

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

(2) At a regularly scheduled review, offenders may request restoration of good conduct time from the superintendent/CCS where the offender is housed.

(3) When the decision is made by the superintendent/CCS where the offender is housed, that decision is final and the offender may not request subsequent reviews for the same infractions.

(4) The unit team may recommend approval provided:

(a) The good conduct time has not been adopted by the ISRB, if the case requires an ISRB hearing for release;

(b) The offender has been free of serious infractions violations for at least one year from the date of the last serious infraction;

(c) The offender is not within six months of his/her ERD and the restoration will not put the offender less than one hundred twenty days to release;

(d) During the current incarceration, for the period of ten years prior to the request for restoration the offender has not committed a category A infraction;

(e) During the current incarceration, for the period of five years prior to the request for restoration, the offender has not committed a category A infraction 601 or 602;

(f) During the current incarceration, for the period of three years prior to the request for restoration, the offender has not committed a category A infraction 507, 603, 650, or 651.

(5) Review:

(a) The director or the deputy director may review and restore good conduct time for category A violations. This decision cannot be delegated below the deputy director level.

(b) The superintendent/CCS may review and restore good conduct time for category B and C violations.

(6) Good conduct time lost as the result of infraction 557, 810, 813 (related to employment or programming while in work release) or 857 will not be restored.

(7) When making the decision whether to restore good conduct time, the director/deputy director, or the superintendent/CCS will consider:

(a) Length of positive program participation;

(b) Period of infraction free behavior;

(c) Nature of infractions;

(d) Overall behavior during the commitment period; and

(e) Unit team recommendation.

[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.]