



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/REENTRY/FIELD

REVISION DATE
6/6/23

PAGE NUMBER
1 of 4

NUMBER
DOC 380.300

POLICY

TITLE
COURT STAYS AND APPEALS

REVIEW/REVISION HISTORY:

- Effective: 12/20/02
- Revised: 3/29/07
- Revised: 5/30/08
- Revised: 6/5/09
- Revised: 1/18/10
- Revised: 6/6/11
- Revised: 9/7/15
- Revised: 6/17/20
- Revised: 10/14/20
- Revised: 6/6/23

SUMMARY OF REVISION/REVIEW:

Major changes to include applicability, title, and removal of insanity acquittal information to DOC 380.350 Less Restrictive Alternatives. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

5/9/23

Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 3.50](#); [RCW 10.77](#); [Fed. R. Crim. P. 38](#); DOC 280.530 Supervision Files; DOC 310.100 Intake; 350.380 Discharge and Closure of Supervision; DOC 350.750 Warrants, Detainers, and Holds; DOC 380.200 Supervision of Individuals in the Community

POLICY:

- I. When ordered by the court, the Department will supervise individuals:
 - A. Whose Judgment and Sentence has been stayed by the court, and/or
 - B. Who have appealed their Judgment and Sentence to the Appellate court.

DIRECTIVE:

- I. General Requirements
 - A. Individuals will be supervised, regardless of risk level designation, per the court order.
 1. Court orders, including orders for release on bond, will be routed to the local records office and scanned into the individual's electronic imaging file.
 2. Records employees will update the Supervision Activities screen based on the date of the court order.
 - B. The case manager will use DOC 09-124 Court - Special to request clarification when the court order is unclear.
 - C. If the sentence is affirmed on appeal:
 1. The cause will be screened for community supervision eligibility.
 2. Individuals in the community will be transferred to confinement if sentenced to more than 12 months.
- II. Community Supervision
 - A. Upon an individual's release to supervision:
 1. The case manager will conduct intake per DOC 310.100 Intake.
 - a. The individual will be notified of reporting requirements if the sentence is affirmed on appeal, including arrest for failure to report.

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- b. The case manager may only impose conditions related to risk.
- 2. For individuals with conditions of supervision (e.g., active supervised appeal), the case manager will supervise individuals per DOC 380.200 Supervision of Individuals in the Community.
- 3. For individuals without conditions of supervision (e.g., stayed sentence or unsupervised appeal), the case manager will conduct reviews on the cause as ordered by the court to monitor the status of the appeal.
 - a. If there are no review periods established per the court order, the case manager will conduct reviews every 6 months.

III. Arrest/Detention

- A. Individuals will only be arrested/detained with court authorization (e.g., Judgment and Sentence) for violating a condition(s) of supervision and/or failing to report.
 - 1. A warrant may be requested per DOC 350.750 Warrants, Detainers, and Holds.
 - a. If the individual is arrested/detained without court authorization and in an emergent situation, the case manager will notify the court and prosecuting attorney within one business day of arrest/detention.

IV. Supervision Closure

- A. Individuals will be supervised by the Department until the court order has expired or is revoked/overturned.
- B. The case manager will request supervision closure when the individual has reached the Scheduled End Date (SED) per DOC 350.380 Discharge and Closure of Supervision.
 - 1. The case manager may notify the prosecuting attorney for individuals who have reached the SED.
- C. If the sentence is overturned on appeal, the case manager will close the file per DOC 280.530 Supervision Files.

DEFINITIONS:

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



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ATTACHMENTS:

None

DOC FORMS:

DOC 09-124 Court - Special