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FACILITY/SPANISH MANUALS

REVISION DATE 8/31/23 NUMBER DOC 590.200

TITLE

MARRIAGES AND STATE REGISTERED DOMESTIC PARTNERSHIPS

PAGE NUMBER

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REVIEW/REVISION HISTORY:

Effective: 12/7/84 DOC 730.010

Revised: 10/1/85

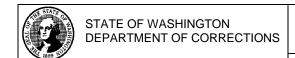
Revised: 11/20/87 DOC 590.200

Revised: 4/11/03 Revised: 12/1/06 Revised: 3/20/08 3/10/09 Revised: 1/18/11 Revised: Revised: 11/19/12 Revised: 3/15/13 Revised: 7/20/16 Revised: 7/27/17 Revised: 8/13/20 Revised: 9/5/22 Revised: 8/31/23

SUMMARY OF REVISION/REVIEW:

Department of Corrections

| Major changes to include applicability, organization of information, and updated processes. Read carefully! | | |
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| APPROVED: | | |
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| Signature on file | | |
| | 8/4/23 | |
| CHERYL STRANGE, Secretary | Date Signed | |



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REFERENCES:

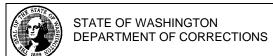
DOC 100.100 is hereby incorporated into this policy; RCW 26.04; RCW 26.60; WAC 137-54-030; WAC 137-54-040; DOC 280.310 Information Technology Access and Security; DOC 450.300 Visits for Incarcerated Individuals; DOC 560.200 Religious Programs; DOC 590.100 Extended Family Visiting; DOC 700.100 Class III Work Programs; Visitor Guidelines

POLICY:

- I. The Department will provide a means for individuals in Prison to marry or enter a state registered domestic partnership (SRDP) during their incarceration. The Department neither approves nor disapproves of marriage or domestic partnership.
- II. Marriages must comply with RCW 26.04 and SRDPs must comply with RCW 26.60.
- III. Applicants must adhere to policy requirements to be considered for programs and privileges offered for married individuals/state registered domestic partners (i.e., partners).

DIRECTIVE:

- I. Requirements and Eligibility
 - A. Individuals must be assigned to a parent facility before beginning the marriage/ SRDP application process.
 - B. Individuals in restrictive housing can initiate a marriage/SRDP application, however, the ceremony may be postponed until the individual is released from restrictive housing based on restrictions for contact visits and officiant expectations.
 - Out-of-state boarders must have permission from the sending agency or Regional Director of the Federal Bureau of Prisons.
 - D. The intended spouse/partner must be on the individual's approved visitor list per DOC 450.300 Visits for Incarcerated Individuals.
 - If a marriage/SRDP application is approved and the intended spouse/ partner is not on the approved visitor list, the participants will only be allowed to partake in a virtual ceremony.
 - E. The individual and the intended spouse/partner must be eligible to legally marry or enter an SRDP in Washington State.



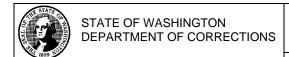
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F. Individuals who marry or enter an SRDP are not guaranteed participation in extended family visits and must apply per DOC 590.100 Extended Family Visiting.

II. Application Process

- A. The intended spouse/partner and incarcerated individual will complete and submit DOC 20-213 Marriage/State Registered Domestic Partnership Application to the assigned case manager with copies of any applicable divorce/dissolution decrees for all prior marriages/SRDPs.
 - 1. The intended spouse/partner must also submit a copy of their photo identification.
- B. The case manager will:
 - 1. Initiate DOC 20-443 Marriage/State Registered Domestic Partnership Process Checklist and process applications by reviewing submitted documents to determine eligibility.
 - 2. Review all no contact and/or protection orders and Judgment and Sentence conditions.
- C. Applications involving a person who was a victim of the individual will be thoroughly reviewed and may be denied.
- D. The Facility Risk Management Team will meet and provide a recommendation for the Superintendent/designee to review and approve.
 - 1. If denied, an appeal may be submitted to the appropriate Deputy Assistant Secretary for Prisons within 10 days.
 - 2. The case manager will hold the DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing and all related documents (i.e., marriage/SRDP packet) to allow for the appeal to be reviewed and approved/denied.
- E. If approved to proceed, the case manager will allow the individual to review the Criminal Conviction Record (CCR) that will be provided to the intended spouse/partner.
 - 1. The individual must sign DOC 20-215 Marriage/State Registered Domestic Partnership Approval for Release of Information to allow the assigned case manager to release the CCR.



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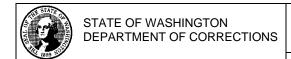
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- a. If the individual declines, the case manager will notify the intended spouse/partner that the individual has declined release of the CCR, and the following will only be provided for the current conviction:
 - 1) Current crime(s) of conviction
 - 2) Sentence structure
 - 3) Minimum term
 - 4) Maximum expiration date
 - 5) Early release date
- F. The intended spouse/partner must sign the release of information indicating the intended spouse/partner has read and understands the information received and still wishes to proceed with the marriage/SRDP.
- G. Application processing will continue with the originating case manager while an individual is in restrictive housing or out-to-court.
 - If an individual is transferred to another parent facility, the marriage/SRDP packet will be scanned and sent to the new case manager and documented in the individual's electronic file.
- H. The individual and the intended spouse/partner may be required to participate in counseling by an outside officiant prior to marriage or entering an SRDP.
 - 1. The Department is not responsible for providing employees to facilitate counseling requested by an outside officiant.
 - 2. The counseling may be conducted by the officiating clergy or a certified professional counselor obtained by the couple.
 - 3. The couple will be responsible for any costs associated with the counseling.
- I. Once final approval is received, the marriage/SRDP packet will be forwarded to the Religious Coordinator, who will:
 - 1. Continue the process per DOC 20-443 Marriage/State Registered Domestic Partnership Process Checklist.
 - 2. Meet with the individual to discuss the marriage/SRDP process.

III. License/Certificate

A. The intended spouse/partner is responsible for obtaining the application for the license/certificate.



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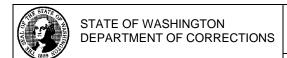
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- 1. The intended spouse/partner will obtain the license application/declaration and send it to the Religious Coordinator.
- 2. The Religious Coordinator will arrange for the individual to meet with a notary public to sign the application.
- 3. The individual will provide a prefranked envelope or DOC 02-003 Postage Transfer to return the license application/declaration to the intended spouse/partner to obtain the license/certificate.

IV. Ceremonies

- A. A ceremony will be held for marriages in compliance with state statute. While not legally required, a ceremony will be offered to those entering an SRDP.
 - 1. The ceremony may be postponed if there is a disturbance or emergency within the facility.
- B. The facility Religious Coordinator will supervise the arrangements of the ceremony, which will be performed by:
 - 1. Volunteer clergy,
 - 2. An approved contract religious provider, or
 - 3. An outside officiant (e.g., magistrate, clergy) obtained by the individual and intended spouse/partner.
 - Any outside officiant must clear a National Crime Information Center (NCIC) background check and have Superintendent/ designee approval based on the following:
 - 1) An officiant performing a religious ceremony must:
 - Be qualified per RCW 26.04 to perform marriages in Washington State,
 - b) Be approved to enter the facility based on the background check, and
 - c) Submit a certified document verifying authority to perform the ceremony as recognized by the religious or faith-based organization of the individual, along with a current letter of appointment or a letter stating the officiant is in good standing from the ordaining body/religious authority.



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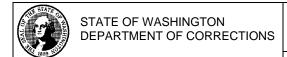
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- b. A member of the judiciary performing a civil ceremony must submit a letter of appointment or oath of office.
- C. The couple will be responsible for costs associated with the ceremony.
- D. The ceremony will be private and conducted without media coverage. In addition to the couple and officiant, up to 6 of the following persons may attend the ceremony:
 - Ceremony participants required by the religion or faith-based organization 1. of the individual or intended spouse/partner.
 - Participants must clear an NCIC background check and require a. Superintendent/designee approval.
 - 2. Children of the individual and/or intended spouse/partner if on the individual's approved visitor's list.
 - 3. A professional photographer who must clear an NCIC background check and requires Superintendent/designee approval.
 - 4. Another incarcerated individual as a witness for the individual marrying, if approved by the Superintendent/designee.
- E. All attendees must comply with dress standards in the Visitor's Guidelines. Exceptions require Superintendent/designee approval.
 - 1. The intended spouse/partner may bring clothing for the individual to wear during the ceremony, if approved in advance.
- F. Any items brought into the facility by an outside officiant or attendee require prior approval from the Superintendent/designee.
 - 1. Religious items will be consistent with the requirements for allowable religious items per DOC 560.200 Religious Programs.
- G. After the ceremony, the Religious Coordinator will complete the Authorized Marriage/State Registered Domestic Partnership Report section of DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing.
 - The completed marriage/SRDP packet will be scanned into the electronic 1. imaging file.
 - 2. The license/certificate will be scanned separately under appropriate electronic coding.



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V. Photographs

- A. The couple will be responsible for any costs associated with photographs.
- B. Photographers will be an approved worker per DOC 700.100 Class III Work Programs or an approved professional photographer retained by the individual or intended spouse/partner.
 - 1. Outside photographers will be required to turn over the memory card with photographs for internal review before leaving the facility.
- C. If a digital camera is available at the facility, the intended spouse/partner may bring a memory card to use in the camera consistent with DOC 280.310 Information Technology Access and Security.
- D. Photographs will be reviewed for content and compliance with policy.
 - 1. Photographs with suggestive or rude posturing, gang signs, or the appearance of gang affiliation will not be permitted.
 - 2. Individuals participating as part of the wedding party may be photographed with other wedding party members.
 - 3. If a professional photographer is used, the facility will send the memory card to the photographer upon completion of review.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 02-003 Postage Transfer

DOC 20-213 Marriage/State Registered Domestic Partnership Application

DOC 20-215 Marriage/State Registered Domestic Partnership Approval for Release of Information

DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing

DOC 20-443 Marriage/State Registered Domestic Partnership Process Checklist