



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
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March 21, 2020

TO: Criminal Justice Partners
FROM: Mac Pevey, Assistant Secretary
Community Corrections Division

SUBJECT: Community Corrections Operational Changes in Response to COVID-19

The Department of Corrections has been working closely with Department of Health, State Human Resources, State Emergency Operations and other state agencies in developing plans to maintain the health and safety of our staff as well as those under our supervision. We have received numerous messages from the Governor and from our Secretary providing information and details specific to steps being taken in this regard, as I am sure you have as well. In response to these directives the Community Corrections Division (CCD) has made some significant changes to how we are monitoring and supervising individuals in the community. These modifications will apply only during the period of time we are experiencing this public health crisis.

We want to assure that these measures are communicated to you and allow you to make necessary plans should any of these decisions impact your agencies. Please know that at this time, CCD is not implementing any minimum staffing requirements or closing any local field offices, unless there are staff shortages that require this action. We are addressing concerns with staff on a case by case basis. We fully intend to maintain normal business operations in each field office, to include business hours of 8-5pm daily. We will continue to be available by phone, email and/or in person as safety and social distancing allows.

The Community Corrections Division put the following operational changes in place effective Monday, March 16, to establish preventative measures for our staff while maintaining community safety.

Contact Standards and Supervision Activities:

We will focus supervision efforts on those cases who are deemed highest risk or pose a substantial threat to community safety. In order to mitigate staff exposure to supervised individuals in the community while continuing to protect public safety, we will require one face-to-face contact per month for the following individuals:

1. Those released by the board (Community Custody Board) for supervision
2. Level 3 Sex Offenders
3. Those granted a Conditional Commutation
4. Those designated as High Violent (HV) or High Violent Drug/Property (HVDP)

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For the following individuals, given the tremendous amount of risk these individuals represent to themselves and others, we will retain the same contact standards as prior to the COVID-19 incident:

1. Sexually Violent Predators (SVP)
2. Sex offenders placed in a Least Restrictive Alternative (LRA)
3. Offenders in the Offender Reentry Community Safety (ORCS) Program
4. Individuals found Not Guilty By Reason of Insanity (NGRI)
5. Individuals with an Insanity Acquittal (IAQ)

All other supervised individuals not meeting the above-mentioned criteria will be directed to maintain telephonic contact with their CCO at least monthly.

Face to Face Contact:

Face-to-face contacts will only occur **as long as it is safe to do so**. If a face-to-face contact cannot occur with supervised individuals for infection control or health safety reasons, telephonic or FaceTime contacts may serve as a substitute at the discretion of the CCO or CCS. As staff would in any case, observations and case management activities will be thoroughly documented.

Field Work:

Field contacts will only be conducted for the nine (9) designated categories of individuals listed above and for any investigations. All other field work will be suspended during this time.

Transports:

Staff are permitted to perform transports in instances where we have initiated the arrest. In the event a CCD violator presents as having symptoms or is taken to a community health facility and the individual is suspected to be or confirmed COVID-19 positive, as determined by a medical practitioner, staff will follow established protocols to determine if transport is safe, and where the individual should be placed. To this point we will continue to arrest individuals who pose a serious risk to community safety based on the violation behavior. This direction may change upon receipt of additional AG advice and/or policy decisions made by our agency.

It is important to note that, due to safety concerns, we will be suspending responses to law enforcement to meet for a transfer of custody following a law enforcement initiated arrest. Additionally, we will not assume hospital watches at the request of law enforcement.

Warrant Apprehension Activities:

We will be suspending all warrant apprehension activities during this public health crises as it subjects our staff to high risk and potentially unhealthy environments. Additionally, organized warrant sweeps within field offices are suspended until further notice.

Community Work Crews:

The operation of our community based work crews are hereby suspended.

Drug Testing Protocols:

Under current policy requirements, individuals being supervised on a Drug Offender Sentencing Alternative (DOSA) are required to submit to weekly drug testing for the first three months following release from prison or residential treatment. Effective immediately, the requirements to drug test these individuals are reduced to once per month during this public health crisis. All other individuals on supervision will be drug tested in alignment with the modified contact standards for those individuals still requiring face-to-face contact, as noted above. Department staff will still have the ability to test for cause as specified in the current policy.

In regards to the use of a Breathalyzer (BA) tests, this is considered a high-risk activity due to the potential for droplets to be released into the air during the period of time the test is being administered. Effective immediately, Department staff will cease the use of BA test. Staff are authorized to utilize the urinalysis examination method and laboratory confirmation process for alcohol testing purposes.

Closing:

We appreciate and value all of our partnerships with local law enforcement and our Superior Courts. We regret having to take these measures but believe it is in the best interest of staff, those we supervise, the community and our partners as a whole. We will resume normal operations as soon as it is safe to do so and/or as directed by our Governor. Please take care and stay safe during these extraordinary times.

MP:ks.md

cc: Executive Strategy Team
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