



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

**APPLICABILITY
FIELD**

REVISION DATE
12/3/21

PAGE NUMBER
1 of 8

NUMBER
DOC 350.750

POLICY

TITLE
WARRANTS, DETAINERS, AND HOLDS

REVIEW/REVISION HISTORY:

Effective: 10/6/00	Revised: 5/2/11
Revised: 10/25/00	Revised: 2/13/12
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Revised: 9/21/09	Revised: 8/29/19
Revised: 9/1/10	Revised: 12/3/21
Revised: 10/18/10	

SUMMARY OF REVISION/REVIEW:

Updated terminology and person-centered language throughout
 Added Policy I.A. that warrants/detainers for Less Restrictive Alternative will be issued per Department policy
 Directive I.A.1., III.A.1.a., and IV.E.1.c.2) - Adjusted language for clarification
 Added I.B.3. & 12. Chief of Staff and Indeterminate Sentence Review Board as authorized employees who may issue/cancel warrants, detainers, and holds


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

11/19/21

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); DOC 280.530 Supervision Files; DOC 370.380 Community Response Unit (CRU) (RESTRICTED); DOC 380.300 Supervision of Individuals on Conditional Release, Insanity Acquittal, and Supervised Appeal; DOC 380.370 Sexually Violent Predator/Less Restrictive Alternative; DOC 380.605 Interstate Compact; DOC 420.390 Arrest and Search; DOC 460.130 Response to Violations and New Criminal Activity

POLICY:

- I. The Department has the authority to issue or request a warrant/detainer for the arrest/detention of individuals who are accused of violating conditions or requirements of supervision/community custody or make themselves unavailable for supervision.
 - A. Warrants/detainers will be issued/requested for individuals supervised to a court-ordered Less Restrictive Alternative per DOC 380.370 Sexually Violent Predator/Less Restrictive Alternative.
- II. The Department has the authority to issue a hold for known new criminal activity per DOC 460.130 Response to Violations and New Criminal Activity.

DIRECTIVE:

- I. Responsibility
 - A. Employees may only engage in or assist with civil immigration enforcement if the information is available to the public.
 1. Employees will not disclose an individual's location or place of birth to Immigration and Customs Enforcement (ICE) or other immigration personnel.
 - B. The following employees can issue/cancel or recommend the issuance/cancellation of warrants, detainers, and holds on individuals supervised by the Department:
 1. Secretary,
 2. Deputy Secretary,
 3. Chief of Staff,
 4. Assistant Secretary,
 5. Regional Administrator,
 6. Field Administrator,
 7. Designated Community Corrections Specialists,
 8. Community Corrections Supervisor (CCS),

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9. Community Corrections Officer (CCO),
10. Headquarters Duty Officer,
11. Deputy Compact Administrator,
12. Indeterminate Sentence Review Board (Board), and
13. Headquarters Warrants Desk, Violator Desk, and Field support personnel, with authorization from one of the listed employees.


C. Arrests will be conducted per DOC 420.390 Arrest and Search.

II. Document Creation

- A. Arresting or authorized employees will create detainer, warrant, hold, and cancellation documents through the Violator Management screen in the individual's electronic file.
 1. In the event the documents cannot be created through the electronic file, employees will create paper copies and update the electronic file as soon as practical.

III. Abscond/Failure to Report

- A. An individual is considered to have absconded from supervision if the individual willfully:
 1. Fails to report as directed or is unavailable for supervision and a warrant has been issued,
 - a. An individual is not considered to have absconded if the individual reports to a Department Field Office within 7 days of the warrant's issuance.
 2. Travels out-of-state in violation of conditions or travel permit and is arrested in the other state for new criminal activity, or
 3. Fails to report within one business day of releasing from a hospital or similar facility following a conditional release.
- B. Before issuing/requesting a warrant for an individual who fails to report as directed or is unavailable for supervision, the CCO or an authorized employee will attempt to call the individual and emergency contact, if necessary. Attempts will be documented in the Contacts sections of the individual's electronic file.
- C. Once determined necessary, an authorized employee will issue or request issuance of the appropriate warrant as soon as practical, but no more than 3 business days after determination.

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D. If the individual poses an imminent risk to the community, the CCO or an authorized employee will also refer the individual to the Community Response Unit per DOC 370.380 Community Response Unit (CRU) (RESTRICTED).

E. The CCO will address all known violation(s) per DOC 460.130 Response to Violations and New Criminal Activity.

IV. Secretary's Warrant

A. Authorized employees will issue only one DOC 09-239 Secretary's Warrant to address all of the individual's community custody causes.

1. A printed copy of the warrant will be placed in the individual's Field file.

B. A DOC 09-239 Secretary's Warrant will be issued and distributed with DOC 11-005 Wanted Person Entry Request to the:


1. Headquarters Warrants Unit for processing, and
2. CCS/designee for a reasonable cause review, which will be completed on the Violator Management screen in the individual's electronic file within one business day of the warrant request.

C. In emergent circumstances, authorized employees may issue a warrant without first attempting to contact the individual by:

1. Documenting the emergency and the need for immediate issuance of a warrant in the individual's electronic file.
2. Requesting that the Headquarters Warrants Unit immediately enter the warrant.
3. Making reasonable attempts to locate the individual within 3 business days of issuance of the warrant.

D. Unless it is verified through a reliable source that the individual has moved out of the area, employees will attempt to locate the individual at the last known first party residence within 5 business days following the issuance of a Secretary's Warrant. Employees will document all attempts to locate the individual in the Contacts section of the individual's electronic file.

1. Employees will follow DOC 420.390 Arrest and Search for planned Field arrests.


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E. Warrant Service Area

1. The warrant service area will be determined based on the individual's risk level classification at the time the warrant was issued, if applicable, and as follows:
 - a. Washington Crime Information Center (WACIC) and National Crime Information Center (NCIC) for nationwide:
 - 1) High Violent individuals,
 - 2) High Violent Property and Drug individuals, or
 - 3) Individuals being supervised out-of-state under the Interstate Compact.
 - b. WACIC and NCIC for Washington, Oregon, and Idaho:
 - 1) High Drug individuals,
 - 2) High Property individuals,
 - 3) High Risk Non-Violent individuals, or
 - 4) Moderate and Low Risk individuals required to register.
 - c. WACIC and NCIC for Washington:
 - 1) Moderate and Low Risk individuals not required to register,
 - 2) Community Custody violators within 30 days of the longest scheduled end date,
 - 3) Individuals on supervision for a Washington State misdemeanor conviction only, or
 - 4) From Out-of-State (FOS) individuals who pose an immediate threat to public safety, when the sending state has not issued a warrant.

F. The CCO or an authorized employee may submit an override request to expand the warrant service area based on the alleged new violation and risk.

1. For individuals under Board jurisdiction, the employee will provide justification to the Board to expand the warrant service area to nationwide.
 - a. During non-business hours, a section Duty Officer or the Headquarters Duty Officer can expand the warrant area for Board individuals. Any changes to the warrant will be reported to the Board the next business day.
2. For all others, the employee will submit the request to the Field Administrator through the CCS. If the Field Administrator concurs, the

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request will be forwarded to the Regional Administrator/designee for approval.

3. If the warrant service area is expanded, the employee will notify the Headquarters Warrants Unit.

V. Bench Warrant


- A. Authorized employees will request the issuance of a Bench Warrant from the court using DOC 09-003 Court - Order for Bench Warrant and DOC 09-122 Court - Notice of Violation for individuals under the following jurisdictions:
 1. Probation (PRO),
 2. Community Supervision (SUP),
 3. Post-Release Supervision (PRS),
 4. Insanity Acquittal (IAQ),
 5. Supervised appeal (SAP),
 6. Special Sex Offender Sentencing Alternative (SCC),
 7. Residential Drug Offender Sentencing Alternative (CCD),
 8. Misdemeanor causes (MIS), or
 9. Family and Offender Sentencing Alternative (CCF).
- B. Only the court may quash a Bench Warrant it issues.

VI. Detainer

- A. In the absence of a warrant, authorized employees will use DOC 09-325 Order for Arrest and Detention to arrest a non-Board individual for violations when the individual is available.
- B. Authorized employees may issue orders for IAQ and cases on appeal on a case-by-case basis per DOC 380.300 Supervision of Individuals on Conditional Release, Insanity Acquittal, and Supervised Appeal.
- C. Authorized employees will use DOC 09-014 Cancellation of Detainer to cancel a detainer.

VII. New Criminal Activity Hold

- A. Authorized employees will use DOC 09-278 New Criminal Activity Hold per DOC 460.130 Response to Violations and New Criminal Activity.
- B. Authorized employees will use DOC 09-301 Cancellation of New Criminal Activity Hold to cancel the hold.

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VIII. Indeterminate Sentence Review Board (Board) Jurisdiction

- A. Authorized employees will issue DOC 09-191 Board - Order for Arrest & Detention to detain an individual.
- B. Authorized employees will issue DOC 09-191 Board - Order for Arrest & Detention and DOC 11-005 Wanted Person Entry Request to submit to the Headquarters Warrants Desk for an individual who has absconded supervision.
- C. The CCO will address the individual's violation(s) per DOC 460.130 Response to Violations and New Criminal Activity.
- D. Only the Board may cancel DOC 09-191 Board - Order for Arrest & Detention.

IX. Interstate Compact Jurisdiction


- A. For FOS individuals, an Interstate Compact Offender Tracking System (ICOTS) Violation Report will be submitted per DOC 380.605 Interstate Compact.
- B. A Secretary's Warrant may be issued for an FOS individual as outlined in this policy.

X. Contact by Law Enforcement

- A. When notified by law enforcement that an individual has been arrested for a new offense or has violated a condition of supervision, a Department employee will:
 - 1. Immediately notify the CCO and CCS via email. If notified during non-business hours, the Headquarters Warrants Unit will contact the section Duty Officer.
 - 2. Document the information received in the individual's electronic file, including law enforcement's contact information, the date, and who was notified of the information.
- B. When notified that law enforcement has had contact with an individual that did not result in an arrest, a Department employee will immediately notify the CCO and CCS via email, and document the information received in the individual's electronic file, including law enforcement's contact information, the date, and who was notified of the information.

XI. Warrant Caseloads

- A. When a DOC 09-239 Secretary's Warrant is issued, the file will be maintained by the office that last supervised the individual.

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- B. A Bench Warrant or Secretary's Warrant will remain active on the CCO's caseload for 60 days from the date of issuance, after which the file will be transferred to a warrant caseload per DOC 280.530 Supervision Files.
 - 1. Field Administrators may identify catchment areas to maintain warrant cases after 60 days from the date of issuance.
- C. The Headquarters Warrants Unit will validate active warrants on an annual basis.
- D. The CCS will review the warrant caseload per DOC 280.530 Supervision Files.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Catchment Area. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

- DOC 09-003 Court - Order for Bench Warrant
- DOC 09-014 Cancellation of Detainer
- DOC 09-122 Court - Notice of Violation
- DOC 09-191 Board - Order for Arrest & Detention
- DOC 09-239 Secretary's Warrant
- DOC 09-278 New Criminal Activity Hold
- DOC 09-301 Cancellation of New Criminal Activity Hold
- DOC 09-325 Order for Arrest and Detention
- DOC 11-005 Wanted Person Entry Request