

WAC 137-28-270 Serious infraction procedure. (1) When a staff member witnesses a serious violation or determines that a serious violation has occurred, they shall prepare and submit an infraction report per department policy. The staff member will attach to the report copies of any supporting documents, including a summary of any confidential information, which shall not identify the confidential source(s).

(2) The infraction review officer will review the serious infraction report and any supporting documents and/or evidence. If the report is incomplete or the charge(s) is inappropriate, the infraction review officer will return the report to the reporting staff member to be revised, rewritten, or reinvestigated. Otherwise, the infraction review officer will forward the report to the hearing clerk or designee to schedule a hearing.

The infraction review officer may recommend referral to a mental health professional as defined in department policy for consultation if there is a question whether:

(a) Mental illness contributed to the behavior that led to the violation; or

(b) The incarcerated individual's mental health status may need to be monitored.

(3) A negotiated hearing process will be used for any violation specifically identified in department policy. The serious infraction report will be forwarded to the designated hearing officer per department policy.

[Statutory Authority: RCW 79.01.090. WSR 23-22-112, § 137-28-270, filed 10/31/23, effective 12/1/23. Statutory Authority: RCW 72.01.090, 72.65.100, and 72.09.130. WSR 15-20-011, § 137-28-270, filed 9/24/15, effective 1/8/16; WSR 09-01-195, § 137-28-270, filed 12/24/08, effective 1/24/09. Statutory Authority: RCW 72.01.090. WSR 00-10-079, § 137-28-270, filed 5/2/00, effective 6/2/00. WSR 95-15-044, § 137-28-270, filed 7/13/95, effective 8/15/95.]