



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
PRISONS DIVISION
P. O. Box 41118 • Olympia, Washington 98504-1118

August 22, 2019

TO: All Superintendents

FROM: Robert Herzog [Signature on file]
Assistant Secretary Prisons

SUBJECT: Exception to 420.311 Dry Cell Search/Watch

This memorandum authorizes an exception to the same gender requirement and clarifies the relief requirement. The same gender requirement exception outlined below applies only to our women's prisons. If at any time in the future one of our male facilities begins to suffer from the same type of overtime impact due to dry cell watches an exception must be requested.

Gender Requirement: As the pilot location for the Department's Scanner project, dry cell watches at the Washington Corrections Center for Women (WCCW) since its inception in April 2019 have dramatically increased the already significant difference in overtime for our women officers versus male officers at WCCW. Section IV.C. states, "The Dry Cell Watch Officer will be an officer of the same gender as the offender. Due to the extensive number of current BFOQ-Female positions and extreme mandatory overtime situations for female officers at WCCW, effective immediately, I am approving an exception to policy that allows for male officers to also be assigned as the dry cell watch officer. This exception is designed to help mitigate the impacts of overtime on women officers while maintaining appropriate protection for the incarcerated women assigned to a dry cell watch.

Male dry cell watch officers will only perform observation of incarcerated women who are fully clothed in the dry cell watch suit and maintain the dry cell watch log. Male officers will not:

- Participate in the restroom process;
- Conduct searches of the incarcerated person on the dry cell watch or observe the person during any state of undress; or
- Give items to the incarcerated person or open the cuff port of the cell without another staff member present who is responsible for giving the person allowable items.

Additionally, when a male officer is assigned to a dry cell watch, a log entry will be made every time a female officer relieves him to allow for bathroom use by the incarcerated person or for any other reason that the incarcerated person would be in a state of undress.

This exception applies to dry cell watches only.

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Relief Requirements: Section VI. C.1.b.: Current policy states that the shift commander/designee will provide the Watch Officer “a relief every 4 hours.” This has been interpreted over a period of time to mean a different officer must assume the post for the next 4 hours. I am providing clarification that one officer may be assigned for the duration of the 8 hour post. Relief for restroom breaks etc. will still be provided. I am not requiring you to change what your current assignment practice is, I am simply clarifying the policy statement concerning relief.

cc: Policy Office
Mary Jo Currey, Assistant Secretary Health Services
Tomas Fithian, Deputy Director
Scott Russell, Deputy Director
Jeneva Cotton, Correctional Program Administrator
Shane Evans, Health Services Administrator, Command A
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