

WAC 381-60-140 Opportunity to waive. At the time of the hearing under the provisions of RCW 9.95.100, it shall be the duty of the presiding officer conducting the hearing to query the inmate and to review the file to determine whether the inmate was given proper notice of the hearing, was advised of the reason for the hearing, and was properly advised of his rights to witnesses. If the presiding officer determines that this is not the case, the inmate will be advised that he can:

(1) Waive such rights, orally or in writing to the board, at which time the hearing would proceed; or

(2) Request a continuance of the hearing until proper service of notice and rights can be perfected.

[WSR 91-14-029, § 381-60-140, filed 6/26/91, effective 7/27/91.]