

State of Washington

(name of governing body)

CORRECTIONS STANDARDS BOARD

(agency name, if applicable)

Resolution No. _____

Administrative Order No. 86-01

(1) Be it resolved by the Corrections Standards Board acting at the Ridpath Hotel; Spokane, Washington (place)

that it does adopt the annexed rules relating to:

- WAC 289-28-300 Prisoner Money Accounts and
WAC 289-28-400 Accountability for Prisoners

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 85-14-084 filed with the code reviser on July 1, 1985. These rules shall take effect:
[X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
[] at a later date, such date being _____

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, _____, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

- [X] (a) This rule is promulgated pursuant to RCW Chap. 298, Laws of 1985 and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW _____ which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

- [] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW _____

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this governing body, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

August 26, 19 85

STATE OF WASHINGTON APPROVED AND ADOPTED FILED

By

[Signature]

Robert W. Cote Executive Secretary

Title

AUG 27 1985

CODE REVISER'S OFFICE WSR 85-18-023

AMENDATORY SECTION (Amending Order 84-51, filed 10/12/84)

WAC 289-28-300 PRISONER MONEY ACCOUNTS. (1) The accounting system for prisoner money shall be described by written policy and procedure, which shall be available to prisoners. All deposits, payments, and expenditures shall be recorded and receipted.

(2) The chief law enforcement officer (or director of corrections) or designee (~~(shall)~~) may collect the work release prisoner's earnings and from the earnings make payments for the prisoner's board, personal expenses inside and outside the facility, court-ordered restitution and victim-compensation payments, and share of the administrative expenses, as (~~(required-by)~~) set forth in RCW 70.48.210 (3) (d).

(3) Support payments for the prisoner's dependents, if any, shall be made as directed by the court.

(4) With the prisoner's consent, the remaining funds may be used to pay the prisoner's preexisting debts. (~~(Consent-to-payment-of-restitution-may-be-imposed-as-a-condition-of-work-release-when-authorized-or-required-by-court-order.)~~) Any balance shall be retained and paid to the prisoner (~~(when-the-prisoner-is-discharged)~~).

AMENDATORY SECTION (Amending Order 84-51, filed 10/12/84)

WAC 289-28-400 ACCOUNTABILITY FOR PRISONERS. (1) The work release prisoner shall be confined in a work release facility or jail (~~(whenever--the--prisoner--is--not--employed--and--between--the--hours--of--employment--unless--the--court--directs--otherwise)~~) unless authorized to be absent from the facility for program-related purposes.

(2) A current written schedule of the times during which prisoners are authorized to be absent from the facility shall be maintained.

(3) To ensure strict accountability, as to the whereabouts of each prisoner, the facility shall have a sign-in/sign-out sheet recording the date and time of departure and expected return, destination, reason for leaving the facility and time of actual return. Each entry shall be initialed by the responsible staff on duty.

(4) The facility shall establish and follow written policies and procedures to verify attendance of prisoners at the place for which absence from the facility is authorized.