



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
P.O. Box 41100 • Olympia, Washington 98504-1110

September 30, 2020

Joanna Carns
Office of Corrections Ombuds
2700 Evergreen Parkway NW
Olympia, WA 98505

Dear Ms. Carns:

The Washington Department of Corrections appreciates the opportunity to respond to the OCO investigation on the 'allegation of retaliation against a person incarcerated in the Eleanor Chase Work Release Center' completed by the Office of Corrections Ombuds.

Recommendation	Response
Overall, DOCs training should include a gender responsive lens as required by DOC Policy 590.370, such as encouraging staff to proactively and fully explore any indications that an opposite gender staff person is making an incarcerated person uncomfortable.	Corrections' Reentry Division is currently working on additional training to address gender responsive, trauma-informed and strength-based approach for monitoring and coaching. The senior reentry administrator has been in contact with the University of Washington to locate a trained individual who can help provide such training. Once the information has been obtained, it will be shared with the deputy prisons director and the equity and diversity administrator for phased introduction of gender responsive training for work release. The agency is working toward a plan for scheduling the training in calendar year 2021.
Letters to incarcerated or formerly incarcerated complainants following a PREA investigation should provide, at a minimum, information as to whether the outcomes were substantiated, unsubstantiated, or unfounded, and staff should consider a gender-responsive, trauma-informed lens in writing them.	Since the completion of the investigation, effective August 1, 2020, the PREA investigations unit began including the investigatory findings in letters sent to the incarcerated individual after completion. All efforts are made to notify individuals in person. However, if the individual has released from Corrections' custody, an individualized letter is sent. Additionally, in the enclosed letter, it is encouraged that the individual contact the work release Administrator to discuss any questions or concerns.



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<p>A mechanism should exist to return a person to work release or other setting as appropriate after a not guilty finding for an infraction that caused the person's return to prison.</p>	<p>Corrections' Reentry Division is currently creating a transition procedure to return a person to work release or other setting as appropriate after a not guilty finding for an infraction that caused a person's return to prison. The requirement of completing a transfer order within 48 hours to return the individual to the appropriate partial confinement option has been added to the draft of policy 460.135 <i>Disciplinary Procedures for Work Release</i>. (See EXHIBIT A)</p>
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The information provided by the OCO was useful to ensure the Department of Corrections is doing everything it can to ensure an incarcerated person's time in the agency's facilities is a fair and safe space for all incarcerated individuals.

We also appreciate your team's understanding of the unique processes across facilities and the addition of policies and procedures being put in place to address them. We are working towards proactivity and improving quality assurance processes throughout the department. Moving forward, Washington Department of Corrections will continue to collaborate with the Office of the Corrections Ombuds to implement additional policies, procedures, and security measures to continue to improve the facility operations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Sinclair", with a stylized flourish extending to the right.

Steve Sinclair, Secretary
Washington Department of Corrections

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY WORK RELEASE OFFENDER MANUAL		
	REVISION DATE DRAFT 10/19	PAGE NUMBER 6 of 7	NUMBER DOC 460.135
	TITLE DISCIPLINARY PROCEDURES FOR PARTIAL CONFINEMENT		

1. Investigate the alleged violation behavior within 48 hours of determining a violation(s) occurred and ensure evidence exists before serving DOC 20-437 Partial Confinement Serious Infraction Report,
 2. Ensure supporting evidence and the following documents are completed and forwarded to the CCS for review within 48 hours of service:
 - a. DOC 20-437 Partial Confinement Serious Infraction Report,
 - b. DOC 09-230 Partial Confinement Notice of Allegations, Hearing, Rights, and Waiver, and
 - c. If appropriate, DOC 09-186 Order of Suspension, Arrest and Detention.
 3. Serve the infraction report and DOC 09-230 Partial Confinement Notice of Allegations, Hearing, Rights, and Waiver no later than 24 hours before the hearing;
 - a. The infraction report will be served within one business day of discovering the violation behavior if the individual has been placed in total confinement.
 4. If applicable, arrange availability of witness(es) and/or statements, and
 5. Schedule interpretation services in advance of the hearing, if needed, per DOC 450.500 Language Services for Limited English Proficient (LEP) Offenders.
- E. Per the Offender Accountability Act, serious violation hearings will be conducted per DOC 460.140 Hearings and Appeals.
1. Upon a guilty finding, appropriate sanctions will be imposed per Attachment 2.
 - a. The Hearing Officer is authorized to suspend a sanction or impose a suspended sanction, if appropriate. Mandatory sanctions cannot be suspended or revoked.
 2. When a hearing that is held in total confinement that results in not guilty findings, for each alleged violation, the case manager will complete a transfer order within 48 hours to return the individual to the appropriate Partial Confinement option.