

Chapter 137-57 WAC

SELECTING CONTRACTORS FOR AND SITING OF COMMUNITY RESIDENTIAL PROGRAMS (WORK/TRAINING RELEASE FACILITIES)

WAC

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WAC 137-57-005 Purpose. The purpose of this chapter is to establish procedures for the selection of contractors providing work/training release programs, ensure department cooperation with local jurisdictions in the siting of work/training release facilities, and encourage public comment and advice in the siting decisions.

[Statutory Authority: RCW 72.65.100. WSR 84-11-032 (Order 84-05), § 137-57-005, filed 5/14/84; WSR 82-08-055 (Order 82-06), § 137-57-005, filed 4/5/82. Formerly Title 275 WAC.]

WAC 137-57-010 Definitions. (1) "Secretary" is the secretary of the department of corrections or his/her designee.

(2) "Department" is the department of corrections.

(3) "Work/training release facility" is an institution, community residential program or other establishment approved for housing and supervision of work/training release inmates or residents as defined in WAC 137-56-010.

(4) "Search committee" is a committee appointed by the secretary to locate potential work/training release contractors or work/training release sites.

[Statutory Authority: RCW 72.65.100. WSR 84-11-032 (Order 84-05), § 137-57-010, filed 5/14/84; WSR 82-08-055 (Order 82-06), § 137-57-010, filed 4/5/82.]

WAC 137-57-020 Secretary's authority. Pursuant to RCW 72.65.080 the secretary may enter into contracts with the appropriate authority for the payment of the cost of feeding and lodging and other expenses of having work release participants. Such contracts may include any other terms and conditions as may be appropriate for the implementation of the work release program as defined in chapter 137-56 WAC. In addition, the secretary is authorized to acquire by lease or contract, appropriate facilities for the housing of work release participants and providing for their subsistence and supervision.

[Statutory Authority: RCW 72.65.100. WSR 84-11-032 (Order 84-05), § 137-57-020, filed 5/14/84; WSR 82-08-055 (Order 82-06), § 137-57-020, filed 4/5/82.]

WAC 137-57-030 Advisory committee. When the department intends to locate or relocate a work/training release facility, the assistant director shall be responsible for

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assembling a department advisory committee composed of local elected and/or public officials, local law enforcement heads, interested citizens and department staff. The advisory committee shall be apprised of the department's need for the site and the geographical location desired.

The committee shall then be given the opportunity to make recommendations to the assistant director regarding said site and the selection thereof. These recommendations shall be recorded in writing.

[Statutory Authority: RCW 72.65.100. WSR 82-08-055 (Order 82-06), § 137-57-030, filed 4/5/82.]

WAC 137-57-040 Contractor selection. (1) When the department is seeking a contractor to provide a work/training release program, the secretary will appoint a search committee which shall conduct a search in the manner it deems appropriate to identify potential contractors who would be qualified to develop and provide a work/training release program conforming with applicable regulations, standards, and procedures adopted by the department. The search committee shall also obtain such information as is necessary to evaluate the qualifications and reliability of the potential contractors, the scope of the proposed programs and the cost of such programs.

(2) The names of the potential contractors determined by the search committee, information gathered during the search, the search committee's ranking of the potential contractors, and the search committee's recommendations shall be submitted to the secretary.

(3) The secretary, based on the information, rankings, and recommendations so submitted by the search committee, may approve one of the potential contractors as the provider of the work/training release program.

[Statutory Authority: RCW 72.65.100. WSR 84-11-032 (Order 84-05), § 137-57-040, filed 5/14/84; WSR 82-08-055 (Order 82-06), § 137-57-040, filed 4/5/82.]

WAC 137-57-050 Site selection. (1) When the department is seeking a work/training release site, the secretary will appoint:

(a) A search committee which shall conduct a search for possible locations in the manner it deems appropriate; and

(b) An advisory committee composed of local elected or public officials, local law enforcement personnel, interested citizens, and department staff.

(2) After the sites have been identified, the search committee shall submit a description of them to the advisory committee for review. The advisory committee's review shall evaluate the following factors:

(a) The cost of acquiring the use of the site, and the cost of improvements that would be required to renovate, repair, remodel, or alter the site to make it suitable for a work release program;

(b) The desirability of the site for program activities;

(c) The access to public transportation available at the site;

(d) The community impacts associated with the site; and

(e) The zoning restrictions applicable to the geographical area in which the site is located.

(3) After it completes its review, the advisory committee shall submit its recommendations to the secretary, and the secretary may give preliminary approval to one of the recommended sites.

[Statutory Authority: RCW 72.65.100. WSR 84-11-032 (Order 84-05), § 137-57-050, filed 5/14/84; WSR 82-08-055 (Order 82-06), § 137-57-050, filed 4/5/82.]

WAC 137-57-060 Public notice, hearing requirements. (1) After the secretary gives preliminary approval to a site, the department shall either apply for or assist others in applying for any permits which may be required by local zoning laws with respect to the operation of a work/training release facility.

(2) In the event there are no local zoning requirements, or hearing requirements with respect to the operation of a work/training release program on the site which has received the secretary's preliminary approval, the department shall hold a public hearing to encourage citizen input. Notice of such a hearing shall be provided in a manner best designed to notify residents within the immediate area and within the budget limitations of the department.

(3) After the required zoning permits, if any, have been obtained, and after the secretary has considered the comments expressed by members of the public during any zoning process or during the public hearing conducted by the department, the secretary may grant or withhold final approval of the proposed site.

[Statutory Authority: RCW 72.65.100. WSR 84-11-032 (Order 84-05), § 137-57-060, filed 5/14/84; WSR 82-08-055 (Order 82-06), § 137-57-060, filed 4/5/82.]

WAC 137-57-070 Contract/lease. Upon final approval by the secretary of a proposed contractor pursuant to WAC 137-57-040 or the proposed site pursuant to WAC 137-57-060 the department shall, by appropriate instruments, obtain the services of the approved contractor or acquire the use of the approved site.

[Statutory Authority: RCW 72.65.100. WSR 84-11-032 (Order 84-05), § 137-57-070, filed 5/14/84; WSR 82-08-055 (Order 82-06), § 137-57-070, filed 4/5/82.]

WAC 137-57-080 Waiver. The secretary may waive any provisions of this chapter if he/she deems such waiver to be in the best interest of the department.

[Statutory Authority: RCW 72.65.100. WSR 82-08-055 (Order 82-06), § 137-57-080, filed 4/5/82.]