### REVIEW/REVISION HISTORY:

Effective: 10/25/00  
Revised: 7/23/03  
Revised: 8/25/04  
Revised: 10/7/04  
Revised: 9/19/05  
Revised: 9/25/07  
Revised: 6/16/08  
Revised: 8/5/09 AB 09-027  
Revised: 10/26/09  
Revised: 1/17/11  
Revised: 4/19/12  
Revised: 6/1/12  
Revised: 12/6/13  
Revised: 9/28/15  
Revised: 1/13/16

### SUMMARY OF REVISION/REVIEW:

- Added Violator Management User Guide to references  
- Added references to the Violator Management screen throughout  
- II.A.1.e.5) and III.B. - Adjusted to reference first party residence  
- II.H.3. - Added clarifying language  
- III.F. - Adjusted language for clarification  
- VI.C. - Adjusted reporting and documentation requirements for cross-gender searches  
- Added Section VII. on pre-booking clearance, including new attachment

### APPROVED:

 Signature on file  
  
 **DAN PACHOLKE**, Secretary  
 Department of Corrections  
  
 12/23/15  
 Date Signed
POLICY

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; RCW 9.94A.631; RCW 10.31.040; RCW 10.31.050; DOC 350.750 Warrants, Detainers, and Holds; DOC 400.230 Badges and Identification Apparel; DOC 410.920 Use of Force - Community Corrections; DOC 420.105 Transportation Standards for Community Corrections; DOC 420.395 Evidence/Property Procedures for Field; DOC 460.130 Violations, Hearings, and Appeals; OMNI Violator Management User Manual

POLICY:

I. To enhance employee and public safety, the Department has the authority to arrest an offender who is accused of violating the conditions or requirements of supervision/community custody, or has committed a crime in an employee’s presence. Employees will respond to known offender violations per DOC 460.130 Violations, Hearings, and Appeals.

II. Arresting employees will document all arrests, searches, and transports on the Violator Management screen in the offender’s electronic file the same day as the action.

DIRECTIVE:

I. Authorization

   A. Community Corrections Officers (CCOs), Community Corrections Supervisors (CCSs), Community Corrections Specialists, and others authorized by the Assistant Secretary for Community Corrections have the authority to arrest an offender.

   B. Except as outlined in DOC 420.105 Transportation Standards for Community Corrections, authorized employees must successfully complete the CCO Academy before arresting, searching, or transporting offenders.

   C. Arresting employees will ensure proper documentation is completed and distributed per DOC 350.750 Warrants, Detainers, and Holds and local procedures.

II. Arrest of Offenders

   A. The CCS will develop, and routinely review with his/her employees, local procedures for arresting offenders in and outside the office. Procedures will address location specific logistics and employee safety concerns.

      1. Before arrest, the CCO will:
a. Verify jurisdiction and supervision end date, and consider days remaining on supervision,

b. Verify that the alleged behavior is a crime or violates a condition of the offender’s supervision,

c. Review the Offender Case Plan face page and Violator Management Summary in the offender’s electronic file for safety flags related to offender behavior,

d. Obtain CCS/designee authorization to arrest, and

e. Form an arrest team of authorized Department employees/local law enforcement and assign roles, including:

1) Controlling, securing, and maintaining custody of the offender,

2) Searching the offender, which will be assigned to an employee of the same gender as the offender when possible,

3) Collecting, searching, documenting, transporting, and maintaining the chain of custody over the offender’s property and any evidence,

4) Transporting the offender,

5) Searching, documenting, and securing when possible the offender’s vehicle and/or first party residence (i.e., where the offender has control and/or domain over a residence or item and has authority to consent to search), and

6) Notifying and communicating with family or friends of the offender.

2. The CCS/designee will confirm the necessary verifications and approve the arrest plan.

B. Employees may withdraw if an arrest situation presents an undue risk of harm.

C. At no time will an offender placed in restraints be left unattended.

D. Any use of force will comply with DOC 410.920 Use of Force - Community Corrections.
E. When taking an offender into custody, authorized employees may pursue the offender on foot, but must consider the risk of danger to themselves and the public.

F. Planned Office Arrest
   1. The CCO will inform all unit employees/volunteers of the pending arrest(s) and discuss, as necessary:
      a. Officer safety concerns (e.g., history of violence/weapons/resisting arrest, threatening others, third party issues).
      b. Any additional equipment needed to safely complete the arrest (e.g., Department approved flex cuffs).
   2. When possible, arrests will be conducted in a pre-designated “Arrest Area”.
   3. Arrested offenders will be transported as soon as practical.
   4. If arresting multiple offenders, Department employees will follow local procedures and ensure each offender is escorted separately, de-escalated, and compliant with employee directives before being placed in any area with other offenders.

G. Planned Field Arrest
   1. The CCO will ensure that the staging plan is communicated to all arrest team members and includes, at a minimum:
      a. Officer safety concerns (e.g., history of violence/weapons/resisting arrest, threatening others, dogs, third party issues).
      b. Any additional equipment needed to safely complete the arrest (e.g., Department approved flex cuffs).
      c. A current photo of the offender(s).
      d. The arrest location, with directions, and the location where the team will assemble.

H. Emergent Arrest
   1. In an emergent situation, it may be necessary for an authorized employee to arrest an offender without prior authorization.
2. Authorized employees will exercise professional judgment based on their knowledge, skills, and abilities. Officer and community safety will be the priority.

3. Employees will notify the CCS/designee of the arrest/transport of the offender as soon as possible and continue to provide updates as necessary.

I. Following the arrest and transport of the offender(s), the CCS may debrief with the arrest team, impacted employees, and local law enforcement, as applicable.

III. Forced Entry

A. Forced entry occurs anytime an employee enters a residence:

1. Without invitation, or
2. After having requested and been refused entry.

B. Employees may force entry into a first party residence only when forced entry is the only means available under the circumstances to:

1. Arrest the offender, when the employee has reasonable cause to believe that the offender has violated a condition of the sentence or supervision and reasonable cause to believe the offender is in the residence, to include pursuing a fleeing offender into his/her residence, or
2. Search for evidence that the offender has violated a condition of the sentence or supervision, when the employee has reasonable cause to suspect a violation.

C. Employees may enter a third party residence with the third party’s consent.

1. Employees may not force entry into a third party residence to arrest an offender or to search for an offender who is believed to be present unless all of the following conditions are met:

   a. The offender has an active warrant,

   b. An emergency exists in which an employee is engaged in the immediate and continuous pursuit of an offender fleeing arrest, or the offender poses a specific and articulable imminent threat of causing serious physical harm or death to a third party in the residence, and
1) Absent a continuous pursuit, an employee may not force entry merely because s/he believes an offender is hiding in the residence.

c. Forced entry is the only means available to arrest the offender under the circumstances.

D. Before forcibly entering any residence, an employee must:

1. Identify him/herself as a Department of Corrections representative, and
2. State his/her purpose.

E. Employees may not force entry into any residence at the request of a general authority law enforcement agency.

F. If forced entry is used, the CCS/designee will complete a report in the Incident Management Reporting System (IMRS).

IV. Equipment, Identification, and Apparel

A. Authorized employees participating in a planned arrest, whether in the office or in the field, will wear/carry the following Department approved equipment:

1. Official identification and/or Department badge, worn in a visible location per DOC 400.230 Badges and Identification Apparel,
2. Department issued and unexpired ballistic armor,
3. Handcuffs,
   a. Non-issued handcuffs must be National Institute of Justice approved as verified by the CCS.
4. Firearm, if armed,
5. Personal Protective Equipment (e.g., protective gloves, Oleoresin Capsicum if certified to use), and
6. Communication device.

V. Miranda Warning

A. Employees will give the Miranda Warning to detained offenders before questioning them regarding activity that may lead to a new criminal charge and will encourage the offender to sign DOC 09-052 Miranda Warning Waiver, if possible.

B. If the offender invokes his/her right to remain silent or requests an attorney, questioning will not proceed without an attorney present.
VI. Searches

A. Authorized employees may direct an offender to submit to a pat search without reasonable cause when in, on, or before entering Department premises, grounds, or facilities, or before entering a Department vehicle.

B. Employees may search an offender’s person or property, living area, religious items, or vehicle when there is reasonable cause to believe the offender has violated a condition of supervision.

1. Planned searches require CCS/designee approval.

2. An authorized employee may determine during a field contact that a search should be conducted. Once the offender and location is secured, the employee will contact the CCS/designee, if possible, for approval before conducting the search.

3. Law enforcement can assist with searches. However, the search cannot occur at the request of, or as an agent for, a law enforcement agency.

C. All searches will be conducted in a professional manner.

1. Employees will not search a residence without the offender or another adult resident present at the scene. Exceptions may be approved by the CCS/designee.

2. Personal living space of other occupants will not be searched without their consent.

3. When a cross-gender search is necessary based on emergent need, employees are required to:

   a. Report the search and the emergent need to the CCS/designee, and


4. Arresting employees may not frisk a third party unless:

   a. The third party gives consent,

   b. The third party is present during an interaction with an offender and poses a specific and articulable threat of causing physical harm to the employee, or
c. Acting under the direction of a general authority Washington peace officer.

5. If law enforcement is not present during the search and a third party is obstructing the search, the employee will ask the third party to leave. If the third party refuses to vacate, the employee will leave the residence and request assistance from local law enforcement. The employee will continue the search with law enforcement assistance.

6. Employees will make a reasonable effort to secure the offender’s residence when arresting/removing the offender.

D. Property and evidence seized during a search/arrest will be documented, secured, and controlled per DOC 420.395 Evidence/Property Procedures for Field.

VII. Pre-Booking Clearance

A. Before transporting the offender, employees will determine if the offender needs medical/mental health attention prior to confinement.

1. Employees will review the Violator Management screen in the offender’s electronic file and contact the Nurse Desk if the alert is flagged.

2. Employees may use the Offender Arrest Screening Guide (Attachment 1) to assist in determining appropriate placement for the offender.

B. When the offender requires pre-booking clearance prior to confinement (i.e., directed by the Nurse Desk or offender is rejected from a local facility), authorized employees will transport the offender to the local hospital for assessment,

1. Employees will notify the Nurse Desk as necessary while in route or shortly after arrival at hospital, and the Nurse Desk will act as a liaison with the hospital.

2. If the offender must be admitted to a local hospital, the CCO will notify the CCS/designee.

a. Consider conditional release per DOC 460.130 Violations, Hearings, and Appeals, or

b. Continued hospital watch.
3. Before leaving the hospital, employees will contact the Nurse Desk, which may consult with the hospital to determine where the offender should be booked for confinement.

VIII. Transporting of Offenders

A. Offenders will be transported per DOC 420.105 Transportation Standards for Community Corrections.

DEFINITIONS:

Words/terms appearing in this policy may also be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Offender Arrest Screening Guide (Attachment 1)

DOC FORMS:

DOC 09-052 Miranda Warning Waiver