



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

June 16, 2020

Joanna Carns
Office of Corrections Ombuds
PO Box 43113
Olympia, WA 98504

Dear Ms. Carns:

The Washington Department of Corrections appreciates the opportunity to respond to the OCO Report on the 'OCO investigation into an allegation that an incarcerated individual was not served a court summons and further remained in restrictive housing for an extended period of time' completed by the Office of Corrections Ombuds.

Recommendation	Response
DOC should create and implement a department wide policy that outlines in what manner and in what timeframe incarcerated persons are to be served a court summons once it is received by the facility.	In the revision to policy <i>590.500 Legal Access for Incarcerated Individuals</i> , a new Operational Manual requirement was added that each facility will have a written plan for the service of all court documents.
DOC should immediately, or as soon as possible, move the incarcerated person involved in this complaint to a transition pod or directly into general population.	The Department of Corrections has housed the individual at a facility where there is access to the program <i>Getting it Right</i> . Upon completion of this program, the department will review the individual for custody promotion consideration. Due to the COVID-19 pandemic, the department cannot place the incarcerated individual into the transition pod.
DOC should create a procedure by which, when an incarcerated person is transferred to another facility for court proceedings, there is a plan in place for their return to the facility of origin. At the very least, DOC should assign a staff member to be in charge of keeping track of the incarcerated persons placement, movement, and court proceedings. This person should also be responsible for facilitating the incarcerated person's return when appropriate.	The Department of Corrections has a dedicated employee that is responsible for communicating with records staff every 30 days to inquire about individuals who are on a temporary transfer pending court proceedings. This inquiry is recorded in the chronos log for reference. Once the court proceeding is completed the individual will be returned to their parent facility.
DOC should make every effort to keep an incarcerated person being housed temporarily at a facility for court proceedings updated on	The Department of Corrections communicated with the incarcerated population frequently about the status of their court proceedings and



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their situation.	temporary housing placements. In this specific case, it was noted that the classification and records staff confirmed and communicated with the court and the incarcerated individual monthly to update the status of the temporary housing and need to be held at the facility for court proceedings.
DOC should clarify to those individuals responding to grievances, how fault is to be determined and assigned in a grievance investigation.	The Department's Statewide Grievance Manager conducted a required training for all grievance coordinators in March 2020. This training encompassed direction on how fault is to be determined and assigned in a grievance investigation.

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,

Steve Sinclair, Secretary
Washington Department of Corrections