

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON FACILITY/SPANISH MANUALS		
	REVISION DATE 3/26/24	PAGE NUMBER 1 of 4	NUMBER DOC 350.700
	TITLE IMMIGRATION INFORMATION AND DEPORTATION HEARINGS		

REVIEW/REVISION HISTORY:

Effective: 1/16/95
 Revised: 8/22/01
 Revised: 11/7/03
 Reviewed: 2/12/07
 Revised: 6/26/08
 Reviewed: 6/21/10
 Revised: 6/24/11
 Revised: 7/9/12
 Revised: 1/22/16
 Revised: 3/26/24

SUMMARY OF REVISION/REVIEW:

Major changes to include updated title, terminology, person-centered changes throughout, and alignment with updated statute. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

2/28/24

 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON FACILITY/SPANISH MANUALS		
	REVISION DATE 3/26/24	PAGE NUMBER 2 of 4	NUMBER DOC 350.700
	TITLE IMMIGRATION INFORMATION AND DEPORTATION HEARINGS		

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.685](#); [RCW 10.93.160](#); DOC 450.500 Language Services for Limited English Proficient Individuals

POLICY:

- I. The Department will not deny services, benefits, privileges, or opportunities for incarcerated individuals based on the presence of an immigration detainer, hold, notification request, or civil immigration warrant unless required by law or as necessary for classification or placement purposes.
- II. The Department will not:
 - A. Enter into any immigration detention agreement or contract for the provision of language services from federal immigration authorities.
 - B. Accept language services from federal immigration authorities, including free language services.
- III. The Department has established procedures for providing immigration information and notification of immigration deportation hearings.
- IV. Nothing in this policy prohibits the collection, use, or disclosure of information that is required to comply with state or federal law or in response to a court order.

DIRECTIVE:

- I. General Requirements
 - A. Individuals arriving at a Reception Diagnostic Center who may have deportation proceedings initiated against them will be provided a copy of this policy at orientation. An orientation employee will:
 1. Ensure individuals with a language barrier/disability that impacts the ability to read or understand English is provided the opportunity to request interpretation and/or translation services per DOC 450.500 Language Services for Limited English Proficient Individuals.
 2. Advise individuals that requests by them or their attorney for access to the individual's records must be made in a timely manner and:
 - a. Of the requirement to sign a release of information to allow an attorney access to their records.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON FACILITY/SPANISH MANUALS		
	REVISION DATE 3/26/24	PAGE NUMBER 3 of 4	NUMBER DOC 350.700
	TITLE IMMIGRATION INFORMATION AND DEPORTATION HEARINGS		


- b. That sufficient notice is required prior to a scheduled deportation hearing to ensure access to the file.
3. Have the individual sign DOC 05-433 Immigration and Deportation Hearing Information Acknowledgement.

II. Federal Immigration Interviews

- A. Federal immigration authorities may only be granted an interview for federal immigration violations with an incarcerated individual when required by state/ federal law or court order and/or the individual provides written consent.
- B. Written consent by the individual must be obtained on DOC 07-052 Consent to be Interviewed by Immigration and Custody Enforcement with a verbal explanation, using an interpreter when needed, of the following:
 1. The purpose of the interview.
 2. That the interview is voluntary, and the individual may choose to be interviewed with or without an attorney present or can decline to be interviewed.
 3. That the individual will not be punished or retaliated against for declining an interview.
- C. DOC 07-051 Certification of Criminal Investigation by Immigration and Customs Enforcement must be completed and signed by the investigating officer and approved by the Governor's General Counsel before access to any incarcerated individual is allowed.

III. Deportation Hearings

- A. Whenever a deportation hearing is scheduled at a Department facility, employees will:
 1. Notify the individual within one business day of the date the facility receives the order and notice,
 2. Attempt to provide actual translation of the order and notice into the individual's primary language within a reasonable period upon receipt of the order and notice,
 3. Document in the individual's electronic file that an attorney requesting access to records has a valid release signed by the individual, and

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON FACILITY/SPANISH MANUALS		
	REVISION DATE 3/26/24	PAGE NUMBER 4 of 4	NUMBER DOC 350.700
	TITLE IMMIGRATION INFORMATION AND DEPORTATION HEARINGS		

4. Make a reasonable effort to provide the individual or the individual's attorney access for timely inspection of the individual's central file in preparation for the deportation hearing after either party has given reasonable notice.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 05-433 Immigration and Deportation Hearing Information Acknowledgement
DOC 07-051 Certification of Criminal Investigation by Immigration and Customs Enforcement
DOC 07-052 Consent to be Interviewed by Immigration and Custody Enforcement