

WSR 23-11-018  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF CORRECTIONS  
[Filed May 5, 2023, 3:32 p.m.]

Subject of Possible Rule Making: Chapter 137-78 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 72.01.090.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: Changes to the definition of assault. To bring  
clarity to the issue of instances where a staff injury may result from  
an incarcerated individual resisting during a use of force but would  
not be intentional and therefore not meet the new definition of as-  
sault.

Other Federal and State Agencies that Regulate this Subject and  
the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the  
new rule and formulation of the proposed rule before publication by  
contacting Todd Dowler, Assistant Secretary, Department of Correc-  
tions, Employee and Business Support Services, P.O. Box 41106, Tumwa-  
ter, WA 98501, phone 360-338-5438, email Todd.Dowler@doc1.wa.gov; or  
Vadim Chebotar, Senior Contracts Attorney, Department of Corrections,  
Contracts and Legal Affairs, P.O. Box 41114, Tumwater, WA 98504, phone  
253-261-1465, email Vadim.Chebotar@doc.wa.gov, website www.doc.wa.gov.

May 3, 2023  
Cheryl Strange  
Secretary