



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
OFFICE OF THE SECRETARY
P.O. Box 41101 • Olympia, Washington 98504-1101

June 7, 2021

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 May 6, 2021 Office of Corrections Ombuds (OCO) report on ‘bettering the existing work release system.’

Recommendation	Response
<p>DOC should create a clear vision statement for work release centers separate from the prison system that emphasizes supporting successful reintegration into communities, including education, family connections, behavioral health support, employment and job skills, and providing appropriate support and interventions as people encounter obstacles in reentry.</p> <ul style="list-style-type: none">• Once the vision statement has been established, DOC should consider engaging in dialogue, focus groups, and/or evaluation regarding how well the vision is understood and implemented for both staff and incarcerated individuals.	<p>The Department has created a clear purpose statement for the Reentry Division to include its work release facilities. Currently, the work release orientation handbook is being finalized, and the purpose statement, principles, and some of the recommended pragmatic applications of reentry will be provided within the orientation handbook. Further, the Department agrees with the recommendation to conduct and engage in dialogue and focus groups across the state with both staff and incarcerated individuals.</p>
<p>DOC should update position descriptions, recruitment postings, and related interview assessments for work release staff to reflect recruitment needs relative to the new DOC mission and values and the new work release vision statement.</p>	<p>The Department agrees and has already begun the process of updating position descriptions, recruitment postings and related interview assessments to reflect the agency's mission, values, and Reentry purpose statement.</p>

<p>DOC training for all current and incoming work release staff will incorporate the new DOC mission and values and the new work release vision statement, with annual refreshers.</p>	<p>The Reentry Division agrees and is in the process of establishing a funded human resources consultant 4 position to specifically focus on work release training and crossover between work release and graduated reentry staff. The enhanced training will incorporate the new mission, values, and purpose statement.</p>
<p>DOC should ensure all work release handbooks and individual facility “house rules” are updated and posted on the external DOC website for easy access and understanding by both incarcerated individuals and their family members.</p>	<p>The Department agrees and has created the template for facility-specific "house rules" and it has been sent to each work release facility supervisor. By the end of fiscal year 2021 (June 30), the supervisors will have submitted their house rules to headquarters for review, approval, and publication. That publication will occur in both print editions as well as on the agency's external website for consumption by all stakeholders to include family members.</p>
<p>All work release staff should be required to undergo training related to trauma-informed care, gender responsiveness, antiracism principles, and cultural sensitivity. The training should include a specific component regarding retaliation.</p>	<p>The Department agrees and will require all work release staff to undergo said trainings upon their deployment. The Department will consider ways to increase capacity within its training and development unit (TDU) to create and implement such trainings. The retaliation training has been completed with supervisors and will be provided to the line staff.</p>
<p>DOC should strengthen communication between state and contract staff in work release facilities, including combined contractor and state supervisor quarterly meetings to build teamwork.</p>	<p>The Department agrees and the newly hired work release administrator will be scheduling quarterly meetings between both state and contracted work release supervisors. Moving forward, the Department will also consider other methods of enhanced communication between state and contract work release staff.</p>
<p>DOC should expand the utilization of Individualized Release Plan (IRP) to all</p>	<p>The Department agrees and is updating the individualized release plan (IRP)</p>

<p>work release residents. DOC should also ensure that the IRP includes at a minimum the following:</p> <ul style="list-style-type: none">• Site-specific information for every resident for access to reentry workshops, skill-building, communication soft skills, and other job-related skills programs by WorkSource or other community partners, with a preference for on-site programs or if not on-site, a defined pathway to the program (day/time/transportation/etc).• Clearly defined access to parenting programs for individuals, as needed.• Financial recovery, financial aid, and credit information.	<p>template, which has already been vetted with external and internal stakeholders, to include incarcerated individuals. The updated IRP template will include the cited topical examples.</p>
<p>Every person in a work release setting should have adequate daily access to the internet for education, employment search, visitation with loved ones, or other needs as approved by DOC. DOC should conduct an evaluation to determine current access at each facility, develop a shared understanding of how much time constitutes “adequate daily access” and develop a plan to ensure every person has adequate daily access.</p> <ul style="list-style-type: none">• Every resident should have clearly defined access to a computer basics training at each work release facility (e.g., software installed on a work release computer or through an identified community partner or local resource, such as the local library, Goodwill, etc.)	<p>The Department agrees and its education administrator is leading a team, to include the Department's Information Technology Unit, to determine next steps on implementing internet access at all work release facilities so that those within work release facilities have ready access to academic education, employment searches, prosocial connections and other approved needs. Additionally, the Department is participating in a cell phone pilot, allowing individuals to access the internet for the aforementioned reasons, at all work release facility sites.</p>

<p>Behavioral health (e.g., substance use, mental health, etc.) services should be prioritized at least at the same level as other programs such as employment and education, as determined by individual needs. Persons with identified behavioral health needs should be connected to a local behavioral health resource, such as those identified in the Behavioral Health Services Guide and local community site.</p>	<p>The Department agrees. A prepared case plan, as developed in partnership with an individual, does identify the issues upon which an individual will focus while in work release. One of those areas is behavioral health and that area of focus is prioritized in work release, and connections with behavioral health organizations (BHOs) are made.</p>
<p>When possible, DOC should provide an orientation welcome packet to individuals approved for work release <u>prior</u> to their transfer from a state correctional facility. The packet should include a work release FAQs document, their IRP, facility handbook and rules, and a contact person for questions. This could also potentially be achieved through a standardized document available through the telecommunications tablets.</p>	<p>The Department agrees that an orientation packet, containing many of the materials cited in the recommendation as well as other materials, can be made available to those who are scheduled for transfer to work release.</p>
<p>DOC should consider creating or identifying resources for residents to be able to pursue employment opportunities that would not immediately identify them as being a resident of a work release facility until they advance through the employment stages, such as an interview or later. The introduction of cell phones may assist in mitigating such concerns.</p>	<p>The Department allows individuals to both visit local WorkSource facilities and will continue to permit email creation for individuals to electronically pursue employment opportunities and applications. Additionally, the Department is participating in a cell phone pilot, allowing individuals to access the internet for seeking employment opportunities, at all work release facility sites.</p>
<p>Create a standardized, formal training for all hearings officers presiding over hearings for work release infractions, including a written guide or manual. The training should be provided before a hearings officer begins presiding over hearings and then also provided on a regular basis (e.g., annual) as a refresher.</p>	<p>The Reentry Division has invited the participation of the Administrative Operations Division's Hearings Unit to rewrite the partial confinement infractions and progressive disciplinary system. Training will follow the completion of the preliminary work.</p>

<p>An evidentiary packet, which includes at least all relevant evidence to be used in the hearing, should be provided to the infraction individual for all work release infractions prior to the hearing. The information, including the behavior and infraction, should be provided to an individual when they are detained and served with the Notice of Allegations, Hearing, Rights and Waiver. There should not be a time when an individual does not know why they are placed in custody or for what alleged infractions.</p> <ul style="list-style-type: none">• When possible, video evidence (e.g., security camera footage) should be captured for all infractions, and it should be available for viewing by the incarcerated individual at the disciplinary hearing, if presented as evidence. The evidentiary packet should include an indication of whether video evidence is going to be used as part of the disciplinary hearing, and notification that the incarcerated individual will have the ability to review it at the hearing.<ul style="list-style-type: none">▪ If there is a dispute regarding whether video evidence should be included as evidence, it will be appealable to the DOC HQ Operations Administrator.	<p>The Department is in the process of creating a hearings preparation checklist, which will include the required materials a case manager would provide an individual facing a disciplinary hearing. This will include proper written notice of the alleged infraction identifying the behavior, their rights, and a list of any evidence, to include video, that may be used at the hearing for the cited infraction(s). The checklist also includes the approval process for video evidence.</p>
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<p>Through its Research and Data Analytics Unit, DOC should conduct a statistical review of work release disciplinary decisions and evaluate them for disparate outcomes based on an incarcerated individual's racial or ethnic identification.</p>	<p>The Department agrees and will request a statistical review of work release disciplinary decisions to include demographic information.</p>
<p>DOC should ensure that hearings officers will verify and take into account how a person's mental health and/or developmental delay may have played a role in the infraction behavior and also that they separately take a person's mental health and/or developmental delay into account for the appropriate sanctions. This may include additional, specialized training for community corrections officers, as well as a specific procedure for hearings officers to reach out to the person's community health provider. DOC will develop and implement a method to document the verification and consideration of a person's mental health and/or developmental delay.</p> <ul style="list-style-type: none">• As part of the evidentiary notice, DOC will incorporate a statement of attestation that the individual is capable of understanding and if cognitive assistance is needed, that a person is identified to support. The statement will include an area for signature and/or initialing by the individual.	<p>Within the hearings preparation process and checklist, the case manager will ensure and verify the individual understands the process and material being used as evidence, and if there is an issue of competency, follow up with a supervisor for assistance, and will note mitigating factors, including mental health and/or developmental delays, in the hearing process. The Reentry Division is working in partnership with the Hearings Unit to develop and incorporate a statement of attestation into the hearings process.</p>
<p>DOC should provide for a greater range of sanctions for infractions in a work release setting, with a preference against returning people to prison unless necessary for theirs or others' safety and security.</p>	<p>The Department agrees and is currently engaged in a rewrite of the Washington Administrative Code (WAC) Chapter 137-56 to include creating a progressive disciplinary system to address infraction behavior at the lowest level possible.</p>

<p>Improve the quality of the lunches provided to persons leaving the facilities with a greater variety in the type of food provided in any given weekly menu rotation. Obtain feedback from the population on their satisfaction with the quality of the food through an exit satisfaction survey.</p>	<p>The Department agrees with the recommendation and is working toward greater food variety, utilizing the USDA nutritional guidance, and reviewed and approved by a licensed dietitian. The food feedback will be incorporated in the overall work release exit survey and the feedback will be utilized by the Department as it works on providing greater food variety.</p>
<p>While working within limitations of RCW, all persons should have the opportunity to open a bank account, prior to release, to provide a smooth transition of funds. Case managers will provide the opportunity for an individual to open a bank account within 10 days of release/transfer and deposit the minimum dollar amount established by the bank. The individual will not access the account prior to release/transfer but will have a place to deposit the final check upon release/transfer.</p>	<p>The Department agrees and will provide individuals the opportunity to open a bank account, no earlier than ten (10) days prior to release, with the approval of their case manager and based on individualized needs.</p>
<p>Create clearer policy language and staff direction around pass system, including granting appropriate extensions and limiting impacts to family visits and programming for failure to meet pass timeframes whenever possible.</p>	<p>The Department agrees and the pass system policy language in 300.550 Monitoring Graduated Community Access, and ensuing agency practices, will be updated to reflect appropriate guidance.</p>

<p>DOC should build on its current satisfaction survey implemented at some of the work release facilities and utilize systemwide for persons exiting work release facilities, capturing data across a range of areas, including food satisfaction, staff interactions, and program access. DOC should develop a method to capture and compile the data over a given timeframe (e.g., quarterly, annually, etc.). DOC should develop a method to capture information for persons releasing from work release and who are returned to prison or are otherwise unsuccessful to identify what went wrong and additional supports that were needed.</p>	<p>The Department agrees and has begun to collaborate between its Reentry Division and Research and Data Analytics Unit to develop a work release exit survey, which will be deployed across all work release facilities. The results will be compiled and considered at least annually for determinations on effective direction and practices within the work release program. The Department can also survey those individuals who were terminated from the work release program and returned to full confinement.</p>
<p>DOC Research, Data, and Analytics staff in conjunction with Reentry staff should create and publish information for each facility that includes the following:</p> <ul style="list-style-type: none"> • Data related to the satisfaction exit survey, including overall satisfaction of the program/separated by work release • Number or percentage of people who are successfully enrolled in education/employed by release date • Number or percentage of people who have participated in/completed programs • Number/percentage of people did not complete the program (broken down by category of why did not complete) • Number or percentage of people who are successfully enrolled in education/employed 6 months post-release 	<p>The Department agrees on publicly posting information and data that speaks to the efficacy of the work release program and will work toward defining the metrics and indicators to be consistently used in the measurements.</p>

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June 7, 2021

Page 9

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 custody is fair and focused on rehabilitative programs and actions.

We also appreciate your team's understanding of the unique processes across the correctional system and the addition of policies and procedures, as well as additional resource requests, being put in place to address them. We are working proactively toward and improving quality assurance standards throughout the department. Moving forward, the Washington Department of Corrections will continue to collaborate with the Office of the Corrections Ombuds to strengthen procedures and practices that positive impact individuals' health, safety and welfare.

Sincerely,



Cheryl Strange
Secretary