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REVIEW/R	EVISION HISTORY:				
Effective:	3/31/89	Revis	ed:	5/4/01	
Revised:	6/1/91	Revis	ed:	6/25/02	
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Revised:	1/31/95	Revis	ed:	6/27/07 AB	07-019
Revised:	8/14/95	Revis	ed:	8/2/10	

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 8/14/95

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 5/30/96

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 10/30/96

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 4/24/20

 Revised:
 8/11/20

 Revised:
 9/11/20

 Revised:
 2/28/22

 Revised:
 9/1/22

SUMMARY OF REVISION/REVIEW:

Added I.F. that requests to release to another state will be processed per DOC 380.605 Interstate Compact IV.B., IV.G.1.b.1) and IV.G.1.b.1)a) - Adjusted language for clarification V.B.1. - Added language for clarification

APPROVED:

Signature on file

CHERYL STRANGE, Secretary Department of Corrections

8/26/22

Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; <u>RCW 9.94A</u>; <u>RCW 9A.44.130</u>; <u>RCW 18.400</u>; <u>RCW 42.56.290</u>; <u>RCW 43.185C.010</u>; <u>RCW 71.09</u>; <u>RCW 72.02.100</u>; <u>RCW 72.09</u>; DOC 210.025 Gate Money/Transportation Funds/Pre-Paid Phone Cards; DOC 280.500 Records Management for Individuals; DOC 300.000 Continuous Case Management; DOC 310.010 Assignments; DOC 310.100 Intake; DOC 320.100 Indeterminate Sentence Review Board; DOC 320.145 Violator Confinement; DOC 320.400 Risk and Needs Assessment Process; DOC 350.240 Ten Day Release; DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment; DOC 350.550 Reporting Abuse and Neglect/Mandatory Reporting; DOC 350.600 Law Enforcement Notification; DOC 350.750 Warrants, Detainers, and Holds; DOC 380.550 Washington State Identification/Social Security Cards; DOC 380.605 Interstate Compact; DOC 390.300 Victim Services; DOC 390.600 Imposed Conditions; DOC 450.320 Contact with Minors and Family Reunification

POLICY:

- I. The Department recognizes the importance of transition and release planning for individuals under the Department's jurisdiction to promote successful reentry into the community and improve public safety in alignment with the <u>Department's mission and values</u>.
- II. The Department has established guidelines to develop release plans using comprehensive case management tools, available reentry resources (e.g., community-based providers), and evidence-based principles and practices.
- III. This policy does not apply to community supervision violators, who will be released per DOC 320.145 Violator Confinement, or individuals sentenced to Life Without Parole.

DIRECTIVE:

- I. General Requirements
 - A. Individuals with conditions of community supervision, whose crime was committed before June 11, 1992, must be released on the Earned Release Date (ERD) if the Judgment and Sentence does not require an approved release address to transfer to community supervision before the Maximum Expiration (Max Ex) date.
 - B. Individuals requiring an approved release address may be held in confinement up to the Max Ex date until an approved release address is secured.

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- C. The case manager will ensure appropriate individuals are referred for an End of Sentence Review per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment.
 - 1. When submitted by an incarcerated individual, a release plan will be permitted for an individual referred for civil commitment under RCW 71.09.
- D. A release plan is not required for individuals serving a sentence in total confinement for a Misdemeanor Community Custody (MCC) cause.

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- E. Release dates for individuals received from another state agency, county, tribal, or federal jurisdiction will be determined by the sending jurisdiction.
- F. Requests to release to another state will be processed per DOC 380.605 Interstate Compact.
- II. Release Plan Screening
 - A. Criminal Conviction Records Unit employees will screen individuals for community supervision eligibility and Release Plan Determination (Attachment 2) as the sentence structure is entered and/or the Contact Risk Level Classification (RLC) is set in the individual's electronic file per DOC 320.400 Risk and Needs Assessment Process.
 - 1. Individuals will be screened at the Reception Diagnostic Center (RDC). Screening will be expedited for individuals arriving with 90 days or less to the ERD.
 - 2. The release plan type will be based on the prefix of the cause with the longest running period of confinement.
 - 3. The case manager will request screening of the cause via email to <u>DOCSupScreen@doc.wa.gov</u>:
 - a. If the individual is eligible for partial confinement (e.g., Reentry Center, Community Parenting Alternative, Graduated Reentry) and the cause has not been screened 24 months before the ERD.
 - b. If the individual is not eligible for partial confinement and the cause has not been screened 13 months before the ERD.
 - 4. Future supervision causes will be screened once the active cause(s) ends per DOC 310.100 Intake.

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- B. Screening results will be documented in the individual's electronic file and completed screenings will be retained in the electronic imaging file.
- III. Reentry Planning
 - A. The DOC 02-187 Individual Reentry Plan and Essential Needs Checklist will be used to identify the reentry needs of the individual and:
 - 1. Initially provided to the individual during orientation.
 - 2. Updated by the individual as needed.
 - B. Reentry planning will be coordinated with appropriate employees/contract staff, support persons, tribes, and/or community-based services, including:
 - 1. Facility health services employees/contract staff designated to assist with reentry to determine level of continuity of care and collaborate for those identified as having high medical/mental health needs (e.g., Reentry Community Services Program, substance use disorder).
 - 2. Program specialists/navigators (e.g., education, employment, vocational training).
 - C. Assistance for obtaining education and/or community resources upon transition to the community may be provided per the Reentry Navigation Job Aid located on the Reentry Division SharePoint site.
 - 1. DOC 07-053 Release/Transfer Needs Survey may be used to determine reentry needs for individuals impacted by sentence reform.
- IV. Release Plan Development
 - A. Case managers will meet with individuals to initiate release planning using the DOC 02-187 Individual Reentry Plan and DOC 20-414 Intake Questionnaire.
 - 1. Release planning will be coordinated with Health Services.
 - 2. Attempts to develop release addresses and secure funding/resources to support an individual's release plan will be documented in the electronic file.
 - B. Regardless of release plan type, the case manager will determine if there are community/victim safety concerns that need to be addressed by completing the following:

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- 1. Use available resources to review the individual's criminal history for risk of contact with victims and persons of similar age or circumstance, considering protection orders, sex offenses, and potential victims of domestic violence, child abuse, or other family violence.
 - a. DOC 21-761 Prohibited Contact Review will be completed if appropriate.
- 2. Review the Community Concerns field and Safety Concerns banner, including the Community Victim Liaison Narrative section and End of Sentence Review Committee decisions, for known community/victim safety concerns in the electronic file.
 - a. If the Community Concerns field indicates "Yes", the case manager will consult the assigned Community Victim Liaison or Indeterminate Sentence Review Board (Board) Victim Liaison.
 - 1) If a liaison is not identified in the electronic file, the case manager will contact the Victim Services Program.
- C. At any time during release planning, if the individual's words or actions indicate a safety risk to a specific person(s), the case manager will submit a referral to the Victim Services Program per DOC 390.300 Victim Services.
- D. Individuals who require an approved release address will be returned to their county of origin/alternate county of origin as determined and approved per Attachment 1.
 - 1. Individuals under Board jurisdiction are not subject to the county of origin requirements.
- E. Within 30 months of the ERD, eligible individuals may be referred for partial confinement.
- F. At least 12 months before the ERD, the case manager will directly assist the individual to identify a release address(es).
 - 1. Facility records employees will provide individuals with information to resolve warrants, if applicable.
- G. At 6 months before the ERD, the case manager will:
 - 1. Develop the release plan in the electronic file and verify the proposed address(es).

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- a. Before submitting an investigation release plan, the case manager will complete DOC 11-012 Release/Transfer Sponsor Orientation Checklist with each prospective sponsor, determine the appropriateness of the proposed plan(s), and complete and send DOC 11-013 Sponsor Letter to each prospective sponsor.
 - The sponsor checklist and letter are not required for individuals releasing to housing vendors listed in the Statewide Transitional Housing Directory located on the Department's internal website.
- b. If the individual cannot provide an address, the case manager will directly assist the individual in locating appropriate housing.
 - If an address cannot be secured, eligible individuals should be referred for financial housing assistance using the Reentry Housing Assistance Program Job Aid located on the Department's internal website.
 - a) Release plans for individuals using reentry housing assistance will only be submitted after benefits are approved.
- 2. Approve/deny 10-day release per DOC 350.240 Ten Day Release if not previously completed.
- 3. Submit the release plan for investigation or notification to the appropriate Assignment Coordinator.
 - a. For individuals under Board jurisdiction, the release plan will be submitted immediately after the individual has been found eligible for parole/release by the Board. Only one release address may be submitted at a time.
 - b. For individuals with supervision requirements on a current, consecutive, or tolling cause, requests to release from confinement to an out-of-state address must be approved per DOC 380.605 Interstate Compact.
- V. Field Process for Release Plans
 - A. Release plans will be assigned and reviewed per DOC 310.010 Assignments.
 - 1. The Field Community Corrections Officer/Specialist will:

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- a. Verify the community supervision eligibility has been screened and the release plan type is consistent with the screening results.
- b. For individuals requiring an approved release address
 - 1) Review the release plan for risk of contact with victims and persons of similar age or circumstance based on the individual's criminal history using available resources, considering protection orders, sex offenses, and victims of domestic violence, child abuse, or other family violence.
 - a) Authorized contact with a minor(s) may be authorized per DOC 450.320 Contact with Minors and Family Reunification.
 - b) Individuals will not release to the same address where a past/current victim resides unless approved by the Field Administrator in consultation with the Victim Services Program Manager/Board Victim Liaison and/ or assigned Community Victim Liaison.
 - c) Individuals will be reported per DOC 350.550 Reporting Abuse and Neglect/Mandatory Reporting, if appropriate.
 - 2) Visit the prospective sponsor, proposed residence, and determine the appropriateness of the address.
 - 3) Notify the sponsor of the individual's criminal history, conditions of supervision, and ERD.
 - a) If the individual has been convicted of a sex offense, the Field Community Corrections Officer/Specialist will ensure the sponsor is aware of:
 - (1) Applicable registration requirements,
 - (2) Law enforcement notifications, and
 - (3) End of Sentence Review Committee recommendations, including referrals for civil commitment.
- c. For individuals with a notification release plan and supervision requirements on an open/tolling cause(s), a condition(s) prohibiting

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release to the declared address may be imposed per DOC 390.600 Imposed Conditions.

- d. For individuals referred for civil commitment, email <u>doceosr@doc1.wa.gov</u> to request a copy of any available Forensic Psychological Evaluation (FPE) and ensure all relevant information is scanned into the electronic imaging file for review.
 - 1) Static and dynamic risk factors relating to the individual's risk to the community will be considered and documented in the electronic file, including whether the individual is able to address any concerns.
 - 2) The release plan must meet the community safety requirements outlined in the FPE.
 - a) Plans will not be denied based solely on not having a completed FPE and will be reviewed to determine if the plan is appropriate.
 - b) FPEs are confidential and exempt from disclosure per RCW 42.56.290.
- 2. The case manager will:
 - a. Provide any information not available in the electronic imaging file.
 - b. Notify the investigating Field Community Corrections Officer/ Specialist if the individual provides a new release address before the plan is approved.
- B. Investigation release plans require:
 - 1. Approval/denial from the Community Corrections Supervisor (CCS) for individuals with a current sex offense(s).
 - 2. Review by the CCS and approval/denial from the Field Administrator for:
 - a. Individuals under Board jurisdiction,
 - b. An alternate county of origin placement request,
 - c. Denial recommendations,
 - d. Civil commitment referrals, and
 - e. Requests to live with a past/current victim.

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- C. Release plans for individuals under Board jurisdiction will be routed to the Board for final approval per DOC 320.100 Indeterminate Sentence Review Board.
- D. The Victim Services Program will be immediately notified of an approved release plan per DOC 390.300 Victim Services.
- E. If an investigation release plan is denied, the case manager will notify the individual of the denial reason and work with the individual to develop an alternative release address. The Regional Housing Specialist or assigned Field Community Corrections Officer/Specialist may be contacted for assistance and/or referrals.
- VI. Appeals for Denied Release Plans and County of Origin Determinations
 - A. Appeals may be submitted within 10 business days of receiving notice of the denied release plan or county of origin determination, including the reason and any additional information, to the Assistant Secretary for Reentry at P.O. Box 41126, Olympia, WA 98504-1126 or <u>docorpappeals@doc1.wa.gov</u>.
 - B. The appeal process does not apply to individuals:
 - 1. Under Board jurisdiction.
 - 2. With victim safety concerns verified by the Victim Services Program.
 - 3. With a court-ordered condition prohibiting residence at the location of the proposed plan, unless a modified court document signed by a judge is provided.
 - C. The Assistant Secretary for Reentry/designee, in consultation with Regional Administrators, will review and notify the individual in writing of the decision within 20 business days of receiving the appeal. The decision is final and will be documented as a Chronological Event (chrono) in the electronic file.
 - 1. The individual will be notified in writing if additional time is needed for review.
 - D. Documents related to the appeal will be retained in the central and electronic imaging files.
- VII. Releasing to Detainers
 - A. For individuals with an Immigration and Customs Enforcement (ICE) detainer, records employees will complete DOC 07-039 Notice to Immigration Authority of Incarcerated Alien Status Change to notify the Department of Homeland Security (DHS) of service of the detainer and status changes as requested by DHS (e.g.,

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pickup arrangements, hospitalization, death, transfer to a non-Department facility).

- B. Individuals scheduled to release on the Max Ex date may be transferred to the detaining agency before the Max Ex date to accommodate transportation needs.
 - 1. Authorized employees will issue a Department detainer for up to the Max Ex date per DOC 350.750 Warrants, Detainers, and Holds.
- C. Individuals under Board jurisdiction will not release to a detainer without Board authorization.
- VIII. **Transition Procedures**
 - Α. Before transition:
 - The central file will be audited per DOC 280.500 Records Management for 1. Individuals.
 - 2. Law enforcement will be notified per DOC 350.600 Law Enforcement Notification.
 - 3. Individuals will be provided the Washington State Voter Registration Form and Voting with a Felony Conviction with instructions for returning the form by mail and registering to vote in-person and electronically.
 - 4. Individuals will receive assistance applying for a replacement identification/social security card per DOC 380.550 Washington State Identification/Social Security Cards.
 - 5. Individuals may receive assistance applying for:
 - Health insurance a.
 - Veteran's benefits and/or community resources b.
 - Food/cash assistance through the Department of Social and Health C. Services
 - Individuals may file a preliminary application with the appropriate entity to 6. reduce barriers and restore eligibility for occupational/professional licenses per RCW 18.400.
 - 7. Individuals may be issued gate money and/or transportation expenses per DOC 210.025 Gate Money/Transportation Funds/Pre-Paid Phone Cards.

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- B. Upon release, individuals ordered to community supervision and determined not eligible will sign DOC 02-243 Notice of Continued Obligations/Restrictions. Facility/regional records employees will submit DOC 09-265 Court - Special Closure Ineligible for Supervision to the sentencing court.
- C. The Reentry Project Manager will request discharge from supervision for individuals who are not ordered to community supervision and have completed all sentence requirements, including payment of Legal Financial Obligations.
 - 1. Requests will be submitted to the sentencing court using DOC 09-128 Request for Discharge and DOC 09-028 Certificate and Order of Discharge.
 - 2. If the completed Certificate and Order of Discharge is returned to the Department, the order will be:
 - a. Mailed to the individual's last reported address,
 - b. Scanned into the individual's electronic imaging file, and
 - c. Documented as a chrono in the individual's electronic file.
- D. Within 30 days of release from partial confinement, the case manager will review the individual's progress and document the review as a chrono, including:
 - 1. Any unusual occurrences,
 - 2. A summary of partial confinement activities,
 - 3. An objective assessment of partial confinement participation, and
 - 4. Community resources that affected supervision outcomes.
- E. Additional transition support for basic living needs may be requested per the Regional Transition Fund Program Job Aid or Reentry Systems Fund Job Aid located on the Department's internal website.
- F. A certificate may be provided by the court for individuals who have completed all sentence requirements per <u>Certificate of Restoration of Opportunity Brochure</u>.

DEFINITIONS:

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

ATTACHMENTS:

County of Origin (Attachment 1)

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Release Plan Determination (Attachment 2)

DOC FORMS:

DOC 02-187 Individual Reentry Plan

DOC 02-243 Notice of Continued Obligations/Restrictions

DOC 07-039 Notice to Immigration Authority of Incarcerated Alien Status Change

DOC 07-053 Release/Transfer Needs Survey

DOC 09-028 Certificate and Order of Discharge

DOC 09-128 Request for Discharge

DOC 09-265 Court - Special Closure Ineligible for Supervision

DOC 11-012 Release/Transfer Sponsor Orientation Checklist

DOC 11-013 Sponsor Letter

DOC 20-414 Intake Questionnaire

DOC 21-761 Prohibited Contact Review