



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON
OFFENDER MANUALS

REVISION DATE
1/1/19

PAGE NUMBER
1 of 6

NUMBER
DOC 460.050

POLICY

TITLE
DISCIPLINARY SANCTIONS

REVIEW/REVISION HISTORY:

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- Revised: 1/1/19

SUMMARY OF REVISION/REVIEW:


Attachment 1 and 2 - Added language for clarification

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

11/7/18
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94.010](#); [RCW 9.94.070](#); [RCW 9.94A.645](#); [RCW 72.09.130](#); [RCW 72.09.500](#); [WAC 137-24](#); [WAC 137-25](#); [WAC 137-28](#); [WAC 137-48-020](#); [ACA 4-4226](#); [ACA 4-4228](#); [ACA 4-4255](#); [DOC 460.000 Disciplinary Process for Prisons](#); [DOC 490.860 Prison Rape Elimination Act \(PREA\) Investigation](#); [DOC 540.105 Recreation Program for Offenders](#)

POLICY:


- I. The Department has established written rules of offender conduct that specify acts prohibited within the facility and penalties that will be imposed for various degrees of violation. [4-4226]
- II. The Department will conduct hearings for general and serious violations per WAC 137-25, WAC 137-28, and DOC 460.000 Disciplinary Process for Prisons.
- III. Sanctions are intended to impact and guide offender behavior rather than to punish, and will be determined based on the circumstances, seriousness of the offense, and offender's previous conduct record.

DIRECTIVE:

- I. General Requirements
 - A. The Disciplinary Hearing Officer will determine the appropriate sanction(s) when an offender is found guilty of a violation.
 1. The following will be used to determine appropriate sanctions: [4-4226] [4-4228] [4-4255]
 - a. Disciplinary Violations for Prison and Work Release (Attachment 1) provides the categories and levels of violations, including loss of classification points.
 - b. Prison Sanctioning Guidelines (Attachment 2) provides guidelines for imposing sanctions based on the number and frequency of violations received during a designated time period.
 2. The offender's disciplinary record, prior conduct, mental status, overall facility adjustment, and employee/contract staff recommendations may be considered.

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3. For any offense, up to the maximum sanction allowed may be imposed per WAC 137-28-240, WAC 137-28-350, and Attachment 2, regardless of whether it is a first or subsequent offense.
- B. For all but the most serious violations, Disciplinary Hearing Officers are encouraged to use alternative sanctions (e.g., loss of privileges, extra duty, change in housing assignment) in lieu of extending the offender's Earned Release Date.
 - C. If more than one violation arises out of a single incident, the Disciplinary Hearing Officer should be guided by the sanction range for the most serious category of offense with a finding of guilt listed on the infraction report.
 - D. Suspended sanctions may be imposed if the offender is found guilty of a violation or for violating conditions of the original sanction. Mandatory sanctions will not be suspended or revoked.
 1. The sanction may be suspended for a fixed period of time, not to exceed 365 days, subject to good behavior or meeting other imposed conditions.
 2. If the offender's subsequent behavior is appropriate, the Disciplinary Hearing Officer may revoke the sanction at or before the end of the fixed time period.
 - E. The Disciplinary Hearing Officer may reduce/modify downward any previously imposed sanction.
- II. Loss of Privileges
- A. Loss of privilege sanctions include, but are not limited to:
 1. Denial of attendance at special events
 2. Denial of participation in offender organization functions
 3. Removal from waiting lists for work or other program assignments
 4. Loss of:
 - a. Visitation
 - b. Recreation
 - c. Fee-based recreation
 - d. Telephone
 - e. Television/radio
 - f. Mobile electronic device and other electronic media
 - g. Commissary privileges, which may be limited with the exception of indigent items and postage

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- h. Library privileges, excluding law library when a documented court deadline has been imposed
- i. Dayroom access
- j. Personal property, which may be limited
- k. Housing assignment
- l. Packages
- m. In-cell hobby
- n. Hobby craft
- o. Weightlifting

III. Loss of Good Conduct Time Credits

- A. If the Disciplinary Hearing Officer decides the circumstances of an offense require a sanction beyond the maximum range for loss of good conduct time per Attachment 2, s/he will submit a written recommendation to the Superintendent.
 - 1. Sanction recommendations for loss of good conduct time in excess of the guidelines established must have final approval by the Assistant Secretary for Prisons.

IV. Loss of Earned Time Credits

- A. An offender serving a sentence for an offense committed on or after August 1, 1995:
 - 1. May have earned time credits taken away as part of a disciplinary sanction if s/he has lost all good conduct time credits for the current commitment.
 - 2. May have earned or future Earned Release Time (ERT) credits reduced.
- B. An offender will be referred for prosecution for the crime of Persistent Prison Misbehavior when found guilty of a serious violation that is not a Class A or B felony after losing all potential ERT credits per RCW 9.94.070.
 - 1. The Disciplinary Hearing Officer will:
 - a. Notify the Superintendent/designee by email when the criteria for referral is met.
 - b. Enter a Non-Sanction Recommendation in the Prison Discipline section of the electronic file.
 - 2. A single violation may result in both disciplinary action by the Department and filing of criminal charges.

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3. Referrals for prosecution will occur within 30 days of an affirmed appeal decision.

V. Mandatory Sanctions

A. Offenders found guilty of a:

1. 501, 502, 505, 511, 604, 633, 704, or 711 violation will be prohibited from participating in any form of weightlifting for a period of 2 years, which may be extended by the Superintendent, per RCW 72.09.500 and DOC 540.105 Recreation Program for Offenders.
2. 557 or 810 violation will lose mandatory good conduct time, all available earned time credits for the month in which the violation occurred, and specified privileges determined by the Disciplinary Hearing Officer.
3. 603 violation will be subject to mandatory administrative actions and lose mandatory good conduct time and specified privileges. Multiple violations will result in consecutive mandatory sanctions.
4. 882 violation will lose mandatory telephone privileges, except legal calls.
5. 899 violation will lose mandatory good conduct time and specified privileges determined by the Disciplinary Hearing Officer.

- B. The period for determining the number and frequency of violations is established by the date of the guilty finding.

VI. Prison Rape Elimination Act (PREA) Violations

- A. For substantiated PREA allegations against an offender, an infraction report must be written against the accused per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation.
- B. An offender who is found guilty of a 611, 613, 635, or 637 violation may be sanctioned to a multidisciplinary Facility Risk Management Team review for consideration of available interventions (e.g., Mental Health therapy, Sex Offender Treatment and Assessment Program, Anger Management).

DEFINITIONS:

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

ATTACHMENTS:



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[Disciplinary Violations for Prison and Work Release \(Attachment 1\)](#) [4-4226] [4-4228] [4-4255]
[Prison Sanctioning Guidelines \(Attachment 2\)](#) [4-4226] [4-4228] [4-4255]

DOC FORMS:

None