

WAC 137-30-070 Restoration of good conduct time. (1) For indeterminate sentences, once the good conduct time denial is addressed and adopted by the ISRB, it cannot be returned to the individual without prior approval of the ISRB.

(2) Good conduct time, and earned time lost in lieu of good conduct time due to persistent prison misbehavior, is the only ERT that can be restored. Time may be restored on a current or consecutive sentence(s) being served during the current confinement term.

(a) The following violations will be eligible for restoration:

(i) 501, 502, 511, 521, 550, 604, 611, 613, 635, or 637 violation after 10 years;

(ii) 601, 602, or 704 violation after five years;

(iii) 507, 603, 650, 651, or 882 violation after three years;

(iv) Any other serious violation after one year.

(b) Time will not be restored for the following:

(i) For individuals within 120 twenty days of the ERD;

(ii) For individuals who have been found guilty of a serious violation within the last year;

(iii) When lost as a result of a 557, 762, 810, or 857 violation;

(iv) When lost as a result of an 813 violation related to employment or programming while in work/training release;

(v) Once addressed/adopted by the board for PAR individuals, unless approved in advance by the board.

(3) The case manager will establish/review good conduct time restoration plans with eligible individuals during each classification review, regardless of custody level or housing assignment. The restoration plan may be established before the applicable time frame for restoration, and will include:

(a) All eligible violations;

(b) Not place the individual within 120 days of the ERD;

(c) Be targeted for completion at least 10 months before the ERD;

(d) Be documented in the custody facility/case plan and approved by the appointing authority/designee. Plans restoring time lost for a 501, 502, 511, 521, 550, 604, 611, 613, 635, or 637 violation(s) require approval from the appropriate deputy director.

(4) The appointing authority/designee or appropriate deputy director will consider all relevant information when determining whether to approve/deny the restoration plan.

(5) Restoration plans will be calculated based on the original sanction time and restored as follows:

(a) Category A violations - Maximum of 50 percent.

(b) Category B violations - Minimum of 50 percent up to 100 percent.

(c) Category C violations - Minimum of 75 percent up to 100 percent.

(6) Time lost will be restored if the individual remains serious violation free, follows the requirements as outlined in the plan, and it has been at least 6 months since the previous classification review.

(7) The restoration decision is final and cannot be appealed. Restoration plans will remain in effect when an individual transfers between facilities.

[Statutory Authority: RCW 72.01.090. WSR 22-08-014, § 137-30-070, filed 3/24/22, effective 4/24/22. Statutory Authority: RCW 72.09.130, 72.01.090, and 9.95.070. WSR 11-11-018, § 137-30-070, filed 5/9/11, effective 6/9/11.]