Department of Corrections – Tolling Unit Workload and Staffing

Report to the Legislature

As required by ESSB 5187(223) (1)(a) (2023)

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Legislative Directive for Reporting

The Legislative requirement for the tolling staffing levels based on Section 223 of ESSB 5187, sub-sections (1)(a), 2(c), & 3(c): Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with Fiscal Year (FY) 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

Tolling of Supervision

RCW 9.94A.171 requires the Department of Corrections (DOC) to toll terms of confinement and supervision. Tolling, as defined by this statute, means "the period of time in which community custody or confinement time is paused and for which the offender does not receive credit towards the term ordered." RCW 9.94A.171(1) and (2) state the DOC will toll "any period of time during which the offender has absented himself or herself from confinement or supervision without prior approval". RCW 9.94A.171(4) states "the date for the tolling of the sentence shall be established by the entity responsible for the confinement or supervision".

Individuals start and stop tolling when they are unavailable for supervision and become available again. These actions are in response to events that occur in the community and are based on information received. This information can come through numerous sources, such as jails, local/federal/tribal law enforcement agencies, and court systems. These events are externally driven, and DOC must be responsive when this information is received.

Instances where DOC must toll:

- Time an individual has willfully failed to report for supervision.
- Time in confinement for any non-DOC matter; for example, time spent in confinement for a new charge/offense.
- Original jail time imposed by the sentencing court, or partial confinement in lieu of original jail time. For example, electronic home monitoring or work crew.
- Any time spent in total confinement, if the individual is currently being supervised for a felony sex offense.
- Time spent in mental health commitments per Ch. 71.05 RCW or Ch. 10.77 RCW.
- Time spent in civil commitment under Ch. 71.09 RCW.
- Time spent in Immigrations and Customs Enforcement (ICE) custody.

Historically, tolling tasks were completed by Community Corrections Officers (CCO). Between 2008-2019, DOC tracked tolling activities in the Offender Management Network Information (OMNI) system, which is the software system used to track individuals under the jurisdiction of DOC. In 2019, DOC identified concerns with OMNI's internal calculations that resulted in inaccurate scheduled end dates (SED). During

further investigation, DOC also found that application of tolling entries was not consistently applied across the state. Due to these findings, DOC began tracking the tolling activities for supervised individuals utilizing a manual tracking system captured on Excel spreadsheets. The spreadsheets were stored in an electronic image system.

Due to the complex nature of determining whether events qualify as a tolling activity based on policy and statute, the centralization of this work was critical to ensuring tolling activities are applied consistently, and supervision end dates are calculated correctly. A centralized unit of 49 Tolling Records staff was created to ensure all tolling entries were consistently applied for an accurate supervision end date.

Tolling Records staff are the subject matter experts for tolling entries and supervision end dates. This work is critical and affects the agency jurisdiction period for the agency to supervise, to issue Secretary Warrants, and respond to violation allegations for loss of liberty and due process. The CCOs are charged with case management, enforcement of community custody conditions, and providing resources for supervised individuals. The CCOs are required to collect and convey tolling information to records staff. If tolling activities are not identified, confirmed, and entered there is a risk that individuals may not be supervised for the court ordered term and may not be held accountable for their actions in the community, which may impact public safety.

This centralized tolling team is not currently funded. The DOC submitted decision packages to request funds for the Tolling Unit pre and post centralization of tolling (FY 2018 Supplemental, FY 2020 Supplemental, 2021-23 Biennial, and FY 2022 Supplemental) with no success. The DOC is utilizing funds for positions that carry out critical functions, such as supervision, to complete this work.

Current maintenance level funding for Community Corrections is based on an out-of-date workload model from 2004. The most recent Community Corrections workload study completed in 2023 found DOC is not properly staffed to carry out essential work. This metric determines the number of staff needed to ensure that each supervised individual is properly supervised and determines the amount of time that should be spent with each supervised individual. This includes time spent in administrative and support staff roles. For the Tolling Unit, the study concluded that tolling staffing levels were not sufficient to meet the current caseload needs. The study estimated that to complete essential work, a total of 57 staff would be needed for the Tolling Unit. It is important to note that the study was initiated and completed after the centralization of the Tolling Unit but before the OMNI Sentencing Calculation Module deployment. This new model remains unfunded.

Implementation of the OMNI Sentencing Calculation Module

The 2021-23 supplemental operating budgets provided funding for the implementation of a sentence calculation module for OMNI that included data migration, data remediation, quality assurance, and independent verification and validation specific with the goal of reducing tolling workloads and increasing the accuracy of tolling calculations. The project team successfully returned tolling activities into a system by implementing STEM (Supervision Tolling Entry Management), that was deployed in July of 2024 with a validation period extending into January 2025.

STEM is a centralized system that allows multiple users to work at the same time, avoid duplication of work, display workflow progress, and provide statistical reports. Over 84,000 spreadsheets were migrated to the STEM database and staff no longer use Excel spreadsheets or manage tolling data outside of a system. CCOs

use STEM to notify Tolling Records staff to start and end tolling instead of sending an email.

The implementation of the STEM system allows for secure storage of tolling data, accurate scheduled end date calculation, and reduces the chance of errors when calculating an individual's scheduled end date. The development of STEM was a minimum viable product to improve accuracy in tolling calculations and is considered the first phase of a redesign for sentence calculations. Note: STEM and OMNI are two separate systems, and the data is not shared between the systems. STEM (system of record for tolling activities) does not systematically update scheduled end dates in OMNI (agency system).

Although the data is now managed in a centralized system, the process to start and stop tolling remains manual. The tolling Records staff review and verify all entries with event driven audits. Each time tolling ends, the supervision end date is manually updated in OMNI. The tolling staff must complete ongoing reviews to ensure the supervision end date is accurate. Additionally, supervision compliance credits (SCC) were passed by the legislature in 2020, and amended in 2025, to allow an individual to earn time off their supervision term. SCC was implemented after tolling was centralized, adding a new layer of complexity to the work. Community Corrections staff must determine if an individual has earned supervision compliance credits each month and report this to Records staff. These credits are also manually tracked and deducted from the supervision end date.

Examples:

Adjustment to scheduled end date based on tolling activities:
J. Doe begins a 12-month period of supervision on 01/01/2024. On 03/15/2024, J. Doe absconds (does not report) from supervision. The CCO issues a Secretary's Warrant and notifies records staff that J. Doe is not available for supervision. Given that J. Doe is not available for supervision, records staff make an entry to start tolling. On 03/20/2025, J. Doe is arrested on the Secretary's Warrant. The CCO notifies records staff that J. Doe was arrested, and records staff make an entry to stop tolling. A hearing is scheduled to address supervision violations. Since the supervision end date may have changed due to the tolling activities, records staff must complete a manual review of the tolling record prior to the hearing to ensure there is an accurate and updated scheduled end date.

Adjustment to scheduled end date based on supervision compliance credits:
On 04/15/2024, the CCO reports to records staff that J. Doe earned supervision compliance credits in March 2024. Records staff must manually credit the 10 days earned and complete a review of the tolling record to identify an adjusted supervision end date. Given that supervision compliance credits may not be credited prior to earning, this process must be completed every month an individual earns SCC.

Tolling Staffing Levels FY2023 – FY2025 (through May 2025)

FTEs	FY2023												
	July	August	September	October	November	December	January	February	March	April	May	June	Total
Budget FTE	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	**49.0**
FTE Charges	47.3	47.2	49.0	51.0	50.5	48.8	49.0	48.5	47.6	48.1	46.9	46.6	**48.4**
Variance	**1.7**	**1.8**	**0.0**	**-2.0**	**-1.5**	**0.3**	**0.0**	**0.5**	**1.5**	**0.9**	**2.1**	**2.4**	**0.6**
OT FTE Charges	**0.0**	**0.0**	**0.9**	**1.8**	**1.3**	**0.1**	**0.1**	**0.6**	**0.0**	**0.0**	**0.0**	**0.0**	**0.4**

FTEs	FY2024												
	July	August	September	October	November	December	January	February	March	April	May	June	Total
Budget FTE	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	**49.0**
FTE Charges	48.4	47.1	48.0	48.5	48.8	48.6	47.2	45.3	45.5	43.1	38.0	36.8	**45.4**
Variance	**0.6**	**1.9**	**1.0**	**0.5**	**0.2**	**0.4**	**1.8**	**3.7**	**3.6**	**5.9**	**11.0**	**12.3**	**3.6**
OT FTE Charges	**1.5**	**0.9**	**0.9**	**0.6**	**0.8**	**1.1**	**1.1**	**0.2**	**0.8**	**1.0**	**0.3**	**0.8**	**0.8**

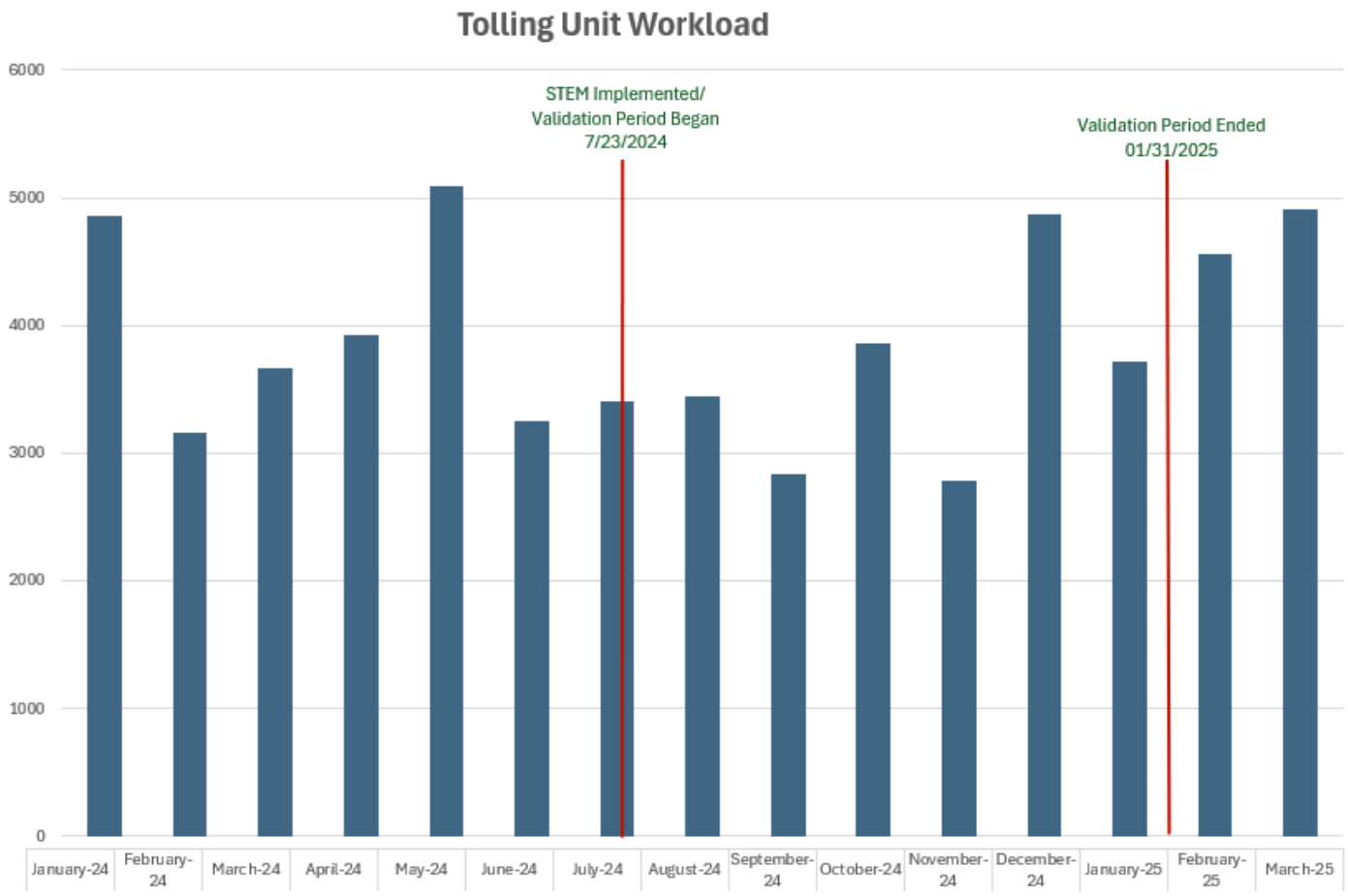
FTEs	**FY2025** (To date through May 2025)											
	July	August	September	October	November	December	January	February	March	April	May	Total
Budget FTE	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	49.0	**49.0**
FTE Charges	36.8	36.4	36.2	36.5	39.2	39.3	38.8	38.0	37.6	37.2	37.5	**37.6**
Variance	**12.2**	**12.6**	**12.8**	**12.5**	**9.8**	**9.7**	**10.2**	**11.0**	**11.4**	**11.8**	**11.5**	**11.4**
OT FTE Charges	**0.8**	**0.8**	**0.7**	**1.7**	**1.9**	**2.1**	**2.4**	**3.0**	**2.5**	**2.5**	**2.4**	**1.9**

The above tables represent the budgeted and actual FTE for the Tolling Unit but does not represent a reduction in Tolling staffing related to workload efficiencies from STEM. The tolling staff were aware of the budget proviso language requiring the agency to reduce the staffing level in the Tolling Unit. As a result, vacancies increased. The DOC made the decision to not fill vacancies to mitigate impacts to staff and alternatively approved non-mandatory overtime to manage the backlog of workload. To date, the Tolling Unit continues to have a 5-week backlog of tolling reviews which has impacts to identifying DOC's jurisdiction to supervise or close supervision.

While the OMNI Sentencing Calculation model project successfully centralized tolling information into STEM and eliminated the use of manual tracking in excel, the manual recalculations of Scheduled End Dates (SEDs) are still required. The DOC does not have a reliable mechanism to be made aware of confinement served in jails, ICE custody or civil commitments that are not ordered by DOC. As a result, it is difficult to determine the specific workload impacts from STEM efficiencies.

The DOC has made the decision to maintain 2 vacant FTEs and is in the process of actively recruiting for the remaining 9 FTEs. There are a variety of events that generate a tolling activity which corresponds to the individual's actions in the community or when confined. This means the sequence of tolling differs from person to person which adds complexity to train staff for reconciliation of tolling activities and supervision compliance credits to ensure an accurate scheduled end date from supervision. Therefore, DOC will re-evaluate staffing needs once the centralized tolling unit is fully staffed and trained, and the current backlog of tolling reviews has been resolved.

DOC Tolling Unit Workload 01/2024 – 03/2025



The above chart reflects the number of manual tolling reviews completed each month by the Tolling Unit pre and post STEM. There has been no significant reduction in the number of tolling reviews for this unit since STEM implementation despite the technical and administrative efficiencies (elimination of an excel spreadsheet and maintaining an excel spreadsheet in a separate imaging system) created. This is the result of numerous factors to include Washington's complicated tolling laws, implementation of supervision compliance credits, increases to the community supervision caseload and increased acuity levels and evolving demographics of supervised individuals.

The only way to achieve a significant reduction in the Tolling Unit workload would be a statutory amendment to RCW 9.94A.171 that limits the circumstances under which community custody terms shall be tolled. The Sentencing Guidelines Commission's 2019 Review of the Sentencing Reform Act report, drawing from the work of the Council of State Governments Justice Center and Harvard Kennedy Executive Sessions, as well as the Criminal Sentencing Task Force's 2020 Report prepared for the Washington State Governor and the Washington State Legislature recommended simplifying the rules for tolling by limiting tolling to only those who abscond from supervision.