 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY DEPARTMENT WIDE		
	EFFECTIVE DATE 7/23/24	PAGE NUMBER 1 of 4	NUMBER DOC 400.105
	TITLE FACT-FINDING REVIEWS		

REVIEW/REVISION HISTORY:

Effective: 7/23/24

SUMMARY OF REVISION/REVIEW:

New policy. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

6/21/24

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy

POLICY:


- I. The Department has established procedures for conducting fact-finding reviews to rapidly analyze potentially significant incidents that involve its operations.
- II. These procedures exist to inform risk mitigation and continuous process improvement efforts.

DIRECTIVE:

- I. Identifying Potential Incidents
 - A. Each Assistant Secretary, Deputy Assistant Secretary, or their designee must regularly review incidents arising in their division and, if necessary, initiate a fact-finding review.
 - B. The Secretary, Deputy Secretary, the Senior Director for Correctional Operations, and the Director of Risk Management may initiate fact-finding review on any subject at any time.
- II. Fact-Finding Review
 - A. Fact-finding reviews are designed to help the initiator rapidly determine:
 1. What occurred,
 2. Whether to initiate a critical incident review, and
 3. Whether to assign a corrective action plan.
 - B. An official authorized to initiate a fact-finding review may do so following:
 1. Employee, contract staff, or volunteer assault,
 2. Arrest that resulted in serious injury,
 3. Suicide attempt in Department custody,
 4. Significant disruption of normal operations,
 5. Escape from partial confinement lasting more than 24 hours,
 6. Electronic Control Device deployment,

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7. An event in the course of delivering healthcare that jeopardizes the safety of the patient or any other person, or
 8. Any other incident referred for fact-finding review by the Secretary, Deputy Secretary, an Assistant Secretary, a Deputy Assistant Secretary, the Senior Director for Correctional Operations, or the Director of Risk Management.
- C. Unless a critical incident review has been initiated under DOC 400.110 Critical Incident Reviews, the Assistant Secretary for Community Corrections must initiate a fact-finding review if criminal charges have been filed related to the death or serious bodily injury of a person that occurred while the alleged perpetrator was on community supervision.
- D. To initiate a fact-finding review, the initiator must:
1. Obtain a risk file number from Risk Management,
 2. Define the subject of the review, and
 3. Assign an employee to conduct the review.
- E. Within 30 calendar days of assignment, the employee must:
1. Complete the fact-finding review, and
 2. Electronically submit their findings to the initiator using:
 - a. DOC 18-059 Partial Confinement Escape Fact Finding Review for partial confinement escape fact-finding reviews,
 - b. DOC 02-375 Community Corrections Case Review if criminal charges have been filed related to the death or serious bodily injury of a person that occurred while the alleged perpetrator was on community supervision, or
 - c. DOC 18-065 Fact-Finding Review for all other fact-finding reviews.
- F. Within 30 calendar days of assignment, the initiator must review the findings and:
1. Assign a corrective action plan if necessary,
 2. Initiate a critical incident review if necessary, or
 3. Take no further action.

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- G. A fact-finding review is complete when the final DOC 18-065 Fact-Finding Review is signed by the initiator and electronically submitted to Risk Management.

III. Implementing the Corrective Action

- A. If a fact-finding review results in a corrective action plan, the corrective action must be completed no more than 180 days after submission of the DOC 18-024 Corrective Action Plan, unless the initiator obtains an extension from Risk Management.
- B. To complete the corrective action, the initiator must:
1. Assign an employee or contract staff to perform the corrective action,
 2. Confirm the corrective action was completed, and
 3. Electronically submit to Risk Management proof that each corrective action was completed.
- C. No more than 180 days after the submission of the DOC 18-024 Risk Management will forward the risk file to the internal auditor who will verify that the corrective actions have been completed.

IV. Employee Protections

- A. Employees may have representation present during interviews for fact-finding reviews.
- B. Information collected under this policy may be used in other proceedings but will not replace a just-cause review.

DEFINITIONS:

The following words/terms are important to this policy and defined in the glossary section of the Policy Manual: Serious Bodily Injury. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

DOC 02-375 Community Corrections Case Review
DOC 18-024 Corrective Action Plan
DOC 18-059 Partial Confinement Escape Fact Finding Review
DOC 18-065 Fact-Finding Review