



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

POLICY

APPLICABILITY
PRISON
OFFENDER/SPANISH MANUALS

REVISION DATE
7/27/17

PAGE NUMBER
1 of 8

NUMBER
DOC 590.200

TITLE
**OFFENDER MARRIAGES AND STATE REGISTERED
DOMESTIC PARTNERSHIPS**

REVIEW/REVISION HISTORY:

- Effective: 12/7/84 DOC 730.010
- Revised: 10/1/85
- Revised: 11/20/87 DOC 590.200
- Revised: 4/11/03
- Revised: 12/1/06
- Revised: 3/20/08
- Revised: 3/10/09
- Revised: 1/18/11
- Revised: 11/19/12
- Revised: 3/15/13
- Revised: 7/20/16
- Revised: 7/27/17

SUMMARY OF REVISION/REVIEW:

Added Policy Statement I.A.1 that marriage between 2 offenders confined in Department facilities is prohibited
Removed Directive I.F. that the intended spouse/state registered domestic partner must be on the offender's approved visitor list


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

7/19/17

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 26.04](#); [RCW 26.60](#); [WAC 137-54-030](#); [WAC 137-54-040](#); [ACA 4-4277](#); [DOC 100.500 Offender Non-Discrimination](#); [DOC 400.030 Security Guidelines for Wireless Portable Technology in Facilities](#); [DOC 450.300 Visits for Prison Offenders](#); [DOC 490.800 Prison Rape Elimination Act \(PREA\) Prevention and Reporting](#); [DOC 540.105 Recreation Program for Offenders](#); [DOC 590.100 Extended Family Visiting](#); [DOC 700.100 Class III Offender Employment and Compensation](#)

POLICY:

- I. The Department will provide a means for offenders to marry or enter into state registered domestic partnerships during their incarceration. The Department neither approves nor disapproves of offender marriage or domestic partnership. [4-4277]
 - A. Marriage between 2 offenders confined in Department facilities is prohibited.
- II. Offender marriages must comply with RCW 26.04. Offender state registered domestic partnerships must comply with RCW 26.60.
- III. Applicants must adhere to the policy requirements to be considered for programs and privileges offered for married individuals/state registered domestic partners.

DIRECTIVE:

- I. Requirements
 - A. Offenders must be under Department jurisdiction for one year before beginning the marriage/state registered domestic partnership application process.
 - B. Offenders in Segregation or in an Intensive Management Unit (IMU) or Close Observation Area cannot initiate a marriage/state registered domestic partnership application.
 - C. Application processing may be suspended while an offender is in IMU or a Close Observation Area.
 1. When the application process is suspended, a Chronological Event (chrono) will be entered in the offender's electronic file, and the documents will be scanned into the offender's electronic imaging file. The original documents will be returned to the appropriate person.
 - D. Offenders who are boarders must have permission from the Out-of-State Department or the Regional Director of the Federal Bureau of Prisons.

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E. Both the offender and the intended spouse/state registered domestic partner must be eligible to legally marry or enter into a state registered domestic partnership in Washington State.

F. Eligibility for extended family visits will be determined per DOC 590.100 Extended Family Visiting.

II. Marriage Application

A. Both the offender and the intended spouse/state registered domestic partner must submit written intent to marry or enter into a state registered domestic partnership.

1. The offender will send DOC 20-213 Marriage/State Registered Domestic Partnership Application for Intended Spouse/State Registered Domestic Partner Use to his/her intended spouse/state registered domestic partner. The form is also available on the Department's website at <http://www.doc.wa.gov/>.


2. The intended spouse/state registered domestic partner will complete and submit the form to the offender's Counselor with the following documents attached:

- a. Copy of his/her photo identification,
- b. Certified copy of his/her birth certificate, and
- c. Certified copies of divorce/dissolution decrees for all prior marriages/state registered domestic partnerships, as applicable.

3. The offender will complete DOC 20-214 Marriage/State Registered Domestic Partnership Application For Offender Use, attach a certified copy of his/her birth certificate and certified copies of divorce/dissolution decrees for all prior marriages/state registered domestic partnerships, as applicable, and submit them to his/her Counselor.


B. The Counselor will process applications using DOC 20-443 Marriage/State Registered Domestic Partnership Process Checklist and will review the submitted documents to determine eligibility for marriage/state registered domestic partnership.

1. Applications involving individuals who were a victim of the offender or found to have engaged in staff sexual misconduct as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting should be highly scrutinized and may be denied.

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- C. The Facility Risk Management Team will decide whether the application process should continue. If the application is denied, the Correctional Unit Supervisor will notify the offender and intended spouse/state registered domestic partner, in writing, of the reason for denial (e.g., failure to meet eligibility requirements).
- D. If approved to proceed, the offender must sign DOC 20-215 Marriage/State Registered Domestic Partnership Approval for Release of Information to allow his/her Counselor to provide written information to the intended spouse/state registered domestic partner regarding the offender's criminal history, current offense, and sentence timeline.
- E. The Counselor will provide the intended spouse/state registered domestic partner an updated Criminal Conviction Record (CCR) and an official description of the offender's current conviction.
- F. The intended spouse/state registered domestic partner must sign DOC 20-215 Marriage/State Registered Domestic Partnership Approval for Release of Information indicating s/he has read and understands the information received and still wishes to marry or enter into a state registered domestic partnership with the offender.
- G. The Correctional Unit Supervisor will send DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing and the following completed forms to the Superintendent/designee with copies of all birth certificates and divorce/dissolution decrees:
 - 1. DOC 20-213 Marriage/State Registered Domestic Partnership Application For Intended Spouse/State Registered Domestic Partner Use,
 - 2. DOC 20-214 Marriage/State Registered Domestic Partnership Application For Offender Use, and
 - 3. DOC 20-215 Marriage/State Registered Domestic Partnership Approval for Release of Information.
- H. The offender will meet with the Superintendent/designee to discuss the marriage/state registered domestic partnership process. The Superintendent has final approval for all offender requests to marry or enter into state registered domestic partnership.
 - 1. The entire packet will be scanned into the offender's electronic imaging file after a final decision is made and the forms are signed.

III. Counseling

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- A. The offender and the intended spouse/state registered domestic partner will participate in counseling prior to marriage or entering into a state registered domestic partnership. The counseling will be conducted by the officiating clergy, if qualified, or a certified professional counselor obtained by the couple.
- B. The clergy or certified professional counselor will be provided with the offender's criminal history and complete DOC 20-444 Marriage/State Registered Domestic Partnership Counseling Requirements.
 1. The couple will be responsible for any costs associated with the counseling.
 2. The counseling will include a full disclosure of the offender's criminal history to the intended spouse/state registered domestic partner.
 3. Minor children and other family members living in the home may be included in the counseling.
 4. Counseling may be conducted by telephone or in person.

IV. License/Certificate

- A. After the Superintendent has approved the marriage/state registered domestic partnership request, the intended spouse/state registered domestic partner is responsible for obtaining the license/certificate.
 1. The intended spouse/state registered domestic partner will pick up the license application/declaration and send it to the offender, who will sign it in front of a notary public.
 2. The offender will then return the license application/declaration to the intended spouse/state registered domestic partner, who will obtain the license/certificate.

V. Ceremony

- A. A ceremony will be held for offender marriages in compliance with state statute. While not legally required, a ceremony will be offered to offenders entering into a state registered domestic partnership.
 1. The facility Chaplain will supervise the arrangements of the ceremony, which will be performed by:
 - a. An outside officiant (e.g., magistrate, clergy, etc.) obtained by the offender and intended state registered domestic partner, or



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- b. The facility Chaplain directly or a contract Chaplain or religious volunteer clergy, at his/her own discretion, consistent with state requirements and the requirements of his/her endorsing agency or religious group/denomination.
2. Any outside officiant must clear a National Crime Information Center (NCIC) background check and have Superintendent/designee approval based on the following:
 - a. An officiant performing a religious ceremony must:
 - 1) Be qualified under RCW 26.04 to perform marriages in Washington State,
 - 2) Have no felony convictions within the past 10 years, and
 - 3) Submit a certified document verifying his/her authority to perform the ceremony as recognized by the offender's religious or faith-based organization, along with a current letter of appointment or a letter stating s/he is in good standing from the ordaining body or religious authority.
 - b. A member of the judiciary performing a civil ceremony must submit his/her letter of appointment or oath of office.
- B. The couple will be responsible for costs associated with the ceremony.
- C. The ceremony will be private and conducted without media coverage. In addition to the couple and officiant, the following individuals may attend the ceremony:
 1. Ceremony participants required by the religion or faith-based organization of the offender or intended spouse/state registered domestic partner. Participants must clear an NCIC background check and require Superintendent/designee approval.
 2. Children of the offender and/or intended spouse/state registered domestic partner.
 3. A professional photographer, who must clear an NCIC background check and requires Superintendent/designee approval.
 4. Up to 6 other attendees, as approved by the Counselor. Attendees must be on the offender's approved visitor list or be approved through the special visit process.

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5. One offender, if approved by the Superintendent/designee.
- D. All attendees must comply with dress standards in DOC 450.300 Visits for Prison Offenders. Exceptions require Superintendent/designee approval.
 - E. Any items brought into the facility by an outside officiant or attendee require approval from the Superintendent/designee in advance. Religious items will be consistent with the requirements for allowable religious items per DOC 560.200 Religious Programs.
 1. Unless religious in nature, items brought into the facility that are outside the visit guidelines are intended for the visitor only.
 - F. The offender and intended spouse/state registered domestic partner must read, sign, and follow DOC 20-219 Acknowledgment of DOC 590.200 Offender Marriages and State Registered Domestic Partnerships.
 - G. After the ceremony, the Superintendent/designee will complete the Authorized Marriage/State Registered Domestic Partnership Report section of DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing. The form will be scanned into the offender's electronic imaging file, along with a copy of the certificate and/or license.

VI. Photographs

- A. Photography will meet the following requirements:
 1. The couple will be responsible for any costs associated with photography.
 2. Offender photographers will comply with DOC 540.105 Recreation Program for Offenders and/or DOC 700.100 Class III Offender Employment and Compensation, as applicable.
 3. Photographs will be reviewed for content and compliance with policy.
 - a. Photographs with suggestive or rude posturing, gang signs, or the appearance of gang affiliation will not be permitted.
 - b. Offenders will not be photographed with other offenders except with Superintendent/designee approval.
- B. If a digital camera is available at the facility, the intended spouse/state registered domestic partner may bring a memory card to use in the camera consistent with DOC 400.030 Security Guidelines for Wireless Portable Technology in Facilities.

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DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

- [DOC 20-213 Marriage/State Registered Domestic Partnership Application for Intended Spouse/State Registered Domestic Partner Use](#)
- [DOC 20-214 Marriage/State Registered Domestic Partnership Application for Offender Use](#)
- [DOC 20-215 Marriage/State Registered Domestic Partnership Approval for Release of Information](#)
- [DOC 20-218 Marriage/State Registered Domestic Partnership Approval Routing](#)
- [DOC 20-219 Acknowledgment of DOC 590.200 Offender Marriages and State Registered Domestic Partnerships](#)
- [DOC 20-443 Marriage/State Registered Domestic Partnership Process Checklist](#)
- [DOC 20-444 Marriage/State Registered Domestic Partnership Counseling Requirements](#)