

**WAC 137-28-305 Continuances.** (1) At any time during the disciplinary process, the hearing officer may continue the hearing:

- (a) To determine the individual's mental status or competency;
- (b) To appoint a department advisor;
- (c) To obtain an interpreter;
- (d) To obtain a witness(es) or witness statement(s);
- (e) To correct errors;
- (f) To obtain an alternate hearing officer;
- (g) To obtain crime lab reports or other documentation;
- (h) If the witness(es) is temporarily unavailable;
- (i) To determine restitution costs;
- (j) If the incarcerated individual is unavailable (e.g., on escape, court-ordered custody, in transit to a nondepartment facility, etc.);
- (k) At the reasonable request of the incarcerated individual;
- (l) If the facility is experiencing altered/modified/emergency operational status.

(2) Continuances shall be for no longer than necessary, and shall not exceed 20 business days, unless approved by the superintendent.

(3) Hearings for incarcerated individuals on escape status, in court-ordered custody, in transit to a facility in another jurisdiction, or otherwise unavailable may be continued for not more than 20 business days after their return to department custody.

[Statutory Authority: RCW 79.01.090. WSR 23-22-112, § 137-28-305, 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, § 137-28-305, filed 9/24/15, effective 1/8/16.]