



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

**APPLICABILITY
FIELD**

REVISION DATE
12/6/13

PAGE NUMBER
1 of 7

NUMBER
DOC 350.750

POLICY

TITLE
WARRANTS AND DETAINERS

REVIEW/REVISION HISTORY:

- Effective: 10/6/00
- Revised: 10/25/00
- Revised: 1/3/03
- Revised: 1/9/06
- Revised: 2/14/06 AB 06-002
- Revised: 10/13/06 AB 06-012
- Revised: 2/26/08
- Revised: 6/18/08 AB 08-015
- Revised: 8/4/08
- Revised: 9/23/08 AB 08-025
- Revised: 9/21/09
- Revised: 9/1/10
- Revised: 10/18/10
- Revised: 5/2/11
- Revised: 2/13/12
- Revised: 4/19/12
- Revised: 6/1/12
- Revised: 6/8/12
- Revised: 8/3/12
- Revised: 12/6/13

SUMMARY OF REVISION/REVIEW:


Numerous changes, including incorporation of interim policy attachment throughout and removal of all other attachments. Read carefully!

APPROVED:

Signature on file

BERNARD WARNER, Secretary
Department of Corrections

11/25/13
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A](#); [DOC 280.530 Supervision Files for Community Offenders](#); [DOC 320.100 Indeterminate Sentence Review Board \(ISRB\)](#); [DOC 380.200 Community Supervision of Offenders](#); [DOC 380.300 Supervision of Offenders on Conditional Release, Insanity Acquittal, and Supervised Appeal](#); [DOC 380.605 Interstate Compact](#); DOC 400.100 Incident and Significant Event Reporting; [DOC 420.390 Arrest and Search](#); [DOC 460.130 Violations, Hearings, and Appeals](#)

POLICY:


- I. The Department has the authority to issue or request a warrant/detainer for the arrest/detention of offenders who are accused of violating conditions or requirements of supervision/community custody or make themselves unavailable for supervision.
- II. Holds for known new criminal activity will be issued per DOC 460.130 Violations, Hearings, and Appeals.

DIRECTIVE:

- I. Responsibility
 - A. The following employees can issue/cancel or recommend the issuance/cancellation of warrants and detainers on Department supervised offenders:
 1. Secretary,
 2. Assistant Secretary,
 3. Regional Administrator,
 4. Field Administrator,
 5. Designated Community Corrections Specialists,
 6. Community Corrections Supervisor (CCS),
 7. Community Corrections Officer (CCO),
 8. Headquarters Duty Officer, and
 9. Deputy Compact Administrator.
- II. Offender Abscond/Failure to Report
 - A. An offender is considered to have absconded from supervision if s/he willfully:
 1. Fails to report as directed or makes him/herself unavailable for supervision and a Secretary's Warrant has been issued, unless s/he turns him/herself in to a Department Field Office within 7 calendar days of issuance,
 2. Travels out of state in violation of his/her conditions or travel permit and is arrested in the other state for new criminal activity, or

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3. Fails to report within one business day of releasing from a hospital or similar facility following a conditional release.
- B. Before issuing/requesting a warrant for an offender who fails to report as directed or makes him/herself unavailable for supervision, the CCO or an authorized employee will attempt to contact the offender, and emergency contact if necessary, by telephone and chrono the attempt(s) in the offender's electronic file.
 - C. Once determined necessary, an authorized employee will issue or request issuance of a warrant as soon as practical, but no more than 3 business days after determination. The warrant will be issued or requested as follows:
 1. For offenders under Department jurisdiction, a DOC 09-239 Secretary's Warrant will be issued to all law enforcement agencies and designated Community Corrections employees.
 - a. An employee will complete and email DOC 11-005 Wanted Person Entry Request and DOC 09-239 Secretary's Warrant to the:
 - 1) Headquarters Warrants Unit for processing, and
 - 2) CCS/designee for a reasonable cause review to confirm that the offender is under Department jurisdiction and that the violation is related to the offender's conditions or requirements of supervision.
 - b. If reasonable cause is found, the CCS/designee will chrono the finding in the offender's electronic file.
 - c. If reasonable cause is not found, the CCS will chrono the finding in the offender's electronic file and notify the CCO and the Headquarters Warrants Unit to cancel the warrant/warrant entry request.
 2. For offenders under court jurisdiction, a Bench Warrant will be requested per local practice, and arrest and detention will be recommended.
 - D. Unless it is verified through a reliable source that the offender has moved out of the area, employees will attempt to locate the offender at the last known residence no later than 5 business days following the issuance of a Secretary's Warrant for absconding or failing to report.
 1. Employees will follow DOC 420.390 Arrest and Search for planned field arrests.

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E. Authorized employees may issue or request the immediate issuance of a warrant in emergent circumstances without first attempting to contact the offender.

1. Authorized employees will:

- a. Document the emergency and the need for immediate issuance/request for a warrant in the offender's electronic file,
- b. Request that the Headquarters Warrants Unit immediately enter the warrant, and
- c. Make reasonable attempts to locate the offender within 3 business days of issuance or request of a warrant.

2. Reasonable cause review will be completed by the CCS/designee within one business day of the warrant request.

F. If the offender poses an imminent risk to the community, the CCO or an authorized employee will also refer the offender to the Community Response Unit per local procedures.

G. Employees will chrono all attempts to locate the offender in the offender's electronic file.

III. Secretary's Warrant

A. Authorized employees will issue only one DOC 09-239 Secretary's Warrant to address all of the offender's community custody and misdemeanor causes.

B. Employees will document warrant activity in the offender's electronic file.

C. The CCO will address all known violation(s) per DOC 460.130 Violations, Hearings, and Appeals.


IV. Warrant Service Area

A. The offender's risk level classification at the time the warrant was issued will determine the warrant service area:


1. Washington Crime Information Center (WACIC) and National Crime Information Center (NCIC) for nationwide:

- a. High Risk Violent, or
- b. Out-of-State offenders under Interstate Compact.

2. WACIC and NCIC for Washington, Oregon, and Idaho:

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- a. High Risk Non-Violent, or
 - b. Moderate and Low Risk required to register.
3. WACIC and NCIC for Washington:
 - a. Moderate and Low Risk not required to register,
 - b. Community Custody violators within 30 days of completing the Community Custody portion of their sentence, or
 - c. If only supervising for a Washington State misdemeanor conviction.
- B. The CCO or an authorized employee may submit an override request to expand the warrant service area based on the alleged new violation and risk.
 1. For offenders under Indeterminate Sentence Review Board (ISRB) jurisdiction, the employee will provide justification to the ISRB to expand the warrant service area to nationwide.
 - a. During non-business hours, a section Duty Officer or the Headquarters Duty Officer can expand the warrant area for ISRB offenders. Any changes to the warrant will be reported to the ISRB the next business day.
 2. For all other offenders, the employee will submit the request to the Field Administrator through the CCS. If the Field Administrator concurs, s/he will forward the request to the Regional Administrator or designee for approval.
 3. If the warrant service area is expanded, the employee will notify the Headquarters Warrants Unit.
- V. Bench Warrant
 - A. Authorized employees will request a Bench Warrant from the court using DOC 09-122 Court - Notice of Violation for offenders under the following jurisdictions:
 1. Sentencing Reform Act,
 2. Post-Release Supervision,
 3. Insanity Acquittal,
 4. Supervised appeal,
 5. Special Sex Offender Sentencing Alternative,
 6. Drug Offender Sentencing Alternative (DOSA) 1, recommending revocation,
 7. DOSA 3 and 4 - Residential,
 8. Misdemeanor causes, or
 9. Family and Offender Sentencing Alternative (FOSA).

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B. Only the court may quash a Bench Warrant it issues.

VI. Detainer

- A. Authorized employees will use DOC 09-325 Order for Arrest and Detention to achieve immediate arrest in the absence of a warrant for offender violations, except for ISRB and Interstate Compact offenders.
- B. Authorized employees may issue orders for Insanity Acquittal and cases on appeal on a case-by-case basis per DOC 380.300 Supervision of Offenders on Conditional Release, Insanity Acquittal, and Supervised Appeal.
- C. Authorized employees will use DOC 09-014 Cancellation of Detainer/Hold to cancel a detainer.

VII. Indeterminate Sentence Review Board (ISRB) Jurisdiction


- A. Authorized employees may issue DOC 09-191 Board - Order for Arrest & Detention and DOC 11-005 Wanted Person Entry Request.
- B. The CCO will address the offender's violation(s) per DOC 320.100 Indeterminate Sentence Review Board (ISRB).
- C. Only the ISRB may cancel DOC 09-191 Board - Order for Arrest & Detention.

VIII. Interstate Compact Jurisdiction

- A. For From Out-of-State (FOS) offenders, a Violation Report will be submitted through the Interstate Compact Offender Tracking System (ICOTS) asking the sending state to issue a warrant per DOC 380.605 Interstate Compact.

IX. Contact by Law Enforcement

- A. When notified by law enforcement that an offender has been arrested for a new offense or on a Department issued warrant, a Department employee will:
 - 1. Immediately notify the CCO and CCS via email. If notified during non-business hours, the Headquarters Warrants Unit will contact the section Duty Officer per DOC 400.100 Incident and Significant Event Reporting.
 - a. If the offender has been arrested for new criminal activity and his/her underlying offense is one of the felonies listed in Attachment 3 of DOC 460.130 Violations, Hearings, and Appeals, a detainer will be issued within one business day.

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2. Document the information received in the offender's electronic file, including law enforcement's contact information, the date, and who was notified of the information.

B. When notified that law enforcement has had contact with an offender that did not result in an arrest, a Department employee will immediately notify the CCO and CCS via email, and document the information received in the offender's electronic file, including law enforcement's contact information, the date, and who was notified of the information.

X. Warrant Caseloads

A. When a DOC 09-239 Secretary's Warrant is issued, the file will be maintained by the office that last supervised the offender.

B. If the Bench Warrant or Secretary's Warrant remains active 60 days after issuance, the file will be moved to a warrant caseload per DOC 280.530 Supervision Files for Community Offenders.

1. Field Administrators may identify catchment areas to maintain warrant cases after 60 days of issuance.

C. The Headquarters Warrants Unit will validate active warrants on an annual basis.

D. The CCS will review bench warrant caseloads per DOC 280.530 Supervision Files for Community Offenders.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- [DOC 09-014 Cancellation of Detainer/Hold](#)
- [DOC 09-122 Court - Notice of Violation](#)
- [DOC 09-191 Board - Order for Arrest & Detention](#)
- [DOC 09-239 Secretary's Warrant](#)
- [DOC 09-325 Order for Arrest and Detention](#)
- [DOC 11-005 Wanted Person Entry Request](#)