



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY

PRISON
OFFENDER/SPANISH MANUALS

REVISION DATE

4/1/13

PAGE NUMBER

1 of 6

NUMBER

DOC 320.150

POLICY

TITLE

DISCIPLINARY SANCTIONS

REVIEW/REVISION HISTORY:

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- Revised: 1/24/11
- Revised: 12/1/12
- Revised: 4/1/13

SUMMARY OF REVISION/REVIEW:

Attachment 1 - Added back 636 violation to Category A violations


APPROVED:

Signature on file

BERNARD WARNER, Secretary
Department of Corrections

3/26/13

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94.070](#); [RCW 72.09.130](#); [RCW 72.09.500](#); [WAC 137-24](#); [WAC 137-25](#); [WAC 137-28](#); [ACA 4-4226](#); [ACA 4-4228](#); [ACA 4-4255](#); [DOC 350.100 Earned Release Time](#); [DOC 460.000 Disciplinary Process for Prisons](#); PREA Standard 115.78(d)

POLICY:

- I. The Department has established written rules of offender conduct that specify acts prohibited within the facility and penalties that will be imposed for various degrees of violation. [4-4226]
- II. The Department will ensure a hearing is conducted per WAC 137-25, WAC 137-28, and DOC 460.000 Disciplinary Process for Prisons when a serious violation is reported.
- III. Sanction(s) will be determined based on the circumstances, seriousness of the offense, and offender's previous conduct record.

DIRECTIVE:

- I. General Requirements
 - A. The Disciplinary Hearing Officer will determine the appropriate sanction(s) when an offender is found guilty of a serious violation.
 1. The Disciplinary Sanction Table for Prison and Work Release (Attachment 1) and Prison Sanctioning Guidelines (Attachment 2) will be used to determine appropriate sanctions. [4-4226] [4-4228] [4-4255]
 - a. The Disciplinary Sanction Table for Prison and Work Release (Attachment 1) provides the guidelines for a range and maximum sanction of loss of good conduct time credits.
 - b. The Prison Sanctioning Guidelines (Attachment 2) provides guidelines for committing the same violation of a disciplinary rule multiple times within a certain time period.
 2. In determining an appropriate sanction, the Disciplinary Hearing Officer may consider factors such as the offender's facility/infraction file, prior conduct, mental status, and overall facility adjustment.
 3. For any offense, the Disciplinary Hearing Officer may impose up the maximum sanction allowed per WAC 137-28-350 and Attachments 1 and 2, regardless of whether it is a first or subsequent offense.

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B. For all but the most serious violations, Disciplinary Hearing Officers are encouraged to use alternative sanctions (e.g., loss of privileges, extra duty, or a change in housing assignment) in lieu of extending the offender's minimum term.

II. Loss of Good Conduct Time Credits

A. The Disciplinary Sanction Table for Prison and Work Release (Attachment 1) provides guidelines for a range and maximum loss of good conduct time credits for each category of offense.

B. If the Disciplinary Hearing Officer decides the circumstances of an offense require a sanction beyond the maximum range for loss of good conduct time listed in the Disciplinary Sanction Table for Prison and Work Release (Attachment 1), s/he may make a written recommendation to the Superintendent.

1. Sanction recommendations for loss of good conduct time in excess of the guidelines established must have final approval by the Assistant Secretary for Prisons.

C. If more than one violation arises out of a single incident, the Disciplinary Hearing Officer should be guided by the sanction range for the most serious category of offense.

D. Earned or future good conduct time credits may be reduced.

III. Loss of Earned Time Credits

A. An offender serving a sentence for an offense committed on or after August 1, 1995, may have his/her earned time credits, as specified in DOC 350.100 Earned Release Time, taken away as part of a disciplinary sanction when s/he has lost all good conduct time credits for the current commitment.

B. Offenders serving a sentence for an offense committed on or after August 1, 1995, who have a record of being a persistent management/disciplinary problem may also have earned time credits taken away.

1. Offenders will be referred for prosecution for the crime of Persistent Prison Misbehavior (PPM) when found guilty of a serious violation that is not a Class A or B felony after losing all potential earned early release time credits per RCW 9.94.070. The Disciplinary Hearing Officer will notify the Superintendent of the need for the referral.

2. Referrals for prosecution will occur within 30 days of the completion of the infraction appeal process.



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- C. Earned or future earned release time credits may be reduced for offenders serving a sentence for an offense committed on or after August 1, 1995.
- IV. Failing or Refusing to Maintain a Work or Education Program Assignment/Termination for Negative or Substandard Performance
 - A. Per RCW 72.09.130, offenders found guilty of a 557 or 810 violation will lose good conduct time, all available earned time credits for the month in which the violation occurred, and specified privileges determined by the Disciplinary Hearing Officer.
 - B. Minimum sanctions for loss of good conduct time are:
 - 1. 15 days for a first offense,
 - 2. 30 days for the second, and
 - 3. 45 days for the third and subsequent offenses within a 12 month period.
 - C. Minimum sanctions for loss of earned time for the month are:
 - 1. Earned time eligible under 10 percent rule 1.11 days
 - 2. Earned time eligible under 15 percent rule 1.76 days
 - 3. Earned time eligible under 33 percent rule 5.00 days
 - 4. Earned time eligible under 50 percent rule 10.00 days
 - D. Minimum sanctions for loss of privileges are:
 - 1. 30 days for a first offense,
 - 2. 90 days for a second offense, and
 - 3. 180 days for a third and subsequent offense within a 12 month period.
 - E. One or more of the following privileges may be suspended:
 - 1. Loss of recreation - may limit up to one hour a day of equipment-less recreation,
 - 2. Loss of television/radio,
 - 3. Loss or limitation of store privileges,
 - 4. Loss of library privileges, excluding law library,
 - 5. Loss of dayroom access,
 - 6. Loss or limitation of personal property,
 - 7. Denial of attendance at special events,
 - 8. Denial of participation in offender organization functions,
 - 9. Loss of housing assignment, and/or
 - 10. Removal from waiting lists for work or other program assignments.

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F. The 12 month period begins on the date of a guilty finding for a 557 and 810 violation.

V. Weightlifting Restriction

A. An offender who is found guilty of a 501, 502, 511, or 604 violation will be prohibited from participating in any form of weightlifting for a period of 2 years from the date the infraction was adjudicated. A Disciplinary Hearing Officer will impose this sanction upon a finding of guilt of one of the cited violations per RCW 72.09.500.

VI. Possession or Unauthorized Use of a Cell Phone

A. An offender who is found guilty of an 882 violation will lose telephone privileges, with the exception of legal calls per WAC 137-28-350.

B. Minimum sanctions for loss of telephone privileges are:

1. 60 consecutive days for a first offense,
2. 90 consecutive days for a second offense, and
3. 180 consecutive days for a third and subsequent offense within a 12 month period.

VII. Prison Rape Elimination Act (PREA) Violations

A. An offender who is found guilty of a 611, 612, 613, 635, 636, or 637 violation may be sanctioned to participate in available interventions (e.g., Mental Health therapy, Sex Offender Treatment Program, Anger Management).

VIII. Hearing Documentation


A. The offender will be given a copy of DOC 21-312 Disciplinary Hearing Minutes and Findings and will sign the form acknowledging receipt.

B. If the offender refuses to sign the form, an employee will sign, witnessing the offender's refusal.

C. Disciplinary Hearing Officers are responsible to keep the offender's electronic file updated with serious infraction disciplinary hearing information.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Earned Release Time (ERT), Earned Time. Other word/terms appearing in this policy may also be defined in the glossary.

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ATTACHMENTS:

[Disciplinary Sanction Table for Prison and Work Release \(Attachment 1\)](#) [4-4226] [4-4228] [4-4255]

[Prison Sanctioning Guidelines \(Attachment 2\)](#) [4-4226] [4-4228] [4-4255]

DOC FORMS:

[DOC 21-312 Disciplinary Hearing Minutes and Findings](#)

[DOC 21-312A Disciplinary Hearing Minutes and Findings \(Continuation Sheet\)](#)