

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF CORRECTIONS

(agency name)

Administrative Order No. 85-10

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

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Amend: WAC 137-52, Residents of Adult Correctional Institutions-- Escorted Leave of Absence--Approval.

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

This action is taken pursuant to Notice No. 85-17-056 filed with the code reviser on 8-19-85. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being

(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:

[X] (a) This rule is promulgated pursuant to RCW 72.01.380 and is intended to administratively implement that statute. [] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW

(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 September 30, 1985

By Amos E. Reed, Secretary Title

WASHINGTON FILED SEP 20 1985 CODE REVISER'S OFFICE WASH. 85-20-081

AMENDATORY SECTION (Amending Order 85-07, filed 3/19/85)

WAC 137-52-030 APPROVAL. Escorted leaves for medium and minimum custody inmates shall be approved or denied by the superintendent. Escorted leaves for close and maximum custody inmates for the purpose of medical or dental treatment shall be approved or denied by the superintendent. Escorted leaves for close and maximum custody inmates, with the exception of ((~~emergency~~)) medical or dental treatment, shall be approved or denied by the secretary. In approving a request for escorted leave, the following factors will be considered:

- (1) The nature of the ((~~emergency--or~~)) request for escorted leave;
- (2) The community risk associated with granting the request for an escorted leave based on the security or escape risk;
- (3) The inmate's overall history of stability and any tendencies toward violent disruptive behavior;
- (4) Any history of unusual disciplinary problems;
- (5) The inmate's degree of trustworthiness as demonstrated by his/her performance in work assignments and maintenance of a clear disciplinary record;
- (6) Any significant health problems that might be aggravated as a result of the leave; and
- (7) Such other information as may be deemed relevant.