



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/FIELD**  
FACILITY/SPANISH MANUAL

REVISION DATE  
11/3/21

PAGE NUMBER  
1 of 7

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**DOC 320.160**

**POLICY**

TITLE  
**TOLLING OF SUPERVISION IN THE COMMUNITY**

**REVIEW/REVISION HISTORY:**

- Effective: 11/20/00
- Revised: 7/27/01
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- Revised: 4/16/12
- Revised: 3/10/14
- Revised: 8/1/15
- Revised: 1/13/16
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- Revised: 4/5/19
- Revised: 11/3/21

**SUMMARY OF REVISION/REVIEW:**


Updated terminology throughout  
Policy Statement II. - Adjusted for person-centered language

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

10/20/21  
\_\_\_\_\_  
Date Signed

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## REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.030](#); [RCW 9.94A.171](#); [RCW 10.77](#); [RCW 71.05](#); [RCW 71.09](#); DOC 280.500 Records Management of Official Offender Files; DOC 460.130 Response to Violations and New Criminal Activity; Tolling Training for Community Corrections Officers; Tolling Policy Decision Frequently Asked Questions (FAQs); Scheduled End Date (SED)/Tolling Calculator Worksheet

## POLICY:

- I. Individuals supervised on community placement, community supervision, and community custody status will have supervision time in the community postponed or suspended (i.e., tolled) whenever the individual escapes or absconds from supervision, is placed in confinement for any non-Department sanction matter, or is in civil commitment status.
- II. The Department will only toll sanction-only time in total confinement when the cause/count is a felony sex offense as defined in RCW 9.94A.030, including felony offenses with a finding of sexual motivation not covered by RCW 71.09.
- III. Tolling rules are applied the same whether the individual is housed in a Department facility, violator unit, or tribal, municipal, or county jail.


## DIRECTIVE:

- I. Tolling Authority
  - A. The Department will toll:
    1. Time an individual has failed to report for supervision.
    2. Time in confinement for any non-Department sanction matter including any period an individual is held on a new criminal activity hold per DOC 460.130 Response to Violations and New Criminal Activity.
    3. Original jail time imposed at sentencing on or after July 24, 1993.
    4. Work crew, if ordered by the court in lieu of original jail time imposed at sentencing on or after July 24, 1993.
    5. Electronic monitoring, if ordered by the court in lieu of original jail time imposed at sentencing on or after July 24, 1993.
    6. Mental health commitments per RCW 71.05 or RCW 10.77 that are not on Less Restrictive Alternative (LRA) status.


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- a. Mental health commitment not ordered as a condition of supervision on a Department cause will extend the Scheduled End Date (SED) and Statutory Maximum Expiration date.
7. Civil Commitment under RCW 71.09.
8. Misdemeanor Community Custody (MCC) on or after July 26, 2009, without a court order.
9. Time an individual is in partial confinement in lieu of original jail time.
- B. On Post Release Supervision (PRS) and community supervision cases during the period of July 25, 1999, through March 29, 2000, only the court can toll time, except:
  1. The Department can toll time on Community Custody Inmates (CCI) cases during that period.
- C. In order for the Department to toll court-ordered time, the Judge must specify the dates of tolling or delegate the authority to determine the tolling dates to the Department.
- D. The Department will not toll:
  1. From Out-of-State (FOS)
  2. Parole
  3. Probation
  4. Supervised/unsupervised appeal
  5. Misdemeanor (MIS) supervision prior to July 26, 2009, unless specifically ordered by the court
  6. Monetary supervision
  7. Inpatient treatment
  8. Insanity acquittals (IAQ)
  9. Immigration and Customs Enforcement (ICE) custody and deportation
  10. Community Custody Board (CCB) releases
  11. LRA status, including when the individual is in partial confinement at the state mental health facility
  12. Individuals on active supervision who are on active military duty deployed outside the United States
  13. Court-ordered community residential Drug Offender Sentencing Alternative (DOSA) treatment.


## II. Responsibilities

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- A. When the case manager determines that an individual has become unavailable for supervision, except when serving solely on a Department sanction:
1. The case manager will enter a “TL” Chronological Event (chrono) documenting the start date and the reason (e.g., Failure to Report, Original Jail Time, non-Department confinement).
  2. If the individual is not confined as a violator, the case manager will email notification to the Tolling Unit at [docccdtollingreview@doc.wa.gov](mailto:docccdtollingreview@doc.wa.gov) to initiate a review of tolling actions.
    - a. The Tolling Unit Correctional Records Technician (CRT) will:
      - 1) Review the notification to determine if a tolling action is appropriate. Tolling action will depend on who has authority to toll as specified in Tolling Authority and Timeframes (Attachment 1).
      - 2) Start tolling in the applicable records system.
      - 3) Append the case manager’s TL chrono documenting whether tolling was started or was not. If tolling was not started, the CRT will document why tolling criteria were not met.
  3. If the individual is confined as a violator at a violator facility, the case manager will complete the Local Confinement banner, including the confinement start date and crime type/description information, on the Violator Management screen in the individual’s electronic file.
    - a. The Violator Unit CRT will:
      - 1) Review the Violator Management Local Confinement auto-notification to determine applicable tolling activities and update tolling as needed on the Prison Movements screen in the electronic file.
      - 2) Append the case manager’s TL chrono documenting that local confinement tolling has been started.
- B. When the case manager determines that an individual has become available for supervision, except when releasing from confinement solely on a Department sanction:

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1. The case manager will enter a “TL” chrono documenting the date supervision resumed and the reason.
  2. If the individual was not confined as a violator, the case manager will email notification to the Tolling Unit to initiate a review of tolling actions.
    - a. The Tolling Unit CRT will:
      - 1) End tolling in the applicable records system.
        - a) When generated in the individual’s electronic file, the CRT will verify the SED reflects the accurate number of tolling days. If the SED is incorrect, the CRT will notify the Tolling Unit Correctional Records Supervisor (CRS) for resolution.
        - b) When the SED is not automatically generated, the CRT will update the user-provided SED.
      - 2) Append the case manager’s TL chrono documenting that tolling has ended and the adjusted SED.
- C. When the case manager determines that an individual is no longer serving non-Department confinement when confined as a violator at a violator facility:
1. The case manager will enter the confinement end date on the Local Confinement banner of the Violator Management screen in the individual’s electronic file.
  2. The Violator Unit CRT will:
    - a. Review the Violator Management Local Confinement auto-notification to determine applicable tolling activities and update tolling as needed on the Prison Movements screen in the electronic file.
    - b. When generated in the individual’s electronic file, verify the SED reflects the accurate number of tolling days are applied for local confinement time.
      - 1) If the SED does not reflect the accurate number of tolling days applied, or user-provided SED has an asterisk next to it, the CRT will notify the Tolling Unit for resolution.

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a) The Tolling Unit CRT will append the CCO's TL chrono documenting that tolling has ended and the adjusted SED.

2) If the SED accurately reflects the tolling activities for local confinement, the Violator Unit CRT will append the case manager's TL chrono documenting that local confinement tolling has ended to include the updated SED.

D. For individuals within 60 days of cause SED and scheduled for a violation hearing, the Hearing Records Unit will email a request to the Tolling Unit to confirm the SED reflects all applicable tolling.

E. The case manager will email a tolling review request to the Tolling Unit 60 days before the SED per DOC 280.500 Records Management of Official Offender Files.

### III. Tolling

A. Per the tolling timeframes specified in Attachment 1:

1. Non-Sanction Confinement


a. Tolling will begin on the first day of the non-sanction confinement and end the day of release.

2. Failure to Report (i.e., fails to make required contact and cannot be located or failed to return to Washington State when ordered)

a. Tolling will begin on the date the individual fails to report, unless the case manager becomes aware that the individual has absconded supervision before the scheduled report date, in which case tolling will begin on the date the case manager became aware that the individual absconded.

b. For sex offenses, tolling will end on the date the individual becomes available for supervision.

c. For all other offenses, tolling will end on the date of apprehension if the individual is arrested and confined for the Department sanction only. If the individual is arrested and confined for a Department sanction and a non-Department sanction matter, tolling will continue until the non-Department sanction matter is resolved.

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- d. More information can be found in Community Corrections Division Frequently Asked Questions (FAQs).
- B. When an individual has multiple causes, and time is tolled for confinement on a cause that is later vacated, the time tolled on the vacated cause will remain in effect for the other active causes.
- C. Tolling Unit CRTs will enter tolling dates, except auto-generated tolling in the Prison Movements or Sentence Information section in the individual's electronic file.

**DEFINITIONS:**

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

**ATTACHMENTS:**

Tolling Authority and Timeframes (Attachment 1)

**DOC FORMS:**

None