



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/REENTRY
FACILITY/SPANISH MANUAL

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POLICY

TITLE

GRADUATED REENTRY

REVIEW/REVISION HISTORY:

Effective: 11/20/20
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SUMMARY OF REVISION/REVIEW:


Major changes to include updating terminology throughout and alignment with updated statute. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

5/23/22
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); DOC 100.500 Non-Discrimination for Individuals; DOC 300.500 Reentry Center Screening; DOC 350.200 Transition and Release; DOC 380.450 Electronic Monitoring; DOC 420.080 Escape from Partial Confinement (RESTRICTED); DOC 460.135 Disciplinary Procedures for Work Release; DOC 460.140 Hearings and Appeals; DOC 690.400 Individuals with Disabilities; [Graduated Reentry Handbook](#); [Graduated Reentry Screening Process](#); [Graduated Reentry Sex Offense Treatment and Assessment Program Referral and Screening Process](#); [Graduated Reentry Sponsor Support Guide](#); [Partial Confinement Options](#)

POLICY:


- I. Incarcerated individuals may be transferred from a Prison or Reentry Center to home detention in the community if it is determined that partial confinement is appropriate as part of Graduated Reentry to assist an individual with transitioning from incarceration to the community.
- II. The Department retains the authority to return an individual participating in Graduated Reentry to total confinement for any reason (e.g., Individual is not meeting expectations of the program).
- III. Graduated Reentry practices and decisions are made consistent with DOC 100.500 Non-Discrimination for Individuals.

DIRECTIVE:


- I. General Requirements
 - A. Individuals must participate in programming and treatment as determined by the Department and based on assessed needs.
 - B. While living in an approved residence, individuals participating in Graduated Reentry will be placed on electronic monitoring per DOC 380.450 Electronic Monitoring at the Department's expense.
 - C. The Reentry Navigator will schedule Reentry Team meetings with the participant to plan for their transition from confinement to the community.
 1. Meetings will occur within 30 days of transfer or release and as needed to address any needs or changes and will be documented as a Chronological Event (chrono) in the individual's electronic file.

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- D. The Graduated Reentry Administrator may administratively deny or terminate participation in Graduated Reentry when:
1. Circumstances of placement create a risk to anyone,
 2. The participant no longer wishes to participate, or
 3. The participant fails to maintain placement requirements (e.g., no longer has viable housing, fails to maintain electronic home monitoring equipment).
- E. In the event of an administrative return, the Graduated Reentry Community Corrections Supervisor will obtain approval from the Graduated Reentry Administrator before an individual is returned to total confinement.
- F. The Victims Services Unit or Indeterminate Sentencing Review Board (Board) Victim Liaison will be consulted when there are existing or suspected community concerns that may present a risk/harm to victims and/or potential victims.
- G. Eligible individuals will be placed on a waiting list until a case manager has an availability in their caseload or if there is no space available in the Reentry Center.
1. Although an individual is eligible, participation in Graduated Reentry is not guaranteed.
- H. Classification employees finalizing transfer orders to Graduated Reentry will ensure:
1. The Business Office is notified to initiate trust account closure for individuals transferring to electronic home monitoring,
 2. Health Services is notified to provide continuity of care (e.g., medications), and
 3. The individual has personal clothing or a set of state-issued clothing prior to transfer.
- I. The Department will post the number of individuals participating in Graduated Reentry on the external website monthly.
- J. More information about Graduated Reentry can be found in Partial Confinement Options.
- II. Eligibility
- A. Individuals will not be eligible to participate in Graduated Reentry if they:

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1. Are currently designated as Close custody.
2. Are sentenced to a mandatory minimum sentence that must be served in total confinement per statute.
3. Have a felony warrant.
4. Have misdemeanor/felony detainer.
5. Have an out-of-state release plan.
6. Are subject to a deportation/Immigration and Customs Enforcement detainer or civil commitment order.
7. During the current confinement term:
 - a. Have been terminated from a partial confinement setting for the current sentence.
 - b. While in total confinement:
 - 1) Have a guilty finding for a WAC 762 infraction, or
 - 2) Have a guilty finding for a serious infraction in the previous 6 months.
 - a) Individuals may be reviewed for participation if it is determined that the infraction was not related to personal or community safety by the CS4.
8. Are under the jurisdiction of the Board as a Long Term Juvenile Board or revoked as a Community Custody Board individual. All other individuals under Board jurisdiction can only participate in Track 1 and must:
 - a. Be serving on the court minimum term,
 - b. Be determined releasable by the Board, and
 - c. Not be serving confinement time for a revocation.
9. Are incarcerated as the result of:
 - a. A revocation of the Special Sex Offender Sentencing Alternative, or
 - b. Being found guilty of Escape 1.
10. Are designated as a Level 3 sex offender.
11. Don't have at least 3 months left on the sentence at the time of transfer.

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12. Are denied custody promotion by the Headquarters Classification Screening Committee.
- B. Individuals may be eligible for Graduated Reentry if they meet requirements for one of the following tracks:
1. Track 1 - Individuals who have served at least 6 months in total confinement may:
 - a. Serve up to the last 5 months of the sentence in an approved residence on electronic home monitoring, or
 - b. Be transferred to a Reentry Center when there is up to 12 months left on the sentence with the expectation that up to the final 5 months of the sentence will be served in an approved residence on electronic home monitoring.
 - 1) The individual must meet eligibility requirements per DOC 300.500 Reentry Center Screening if transferring to a Reentry Center as part of participation.
 - 2) If participation in Graduated Reentry is no longer suitable for an individual in a Reentry Center, the decision for the individual to remain in the Reentry Center must be approved by the Graduated Reentry and Reentry Center Administrators.
 - a) If approved, the case manager will work with the Reentry Navigator to help the individual create a new transition plan.
 2. Track 2 - Individuals who have served at least 4 months in total confinement may serve up to the last 18 months of the sentence in an approved residence on electronic home monitoring.
 - a. Individuals will not be eligible for this option if they are:
 - 1) Under Board jurisdiction,
 - 2) Required to register, or
 - 3) Serving a sentence for a sexual/violent crime or crime against another person.
- C. Individuals who have already served time in partial confinement during the current Prison sentence and have been returned to total confinement as a


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Community Custody Prisons or Drug Offender Sentencing Alternative reclassification, may not be eligible for placement or for the full amount of participation time per statute.

- D. Previous jail time credit does not count toward the total confinement time requirement.
- E. Individuals will not be denied placement based solely on a disability or medical/mental health needs.
 - 1. The case manager will consult Health Services to determine if participation in Graduated Reentry is appropriate.
 - 2. Accommodations for placement and mitigating barriers will be considered per DOC 690.400 Individuals with Disabilities.
- F. Individuals with a history of arrests/convictions containing sexual elements will be referred to the Sex Offense Treatment and Assessments Program (SOTAP) unit for additional review and assessment of the individual's risk to commit future sex offenses. SOTAP will provide a recommendation for conditions of placement.
 - 1. More information can be found in the Graduated Reentry Sex Offense Treatment and Assessment Program Referral and Screening Process.

III. Referral Process

- A. Referrals to Graduated Reentry may be made up to 30 months before the Earned Release Date (ERD). The case manager will:
 - 1. Use DOC 11-039 Graduated Reentry Criteria to ensure the individual meets eligibility requirements.
 - 2. If applicable, conduct address verification and document as a chrono in the electronic file and on DOC 11-012 Release/Transfer Sponsor Orientation Checklist.
 - 3. Build the referral as a Transfer Order in the electronic file, and
 - 4. Have the individual sign DOC 11-065 Graduated Reentry Participant Agreement and scan it into the electronic imaging file.
- B. Eligible individuals may submit supporting documents (e.g., letters from family/employers, program certificates) to the case manager to forward to the Reentry Expansion at docreentryexpansion@doc1.wa.gov.

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C. Family members may provide supporting documents by:

1. Emailing them to docreentryexpansion@doc1.wa.gov, or
2. Providing them to the Graduated Reentry Corrections Specialist (CS) 3 during the home investigation.

IV. Screening

A. Graduated Reentry transfer orders will be screened by a Graduated Reentry CS4, who will determine participation eligibility and document in the electronic file.


1. DOC 11-042 Request for Denial of Graduated Reentry will be used to document denials of eligibility for electronic home monitoring.
2. The Classification Unit will confirm all denials.
3. Denials that are not policy-driven, or those that warrant additional review, will be scheduled for Headquarters Community Screening Committee (HCSC) review using DOC 07-026 Formal Headquarters Community Screening Committee (HCSC)/Life Without Parole Decision.

B. More information about Graduated Reentry screening can be found in the Graduated Reentry Screening Process.

V. Approved Residence

A. Eligible individuals must have an approved residence and living arrangement prior to transfer to electronic home monitoring.


1. Housing rental assistance may be requested by the Graduated Reentry case manager on DOC 02-337 Housing Payment Request and may be issued, for no more than 6 months, if an approved address cannot be obtained without the assistance of a voucher.
2. Individuals may not reside with a victim of the individual's current offense(s) or any previous adjudicated offense.
 - a. Exceptions may be granted for immediate family members by the Assistant Secretary for Reentry in consultation with the Victim Services Program Manager.
3. Participants may not reside with a sponsor who has an active warrant.

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4. Residences that can be moved (e.g., recreational vehicles, 5th wheel) will not be approved.
 5. Individuals will be returned to their county of origin/alternate county of origin, which will be determined and approved per DOC 350.200 Transition and Release.
- B. The Graduated Reentry CS4 will assign a home investigation to a Graduated Reentry CS3 as the case manager, who will:
1. Conduct a home investigation and interview the identified sponsor within 15 business days of assignment.
 2. Provide the sponsor with a copy of the Graduated Reentry Sponsor Support Guide.
 3. Verify that an operable telephone line/cell service is available or will be available before the individual transfers to home monitoring.
 4. Have the sponsor sign DOC 02-369 Search Waiver.
 5. Complete DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check NCIC/WACIC Check for each adult who will reside in the home.
 6. Verify there is no alcohol, drugs, or firearms in the residence and/or that the sponsor is willing to remove prohibited items and/or secure narcotic prescriptions (e.g., cannabis) before the individual transfers to home monitoring.
 - a. The case manager will verify all prohibited items are removed/ secured before transfer occurs.
 7. Document the results of the home investigation in the electronic file and notify the CS4, Prison case manager, and the Board if the individual is under Board jurisdiction.
 - a. If the investigation results in an address not being approved, the CS3 will notify the sponsor and the Prison case manager will notify the incarcerated individual.

VI. Participation Approval

- A. If participation is approved for an individual to transfer to electronic home monitoring from total confinement, the CS4 will:

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1. Provide the individual with the Graduated Reentry Handbook,
2. Conduct an orientation for the approved individual, and
3. Document the orientation and provision of the handbook in a chrono.

B. If participation is denied for an individual to transfer from total confinement to electronic home monitoring, a Graduated Reentry unit employee will:

1. Consult the Graduated Reentry Supervisor/designee,
2. Document the reason for the denial in the individual's electronic file, and
3. Notify the Prison case manager to inform the incarcerated individual.

VII. Transfer to Electronic Home Monitoring

A. Upon transfer to an approved residence on electronic home monitoring:


1. Individuals may be restricted by the case manager to the residence for up to 48 hours to ensure orientation/intake has been completed.
 - a. Individuals transferring from a Reentry Center with approved employment may be approved to work during this timeframe.
2. The case manager will conduct an intake within 48 hours of transfer to electronic home monitoring using DOC 05-512 Partial Confinement Orientation Checklist that includes:
 - a. Informing the individual of expectations,
 - b. Obtaining necessary signatures, and
 - c. Ensuring the individual has appropriate documentation.

B. The individual will be confined to the approved residence for at least 8 consecutive/nonconsecutive hours in a 24 hour period, with the remainder spent in the community per Graduated Reentry Contact Standards (Attachment 1).

VIII. Violations

A. The case manager will respond to violations of Graduated Reentry conditions per DOC 460.135 Disciplinary Procedures for Work Release.


1. The individual may be placed on home restriction pending a disciplinary hearing, where the individual will only be allowed to leave for employment, education, and/or health care needs.
2. DOC 09-186 Order of Suspension, Arrest, and Detention will be used to detain an individual pending a hearing being held at the local jail.

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3. A Transfer Order will be used for placement in a Prison pending a disciplinary hearing.
 - a. If a Graduated Reentry participant is returned to total confinement and there is a medical/mental health risk, the case manager will contact the Headquarters Nurse Desk before the Transfer Order is finalized and the individual is transported.
 4. Out of Custody hearings will be held where space is available at the nearest Field Office or Reentry Center.
 - a. The case manager will ensure a safety plan is in place.
 5. The case manager will consult with the Board for disciplinary actions resulting from violations made by individuals under Board jurisdiction.
- B. The case manager will enter the alleged infractions on the Prison Discipline Screen immediately after being notified of the hearing date and time.
- C. Case managers will update the following in the electronic file and forward applicable notification to the Statewide Records Unit:
1. The infraction on the Prison Discipline screen,
 2. Applicable earned/good conduct time, and
 3. Documentation of the hearing results.
- D. The Hearings Officer will update the electronic file no later than 2 business days per DOC 460.140 Hearings and Appeals.
- E. If an individual participating in Graduated Reentry has escaped, the case manager will initiate procedures per DOC 420.080 Escape from Partial Confinement (RESTRICTED).
- F. If Graduated Reentry privileges are terminated, the case manager will initiate the Custody Facility Plan.

IX. Release

- A. The assigned case manager will:
 1. Initiate release procedures per DOC 350.200 Transition and Release.
 - a. The release plan must be completed and submitted at least 90 days before the individual's ERD.

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2. Update earned time in the individual's electronic file,
3. Meet with the individual on the day of release to obtain necessary signatures and collect the electronic home monitoring equipment, and
4. Document the release as a chrono in the individual's electronic file.

X. Appeals


- A. An individual may not appeal the decision regarding which track they will participate in.
- B. Individuals may appeal a denial for:
 1. A proposed address/sponsor, or
 - a. A review of the appeal will be assigned to a manager outside of the Reentry Division, who will make a final decision and document the decision, with specific reasoning, in the electronic file. The individual will be notified of the decision.
 2. Placement in Graduated Reentry when the individual feels the reason for denial conflicts with Department policy or additional information not previously known/submitted would make the individual eligible.
 - a. HCSC will make a final decision and document the decision, with specific reasoning, in the electronic file and the individual will be notified of the decision.
- C. Individuals denied placement in Graduated Reentry due to sexual risk can appeal their denial to the SOTAP Graduated Reentry Appeal Panel within 10 days of notification.
 1. Denials based on policy and conditions of placement may not be appealed.

DEFINITIONS:

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

ATTACHMENTS:

Graduated Reentry Contact Standards (Attachment 1)

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DOC FORMS:

- DOC 02-337 Housing Payment Request
- DOC 02-358 Employer Letter
- DOC 02-369 Search Waiver
- DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check NCIC/WACIC Check
- DOC 05-512 Partial Confinement Orientation Checklist
- DOC 07-026 Formal Headquarters Community Screening Committee (HCSC)/Life Without Parole Decision
- DOC 09-186 Order of Suspension, Arrest, and Detention
- DOC 11-012 Release/Transfer Sponsor Orientation Checklist
- DOC 11-039 Graduated Reentry Criteria
- DOC 11-042 Request for Denial of Graduated Reentry
- DOC 11-065 Graduated Reentry Participant Agreement