



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
FIELD
FACILITY/SPANISH MANUALS

REVISION DATE
8/20/21

PAGE NUMBER
1 of 6

NUMBER
DOC 390.600

POLICY

TITLE
IMPOSED CONDITIONS

REVIEW/REVISION HISTORY:

- Effective: 10/30/96 DOC 900.600
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- Revised: 7/1/00
- Revised: 6/8/01
- Revised: 2/21/03
- Revised: 4/22/04
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- Revised: 10/15/08
- Revised: 7/10/09
- Revised: 7/25/11
- Revised: 8/20/21

SUMMARY OF REVISION/REVIEW:


Major changes to include applicability and updated terminology throughout. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

7/23/21
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94](#); [RCW 9.94A](#); DOC 380.200 Community Supervision of Offenders; DOC 380.605 Interstate Compact; DOC 390.300 Victim Services; DOC 460.130 Response to Violations and New Criminal Activity; DOC 580.655 Drug Offender Sentencing Alternative

POLICY:

- I. The Department may impose conditions or request conditions on an eligible cause(s) that relates to the crime of conviction, the risk to re-offend, and/or community safety for purposes of risk reduction and monitoring compliance with supervision requirements.
- II. The Department may not impose conditions contrary to those ordered by the court or the Indeterminate Sentence Review Board (Board) and may not contravene or decrease court/Board imposed conditions.
- III. The case manager will consult with the Community Victim Liaison (CVL) or the Victim Services Program Manager per DOC 390.300 Victim Services regarding victims and/or potential victims.

DIRECTIVE:

- I. Department Jurisdiction
 - A. The Department may impose or modify conditions for the following individuals, including crime-related prohibitions and affirmative conduct requirements (e.g. obey all laws):
 1. Committed their crime(s) on or after July 1, 2000, including misdemeanor offenses under Department jurisdiction.
 2. Transferred From Out-of-State (FOS) through the Interstate Compact, regardless of the date of offense.
 - a. The case manager will notify the sending state of the imposed condition(s) through a Progress Report in the Interstate Compact Offender Tracking System (ICOTS) per DOC 380.605 Interstate Compact.
 - B. Imposed conditions will be limited to cases with minimum contact requirements per DOC 380.200 Community Supervision of Offenders.
 1. Exceptions for individuals with no minimum contact requirements must be time specific and approved by the Field Administrator/designee.

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- C. For conditions ordered by the court for a new commitment, the case manager will impose those conditions on all other active causes, unless otherwise ordered by the court.
- D. Mandatory conditions for individuals sentenced under the Drug Offender Sentencing Alternative (DOSA) are identified in DOC 580.655 Drug Offender Sentencing Alternative.
- E. For individuals with community supervision requirements who are held until their Maximum Expiration date, the case manager will impose a condition restricting the individual from having contact with or residing within close proximity to the victim(s) or potential victim(s).
 - 1. The condition will remain in effect unless it is verified and documented that circumstances have changed.
- F. For individuals who committed a felony sex offense against a minor victim on or after June 6, 1996 and before July 1, 2000, the Department may impose conditions relating to contact with a minor victim or a child of similar age or circumstance as a previous victim.
- G. To impose Department conditions, the case manager will:
 - 1. Notify the individual of the condition(s) being imposed.
 - 2. Enter the condition in the electronic file as a Department imposed condition and include a scheduled end date, if appropriate.
 - 3. Obtain the individual's signature on a printout of the case plan that includes the imposed conditions and provide the individual with a copy of the signed case plan.
 - a. If the individual refuses to sign, the case manager will witness and document the refusal on the printout.
 - 4. Obtain approval as follows and document the approval in the individual's electronic file.
 - a. Department jurisdiction:
 - 1) Field Community Corrections Supervisor (CCS) for individuals with minimum contact requirements per DOC 380.200 Community Supervision of Offenders.

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- 2) Field Administrator/designee for individuals with no minimum contact requirements.
 - b. For individuals under Board jurisdiction, the Board will approve and enter Board imposed conditions in the individual's electronic file.
 - c. Court jurisdiction:
 - 1) Field Community Corrections Supervisor and the court for individuals with minimum contact requirements per DOC 380.200 Community Supervision of Offenders.
 - 2) Field Administrator/designee and the court for individuals with no minimum contact requirements.
 5. Notify the individual of the right to appeal the condition(s) and provide the individual with DOC 09-252 Request to Appeal Imposed Condition.
 - H. If an emergent situation requires a specific condition be imposed immediately, the case manager can give the individual a verbal directive.
 1. The condition(s) will be imposed and served at the first available opportunity.
 - I. Within 48 hours after receiving notice of a Department imposed or modified condition(s), the individual may appeal the condition(s) using DOC 09-252 Request to Appeal Imposed Condition.
 1. The condition(s) will remain in effect unless the individual's appeal is approved.
 - J. Failure to comply with a Department imposed condition will be addressed per DOC 460.130 Response to Violations and New Criminal Activity.
- II. Board Jurisdiction
- A. The case manager will forward the following to the Board for review:
 1. Proposed conditions that relate to the crime of conviction
 2. The individual's risk to reoffend, and/or
 3. Community safety for purposes of risk reduction and monitoring compliance with supervision requirements.

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- B. The Department may impose emergency conditions on individuals released to the community as Community Custody Board (CCB) in order to intervene in the individual's crime-related behavior.
1. To impose emergency conditions, the case manager will:
 - a. Obtain approval from the CCS/designee and document the approval in the individual's electronic file.
 - b. Enter the emergency condition in the individual's electronic file with an end date of 7 business days after the date it was imposed.
 - c. Obtain the individual's signature on a printout of the case plan that includes the emergency condition(s) and provide the individual with a copy of the signed case plan.
 - 1) If the individual refuses to sign, the case manager will witness and document the refusal on the printout.
 - 2) Conditions will take effect immediately upon personally serving the individual with the conditions but will not remain in effect longer than 7 business days unless approved by the Board.
 - d. Email the signed case plan to ISRB@doc.wa.gov.
 - e. Update the individual's electronic file with the Board's decision.
- C. The individual may appeal the condition(s) imposed by contacting the Board with a written request.
1. All conditions of the release order will remain in effect unless the individual's appeal is approved.

III. Court Jurisdiction

- A. To request court imposed conditions, the case manager will submit DOC 09-061 Court - Special Imposed Conditions, or local version, and attach DOC 09-041 Order Modifying Sentence.
- B. Statewide Records will enter court imposed conditions in the electronic file upon receipt of the Order Modifying Sentence.
- C. For individuals who committed their crime(s) before July 1, 2000 and sentenced to community placement (i.e., CCI/PRS), the Department may recommend the

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sentencing court remove or modify any conditions of community placement so long as the condition is not more restrictive.

IV. Extending Conditions

- A. The court may impose and enforce an order extending any or all conditions imposed at any time prior to the completion of a sex offender's term of community custody if the court finds that public safety would be enhanced.
- B. To request extending conditions, the case manager will submit DOC 09-259 Court - Special & Order Extending Sex Offender Conditions to the sentencing court at least 90 days prior to the termination of the community custody term.
 1. The case manager will not recommend extending supervision past the term of community custody.
- C. If the court extends the conditions, the case manager will inform the individual that the extended conditions are in effect and enforceable up to the statutory maximum term for the crime.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 09-041 Order Modifying Sentence
 DOC 09-061 Court - Special Imposed Conditions
 DOC 09-252 Request to Appeal Imposed Condition
 DOC 09-259 Court - Special & Order Extending Sex Offender Conditions