 Initial Serious Infraction Report [4-4233] [4-4236]
DOC 17-077 Offender Appeal Receipt
DOC 17-084 General Infraction Appeal Decision
DOC 17-085 Sanction Notification
DOC 17-088 Disciplinary Hearing Audio Request Log
DOC 20-051 Serious Infraction Report
DOC 20-167 Continuance/Postponement of Decision of Disciplinary Hearing
DOC 21-312 Disciplinary Hearing Minutes and Findings [4-4236] [4-4245]
DOC 21-312A Disciplinary Hearing Minutes and Findings Continuation Sheet
DOC 21-425 Shift Commander/Unit Supervisor Use of Force Report

REVIEW/REVISION HISTORY:

Effective: 11/6/95 DOC 320.150
Revised: 11/5/99
Revised: 9/16/02
Revised: 2/14/03
Revised: 6/18/03
Revised: 3/26/04
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Revised: 12/11/06
Revised: 3/29/07 AB 07-010
Revised: 3/11/08
Revised: 8/4/08
Revised: 3/17/09
Revised: 1/24/11
Revised: 12/1/12
Revised: 4/1/13
Revised: 7/1/14
Revised: 1/12/15
Revised: 1/8/16 DOC 460.050
Revised: 6/1/18

SUMMARY OF REVISION/REVIEW:

Major changes to include updated sanctions and information moved from DOC 460.000 Disciplinary Process for Prisons. Read carefully!

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

5/15/18
Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; RCW 9.94.010; RCW 9.94.070; RCW 9.94A.645; RCW 72.09.130; RCW 72.09.500; WAC 137-24; WAC 137-25; WAC 137-28; WAC 137-48-020; ACA 4-4226; ACA 4-4228; ACA 4-4255; DOC 460.000 Disciplinary Process for Prisons; DOC 490.860 Prison Rape Elimination Act (PREA) Investigation; DOC 540.105 Recreation Program for Offenders

POLICY:

I. The Department has established written rules of offender conduct that specify acts prohibited within the facility and penalties that will be imposed for various degrees of violation. [4-4226]

II. The Department will conduct hearings for general and serious violations per WAC 137-25, WAC 137-28, and DOC 460.000 Disciplinary Process for Prisons.

III. Sanctions are intended to impact and guide offender behavior rather than to punish, and will be determined based on the circumstances, seriousness of the offense, and offender's previous conduct record.

DIRECTIVE:

I. General Requirements

A. The Disciplinary Hearing Officer will determine the appropriate sanction(s) when an offender is found guilty of a violation.

1. The following will be used to determine appropriate sanctions: [4-4226] [4-4228] [4-4255]

a. Disciplinary Violations for Prison and Work Release (Attachment 1) provides the categories and levels of violations, including loss of classification points.

b. Prison Sanctioning Guidelines (Attachment 2) provides guidelines for imposing sanctions based on the number and frequency of violations received during a designated time period.

2. The offender's disciplinary record, prior conduct, mental status, overall facility adjustment, and employee/contract staff recommendations may be considered.

3. For any offense, up to the maximum sanction allowed may be imposed per WAC 137-28-240, WAC 137-28-350, and Attachment 2, regardless of whether it is a first or subsequent offense.

B. For all but the most serious violations, Disciplinary Hearing Officers are encouraged to use alternative sanctions (e.g., loss of privileges, extra duty, change in housing assignment) in lieu of extending the offender's Earned Release Date.

C. If more than one violation arises out of a single incident, the Disciplinary Hearing Officer should be guided by the sanction range for the most serious category of offense with a finding of guilt listed on the infraction report.

D. Suspended sanctions may be imposed if the offender is found guilty of a violation or for violating conditions of the original sanction. Mandatory sanctions will not be suspended or revoked.

1. The sanction may be suspended for a fixed period of time, not to exceed 365 days, subject to good behavior or meeting other imposed conditions.

2. If the offender's subsequent behavior is appropriate, the Disciplinary Hearing Officer may revoke the sanction at or before the end of the fixed time period.

E. The Disciplinary Hearing Officer may reduce/modify downward any previously imposed sanction.

II. Loss of Privileges

A. Loss of privilege sanctions include, but are not limited to:

1. Denial of attendance at special events
2. Denial of participation in offender organization functions
3. Removal from waiting lists for work or other program assignments
4. Loss of:

a. Visitation
b. Recreation
c. Fee-based recreation
d. Telephone
e. Television/radio
f. Mobile electronic device and other electronic media
g. Commissary privileges, which may be limited with the exception of indigent items and postage

h. Library privileges, excluding law library when a documented court deadline has been imposed
i. Dayroom access
j. Personal property, which may be limited
k. Housing assignment
l. Packages
m. In-cell hobby
n. Hobby craft
o. Weightlifting

III. Loss of Good Conduct Time Credits

A. If the Disciplinary Hearing Officer decides the circumstances of an offense require a sanction beyond the maximum range for loss of good conduct time per Attachment 2, s/he will submit a written recommendation to the Superintendent.

1. Sanction recommendations for loss of good conduct time in excess of the guidelines established must have final approval by the Assistant Secretary for Prisons.

IV. Loss of Earned Time Credits

A. An offender serving a sentence for an offense committed on or after August 1, 1995:

1. May have earned time credits taken away as part of a disciplinary sanction if s/he has lost all good conduct time credits for the current commitment.

2. May have earned or future Earned Release Time (ERT) credits reduced.

B. An offender will be referred for prosecution for the crime of Persistent Prison Misbehavior when found guilty of a serious violation that is not a Class A or B felony after losing all potential ERT credits per RCW 9.94.070.

1. The Disciplinary Hearing Officer will:

a. Notify the Superintendent/designee by email when the criteria for referral is met.

b. Enter a Non-Sanction Recommendation in the Prison Discipline section of the electronic file.

2. A single violation may result in both disciplinary action by the Department and filing of criminal charges.

3. Referrals for prosecution will occur within 30 days of an affirmed appeal decision.

V. Mandatory Sanctions

A. Offenders found guilty of a:

1. 501, 502, 505, 511, 604, 633, 704, or 711 violation will be prohibited from participating in any form of weightlifting for a period of 2 years, which may be extended by the Superintendent, per RCW 72.09.500 and DOC 540.105 Recreation Program for Offenders.

2. 557 or 810 violation will lose mandatory good conduct time, all available earned time credits for the month in which the violation occurred, and specified privileges determined by the Disciplinary Hearing Officer.

3. 603 violation will be subject to mandatory administrative actions and lose mandatory good conduct time and specified privileges. Multiple violations will result in consecutive mandatory sanctions.

4. 882 violation will lose mandatory telephone privileges, except legal calls.

5. 899 violation will lose mandatory good conduct time and specified privileges determined by the Disciplinary Hearing Officer.

B. The period for determining the number and frequency of violations is established by the date of the guilty finding.

VI. Prison Rape Elimination Act (PREA) Violations

A. For substantiated PREA allegations against an offender, an infraction report must be written against the accused per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation.

B. An offender who is found guilty of a 611, 613, 635, or 637 violation may be sanctioned to a multidisciplinary Facility Risk Management Team review for consideration of available interventions (e.g., Mental Health therapy, Sex Offender Treatment and Assessment Program, Anger Management).

DEFINITIONS:

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

ATTACHMENTS:

Disciplinary Violations for Prison and Work Release (Attachment 1) [4-4226] [4-4228] [4-4255]
Prison Sanctioning Guidelines (Attachment 2) [4-4226] [4-4228] [4-4255]

DOC FORMS:

None

DISCIPLINARY VIOLATIONS FOR PRISON AND WORK RELEASE

CATEGORY A VIOLATION - 20 CLASSIFICATION POINTS

501 Committing homicide
502 Committing aggravated assault against another offender
507 Committing an act that would constitute a felony and that is not otherwise included in these rules
511 Committing aggravated assault against a visitor or community member
521 Taking or holding any person hostage
550 Escaping
601 Possessing, manufacturing, or introducing an explosive device or any ammunition, or any components thereof
602 Possessing, manufacturing, or introducing any firearm, weapon, sharpened instrument, knife, or poison, or any component thereof
603 Introducing or transferring any unauthorized drug or drug paraphernalia
604 Committing aggravated assault against a staff member
611 Committing sexual assault against a staff member
613 Committing an act of sexual contact against a staff
635 Committing sexual assault against another offender (i.e., aggravated sexual assault or offender-on-offender sexual assault), as defined per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
637 Committing sexual abuse against another offender, as defined per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
650 Rioting per RCW 9.94.010
651 Inciting others to riot per RCW 9.94.010
830 Escaping from Work Release with voluntary return within 24 hours
831 While in Work Release, failing to return from an authorized sign out
882 While in Prison, introducing, possessing, or using a cell phone, electronic/wireless communication device, or related equipment without authorization

CATEGORY B, LEVEL 1 VIOLATION - 15 CLASSIFICATION POINTS

633 Assaulting another offender
704 Assaulting a staff member

CATEGORY B, LEVEL 1 VIOLATION - 10 CLASSIFICATION POINTS

504 Engaging in a sex act with another person(s) within the facility that is not otherwise included in these rules, except in an approved extended family visit
553 Setting a fire
560 Possessing items or materials likely to be used in an escape without authorization
711 Assaulting a visitor or community member
744 Making a bomb threat
884 Urinating, defecating, or placing feces or urine in any location other than a toilet or authorized receptacle
886 Adulterating any food or drink
892 Giving, selling, or trading any prescribed medication, or possessing another offender's medication

CATEGORY B, LEVEL 2 VIOLATION - 10 CLASSIFICATION POINTS

505 Fighting with another offender
556 Refusing to submit to or cooperate in a search when ordered to do so by a staff member
607 Refusing to submit to a urinalysis and/or failing to provide a urine sample within the allotted time frame when ordered to do so by a staff member
608 Refusing or failing to submit to a breath alcohol test or other standard sobriety test when ordered to do so by a staff member
609 Refusing or failing to submit to testing required by policy, statute, or court order, not otherwise included in these rules, when ordered to do so by a staff member
652 Engaging in or inciting a group demonstration
655 Making any drug, alcohol, or intoxicating substance, or possessing ingredients, equipment, items, formulas, or instructions that are used in making any drug, alcohol, or intoxicating substance
682 Engaging in or inciting an organized work stoppage
707 Introducing or transferring alcohol or any intoxicating substance not otherwise included in these rules
716 Using an over the counter medication without authorization or failing to take prescribed medication as required when administered under supervision
736 Possessing, manufacturing, or introducing an unauthorized keys or electronic security access device
750 Committing indecent exposure
752 Possessing or receiving a positive test for use of an unauthorized drug, alcohol, or intoxicating substance
778 Providing a urine specimen that has been diluted, substituted, or altered in any way

CATEGORY B, LEVEL 3 VIOLATION - 10 CLASSIFICATION POINTS

503 Extorting or blackmailing, or demanding or receiving anything of value in return for protection against others or under threat of informing
506 Threatening another with bodily harm or with any offense against any person or property
509 Refusing a direct order by any staff member to proceed to or disperse from a particular area
525 Violating conditions of a furlough
549 Providing false or misleading information during any stage of an investigation of sexual misconduct, as defined per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation
558 Interfering with staff members, medical personnel, firefighters, or law enforcement personnel in the performance of their duties
600 Tampering with, damaging, blocking, or interfering with any locking, monitoring, or security device
605 Impersonating any staff member, other offender, or visitor
653 Causing an inaccurate count or interfering with count by means of unauthorized absence, hiding, concealing oneself, or other form of deception or distraction
654 Counterfeiting or forging, or altering, falsifying, or reproducing any document, article of identification, money, or security, or other official paper without authorization
660 Possessing money, stamps, or other negotiable instruments without authorization, the total value of which is five dollars or more
709 Out-of-bounds: Being in another offender's cell or being in an area in the facility with one or more offenders without authorization
738 Possessing clothing or assigned equipment of a staff member
739 Possessing, transferring, or soliciting any person's identification information, including current staff members or their immediate family members, when not voluntarily given. Identification

information includes Social Security numbers, home addresses, telephone numbers, driver's license numbers, medical, personnel, financial, or real estate information, bank or credit card numbers, or other like information not authorized by the Superintendent/Community Corrections Supervisor

745 Refusing a transfer to another facility

746 Engaging in or inciting an organized hunger strike

762 Failing to complete or administrative termination from a Drug Offender Sentencing Alternative substance use disorder treatment program. Note: This violation must be initiated by authorized staff and heard by a Community Corrections Hearing Officer in accordance with chapter 137-24 WAC

777 Causing injury to another person by resisting orders, assisted movement, or physical efforts to restrain

813 Being in the community without authorization, or being in an unauthorized location in the community

814 While in Work Release, violating an imposed special condition

879 Operating or being in a motor vehicle without permission or in an unauthorized manner or location

889 Using facility phones, information technology resources/systems, or related equipment without authorization

CATEGORY C, LEVEL 1 VIOLATION - 5 CLASSIFICATION POINTS

508 Spitting or throwing objects, materials, or substances in the direction of another person(s)

557 Refusing to participate in an available work, training, education, or other mandatory programming assignment

563 Making a false fire alarm or tampering with, damaging, blocking, or interfering with fire alarms, fire extinguishers, fire hoses, fire exits, or other firefighting equipment or devices

610 While in Prison, receiving or possessing prescribed medication without authorization

620 Receiving or possessing contraband during participation in off-grounds or outer perimeter activity or work detail

659 Committing sexual harassment against another offender, as defined per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting

661 Committing sexual harassment against a staff member, visitor, or community member

663 Using physical force, intimidation, or coercion against any person

702 Possessing, manufacturing, or introducing an unauthorized tool

708 Organizing or participating in an unauthorized group activity or meeting

717 Causing a threat of injury to another person by resisting orders, assisted movement, or physical efforts to restrain

720 Flooding a cell or other area of the facility

724 Refusing a cell or housing assignment

734 Participating or engaging in the activities of any unauthorized club, organization, gang, or security threat group; or wearing or possessing the symbols of an unauthorized club, organization, gang, or security threat group

810 Failing to seek/maintain employment or training or maintain oneself financially, or being terminated from work, training, education, or other programming assignment for negative or substandard performance

893 Damaging, altering, or destroying any item that results in the concealment of contraband or demonstrates the ability to conceal contraband

896 Harassing, using abusive language, or engaging in other offensive behavior directed to or in the presence of another person(s) or group(s) based upon race, creed, color, age, sex,

national origin, religion, sexual orientation, marital status or status as a state registered domestic partner, disability, veteran's status, or genetic information

899 Failing to obtain prior written authorization from the sentencing court, contrary to RCW 9.94A.645, prior to commencing or engaging in any civil action against any victim or family of the victim of any serious violent crime the offender committed

CATEGORY C, LEVEL 2 VIOLATION - 5 CLASSIFICATION POINTS

552 Causing an innocent person to be penalized or proceeded against by providing false information

554 Damaging, altering, or destroying any item that is not the offender's personal property, the value of which is ten dollars or more

710 Acquiring an unauthorized tattoo/piercing/scar, tattooing/piercing/scarring another, or possessing tattoo/piercing/scarring paraphernalia

718 Using the mail, telephone, or electronic communications in violation of any law, court order, or previous written warning, direction, and/or documented disciplinary action

726 Telephoning, sending written or electronic communication, or otherwise initiating communication with a minor without the approval of that minor's parent or guardian

606 Possessing, introducing, or transferring any tobacco, tobacco products, matches, or tobacco paraphernalia

657 Being found guilty of four or more general violations arising out of separate incidents within a 90-day period

658 Failing to comply with any administrative or post-hearing sanction imposed for committing any violation

812 Failing to report/turn in all earnings

CATEGORY D VIOLATION - 5 CLASSIFICATION POINTS

517 Committing an act that would constitute a misdemeanor and that is not otherwise included in these rules

551 Providing false information to the hearing officer or in a disciplinary appeal

555 Stealing property, possessing stolen property, or possessing another offender's property

559 Gambling or possessing gambling paraphernalia

656 Giving, receiving, or offering any person a bribe or anything of value for an unauthorized favor or service

662 Soliciting goods or services for which the provider would expect payment, when the offender knows or should know that he/she lacks sufficient funds to cover the cost

706 Giving false information when proposing a release plan

714 Giving, selling, purchasing, borrowing, lending, trading, or accepting money or anything of value except through approved channels, the value of which is ten dollars or more

725 Telephoning or sending written or electronic communication to any offender in a correctional facility, directly or indirectly, without prior written approval of the superintendent/community corrections supervisor/designee

728 Possessing any sexually explicit material(s), as defined per WAC 137-48-020

740 Committing fraud or embezzlement, or obtaining goods, services, money, or anything of value under false pretense

741 Stealing food, the value of which is five dollars or more

742 Establishing a pattern of creating false emergencies by feigning illness or injury

755 Misusing or wasting issued supplies, goods, services, or property, the replacement value of which is ten dollars or more

811 Entering into an unauthorized contract

861 Performing or taking part in an unauthorized marriage
890 Failing to follow a medical directive and/or documented medical recommendations, resulting in injury

PRISON SANCTIONING GUIDELINES

VIOLATION CATEGORIES AND RANGE OF SANCTION OPTIONS

Mandatory sanctions cannot be suspended or revoked.

GENERAL VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 6 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 6 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 6 MONTHS
Reprimand and Warning (R & W)	As determined by Disciplinary Hearing Officer			
Removal from waiting lists for work/other program assignments	As determined by Disciplinary Hearing Officer			
Loss of privileges (one or more): • Loss of recreation (i.e., gym/yard) • Loss of fee-based recreation • Loss of telephone • Loss of television/radio • Loss of library, except law library when a documented court deadline has been imposed • Loss of dayroom access • Loss or limitation of personal property • Denial of attendance at special events • Denial of participation in offender organization functions • Loss of in-cell hobby • Loss of hobby craft • Loss of mobile electronic device or other electronic media • Loss or limitation of commissary (loss is based on facility ordering rotation schedule) • Loss of weightlifting	0 - 10 days	0 - 20 days	0 - 30 days	30 days
Evening confinement to cell/room	0 - 5 consecutive evenings	0 - 7 consecutive evenings	0 - 10 consecutive evenings	10 consecutive evenings per incident
Weekend and/or holiday confinement to cell/room	0 - 1 consecutive weekends	0 - 2 consecutive weekends	0 - 4 consecutive weekends	4 consecutive weekends per incident
Confinement to cell/room	0 - 5 consecutive days	0 - 7 consecutive days	0 - 10 consecutive days	10 consecutive days
Extra work duty hours	0 - 40 hours	0 - 80 hours	0 - 120 hours	120 hours
Written order to cease problematic behavior. The order will include a warning that if the behavior is repeated within a specified period, not to exceed 180 days, the offender will be charged with a 658 violation	0 - 60 days	0 - 90 days	0 - 180 days	180 days

SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 12 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 12 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 12 MONTHS
For any serious violation				
Any general violation sanction	Up to maximum ranges for general/serious violations			
Restitution	As determined by Disciplinary Hearing Officer			
Loss of housing assignment	As determined by Disciplinary Hearing Officer			
Recommendation for Facility Risk Management Team (FRMT) review	As determined by Disciplinary Hearing Officer			
Persistent Prison Misbehavior referral	After losing all potential Earned Release Time credits and only within 30 days of an affirmed appeal decision			
Indeterminate Sentence Review Board (Board) review for hearing or reconsideration of minimum term	As determined by Disciplinary Hearing Officer and should only occur for violations with actual time loss of 12 months or more and consistent with Department guidelines			
Urinalysis or breath alcohol testing, for drug/alcohol related violations	0 - 90 days			90 days
Category A				
Confinement to cell/room	0 - 30 consecutive days			30 consecutive days
Segregation	0 - 30 consecutive days			30 consecutive days
Loss of fee-based recreation	0 - 180 days			180 days
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	4 months	8 months	12 months	12 months
Loss of quarterly food package(s)	2 - 4 quarters	3 - 4 quarters	4 quarters	4 quarters
Loss of good conduct time	0 - 45 days	0 - 60 days	0 - 75 days	76 to 150 days requires Superintendent approval. More than 150 days requires Assistant Secretary approval
Suspension of visitation	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Suspension of visitation with specified individual(s)	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may only be limited to specified individual(s).	0 - 30 days	0 - 90 days	0 -180 days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	0 - 45 days	0 - 60 days	0 - 75 days	75 days
Mandatory Sanction - 882 Loss of telephone privileges, except legal calls	30 consecutive days	90 consecutive days	180 consecutive days	180 consecutive days

SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 12 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 12 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 12 MONTHS
Mandatory Sanction **501, 502, 505, 511, 604, 633, 704, or 711** Loss of weightlifting privilege	Mandatory minimum of 2 years from the date of the guilty finding per RCW 72.09.500. After 2 years, Superintendent will review to determine if offender will regain weightlifting eligibility			
Mandatory Sanctions - 603 Loss of good conduct time	75 days			75 days
Loss of earned time, only after losing all good conduct time	0 - 75 days			The balance of loss of good conduct time and loss of earned time in lieu of good conduct time will not exceed 75 days
Loss of privileges: • Loss of fee-based recreation • Suspension of visits • Loss or limitation of commissary • Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may be limited to specified individual(s)	180 days			Extended or permanent restriction for correspondence and/or visits requires Superintendent approval and must meet WAC 137-28-350 criteria
• Denial of attendance at special events	12 months			12 months
Urinalysis or breath alcohol testing, for drug/alcohol related violations	0 - 90 days			90 days
Removal from waiting lists for work/other program assignments Loss of housing assignment Recommendation for FRMT review	Range not applicable (N/A)			
Board review for hearing or reconsideration of minimum term	Mandatory when violation occurs within 12 months of release date and consistent with Department guidelines			
PPM referral	Mandatory after losing all potential earned early release time credits and only within 30 days of an affirmed appeal decision			
Category B, Level 1				
Confinement to cell/room	0 - 30 consecutive days			30 consecutive days
Segregation	0 - 20 consecutive days	0 - 25 consecutive days		25 consecutive days
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 20 days	0 - 60 days	0 - 120 days	120 days
Loss of fee-based recreation	0 - 30 days	30 - 90 days	90 - 180 days	180 days
Loss of monthly package(s)	3 months	6 - 9 months	9 - 12 months	12 months
Loss of quarterly food package(s)	1 - 2 quarters	2 - 3 quarters	3 - 4 quarters	4 quarters
Loss of good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	61 to 120 days requires Superintendent approval. More than 120 days requires Assistant Secretary approval

SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 12 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 12 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 12 MONTHS
Suspension of visitation	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Suspension of visitation with specified individual(s)	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	60 days
Category B, Level 2				
Confinement to cell/room	0 - 30 consecutive days			30 consecutive days
Segregation	0 - 20 consecutive days	0 - 25 consecutive days		25 consecutive days
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 20 days	0 - 60 days	0 - 120 days	120 days
Loss of fee-based recreation	0 - 30 days	30 - 90 days	90 - 180 days	180 days
Loss of monthly package(s)	3 months	6 - 9 months	9 - 12 months	12 months
Loss of quarterly food package(s)	1 - 2 quarters	2 - 3 quarters	3 - 4 quarters	4 quarters
Loss of good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	61 to 120 days requires Superintendent approval. More than 120 days requires Assistant Secretary approval
Suspension of visitation	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Suspension of visitation with specified individual(s)	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may only be limited to specified individual(s).	0 - 30 days	0 - 90 days	0 - 180 days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	60 days
Category B, Level 3				
Confinement to cell/room	0 - 30 consecutive days			30 consecutive days
Segregation	0 - 20 consecutive days	0 - 25 consecutive days		25 consecutive days

SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 12 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 12 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 12 MONTHS
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 20 days	0 - 60 days	0 - 120 days	120 days
Loss of fee-based recreation	0 - 30 days	30 - 90 days	60 - 180 days	180 days
Loss of monthly package(s)	3 months	6 - 9 months	9 - 12 months	12 months
Loss of quarterly food package(s)	1 - 2 quarters	2 - 3 quarters	3 - 4 quarters	4 quarters
Loss of good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	61 to 120 days requires Superintendent approval. More than 120 days requires Assistant Secretary approval
Suspension of visitation	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Suspension of visitation with specified individual(s)	0 - 60 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	0 - 30 days	0 - 45 days	0 - 60 days	60 days
Mandatory Sanction - 762	Reclassification to serve the unexpired term of his/her sentence as ordered by the sentencing court			
Category C, Level 1				
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 15 days	0 - 45 days	0 - 90 days	90 days
Confinement to cell/room	0 -10 consecutive days	0 - 20 consecutive days	0 - 30 consecutive days	30 consecutive days
Loss of fee-based recreation	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	2 months	4 months	6 months	6 months
Loss of quarterly food package(s)	N/A	1 quarter	1 - 2 quarters	2 quarters
Segregation	0 - 15 consecutive days	0 - 20 consecutive days	0 - 25 consecutive days	25 consecutive days
Loss of good conduct time	N/A	0 - 15 days	0 - 30 days	31 to 60 days requires Superintendent approval. More than 60 days requires Assistant Secretary approval
Suspension of visitation	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Suspension of visitation with specified individual(s)	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria

SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 12 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 12 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 12 MONTHS
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	N/A	0 - 15 days	0 - 30 days	30 days
Mandatory Sanctions – 557 and 810 Loss of earned time	Earned time for the month in which the violation occurred			
Loss of good conduct time	15 days	30 days	45 days	45 days
Loss of monthly packages	2 months	4 months	6 months	12 months. More than 12 months requires Superintendent approval.
Loss of quarterly food packages	N/A	1 quarter	1 -2 quarters	2 quarters
Loss of privileges (one or more): • Loss of recreation • Loss of fee-based recreation • Loss of television/radio • Loss or limitation of commissary • Loss of library (excludes law library when a documented court deadline has been imposed) • Loss of dayroom access • Loss or limitation of personal property • Loss of mobile electronic device • Denial of attendance at special events • Denial of participation in offender organization functions	30 days	90 days	180 days	180 days
• Removal from waiting lists for work/other program assignments • Loss of housing assignment	As determined by Disciplinary Hearing Officer			
Mandatory Sanctions – 899 Loss of good conduct time	15 days	30 days	60 days	60 days
Loss of privileges (one or more): • Listed under General Violation Sanction Options	15 days	30 days	60 days	60 days
• Removal from waiting lists for work/other program assignments • Loss of housing assignment	As determined by Disciplinary Hearing Officer			
Category C, Level 2				
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 15 days	0 - 45 days	0 - 90 days	90 days

SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 12 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 12 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 12 MONTHS
Confinement to cell/room	0 - 10 consecutive days	0 - 20 consecutive days	0 - 30 consecutive days	30 consecutive days
Loss of fee-based recreation	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	2 months	4 months	6 months	6 months
Loss of quarterly food package(s)	N/A	1 quarter	1 - 2 quarters	2 quarters
Segregation	0 - 10 consecutive days	0 - 15 consecutive days	0 - 15 consecutive days	15 consecutive days
Loss of good conduct time	N/A	0 - 10 days	0 - 20 days	21 to 40 days requires Superintendent approval. More than 40 days requires Assistant Secretary approval
Suspension of visitation	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Suspension of visitation with specified individual(s)	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	N/A	0 - 10 days	0 - 20 days	20 days
Category C, Level 3				
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 15 days	0 - 45 days	0 - 90 days	90 days
Confinement to cell/room	0 - 10 consecutive days	0 - 20 consecutive days	0 - 30 consecutive days	30 consecutive days
Loss of fee-based recreation	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	2 months	4 months	6 months	6 months
Loss of quarterly food package(s)	N/A	1 quarter	1 - 2 quarters	2 quarters
Segregation	0 - 5 consecutive days	0 - 10 consecutive days		10 consecutive days
Loss of good conduct time	N/A	0 - 5 days	0 - 10 days	11 to 20 days requires Superintendent approval. More than 20 days requires Assistant Secretary approval
Suspension of visitation	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria

SERIOUS VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 12 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 12 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 12 MONTHS
Suspension of visitation with specified individual(s)	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Extended or permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may only be limited to specified individual(s).	0 - 30 consecutive days	0 - 90 consecutive days	0 - 180 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria
Loss of earned time, only after losing all good conduct time	N/A	0 - 5 days	0 - 10 days	10 days
Category D				
Loss of one or more privilege(s) listed under General Violation Sanction Options	0 - 15 days	0 - 45 days	0 - 90 days	90 days
Confinement to cell/room	0 - 10 consecutive days	0 - 20 consecutive days	0 - 30 consecutive days	30 consecutive days
Loss of fee-based recreation	0 - 30 days	0 - 90 days	0 - 180 days	180 days
Loss of monthly package(s)	1 month	2 months	4 months	4 months
Loss of quarterly food package(s)	N/A	1 quarter	1 quarter	1 quarter
Interruption/restriction of correspondence, telephone, and/or electronic communication privileges. Correspondence may only be limited to specified individual(s).	0 - 30 consecutive days	0 - 60 consecutive days	0 - 90 consecutive days	Permanent restriction requires Superintendent approval and must meet WAC 137-28-350 criteria

STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS	APPLICABILITY **PRISON** OFFENDER/SPANISH MANUALS		
	REVISION DATE 5/29/18	PAGE NUMBER 1 of 12	NUMBER **DOC 450.300**
POLICY	TITLE **VISITS FOR INCARCERATED INDIVIDUALS**		

REVIEW/REVISION HISTORY:

Effective: 1/7/00
Revised: 2/20/03
Revised: 11/15/06
Revised: 4/18/07 AB 07-012
Revised: 2/20/09
Revised: 2/1/10
Revised: 2/4/11
Revised: 6/1/13
Revised: 2/2/15
Revised: 11/21/15
Revised: 9/1/16
Revised: 5/29/18

SUMMARY OF REVISION/REVIEW:

Major changes including moving to an electronic visit application system.

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

4/26/18
Date Signed

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; RCW 9.94.043; RCW 9.94.045; WAC 137-28; ACA 4-4156; ACA 4-4498; ACA 4-4499-1; ACA 4-4500; ACA 4-4503; ACA 4-4504; DOC 100.560 Non-Discrimination and Accessibility for Visitors/Guests with Disabilities; DOC 150.150 Visits and Tours of Department Facilities and Offices; DOC 420.340 Searching and Detaining Facility Visitors; DOC 460.000 Disciplinary Process for Prisons; DOC 460.050 Disciplinary Sanctions; DOC 590.100 Extended Family Visiting

POLICY:

I. The Department recognizes the vital role families play in the reentry process and will support incarcerated individuals in maintaining ties with family, friends, and the community by engaging them and setting reasonable criteria for personal visits.

   A. Visitors are encouraged to provide feedback to enhance the visit experience. Any form of retaliation toward those who provide feedback will not be tolerated.

II. Visiting privileges will not be denied on the basis of race, religion, sex, national origin, sexual orientation, gender identity, or physical disability.

III. For the purposes of this policy, immediate family will be defined as spouse/state registered domestic partner, parent, stepparent, sibling, stepbrother, stepsister, half brother, half sister, child, stepchild, grandparent, grandchild, person(s) acting in place of a parent and/or foster children, and as documented in the individual's electronic file.

DIRECTIVE:

I. General Guidelines

   A. The Department will provide visiting opportunities and programs and a secure and welcoming visit space for incarcerated individuals and their families to provide as normal a family experience as possible by:

      1. Providing sufficient and safe space for contact visiting and, if necessary, no contact visiting consistent with custody level. Visit areas will be designed by taking the following into consideration:

         a. Designated visit areas should include a section that has a child-friendly environment with toys and games suitable for interaction by family members of all ages.

b. Reasonable accommodation will be provided for visitors with disabilities per DOC 100.560 Non-Discrimination and Accessibility for Visitors/Guests with Disabilities.

1) Service dogs that meet the requirements of the Americans with Disabilities Act will be allowed in visiting areas with their owner per Attachment 2.

c. Appropriate seating for all ages should be provided.

d. [4-4156] Space is adequately designed to permit screening and searching of both incarcerated individuals and visitors.

e. [4-4156] Space may be provided for the proper storage of visitors' coats, handbags, and other personal items not allowed into the visiting area.

2. Informing all visit employees of the importance of visiting to maintain ties with family and friends, and in some cases reunification of individuals with their families and significant others.

3. Actively encouraging a collaborative working relationship with social service and other private community-based organizations providing transportation, housing, food, clothing, and other assistance to individuals and their families.

B. Reasonable efforts will be made to ensure that the visiting facility is comfortable, pleasant, and permits informal communication and limited, appropriate physical contact. [4-4499-1]

C. The Headquarters Visit Unit will ensure:

1. All visitor information is entered in the statewide visit system, including visit application information and identified areas of concern, and

2. Application status (i.e., pending, approved, denied, rejected) is updated as soon as possible and emailed to the applicant or sent through the United States Postal Service (USPS) when email is not an option.

D. Each Superintendent will establish a process to ensure the following information is entered into the statewide visit system:

1. A record of each visit,

2. A picture of each visitor at the first visit, which will be updated when his/her appearance changes or every 2 years for minors, and

3. The Statewide Visit Specialist, Communications Director, and DOC Webmaster are notified when visit room closures occur.

E. Extended family visiting opportunities are available per DOC 590.100 Extended Family Visiting.

F. Video visiting opportunities are available per Attachment 1.

II. Eligible Visitors

A. Visitors must be approved per the approval process and added to the incarcerated individual's approved visitor list before being allowed to visit unless authorized by the Superintendent.

1. Professional visitors are identified as individuals working in a professional capacity (e.g., attorney, clergy, social worker not escorting a minor), are not required to be on the approved visitor list, and will request visits per DOC 150.150 Visits and Tours of Department Facilities and Offices.

B. Approved minors (i.e., under 18 years of age and not legally emancipated) may participate in visiting an incarcerated individual when escorted by someone on that individual's approved visitor list, who is:

1. An approved non-incarcerated parent/legal guardian,

2. A designated adult escort listed on a notarized DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort.

a. This form should be submitted before the date of the visit.

3. Another approved minor listed on the approved visitor list when s/he is the parent of the minor and the visit is approved by the Superintendent/ designee.

a. Unless the minor parent is legally emancipated, both the minor parent and minor child(ren) must be escorted by an approved adult on the individual's approved visitor list.

4. An approved Children's Administration Social Worker/Visit Supervisor.

a. Requests by Social Workers/Visit Supervisors to escort an approved minor will be submitted through the electronic Visitor Application at doc.wa.gov.

C. The following are ineligible to visit incarcerated individuals:

1. A past or present victim of the incarcerated individual's crime(s) of conviction.

   a. Exceptions may be granted for immediate family members by the Assistant Secretary for Prisons.

   b. A minor may be denied due to the nature of a crime of conviction if s/he is profiled as comparable to that of a victim.

2. Persons involved with the incarcerated individual in the commission of the offense for which s/he is incarcerated.

   a. Exceptions may be granted by the Assistant Secretary for Prisons/Headquarters Corrections Program Administrator for immediate family members or if there is a clear demonstration the visits would benefit the incarcerated individual.

3. Persons restricted per the Judgment and Sentence (J & S), including conditions of community supervision that prohibit contact with an individual or category of individuals.

   a. Although supervised visits may be allowed per the J & S, supervision by facility visit employees does not constitute supervised visiting as required by court orders.

4. Persons who have any conviction(s) for introduction of contraband into a jail or prison setting.

5. Persons with pending charges.

D. Persons with felony convictions are not eligible to apply for visiting privileges for 2 years after expiration of the sentence, community supervision, or conditions of a deferred sentence with the following exceptions:

1. Immediate family members with proof of relationship will be allowed to visit after one year from the date of closure or with permission from his/her Community Corrections Officer after successfully completing one year of supervision.

2. Persons on unsupervised probation/deferrals will be able to visit after one year from the date of sentencing with permission from the court.

3. Persons who only owe Legal Financial Obligations are not subject to these requirements.

E. Persons with misdemeanor convictions are not eligible to apply for visiting privileges for 6 months after expiration of sentence except immediate family members with proof of relationship, who may be considered after 3 months from the date of closure.

F. Current Department employees, contract staff, and volunteers who are immediate family must attach DOC 20-450 Approval for Visits by Current/Former Employee, Contract Staff, or Volunteer to the visit application.

G. Former Department employees, contract staff, and volunteers may request visiting privileges after 3 years has elapsed from the last date of employment/ work for the Department.

III. Special Visits

A. [4-4500] Special visits may be permitted for:

1. Visitors who travel a long distance (i.e., at least 250 miles one way) or from out of the country.

2. Individuals who use special transportation services facilitated and contracted by the Department.

3. Appointed members of local and/or statewide family councils who have missed visits due to participation in council meetings.

4. Incarcerated individuals who are in restrictive housing or hospitalized.

B. [4-4500] Special visits will only be approved for persons on the incarcerated individual's approved visitor list unless approved by the Superintendent/designee for extraordinary circumstances.

C. Special visits must be requested on DOC 21-787 Special Visit Request and submitted to facility visit employees as soon as possible, but no less than 5 business days before the requested date.

1. All visitors who wish to participate in the special visit must be listed on the form.

2. Visit employees will process requests before the requested visit date.

D. The Superintendent/designee will coordinate adjustments to established times and days for individuals on the approved visitor list to accommodate special requests.

IV. Approval Process

A. Each prospective visitor must apply for visiting privileges by completing an electronic Visitor Application at doc.wa.gov.

1. Providing false/misleading information or failure to list all previous criminal history on the visit application may result in denial of visiting privileges.

2. A completed and notarized copy of DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort must be attached to the visit application for a minor(s).

a. Escorts may be added after the minor has been approved by submitting the form to the Headquarters Visit Unit at dochqvisitunit@doc.wa.gov.

B. Applications will be processed within 30 days of receipt.

C. National Crime Information Center (NCIC), Washington State Crime Information Center (WACIC), and District and Municipal Court Information Center (DISCIS) background checks will be conducted, and the incarcerated individual's electronic file will be reviewed to verify the applicant's identity and ensure the accuracy of the visitor's application.

1. Subsequent background checks may be run on a periodic basis, when there is concern of new criminal activity or other concerns that would impact visitation.

V. Approved Visitor List

A. There is no limit to the number of visitors an individual may have on his/her approved visitor list.

B. Visitors may only be on one approved visitor list unless they are immediate family members of more than one incarcerated individual and approved by the Statewide Visit Specialist on DOC 20-438 Approval for Visits with Multiple Incarcerated Individuals. The form must be completed by the visitor and emailed with documentation of proof of relationship to the Headquarters Visit Unit.

1. If a child with incarcerated parents participates in visiting with both parents, an exception may be allowed for the adult accompanying the child as an escort.

C. When an individual is transferred to another facility, his/her approved visitor list will remain active and be available in the statewide visit system.

1. Incarcerated individuals will be responsible for notifying their visitors of transfers.

2. The receiving facility may conduct a review of each individual listed for updated law enforcement and intelligence data.

3. When the receiving Superintendent believes visiting should be denied, the matter will be referred to the appropriate Deputy Director/designee for a final decision.

D. Individuals will use the kiosk to view their approved visitor list.

1. For facilities without a kiosk, the Superintendent will establish a process to notify individuals regarding their approved visitor list.

E. Visitor lists will be closed out and no longer valid when an individual is released from confinement, passes away, or is on escape status. If an individual is re-incarcerated, all visitors must go through the approval process to create a new visitor list.

F. Applicants denied placement on an approved visitor list will be informed, in writing, of the reasons for denial.

1. When all avenues of appeal have been exhausted and the denial is being upheld, the applicant must wait 12 months after the date of the last action before reapplying for visit privileges.

VI. Removal of Names from the Approved Visitor List

A. An individual may remove a visitor from his/her approved visitor list by sending a written request to the Headquarters Visit Unit at PO Box 41118, Olympia, WA 98504-1118 or via kiosk.

B. A visitor who wishes to be removed from a visitor list must send a written request to the Headquarters Visit Unit at PO Box 41118, Olympia, WA 98504-1118 or by emailing dochqvisitunit@doc.wa.gov.

C. If a visitor is removed from an approved visitor list, s/he must wait 90 days before being added to any visit list.

1. The waiting period may be waived if the visitor never visited with the individual whose list they were removed from.

D. Minors may be removed from a visit list if any legal parental authority requests it in writing to the Headquarters Visit Unit and attaches proof of authority (e.g., parenting plan, court documents).

VII. Visit Processes

A. Visitors and incarcerated individuals will be treated courteously. Rule enforcement will be polite and professional.

B. Copies of the Visitor's Guidelines (Attachment 2) will be available to all incarcerated individuals and visitors at the facility and at http://www.doc.wa.gov. Information will also be provided concerning transportation to the facility. [4-4504]

1. Each facility will identify processes specific to their location in Attachment 2 to include:

a. Hours and days for personal visits, including appropriate arrival times.

b. [4-4498] The maximum number of visitors each individual is allowed during visiting hours and the length of visits, which may be limited only by facility schedule, space, and personnel constraints, or when there are substantial reasons to justify the limitations.

c. Check in/out process for visitors. [4-4503]

2. Requests for exceptions to the Visitor's Guidelines (Attachment 2) will be submitted to the appropriate Deputy Director for approval.

C. [4-4503] All visitors and service dogs are subject to pat, electronic, and canine searches. Lockers used by visitors, as well as visitors' vehicles, purses, packages, briefcases, or similar containers which are brought onto facility grounds may be searched per DOC 420.340 Searching and Detaining Facility Visitors.

1. All visitors should read DOC 420.340 Searching and Detaining Facility Visitors and are required to sign DOC 21-575 Acknowledgment of Visitor Search Requirements before the first visit with an incarcerated individual.

D. In addition to brief, appropriate contact at the beginning of each visit, an incarcerated individual may have physical contact with his/her child(ren) 8 years of age and under.

1. The Superintendent may impose additional requirements that limit physical contact for a specific individual visitor.

E. Visitors with minors are responsible for ensuring the minors they escort are accompanied and supervised during the entire visit.

F. Visitors and incarcerated individuals will only bring limited items into the facility visit room and should dress appropriately per Attachment 2.

VIII. Denial, Suspension, or Termination of Visits

A. While the Department intends to actively engage families in support of those under its jurisdiction, visiting may be denied, suspended, terminated, or restricted as a sanction for a guilty finding of visit-related infractions, violent offenses, or drug related behavior that presents a security or safety threat.

1. Sanctions will be imposed per DOC 460.050 Disciplinary Sanctions and will be shared with affected family members.

B. Persons involved in attempting/conspiring to introduce, or aiding and abetting another to introduce contraband will have their visit privileges suspended or permanently terminated.

1. A visitor found in possession of dangerous contraband may be detained and/or searched per DOC 420.340 Searching and Detaining Facility Visitors and will have their visit privileges permanently terminated.

2. A visitor found in possession of items that are legal, but considered contraband in Prisons will have their visiting privileges suspended for 6 months. Subsequent violations will result in permanent termination of visiting privileges.

C. The Superintendent may suspend/terminate visiting privileges with a specified individual(s) as the result of a very serious violation or multiple violations.

D. The Superintendent or designee at the rank of Shift Commander or higher may deny entrance to visitors or terminate a visit in progress if:

1. There is prior knowledge leading to evidence that a visitor is attempting to smuggle contraband in or out of the facility.

a. Local law enforcement will be contacted and allowed to handle visitor search procedures if there is sufficient information and time to coordinate efforts.

2. There is a disturbance or emergency situation within the facility.

3. There is clear and present or imminent danger to the health or safety of anyone.

4. There is reasonable suspicion to believe that criminal conduct will result if entrance is allowed.

5. The visitor appears to be under the influence of alcohol or drugs.

6. The individual or visitor fails to abide by Department policies or the facility's rules or procedures.

E. The Superintendent may suspend or terminate the visiting privileges of a visitor for a serious/repeated violation of this policy or serious/repeated abuse of visit privileges on the part of the visitor or incarcerated individual.

1. The Superintendent/designee may prolong a suspension if there remains a clear and present or imminent danger to the health or safety of anyone or risk to facility security.

F. DOC 20-454 Visitor's Notice of Suspension/Termination will be sent to the visitor within 10 days identifying the specific reason(s) for a suspension or termination.

1. The incarcerated individual may request the reason for the suspension, denial, or termination from the visitor.

IX. No Contact Provisions

A. The Superintendent will establish procedures for no contact visiting in cases of substantiated security risk. [4-4499-1]

B. The Superintendent may impose no contact visit provisions for inappropriate or security threat-related behavior displayed by the incarcerated individual and/or visitor.

X. Appeals for Visiting Privileges

A. A visitor may appeal an initial visit application denial in writing to the Assistant Secretary for Prisons/Headquarters Correctional Program Administrator. A

written decision will be mailed through the USPS when email is not an option for notification to the visitor.

B. Visitors may appeal visiting privilege restrictions/suspension/termination by writing to the facility's Superintendent, stating the circumstances and why visiting privileges should be restored. If the Superintendent upholds the decision, the visitor may appeal the Superintendent's decision to the Assistant Secretary for Prisons, who will have final approval on visiting privilege appeals.

XI. Documentation

A. All visit-related documentation will be scanned into the incarcerated individual's electronic imaging file.

B. The Statewide Visit Specialist will assist with document verification and processing, as necessary.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Dangerous Contraband. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

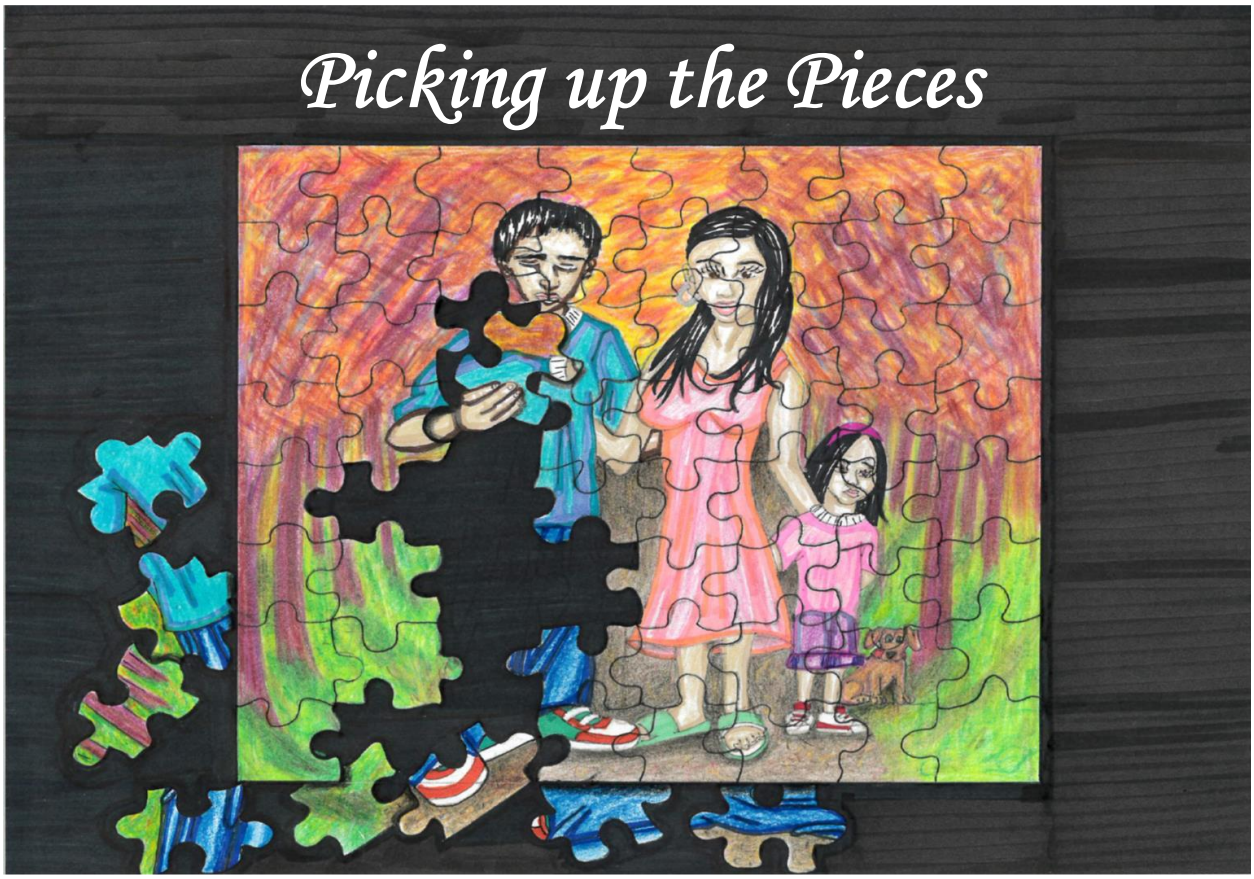
Video Visiting (Attachment 1)
Visitor's Guidelines (Attachment 2)

DOC FORMS:

DOC 20-438 Approval for Visits with Multiple Incarcerated Individuals
DOC 20-441 Parental/Guardian Consent for Minor Visit and/or Escort
DOC 20-450 Approval for Visits by Current/Former Employee, Contract Staff, or Volunteer
DOC 20-454 Visitor's Notice of Suspension/Termination
DOC 21-575 Acknowledgment of Visitor Search Requirements
DOC 21-787 Special Visit Request

ATTACHMENT 6

2018 Summer Institute Call for Proposals
August 23 – 24, 2018



2018 Summer Institute hosted in Spokane, WA

The road to rebuilding one's life when serving time is a process from incarceration to reentry and integration. Spokane's Community Partners in Transition Solutions (CPTS) hosted a contest at Airway Heights Corrections Center for those currently incarcerated to create our 2018 Summer Institute theme. Our winner, Mr. Fernando Trejo Ramirez designed the above artwork illustrating his vision for *Picking up the Pieces*. He writes, "This picture depicts the life of a person on a journey. Like a puzzle, step by step, putting his dream life picture together and making it a reality." Spokane CPTS invites you to take part in the 2018 Summer Institute. This annual conference offers an opportunity for reentry service providers, educators, faith-based and community organizations, Tribal Nations, and individuals affected by incarceration to network, share expertise, identify and refine best practices, and foster sustainable partnerships.

With this theme in mind, the Summer Institute Planning Workgroup welcomes your workshop proposal submissions focusing on the following critical areas for successfully piecing together one's path through justice involvement to community integration:

1. Family Reunification
2. Employment and Career Advancement including Education
3. Civil Legal Aid, such as support with Legal Financial Obligations and Child Support
4. Housing and support Solutions
5. Trauma Healing and Integration
6. Culture of Incarceration and the issue of Institutionalization
7. Cultural Dynamics in the Reentry Process
8. Policy, Advocacy and Community Organizing efforts (systemic issues)

Conference Format:

Conference Workshops – 60 or 90-minute format with time built in for question and answer period. We encourage proposals that demonstrate ample opportunities for audience participation, are experiential and/or hands on and provide scenarios for collaborative case planning. We encourage proposals to highlight programs or resources that data-driven and evidence-based that also show strong collaboration between community partners. We may ask you to present more than once. Please do not submit proposals that use the words "offender" or "ex-felon."

The second day of the conference will provide a track for community organizing and support for individuals and families impacted by the justice system. We encourage proposals that provide a workshop certification, for example, in Responsible Renters, Peer to Peer Mentoring skills or Building a Grassroots Movement, or allows for the facilitation of trauma healing through the demonstration of a restorative circle.

Conference Audience – Attendees in federal, state and local agency staff and administrators vested in the reentry process, agencies and individuals involved in reentry services and advocacy, faith-based community organizations, educators, Tribal Nations, and individuals affected by the criminal justice system.

Submission Information

Workshop proposals submissions are due by Friday, June 8, 2018. The Summer Institute Planning Workgroup will review all submissions. Final decisions will be based on quality, level of expertise, and relation to the conference theme. You will be notified of the selection process via email no later than June 29, 2018. Submit proposals to jbpace@doc1.wa.gov.

Registration is required for all presenters at a reduced cost of $50/person and must be completed by July 20th, 2018. Failure to register by the deadline may result in cancellation of your session. Please be available to present at any time scheduled during the conference dates of August 23 – 24, 2018.

Presenters are responsible for handouts. On-site photocopying will not be available. Each classroom will be equipped with a laptop and overhead projector. Internet will be accessible.

Please submit your proposal in the following format:

1. Title of Presentation (MUST relate to the theme and be 100 characters or less)
2. Program Description
   a. Abstract (50-word summary to appear in the conference program)
   b. Description of the information to be presented in the session to include which of the areas of focus the session will address specifically
3. Presenter Information
   a. Name, title, organization (1st person listed will be the point of contact)
   b. Phone and email
   c. Additional bios for all presenters
   d. Number of panelist if applicable (scholarship options available by request)
4. Room Needs – please identify the classroom set-up i.e. laptop, overhead projector, panel discussion, internet access, preferred seating arrangements
5. All submissions must be electronically submitted in Word format to Jennifer Pace, jbpace@doc1.wa.gov by Friday, June 8, 2018.