

**WAC 137-104-020 Definitions.** For purposes of this chapter, the following words have the following meanings:

(1) "Aggravating factors" are circumstances that elevate a low level violation to a high level violation as defined by department policy.

(2) "Appeals panel" means three reviewing staff designated by the secretary with the authority to review offender appeals of department findings and imposed sanctions.

(3) "Business day" means Monday through Friday, 8:00 a.m. to 5:00 p.m., Pacific Time, except for holidays observed by the state of Washington.

(4) "Community corrections officer" means community corrections officer as defined by RCW 9.94A.030.

(5) "Community custody" means community custody as defined by RCW 9.94A.030.

(6) "Department" means the department of corrections.

(7) "Ex parte communication" means any predisposition communication between the hearing officer and a party or other individual on behalf of that party regarding the department hearing and the merits of the matter without notice and opportunity for all parties to participate.

(8) "Hearing officer" means an employee of the department authorized to conduct department hearings.

(9) "Hearings administrator" means the administrator of the hearings unit of the department.

(10) "Mitigating factors" are circumstances that may warrant a reduced violation response.

(11) "Offender" means any person in the custody of or subject to the jurisdiction of the department.

(12) "Partial confinement" means partial confinement as defined by RCW 9.94A.030.

(13) "Total confinement" means total confinement as defined by RCW 9.94A.030.

(14) "Violation" means willful noncompliance with a court-ordered or department-imposed condition, requirement or instruction. High-level and low-level violations are defined per department policy.

(15) "Violation process" means the process by which the court or the department addresses one or more alleged violations.

[Statutory Authority: RCW 72.01.090. WSR 19-19-044, § 137-104-020, filed 9/12/19, effective 10/13/19. WSR 07-08-082, § 137-104-020, filed 4/2/07, effective 5/3/07. WSR 03-16-072, § 137-104-020, filed 8/4/03, effective 9/4/03. WSR 01-04-044, § 137-104-020, filed 2/1/01, effective 3/1/01.]