

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Corrections

(agency name)

Administrative Order No. 85-03

(1) I, Amos E. Reed, Secretary, Director of the Department of Corrections

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Adopt: Chapter 137-54 WAC, Inmate Marriages Adult Correctional Facilities

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

This action is taken pursuant to Notice No. 85-02-067 filed with the code reviser on January 2, 1985. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

I, 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:

[ ] (a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

[ ] (b) This rule is promulgated pursuant to RCW which directs that the

has authority to implement the provisions of (agency)

(name of act or RCW citation)

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

(agency) as authorized in RCW 72.01.090 and 72.09.050

(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 agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED February 11, 1985

By Amos E. Reed

Secretary, Amos E. Reed Title

STATE OF WASHINGTON FEB 13 1985 CODE REVISER'S OFFICE WSR 85-05-019

## Chapter 137-54 WAC

## INMATE MARRIAGES ADULT CORRECTIONAL FACILITIES

NEW SECTION

WAC 137-54-010 DEFINITIONS. As used in this chapter, the following words have the following meanings:

(1) "Institution" means an adult correctional facility identified in RCW 72.01.050(2) or any similar facility hereafter established, or a work/training release facility established pursuant to chapter 72.65 RCW;

(2) "Superintendent" means the superintendent of an adult correctional facility identified in RCW 72.01.050(2) or any similar facility hereafter established or the supervisor of a work/training release facility established pursuant to chapter 72.65 RCW;

(3) "Inmate" means a person under the custody of the state department of corrections but does not include a parolee or a probationer.

NEW SECTION

WAC 137-54-020 ELIGIBILITY AND NOTICE. An inmate may marry while confined to or on furlough from an institution if such marriage is legally permissible under the laws of the state of Washington. An inmate must give written notice of his or her intention to marry. Such notice shall be given to the superintendent of the institution in which the inmate resides.

NEW SECTION

WAC 137-54-030 SUPERINTENDENT'S PROCEDURES. (1) Superintendents shall develop written procedures for inmate marriages. Said procedures shall address, but not be limited to:

(a) The inmate's notice of intent to marry;

(b) Requested premarriage counseling for the inmate and the intended spouse;

(c) The visitation privileges between the inmate and intended spouse; and

(d) The conduct of the marriage and related matters, giving due consideration to the requirements of security, safety, health, and orderliness.

(2) Inmates will be advised of such procedures developed by the superintendent.

NEW SECTION

WAC 137-54-040 MARRIAGE CEREMONY. All marriage arrangements will be planned in conjunction with and supervised by the chaplain assigned to the institution in which the inmate resides. When the marriage ceremony takes place within an institution the superintendent

may permit outside clergy or other lawfully authorized persons to perform the marriage ceremony.