PUNISHING RELATIONS
How WA DOC’s Collateral Damage and Hidden Costs Imprison Families

Washington Corrections Watch
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About Washington Corrections Watch

Washington Corrections Watch is a citizens’ oversight project that monitors the policies and practices of the Washington state Department of Corrections (WA DOC). We are an unfunded and informal network of people affected in various ways by incarceration who pair our personal understanding of the WA DOC prison and community corrections systems with academically rigorous investigative research. Our goal is to help the public, the media, community groups, researchers, and lawmakers gain a better understanding of actual practices in WA DOC, while also enabling WA DOC to better understand areas of need in the populations it serves. Our growing collection of WA DOC documentation and research is available to the public on our website.

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Executive Summary

The devastating effect of decades of mass incarceration on Washington state communities has become increasingly apparent. The financial and emotional burdens of incarceration are primarily borne by female family members, most especially in communities of color. Although public dialogue concerning reentry support has increased in Washington, the secondary incarceration of prisoners’ families has not been properly acknowledged. Judicial, legislative, and public deference to Washington Department of Corrections (WA DOC) administrators has precluded proper oversight of WA DOC policies and practices, to the detriment of family relationships and in violation of the legislative intent of corrections (RCW 72.09.010). This is of deep concern, given the crucial role family support during incarceration plays in reducing recidivism. This report documents deficiencies in support for Washington families surviving incarceration, highlighting the needs of both the incarcerated and their loved ones. We identify hidden costs and collateral consequences under WA DOC’s current correctional model and make recommendations for how Washington can better support families surviving incarceration.

Overarching Recommendation

To best address the concerns raised in this report, we recommend that Washington lawmakers establish an external WA DOC Correctional Policy Oversight Board. Although WA DOC recently created a method for the public to give input on policy revisions, the department is not obligated to use that input. With few exceptions, WA DOC policies are subject only to an internal self-affirming review process when created or revised. Agency WACs also receive less scrutiny than those of other state agencies due to special exceptions in WA DOC’s rule making process. Moreover, WA DOC policy authors and leadership lack the multidisciplinary expertise needed to accurately assess policies for long-term effects on reentry outcomes and recidivism.

A multidisciplinary external oversight board comprising legislators, social workers, equity experts, a Statewide Family Council (SFC) representative, a Statewide Reentry Council representative, Disability Rights Washington attorneys, and the Corrections Ombuds, as well as UW Law, Societies, and Justice professors would ensure that WA DOC’s WACs, policies, and Operational Memoranda are thoroughly assessed before implementation for continuous policy improvements that demonstrably lead to superior outcomes in family connections, reentry, and long-term public safety. It would also ensure that WA DOC’s publicized efforts at cultural change and partnerships with the Vera Institute and Amend translate to tangible action in practice.

We provide a summary of seven additional recommendations on the page that follows, as well as a detailed checklist of recommended reforms in this report’s Appendix.
Summary of Recommendations to WA DOC

1. **Establish new priorities for Family Services Unit resource allocation**: WA DOC’s Family Services Unit (FSU) has fewer than 10 staff members to serve the families of ~19,000 prisoners. The FSU prioritizes feel-good programs, which serve only a small percentage of families and focus narrowly on children of the incarcerated. Rather than provide ongoing proactive local facility navigation support to families, the FSU’s assistance is primarily reactive and is carried out remotely from WA DOC headquarters. A shift toward inclusivity of all families in meaningful ongoing services based at local prison facilities—rather than mere programs and events—would improve outcomes. (See report Appendix for reforms checklist)

2. **Reform and expand prison visiting spaces to create family normalcy during incarceration**: Despite their crucial role in recidivism reduction, prison visiting spaces are not priorities in WA DOC capital budget requests or strategic plans. WA DOC exhibits insufficient interest and creativity in providing nurturing visiting spaces and a sense of normalcy for families surviving incarceration. Families need independent social workers, design experts, nutritionists, community coalitions, and legislators to help WA DOC create healthy and innovative visiting spaces that support family connections and successful reentry. (See Appendix for reforms checklist)

3. **Treat post-incarceration marriages as valuable to reentry and equal to other marriages**: WA DOC’s current policies and practices exhibit apathy at best and outright hostility at worst toward post-incarceration marriages and romantic relationships. WA DOC’s strategic plans, policies, and practices in this area should be reformed in collaboration with the Statewide and Local Family Councils. (See Appendix for reforms checklist)

4. **Remove Correctional Industries from prison Food Services and overhaul Health Services**: Correctional Industries (CI) has failed for eight years to meet the prisoner meal nutritional requirements of EO 13-06, and numerous prisoner deaths have occurred in recent years due to WA DOC Health Services negligence. WA DOC’s nutritional and health neglect inflicts harm on a prisoner’s entire family, wastes taxpayer money, and adversely affects reentry outcomes. (See Appendix for reforms checklist)

5. **End the use of sanctions disruptive to family connections**: A loved one being placed in an Intensive Management Unit (IMU) imposes stress on the entire family. WA DOC solitary confinement practices disrupt prisoners’ access to loved ones and to pro-social programming, and the agency provides families with no proactive communication or support when a loved one is paced in IMU. WA DOC should follow international human rights standards for solitary confinement and ensure that sanctions do not disrupt prisoner access to family and pro-social programs. (See Appendix for reforms checklist)

6. **Implement comprehensive gender-responsive policies and practices**: WA DOC has failed to fully implement its 2014 Gender Responsiveness policy, resulting in ongoing harm to women prisoners and their families. WA DOC policies and practices also systematically harm LGBTQ+ prisoners. The agency should collaborate with the Office of Corrections Ombuds and Family Councils to ensure that women and LGBTQ+ prisoners’ unique hygiene, health, emotional, and safety needs are met. (See Appendix for reforms checklist)

7. **Engage families in reentry plans and eliminate disruptive community supervision practices**: WA DOC does not include families in developing long-term reentry support plans during incarceration. After a prisoner’s release, Community Corrections (CC) employees enter residential neighborhoods and workplaces wearing conspicuous paramilitary gear, undermining reentry success by instilling fear of supervised individuals in their community. WA DOC CC protocols should support community normalcy, and supervision requirements should be made sufficiently flexible to impose minimal inconvenience on families. (See Appendix for reforms checklist)
Introduction

This is a comprehensive report about families surviving incarceration in Washington state. By “family,” we mean any person(s) who play(s) a significant role in a prisoner’s life and support system. A prisoner’s family relations may be consanguine, affinal, adoptive, or chosen, and may therefore include individuals not biologically or legally related to the prisoner. Members of a prisoner’s family include parents, siblings, children, in-laws, romantic partners, extended relatives, step-family, and close friends. Because many prisoners become estranged from their families, or lack healthy or functional families, it is common for friends and other community members to step in and play family roles. Who counts as “family” must ultimately be decided by the individuals involved, but Washington statutes and Washington Department of Corrections (WA DOC) policies have yet to become fully inclusive of all types of prisoners’ family relations.

Family members of WA DOC prisoners are not mere passive bystanders during a loved one’s incarceration; they are active co-participants in the survival of incarceration, and as such, experience what is called secondary incarceration. The emotional and financial burdens of secondary incarceration hit families hard. These burdens typically fall the heaviest on women in the family. This is especially true in communities of color, which are more likely to be hit multiple times—within and across generations—by incarceration, sometimes leaving a sole female breadwinner to support an entire extended family. In Washington, supporting a loved one through incarceration is becoming a larger burden on men in the family as well. Women are the fastest growing incarcerated population in our state, and it is no longer uncommon to hear of men stepping up to become the primary nurturer for the family when their wives or daughters are incarcerated. The burdens of incarceration also fall heavily on LGBTQ+ prisoners and their loved ones, whose family forms are not fully acknowledged by WA DOC policy and practices.

For many prisoners, families are the only reentry plan. WA DOC websites, press releases, and promotional materials express support for family relationships during incarceration, but the lived experiences of families demonstrate a different reality in practice. WA DOC states a commitment to efforts that support family connections “with the goal of reducing the likelihood of recidivism” and purports to “[assist] families by breaking the cycle of intergenerational incarceration” (Moore 2016). WA DOC theoretically acknowledges the large body of research identifying the crucial role of family support during incarceration in achieving broader public safety goals, yet it fails to consider, include, and support families in most of its key operational decisions and activities. Prisoners’ families are treated as inconvenient.

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1 “Parents” includes biological parents, legal parents, foster parents, same-sex parents, stepparents, those serving in loco parentis, and other persons operating in caretaker roles.

2 “Romantic partners” includes spouses, domestic partners, and different-sex or same-sex significant others.

3 “Extended relatives” includes aunts, cousins, grandchildren, grandparents, nieces, and nephews.

4 See RCW 72.09.015 definition of “immediate” family, as well as DOC 450.300 and DOC 590.100.
baggage, despite representing the most important component of prisoner success. We make the case in this report that families are WA DOC’s greatest untapped resource.

This report aims to assess and identify areas for improvement in existing WA DOC services for families. A major theme of this report is the need for WA DOC to develop a corrections model that disrupts family life and normalcy as little as possible, that families might survive incarceration and that long-term public safety goals might be achieved. To do so will require WA DOC embracing guidance from multidisciplinary experts outside of its agency—something it has long been reluctant to do—to compensate for deficiencies in its own employees’ expertise. While the goals for cultural reform presented in the WA DOC 2019–2023 Strategic Plan give us cautious reason for hope, to date there is still a disconnect between WA DOC’s publicized stances and the operating policies and practices that determine outcomes, as is common during intermediate stages of major organizational cultural shifts (Moyer et al., 2001). Vigilant oversight and active guidance are therefore necessary, especially in the wake of the disruption imposed on various WA DOC reform plans by the COVID-19 pandemic.

In addition to focusing on WA DOC’s responsibilities, we call on other Washington government entities to guide and encourage WA DOC in achieving a higher standard of support for families of the incarcerated, even when doing so requires great political courage. In this way, WA DOC will succeed in achieving statewide reentry goals and truly noteworthy public safety outcomes, positioning our state as the leader in nationwide corrections philosophies, and enabling Washingtonians to fulfill the requirements of RCW 72.09.010, which mandate that “[a]ll citizens, the public and inmates alike, have a personal and fiscal obligation in the corrections system. All communities must share in the responsibility of the corrections system.”

We make the case for Washington to create a multidisciplinary external Correctional Policy Oversight Board, guided by the principles of the Bangkok and Nelson Mandela Rules,\(^5\) that would comprise legislators, social workers, equity experts, a Statewide Family Council (SFC) representative, a Statewide Reentry Council representative, Disability Rights Washington attorneys, and the Corrections Ombuds, as well as UW Law, Societies, and Justice professors, to ensure that WA DOC’s WACs,\(^6\) policies, and Operational Memoranda are thoroughly assessed before implementation for continuous policy improvements that demonstrably lead to superior outcomes in family connections, public health, reentry, and long-term public safety. The most recent revisions to DOC 110.100 Prison Management Expectations provide support for this recommendation. The policy requires local prison facility executive staff to “[e]ncourage community agencies with which the facility has contact to participate in policy development, coordinated planning, and interagency consultation” (DOC 110.100 Prison Management

\(^6\) Washington Administrative Code
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Expectations, II.C.7). This goal could best be achieved through the creation of an independent Corrections Policy Oversight Board.

Methodology

The research for this report was carried out from 2016 to 2021 by elected officers of the Statewide Family Council, with additional contributions from community advocates and individuals formerly incarcerated under WA DOC. Contributing Statewide Family Council members obtained much of the information synthesized in this report by participating in bimonthly Statewide and Local Family Council meetings, and also through informal interviews and email exchanges with over 300 loved ones of those incarcerated in WA DOC prisons from 2016 to 2021. These family members were recruited through the Statewide Family Council email lists and informal Facebook support groups. Additional insight was provided through conversations and written correspondence with current WA DOC prisoners, former WA DOC secretaries, current WA DOC staff of all ranks and departments, as well as members of the Spokane reentry advocacy organization I Did the Time and the Washington Statewide Reentry Council. Additional sources included WA DOC public records, press releases, reports, and other public information materials, as well as the body of academic literature relevant to families surviving incarceration.

The authors of this report do not claim to represent the views or needs of all families in Washington who have been affected by incarceration. Due to restrictions WA DOC imposes on interactions among visiting families in prison facilities, intragroup networking is challenging. Socioeconomic and geographical factors, as well as dominant cultural dynamics, also determine which families actively participate in Family Council meetings on a regular basis. Moreover, language barriers pose challenges in capturing the needs and concerns of immigrant families with loved ones in WA DOC prisons. Thus, this report represents a mere first step in the deeper research needed to fully assess the experiences of families surviving incarceration in Washington. Because no funding was available to produce this report, it also represents the best work that could be done with a volunteer research team.

With the exception of high-ranking WA DOC officials, the names of WA DOC staff, prisoners, and family members have been kept anonymous in this report to protect the privacy of all individuals. Information gleaned from discussions with these various stakeholders is cited using the anonymizing citation “SFC Officer Discussions 2016–2021.” Permission to use images was granted by families and visitors who contributed photos for this report.

Readers will note that this report frequently cites the writings of two astute American penological scholars from the early 20th century: the former Sing Sing prison warden Thomas Mott Osborne, who would not agree to take on the role of warden until he had first lived for some time as a prisoner, and the prisoner Victor Nelson. These authors are cited not only for their incisive wisdom and eloquence, but also to highlight that when the same predictable
failures persist in American state correctional models for over a century, it is time for an entirely new approach.

Some notes on terminology: After consulting with several prisoners and formerly incarcerated mentors, the authors of this report decided to use the term “prisoner” rather than the WA DOC and RCW\(^7\)-defined term “offender” or the terms “incarcerated individual” and “justice-involved individual” that many prison reform advocates prefer. Our goal is to use terminology that is accurate, that preserves dignity, and that is preferred by the incarcerated themselves. We also use the prisoners’ term “free world” to describe the component of the family that lives outside of the prison.

**Secondary Incarceration of Prisoners’ Families**

When a loved one is charged and convicted of a crime in Washington, the well-being of the individual’s family is overlooked by both the state and the public. Empathy is focused solely on the primary victim(s), with no thought given to how the individual’s family might fare when losing a household breadwinner, or when seeing a loved one’s mugshot sensationalized on the evening news, or when learning that a loved one is being shackled inside a cage in an austere prison transport vehicle. The public fails to consider the ramifications of placing a troubled or fragile family at the mercy of a gruff and single-minded paramilitary agency.

Upon incarceration, families are no longer able to experience holidays and special events at home with their loved one and must face the reality of what it means for a beloved household member to become the ward of an unsympathetic state (Impact of Punishment 2015). The helpless devastation felt when learning of a loved one constantly being strip-searched, malnourished, and demeaned in countless ways on a regular basis soon becomes an ever-present feeling. The few poorly-advertised informational resources provided by WA DOC’s Family Services Unit fail to honestly address and prepare families for the most upsetting aspects of a loved one’s prison experience, or to equip families with any meaningful ability to navigate communications and interactions with local prison staff.

A prisoner’s family members may also be stigmatized in their communities or may experience employment discrimination or workplace ostracization when their coworkers discover from an internet search that they have an incarcerated loved one with a high-profile case. And as WA DOC itself notes, “children of incarcerated parents frequently struggle in school because of the low self-esteem caused by trauma of separation” (Friederich 2016).

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\(^7\) Revised Code of Washington
Thus, many families feel forced to withhold information about having an incarcerated family member from their colleagues and community members. Some may even move away from their communities upon a loved one’s incarceration or may become reclusive if they remain.

Families are seen as guilty by association even though they are legally innocent and generally have had no involvement in the offence... This stigma makes the imprisonment even more difficult for family members, and it can also mean that families are treated negatively by other members of their community, or face negative treatment from colleagues, peers, the media and even friends and family. (Impact of Punishment 2015)

WA DOC provides no formal resources or guidance for families when a newly incarcerated loved one’s pride or fear of abandonment lead them to try to cut off ties with family members they believe will abandon them anyway, or cause them to engage in self-harm or to attempt suicide. And there is no end in sight for families whose loved ones are sentenced to life without parole and can only expect “parole in a pine box” (Hartman 2014) so long as Washington remains one of the few states in the nation to resist reinstating parole.
Over the course of a long prison sentence, a family may experience tension when its members have differing abilities to support their incarcerated loved one. Some family members may beat themselves up for being “bad” spouses, parents, or siblings if they cannot endure supporting their incarcerated family member for the long run, or if they find themselves feeling any number of difficult emotions in response to their loved one’s incarceration, including loneliness, bitterness, resentment, or unfulfilled sexual needs. Some may feel guilt over enjoying free world life while an incarcerated loved one suffers, or over committing infidelity when a spouse or romantic partner is incarcerated for many years.

The emotional trauma of a loved one’s incarceration is exacerbated by crippling financial burdens, which can interfere with a family’s ability to stay connected to their loved one, causing family bonds to disintegrate over time. In addition to bearing household expenses in the absence of a family member who once contributed income, prisoners’ families incur many new expenses and are ruthlessly exploited by the rapacious and monopolistic private companies with which WA DOC contracts. These companies are the sole approved channel through which families can purchase needed items and services for their incarcerated loved ones during incarceration.

In November 2019, the Washington Office of the Corrections Ombuds conducted a survey of WA DOC prisoners’ families and found that incarceration in Washington can cost an individual family $10,000 or more per year. JPay (digital communications), food and property packages, visiting expenses, commissary, GTL (phone), medical, and education were the primary expenses families reported. In addition to such expenses, the money families send to their incarcerated loved ones for essential commissary hygiene and food items is typically eroded through mandatory state deductions, including cost of incarceration and restitution. Indeed, families heavily subsidize cost of incarceration in Washington. All this is in addition to any legal fees incurred before a loved one’s formal conviction. No wonder, then, that many prisoners’ families are rapidly driven into poverty and debt.

These burdens typically fall most heavily on female family members and are especially pronounced for communities of color (Clayton et al. 2018). In communities and families that are disproportionately affected by incarceration, a woman may have to choose between visiting her incarcerated husband or her incarcerated daughter on a visiting weekend, and the drive between the two prisons may take her half a day. She may also have to struggle for years with

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8 One parent whose son was incarcerated in a WA DOC facility reports arguing with a spouse over when to leave the prison visiting room, due to the spouse’s anxiety about work obligations: “Our marriage fell apart while our son was incarcerated” (SFC Officer Discussions 2016–2021).

9 Per RCW 72.09.480, the following deductions are applied to money sent by family: 20% cost of incarceration, 5% victim compensation, 10% for savings (depending on sentence), 20% legal financial obligations (if applicable), and 20% child support (if applicable).
WA DOC for facility superintendents’ approval to financially support more than one incarcerated family member (DOC 200.000).

To cover the expenses of incarceration, family members must often work multiple jobs, or take on exhausting and even degrading work out of desperation (SFC Officer Discussions 2016–2021; Nelson 1936, 39). These costs and the lack of leisure time from working long hours can exacerbate resentment families may feel toward their incarcerated loved ones, which further strains family relations. Incarcerated family members frequently feel guilt and helplessness over the burdens suffered by their free world family support network:

I know it costs her dearly, and I’m aware of how much she’s depleting herself to rebuild me. (Hartman 2014)

Families of WA DOC prisoners often lack time for self-care or recreation. On top of working long hours, they must spend time and energy struggling with WA DOC to get their incarcerated loved one’s basic needs met, since WA DOC employee apathy or incorrect actions regularly result in these needs not being met. If the family members frequently visit their incarcerated loved one, they must rush to complete life tasks on non-visiting days so they can afford to spend hours commuting to prisons, waiting in line, and being cut off from digital communications for a visiting day.

When a partner is incarcerated, the other partner must bear all financial and childrearing burdens alone.

These cumulative factors, combined with the harmful cultural practices of WA DOC that will be explored in depth in this report, result in the secondary incarceration of WA DOC prisoners’
families. As families try to survive incarceration, some are left to sink or swim, both financially and emotionally. The weight of this can become too much for some to bear, resulting in mental health disasters or abandonment of the incarcerated loved one, who then loses what would have been a future reentry support system.

An astute American prison warden asked over a century ago, “Shall our prisons be scrap heaps or human repair shops?” (Osborne 1916) For families surviving their time with WA DOC, the sense is often that the entire family is rendered a scrap heap by WA DOC disinterest and sometimes even overt disdain. Ultimately, WA DOC hides behind bureaucratically diffused responsibility, failing to acknowledge its role in the systemic harm caused to families or to provide any meaningful support to those affected by its destructive policies and practices. Thus, families at the mercy of WA DOC’s current correctional model are extremely fragile and need more attention, support, and investment from Washington lawmakers and the public.

For prisoners, a supportive family can mean everything. Some prisoners report that having even just one committed family member, romantic partner, or friend makes them feel less vulnerable to abuse or injustice from prison employees and gives them a reason to care about cultivating positive interests and healthy habits while incarcerated. Investing more in families during incarceration would therefore pay off in reduced recidivism rates.

**WA DOC’s Mandate and Barriers to Cultural Change**

To provide context for what families experience during incarceration, some historical and correctional philosophy background is necessary. To our knowledge, no 21st century scholars have published comprehensive analyses of WA DOC correctional philosophy and policy. We hope to inspire such research efforts with this section of our report.

The Washington Department of Corrections was established in 1981 by [RCW 72.09.030](https://app.leg.wa.gov/cwweb/content/wac/72/09/030.htm). The legislative intent for this state correctional system is presented in [RCW 72.09.010](https://app.leg.wa.gov/cwweb/content/wac/72/09/010.htm). As currently worded, the legislative intent does not explicitly mention families of the incarcerated. It does, however, make clear the scope and intent of punishment for prisoners under WA DOC jurisdiction, stating that “punishment should generally be limited to the denial of liberty of the offender.” Imprisonment, then, is not an end in itself, but rather a means to an end, and that end is society’s self-protection (Osborne 1916, 78). The legislative intent also states that the correctional system “should be accountable to the citizens of the state,” which includes prisoners’ family members. WA DOC’s penological objectives should protect the public from further harm while minimizing disruption and harm to the prisoner’s family. Yet current WA DOC policies and practices continually exceed the scope of legislative intent by imposing additional hardships on prisoners and their loved ones. This report highlights the consequences of this for families and identifies the barriers to cultural reforms that would bring WA DOC into alignment with the legislative intent of corrections.
Washington lawmakers and courts have traditionally deferred to the expertise of corrections officials—who are fixated on short-term custody goals—in the wording of both legislation\(^\text{10}\) and court rulings, as well as in the unusual exceptions granted to WA DOC when compared to other state agencies in rule making processes. The daunting size, opaque operations, and ever-changing bureaucratic organization of WA DOC’s “elaborate penal machinery”\(^\text{11}\) appear to have led lawmakers and the courts to exercise less oversight over WA DOC in comparison to other state agencies, when what is actually needed—given the vulnerability of the populations at WA DOC’s mercy—is extra oversight. A remedy is required for legislative enactments that saddle Washington with a dysfunctional correctional system lacking in multidisciplinary expertise that operates largely in the shadows. Currently, RCW 72.01.090 gives WA DOC unchecked authority to devise policy, while RCW 34.05.030 exempts the department from all the procedures that regulate policymaking in other agencies by opening policies to expert oversight and public hearings. While there are compelling reasons to insulate correctional policy from the vicissitudes of public sentiment, there is an even more compelling need for oversight of correctional policymaking to ensure that standard criteria for sound policymaking—i.e., rigorous evidence, stakeholder input, and serious consideration of harms and benefits—inform the needed transformations, rather than the capricious preferences of agency employees who are often out of touch with national and international correctional standards and their outcomes.

In a way that no other Washington state system does, the correctional system perforce engages in a practice that inflicts harms on prisoners and their families. While a careful social scientific examination of the best practices in the most successful carceral regimes would reveal what harms are actually objectively necessary for maintaining safety and security within institutions, such research, evidence, and thoughtful argument have not driven Washington correctional policy for several decades (Conte 1990). There are many reasons for this failure. Correctional systems are vulnerable to pressure from those who disagree with the legislature’s official position that confinement itself should be the sole punishment, and who seek therefore to increase the suffering of prisoners and their families by worsening the conditions of their confinement—despite overwhelming evidence that harsh treatment of prisoners and their families undermines public safety, including prison staff safety.

 Corrections ought to be an evidence-based, serious sociological discipline, rooted in a body of growing scientific literature and international best practices, yet, as the Office of the Corrections Ombuds 2019 Annual Report indicates, WA DOC operates on an outdated and insular model. The current correctional regime is the product of two seismic events in

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\(^{10}\) Washington’s Senate Human Services, Reentry & Rehabilitation and House Public Safety committees are known for writing deference into legislation, with phrasing such as ”in accordance with procedures that are developed and adopted by the department” or ”as determined by the department.”

\(^{11}\) This term comes from the May 19, 1860 issue of The Economist. See “The Irish Experiment in the Treatment of Crime.”
Washington corrections history: (1) a reaction against innovative progressive experiments in the 1960s and 1970s that failed to win support of line staff (Conte 1990), and (2) the hysteria of the 1980s and 1990s, when political actors exploited specious and racist stereotypes of a new generation of irredeemable young “super predators” to motivate support for their harsh punitive approach, which was expressed not only in longer sentences but also in a wave of measures aimed to worsen the conditions inside Washington prisons. Families attempting to survive incarceration, and the communities in which they live, have been the ultimate victims of WA DOC’s reluctance to acknowledge the persistence and limitations of these outdated mindsets. Without an independent Corrections Policy Oversight Board, there is, as Nelson (1936, 169) once observed, “very little probability that much will be done, or even attempted, to improve conditions which, in nine cases out of ten, the prison officials will refuse to admit even exist.”

WA DOC policies and practices consistently demonstrate a myopic focus on custody and control, and rely on blanket sanctions and regulations that often do more long-term harm than would the behavior they aim to prevent. This represents a case of diminishing, and ultimately negative, returns: For every nominal shred of security gained by WA DOC, countless societal objectives are undermined or entirely sacrificed. This outdated correctional model is driven by institutional memory and a continually reinforced paramilitary culture, in part because custody staff frequently have decades-long careers in a single prison facility, and in part because WA DOC preferentially recruits former and reserve military personnel as staff (Herzog 2016).

Although WA DOC’s 2019–2023 Strategic Plan presents intentions to adjust the tone of agency culture through developing new staff training curricula, any preliminary training for new employees is unlikely to counterbalance on-the-job influence from veteran custody staff.

When prison employees feel that policies undermine their unquestioned control—which some employees can feel about even commonsense, evidence-based policies to improve family relationships or promote prisoner education—they can thwart attempts to implement reforms, whether through correctional union lobbying or through passive sabotage in daily operations. Political interference and on-site opposition from “ignorant but well-organized guards” (Nelson 1936, 70; Page 2011) have been documented in Washington since at least the 1970s (Farrell 1972, 33–34, 36) and well into our present era. As WA DOC Secretary Steve Sinclair has publicly

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12 Happily, Washington law provides a number of exemplary model statutes for correctional oversight. RCW 72.01.180 theoretically authorizes a University of Washington or Washington State University dietitian to evaluate the correctional menu, though this never occurs in practice, and RCW 72.01.320 requires the WA DOC secretary to report on prison conditions and the needs of the incarcerated. While both appear to be at present dead letters, their animating principle—informing oversight—can be realized by the establishment of a Correctional Policy Oversight Board. There can be no doubt that some in the department, accustomed to the present regime of autocracy, may resent such oversight. But the best leaders in the department will welcome the opportunity to return reason and evidence to their proper place in institutional policymaking.

13 WA DOC recruits at weekly Joint Base Lewis McChord Hawk Transition Center events. See https://www.doc.wa.gov/about/jobs/events.htm.
stated, securing line staff buy-in for evidence-based policy shifts is often “a hard sell,” inhibiting reforms that all other stakeholders in the WA DOC system are ready to implement (Sinclair 2019). As Nelson observes,

since every attempt to improve upon the prison environment involves...more strenuous activity for the guard, he actively opposes (through the various associations of prison guards) most plans for prison reform. (1936, 72)

WA DOC leadership has a public service duty to correct this employee mindset. While staff morale is of course important to daily WA DOC operations, the agency does not exist to serve staff, as statutory mandates make clear. The agency exists to serve the public, including those members of the public under its direct care in total confinement. More must be done to "[e]nsure information from extended leadership is communicated to line employees" (DOC 110.100 Prison Management Expectations, II.C.4).

Without proper guidance prison employees can become “a too willing instrument of tyranny” (Osborne 1916, 48) and can undermine various penological objectives. WA DOC custody employees especially need to be trained to be more than what Jack London called “paid brutes of the state” (London [1915] 2018, 12). WA DOC policy emphasizes the importance of prison employees modeling pro-social behavior for the incarcerated (DOC 110.100 Prison Management Expectations, II.C.1.g), but this is not always seen in practice. If WA DOC wishes to “strengthen public confidence in the integrity of facility employees by demonstrating and setting the tone for the highest standards of personal and professional integrity, fairness, honesty, and compliance with both the spirit and the letter of the law” (DOC 110.100 Prison Management Expectations, II.C.1.b), leadership needs to be mindful when tolerating the sort of staff behavior that shapes agency culture (Gruenert and Whitaker 2015, p. 36). WA DOC leadership will therefore need to become more assertive in dictating the terms of staff disciplinary procedures and workplace expectations.

In addition to addressing correctional officer collective bargaining agreement clauses that expunge staff disciplinary records after one year (Teamsters Local 117 Union Collective Bargaining Agreement, Articles 8 and 29.2), combating line staff resistance to necessary reforms will require two types of staff engagement: WA DOC must (1) address the disconnect between department leadership and line staff, identified in the Office of the Corrections Ombuds 2019 Annual Report, and (2) must also exhibit a commitment to bringing Teamsters 117 correctional officers’ union members and community stakeholder groups into the same collaborative working spaces on a regular basis in order to build understanding and identify shared goals. Such staff engagement efforts and collaboration, combined with courageous and assertive leadership from WA DOC’s Executive Strategy Team and prison superintendents, would help pave the way for making the cultural changes identified in WA DOC’s 2019–2023 Strategic Plan a reality. Change needs to do more than merely trickle from the top down. WA DOC leadership must set the tone for the change it wants to see at the lowest ranks, and must
begin to practice a “trust but verify” form of active on-the-ground management and oversight.\textsuperscript{14}

A more fundamental barrier to cultural reforms is WA DOC leadership’s lack of interest in both broader multidisciplinary correctional theory and the cultivation of prisoners’ potential. This myopic mindset in correctional leadership is not unique to Washington. It has long been a nationwide impediment, as multiple authors have observed:

\[V\]ery few prison officials have more than the most superficial knowledge of the human beings over whose lives they hold such dangerous power. It is not too much to say that most of the officials have shown great indifference to their deeper and more important duties. The average prison keeper, so long as he draws his salary regularly, cares little to study the spiritual needs of his charges, for whom he usually exhibits the utmost contempt; a contempt which is repaid with interest by the prisoners. (Osborne 1916, 226)

\[M\]any prison employees, despite their work experience, do not have a clue or a care about what corrections is or could be. They simply are not interested in considering the potential prisoners may have for personal growth and transformation. Instead, they operate penal facilities that focus almost exclusively on inmate management and control. (Richards 2003)

This disinterest is evident in both WA DOC Executive Strategy Team and Prisons Division leadership, as well as in local prison facility leadership—the pool from which Prisons Division and agency leadership is typically drawn. What was true of prison wardens in Nelson’s time remains the case for modern WA DOC prison superintendents, who are typically correctional officers promoted through the ranks, and who often lack the sort of rigorous higher education credentials that would enable them to provide for the human needs of a total institution. Again, we turn to Nelson, who asserts that

the warden should, of course, be a well-educated, sincere, intelligent man... [but he] was unqualified by education or natural intelligence to be anything better than a good prison guard... with no faintest conception of a higher duty than the literal execution of the court’s sentence. He was simply an ignorant, unintelligent, well-meaning man, in no way capable of being a good warden; he was essentially nothing but a glorified turnkey... [I]f the declared purpose of imprisonment is...the reformation of the criminal, precious little progress will be made through the efforts of the present crop of wardens. (1936, 54, 57, 69, 70)

At this time, the upper echelons of the WA DOC Prisons Division chain of command lack the sort of multidisciplinary expertise necessary for the development of policies that affect the thousands of prisoners in their custody, an alarmingly high number of whom struggle with mental illness, substance abuse issues, and post-traumatic stress disorder. A perusal of WA DOC employee biographies, LinkedIn profiles, and press releases reveals that, with few exceptions, the educational attainments of those in local facility and headquarters Prisons Division leadership...
command chain leadership positions frequently hold degrees in “general studies” and “business management,” if any college education is noted at all. Their bachelor’s degrees are usually from low-ranking colleges, with advanced degrees commonly obtained from for-profit online professional degree programs. The fact that most of these employees began their careers as correctional officers suggests that WA DOC values custody experience more than anything else and does not typically recruit outsiders with expertise in areas the agency lacks. Such an emphasis can only lead to the present cycle of stale ideas and practices that experience has shown do not work.

Those WA DOC employees who have the most direct contact with prisoners and their families are all the more deficient in multidisciplinary education and training. Though it is practically verboten to comment on, basic educational deficiencies of many local facility correctional employees are a chronic source of improper applications of policy and statutes (Conover 2001, 111–112). Prisoners and their families frequently report grievance decisions, responses to kites, and email communications from WA DOC employees that reflect a failure to comprehend the original documentation, policies, and statutes WA DOC employees must interpret to formulate an appropriate official response or to ensure due process requirements are met (SFC Officer Discussions 2016–2021). This has detrimental consequences for prisoners and their families. By the time WA DOC headquarters or the Office of Corrections Ombuds reviews the faulty responses of local prison facility staff, much damage has already occurred. For this reason, international best practices for corrections hiring and training include rigorous criteria for minimum academic abilities and require two-year social work trainings for even entry-level correctional staff (Chammah 2015), a standard which should be adopted by WA DOC.

The current reality of WA DOC expertise and correctional philosophy has serious consequences for the agency’s abilities to fulfill its legislative mandate and to realize its own Mission & Vision. WA DOC cannot carry out a mission its employees do not fully understand or support, whether due to insufficient training and education or lack of interest.

These barriers to cultural reform are at the root of all issues the rest of this report will present.

Families and WA DOC

WA DOC culture is extremely complex, opaque, and intimidating for families of the incarcerated to navigate. It is paramilitary and gruff, as well as reluctant to provide much in the way of assistance. There are no comprehensive staff directories to be found on WA DOC’s website to help families communicate with their loved one’s “counselor” or Custody Unit Supervisor, and

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15 See detailed analysis of WA DOC leadership educational achievements here: https://wacorrectionswatch.org/expertise-performance/#PrisonsEd
16 What WA DOC calls “counselors” or “case managers” are usually promoted correctional officers who receive minimal training in anything resembling counseling or social work. Prisoners are frequently assigned new
a phone call to a WA DOC prison often entails being endlessly transferred around to different staff members until finally arriving at a voicemail inbox or being hung up on. Because WA DOC provides no orientation for families coming into the system and produces little in the way of helpful signage and literature, families are suddenly plunged into a shocking environment and are inevitably blindsided by what they experience. Free world norms of professionalism, courtesy, and transparency do not seem to apply in WA DOC, and it is only through a series of stressful and traumatic experiences that families learn the subtle ways in which staff whim, apathy, and retaliation can affect them and their incarcerated loved ones.

Both prisoners and their families rapidly develop what Nelson calls “prison-bred caution” (Nelson 1936, 45), which is a sort of anxious and hardened sense of distrust that can devolve into paranoia. Many families learn to consult their loved ones before filing legitimate complaints with WA DOC supervisory staff, either because their loved ones scold them for failing to understand the ramifications inside the prison for doing so, or because they are discreetly or overtly discouraged from doing so by prison staff (SFC Officer Discussions 2016–2021). Because of this dynamic, some families develop something akin to Stockholm Syndrome and become eager to curry favor with WA DOC employees, to the point of using self-effacing language in communications and sometimes even undermining other families’ efforts to advocate on behalf of prisoners (SFC Officer Discussions 2016–2021).

While many WA DOC employees are decent and well-meaning people who interact in a civil manner with prisoners and their families, many others are distant, haughty, or outright rude and contemptuous toward prisoners and their families (SFC Officer Discussions 2016–2021). Because there are few, if any, consequences for unprofessional behavior, the more abusive employees tend to become emboldened over time, and few of their coworkers or supervisors dare to intervene. This tendency is reinforced by WA DOC staff training curricula, which teach employees that prisoners and their families are inherently manipulative and should not be viewed as ordinary people (SFC Officer Discussions 2016–2021).

Family Engagement & the WA DOC Family Services Unit

There are three avenues of family engagement in WA DOC: (1) prison visiting programs; (2) Local and Statewide Family Councils, which provide a collaborative forum for WA DOC staff and families of prisoners to address systemic concerns; and (3) the WA DOC Family Services Unit (FSU), which represents an almost forgettable third avenue, given its limited effect on the lives of most families in the WA DOC system.

WA DOC superintendents and associate superintendents exhibit a range of engagement with visiting programs and Family Councils. A minority are frequently visible and genuinely
interested, while the majority are distant and conspicuously absent. In an effort to secure consistent statewide leadership engagement with Family Councils, superintendent attendance requirements for Local Family Council meetings have been codified in agency policy (DOC 530.155 Family Councils). Securing sincere and meaningful engagement, however, has been something of an exercise in futility, mirroring the difficulties the Statewide Family Council has had in engaging all WA DOC secretaries since the departure of former Secretary Eldon Vail (SFC Officer Discussions 2016–2021).

As the officials with primary decision-making power in their facilities, superintendents and associate superintendents ought to set the standards for family engagement and institutional culture through regular direct interaction with the incarcerated and their families. The same is true for WA DOC agency leadership. Unfortunately, many in WA DOC leadership positions fail to see the value of proactive and meaningful family engagement to long-term prison security. This is reflected in the very wording of WA DOC policy: DOC 110.100 Prison Management Expectations requires all facility executive employees to make unannounced visits to key areas of the prison at least once per week, but none of these areas include visiting rooms (Section IV.A.2).

As a case study in WA DOC’s haphazard formal approach to family engagement, the WA DOC FY 2017–2018 Prisons Division Performance Report, which provides data on WA DOC compliance with Results Prisons expectations, contains a section on WA DOC’s “Offender Reunification” effort, the purpose of which is to “engage offender families, partners and community stakeholders in the re-entry process.” The stated goals of “Offender Reunification” are: “(1) Environment supportive of family reunification; (2) Access to religious and cultural opportunities; and (3) Opportunities to establish community connections.” The vague and disjointed strategies listed for achieving these goals are “set reasonable criteria for personal visits,” “protect religious freedoms,” and “provide volunteer program opportunities.” The only

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17 See results from a June 2017 survey of WA DOC’s self-reported engagement with prison visiting rooms [https://washingtoncorrectionswatch.files.wordpress.com/2021/01/2017e280932018-visitation-working-group-documents-merged.pdf](https://washingtoncorrectionswatch.files.wordpress.com/2021/01/2017e280932018-visitation-working-group-documents-merged.pdf)

18 See this report’s section “Case Study in a Collaborative Project – Visitation Working Group” for more context.

19 DOC 110.100 Prison Management Expectations contains a typo and identifies two Directive IVs. We refer to the second of the two here.

20 WA DOC’s Prisons Division framework within the broader Results Washington framework established by Governor Jay Inslee.

21 The term “offender families” is at odds with best trauma-informed practices, and is in direct defiance of former WA DOC Acting Secretary Dick Morgan’s 2016 agency-wide memo instructing WA DOC staff to eliminate the use of the harmful word “offender.” The word “offender” also gives the impression of a present tense occupation, much like “banker,” “farmer,” or “singer,” and can be a painful word for families, especially children, to hear. Visitors, prisoners, volunteers, state legislators, and even county prosecutors—such as King County Prosecutor Dan Satterberg at the November 14, 2017 Statewide Reentry Council meeting—have expressed to WA DOC staff that this word is harmful. Although the agency has been stubbornly attached to this term for years, it is making gradual strides in phasing the word out in its scheduled policy revisions.
measures listed for assessing “Offender Reunification” results compliance pertain to quantity of electronic visiting applications processed, quantity of Level 3 grievances, timely volunteer annual in-service training, and a reduction in religious diet costs. In short, the measures chosen appear to be randomly drawn from a hat, rather than fully connected to stated goals or rooted in any sort of evidence-based social science theory on effective methods for building meaningful family and community connections during incarceration. Hence the need for an independent Correctional Policy Oversight Board.

Investing in families of prisoners is to recidivism outcomes what preventative medical care investment is to public health, yet WA DOC’s investment in its Family Services Unit (FSU)—a unit that was split and redesigned under organizational restructuring following the departure of Eldon Vail—is worse than paltry. The unit is funded as something of an afterthought, rather than as a crucial component of central operations. There are fewer than ten FSU staff to serve twelve prison sites and the families of ~19,000 people currently incarcerated under WA DOC, and this does not include the families of an additional ~21,000 people on community supervision. And although WA DOC agreed in 2019 to move the FSU into its Prisons Division chain of command, which has direct control and authority over the well-being of prisoners and their loved ones, the FSU still lacks any authority to intervene when families encounter difficulties of various kinds with staff at local prison facilities.

FSU employees are based at WA DOC headquarters in Tumwater, Washington, and while they do attend some Local and Statewide Family Council meetings, they are not present on a regular basis at local facilities to proactively assist families in navigating local facility issues. There is also little in the way of diversity among FSU staff, which hinders the FSU’s ability to appropriately support all families in the WA DOC system.

The FSU primarily focuses its limited resources on the following areas:

- Preliminary intake phone calls to families of the newly incarcerated (in cases where prisoners voluntarily provide a family contact number);
- A limited quantity of family engagement events that are primarily focused on children of the incarcerated (with $20,000 allocated to the annual KUBI Camp event alone in FY 2019);
- Programs for incarcerated parents at select prison facilities;
- Reactive responses to phone calls from prisoners’ families requesting help with issues at local prison facilities.

22 See Prisons Division Organizational Chart: https://www.doc.wa.gov/docs/publications/400-DG001.pdf
23 According to a 2016 WA DOC publication, 7,186 of 15,888 prisoners (~45%) reported having a minor child, indicating that while families with children are certainly an important demographic in the WA DOC system, they are not the only family relationships in need of investment and support. See: doc.wa.gov/docs/publications/infographics/100-PO005.htm
24 WA State DOC Alf2 Encumbrance Budget records on file with WA DOC Public Records Unit
Prior to a survey emailed to Family Council members by WA DOC’s most recently appointed Correctional Program Administrator in October 2019 (record on file with WA DOC Public Records Unit), the FSU had never consulted families of prisoners about what FSU priorities ought to be, nor had it included families in developing the limited family programs it offers at select prison facilities. Thus, the FSU is typically perceived as out-of-touch with the true needs of families. The more comprehensive resources published by the FSU, such as its Guide for Family and Friends of Those Incarcerated, have not been written in collaboration with families in the system and are poorly advertised and conspicuously absent from the WA DOC spaces prisoners and their families enter, such as living units, prisoner libraries, visiting rooms, and public access lobbies. Such resources are also never sent out with confirmation emails upon approval of new visitors’ applications. Doing so would be a low-cost and easily automated way to engage new families entering the system.

If supporting children of the incarcerated is the top priority for the FSU, it should consider whether annual feel-good events or narrow programs limited to just a few prison facilities are the best methods for doing so. Incarcerated parents need consistent, year-round support in navigating and advocating for their relationships with their children. (See Appendix for detailed recommendations to better support families with children during incarceration.) Families would also like the FSU to allocate its resources in ways that benefit and support a larger percentage of families. Special events in which few families are eligible to participate may not be the most effective way to maximize positive family outcomes with limited FSU funding. Although the services families truly need lack the glamor and press-release charisma of such events, on-site local prison facility assistance would likely produce more meaningful outcomes. We recommend that the FSU work more closely with Family Councils and qualified social workers in setting priorities for all aspects of its operations, as well as in producing its guides and other resources for new families in the system.

Families would also like to see the FSU develop formal Reentry and Family Support Plans with families and their incarcerated loved ones. Such plans should document goals of the incarcerated while in prison and identify concrete ways in which families and WA DOC can support those goals. As prisoners near release, such plans would be expanded to include reentry support plans.

An additional concern is whether the FSU accurately presents accounts of family experiences and needs in public presentations and meetings, such as at meetings of Coalition for Children of the Incarcerated or at the annual National Children of Incarcerated Parents Conference. The FSU has typically failed to communicate or consult with the full Statewide Family Council about its public activities and representations of families in the system.

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25 An informal January 2020 poll posted in the unofficial Washington Statewide Family Council Facebook group revealed that of 34 participating family members, 20 had not previously seen the comprehensive FSU guide.
WA DOC Prison Visiting Programs and a Need for Normalcy

To ensure consistent exposure to pro-social influences, prisoners need regular in-person contact with positive free world support networks. Without this regular exposure, prisoners can become isolated in toxic prison culture, including prison gangs, for years or decades on end (Hartman 2014; Nelson 1936, 149, 224). As extensive research corroborates (e.g., Duwe and Clark 2013; Mitchell et al. 2016), WA DOC prison visiting rooms are places where in-person contact with free world loved ones helps improve recidivism outcomes, one visit at a time, under the most difficult circumstances, and with minimal support. They are also the only spaces in which prisoners, families, and WA DOC employees all interact with each other. For this reason, we devote many pages of this report to WA DOC visiting programs.

In addition to providing in-person visiting programs, WA DOC also contracts with JPay, a subsidiary of the private company Securus, to provide video visiting services. These services are financially burdensome to families, and are replete with technological glitches and failures, such that many families find them discouraging to use (SFC Officer Discussions 2016–2021). If WA DOC could hold its private vendors accountable to contract terms and quality of service expectations, families would be more likely to view video visiting as a helpful supplement to in-person visits. Even with the current flaws, video visits are a good service to provide for families who are unable to travel long distances for visiting, but they will never be a meaningful substitute for in-person visits. The COVID-19 pandemic has tested the limits of WA DOC’s video visiting services, with largely negative reviews from families and prisoners across the state.26

Most WA DOC prisoners receive fewer than ten in-person visits per year (Digard et al. 2017). While WA DOC acknowledges the importance of prison visits to public safety outcomes (DOC 450.300; Garber 2016), its prison visiting environments provide little semblance of normalcy for family, marital, and community relationships. WA DOC’s visiting programs and spaces have remained stagnant in design and philosophy for decades, without much creativity or imagination in applying multidisciplinary, evidence-based research to reimagine what visiting programs and spaces could be. Indeed, in the words of a former WA DOC secretary whose name we will elide to properly thank him for his honesty, visiting programs have always been “something of an afterthought” (SFC Officer Discussions 2016–2021). Despite what WA DOC’s website and visiting policies purport to value, in practice the agency does not treat free world visitors as partners in achieving WA DOC’s public safety goals. WA DOC instead views visitors first and foremost as contraband vectors, enablers, and yet another subpopulation to control and manage. Although many individual visitation correctional officers are decent, if gruff, just as many treat visitors as nuisances, or as though they are doing something wrong in supporting their incarcerated loved ones. This attitude is at the center of WA DOC’s philosophy on visiting access, which is continually communicated to visitors verbally and in the wording of WA DOC

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26 See https://www.doc.wa.gov/family/council.htm for minutes from regular COVID-19 information virtual meetings WA DOC has held with Family Councils
policy as a privilege rather than a right (DOC 450.300). Thus, families’ right to access incarcerated loved ones in person feels fragile, and is subject to revocation and erosion at every turn.

WA DOC visiting spaces are the public face of the agency, with visitation officers serving as WA DOC’s primary ambassadors. In the spirit of Washington’s legislative intent of corrections, visiting spaces—the ideal venues in which to provide a sense of family normalcy—should be made as similar to a family home or community space as WA DOC and the State of Washington can possibly make them, and should not exceed the scope of legislative intent by punishing prisoners and their support networks. Yet oversight of, and improvements to, WA DOC visiting programs are not priorities in Washington state legislation, WA DOC strategic plans, or WA DOC capital budget requests. In this section we therefore identify areas of need and propose innovative visiting program reforms.

The Hidden Costs of Visiting WA DOC Prisons

It is difficult for anyone who has not been a regular visitor to a prison to understand just how taxing and demoralizing the process can be, especially over the course of lengthy sentences or with frequent visiting. There are the hours spent driving, busing, walking, or bike-riding to distant prisons. There is the stress over figuring out attractive, but policy-compliant, clothing while getting children ready to go and still leaving the house on time. Visitors must also rush to get all their work and household activities done in the hours before visiting, since most of their morning or early afternoon will be spent waiting in prison parking lots, standing in long processing lines, and waiting in holding areas prior to entering the prison visiting room, all of which occur in spaces that fail to provide sufficient amenities for nursing mothers, small children, or frail elderly visitors.

Visitors who bus, walk, or bike to most WA DOC prisons must wait outside with no shelter or restroom during all types of weather until scheduled visitation processing opens, often with delays (SFC Officer Discussions 2016–2021). Upon entering a WA DOC prison, visitors may experience the stress of competing with other visitors for places in processing lines or for prized visiting room vending machine food items. These unpleasant conditions affect visitor morale and willingness to visit:

I dread going to see my brother due to the waiting to get in to see him. (WA DOC Visiting Survey, Public Records Unit P-0727)

27 The public records request for the results of WA DOC’s online survey for visitors, the URL of which was https://www.surveymonkey.com/r/DOCVISIT2018, was made on June 30, 2018
Moreover, the artificial schedule and routine of WA DOC’s visiting program impose an unnatural hardship on families:

Weekend relationships are extremely difficult for wives, and often children are neglected or spend their weekends in prison visiting rooms. (Amey 1986)

The check-in and security process for visiting is often stressful for families, and is an area where lack of racial equity and cultural sensitivity training for WA DOC custody employees regularly results in emotional trauma and conflict. As is the case in many American state prisons (Thorpe 2015), WA DOC custody employees are disproportionately rural people of European ancestry, while visitors to prisons include a disproportionate number of people from urban communities of color and immigrant communities. Because WA DOC visiting security protocols entail WA DOC custody staff physically inspecting the clothing, headwear, and hair of visitors, incidents of invasive and offensive commentary on, or discriminatory treatment of, unfamiliar cultural and religious customs abound and are a frequent topic of visitor complaints to WA DOC headquarters.

WA DOC VISITORS OFTEN EXPERIENCE MISTREATMENT, OR ARE SUBJECTED TO INCORRECT POLICY INTERPRETATIONS, WHEN WA DOC VISITATION OFFICERS ARE NOT TRAINED ON THE VARIOUS TYPES OF POLICY-PROTECTED CULTURAL AND RELIGIOUS EXPRESSIONS THEY WILL ENCOUNTER WHILE CARRYING OUT WORK DUTIES
Language barriers, as well as a lack of some official documentation, can make WA DOC visiting application and security processes difficult for immigrant families in the WA DOC system to navigate, and can create challenges when trying to communicate concerns to prison staff or when following staff instructions during processing and in the visiting room.28

**Clothing in WA DOC Visiting Rooms**

Under the pretext of contraband prevention and family friendliness, excessively conservative visiting room dress codes that far exceed anything even elementary schools in Washington impose fail to expose prisoners to the free world fashions they will inevitably encounter upon reentry and are a constant source of stress and even financial hardship for visitors:

> I have had a staff member provide a safety pin so that I could pin the collar together on a button-up women’s polo shirt to cover my collar bones. (WA DOC Visiting Survey, Public Records Unit P-07)

> The sgt then said he would make me leave if he sees my bra strap again. (WA DOC Visiting Survey, Public Records Unit P-07)

Current WA DOC policy requires that if religious headgear is worn into a prison visiting room, including by a child over age eight, it cannot be removed at any time during the visit, even if a child is playing and feels overheated. Decisions about when to wear religious garments are personal family decisions that should be respected by WA DOC.

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28 See former DOC employee Carlos Lugo’s report on visitation access for Latino families: https://washingtoncorrectionswatch.files.wordpress.com/2021/01/latino-visitation-paper.pdf

29 Admittedly, visitors themselves can drive dress codes in excessively conservative directions, especially when it comes to policing young female visitors’ clothing. Older female visitors frequently complain to visiting room employees about clothing young female visitors wear. In general, women’s clothing is scrutinized more harshly than men’s by both WA DOC employees and other visitors.
WA DOC visitation officers’ insensitive commentary on visitors’ clothing often illustrates the deficiencies in WA DOC staff training and correctional culture. For example, on Wednesday October 30, 2019, at approximately 10:25AM, a visitation staff person in the Washington State Penitentiary West Complex was overheard telling a female visitor during processing: “If I see those suckers hanging out...that’s why you don’t wear a top like that...it should be three fingers below the collarbone” (comment transcribed by primary report author in public access lobby as comment was made). A visitor to Monroe Correctional Complex (MCC) Washington State Reformatory reports being told by a visitation officer that her pants were “unacceptable because you have camel toe” (SFC Officer Discussions 2016–2021), and an elderly female visitor to the MCC Special Offender Unit was told by a WA DOC staff person that her “bra is visible through that blouse,” which appeared to cause the elderly visitor great embarrassment (SFC Officer Discussions 2016–2021).

**Time and Visitation Access in WA DOC Visiting Programs**

Prison visiting time is extremely precious to families, but WA DOC employees are frequently insensitive to this fact. At some prisons, such as Airway Heights Corrections Center, prison staff may prevent prisoners scheduled for work callouts from accepting a visit during regular visiting hours if their loved ones arrive during scheduled visitation periods that happen to coincide with the prisoner’s work callout time:

> We did come the next day... (6 hour drive), went through the screening process, and were in the visiting area. Some time later we were told that the offender we came to visit was working and not going to be able to be off his job until 7 P.M. That was after his visit time was over for that day. We had to go home that same day not allowing for a visit. this offender hasn't had a visitor since he has been there. If I had been told by the staff that I talked to that I would not be able to visit him, I would not have had to drive over 300 miles one way to not be able to visit. I just got a car that is reliable enough to make that trip. But I still can't afford to be driving back and forth across the state only to be turned away after being told there wouldn't be a problem with visiting during his job times. (WA DOC Visiting Survey, Public Records Unit P-07)

Sadly, many visitors in the WA DOC system have personal accounts to share involving being turned away after driving a long distance. One family reported driving across the state over snowy passes for visiting on Christmas Day only to be turned away by visitation staff for being late for processing by just a few minutes (SFC Officer Discussions 2016–2021).

At some WA DOC facilities, the lack of interest in applying extra effort and creativity to identify alternate spaces for special events means that regular visiting sessions can be cancelled when visiting rooms or visitation staff are used instead for staff appreciation and training events, programming events, or limited-scope family events which the majority of visitors are ineligible to attend. At the Washington State Penitentiary—which has limited space allocated for visiting programs and challenges of cross-unit Security Threat Group restrictions that further reduce visiting access—local facility Community Participation Program Coordinators, visiting sergeants, and superintendents fail to consider how visitation access is eroded when special events are
scheduled in visiting rooms, resulting in some months where a given prisoner’s living unit has only one or two scheduled days to receive regular family visits. The Washington Corrections Center for Women has been known to cancel an entire weekend of visiting just to have a facility parking lot repaved, and a perusal of archived Local Family Council minutes will reveal countless other reasons local facilities give to cancel scheduled visitation days. On top of all this, sudden visitation closures due to facility lockdowns frequently are not communicated to families in a timely manner, if they are communicated at all, which imposes egregious hardship on families flying in from other states or countries to visit.\(^\text{30}\)

On days when visiting is not cancelled, visitation officers can also be insensitive to ways in which they erode precious visiting time, and are frequently observed chatting or eating when they are supposed to be starting visiting processing (WA DOC Visiting Survey, Public Records Unit P-07). WA DOC visiting dress codes also erode visiting time. Although some prison facilities provide a limited selection of unfashionable and often conspicuously bright-colored clothing that visitors can change into if the clothing they wore is rejected by staff, visitors to some WA DOC facilities have been made to drive into town—most WA DOC prisons are located on the outskirts—to buy a different type of bra, or to have a permanent item of piercing jewelry professionally removed, in order to be allowed access to the prison visiting room (SFC Officer Discussions 2016–2021). Families must then go through the visiting search process all over again, eating up still more time. Families visiting at some prisons report losing up to three hours of visiting time because staff have rejected what they are wearing (SFC Officer Discussions 2016–2021).

Beyond the control of individual visitation staff are WA DOC’s slow, inefficient processes for processing first-time visitors, who must fill out search agreement paperwork and have their photos taken. For this reason, and many others, families at many facilities regularly wait up to one hour to be processed into the visiting room, and some have waited in visiting room lobbies for as long as three hours (WA DOC Visiting Survey, Public Records Unit P-07), though this length of wait is atypical and more likely to happen on holidays or summer days when the visiting rooms are most crowded. Sometimes a visitor is processed in but will wait for as long as two hours sitting at a visiting room table for the prison staff to “find” their incarcerated loved one. As one man formerly incarcerated under WA DOC reports:

> When I was in trouble, they could find me in a second, but if my family came to visit, suddenly their staff couldn’t find me anywhere. (SFC Officer Discussions 2016–2021)

\(^{30}\) After years of Statewide Family Council requests, WA DOC at last began providing a way for visitors to subscribe to visitation closure text alerts in 2018. Prior to this, announcements were only posted on facility websites and WA DOC’s visitation Twitter account, which were unhelpful places for many elderly and low-income visitors. Even now, all WA DOC avenues of communicating visitation closures rely on local facility staff making the effort to ensure alerts are sent out in a timely manner, and when families must often travel to distant prisons the night before or early the morning of visiting, even small delays in announcing visitation closures are problematic.
Visiting time is also eroded at facilities that only provide restrooms outside of the visiting room, requiring visitors to go through a search process provided by a same-gender officer—assuming one is even available—every time they reenter the visiting room (WA DOC Visiting Survey, Public Records Unit P-07). Visitation staff’s spontaneous truncation of visiting is another source of reduced visiting access:

Officers ALWAYS call the visit over 10 min prior to the actual end time... if the visit goes until 3pm, calling it at 2:50 [sic] is unacceptable. This is the only time that family/friends get to see their loved ones and we want every minute that we are supposed to get. The way officers say that the visit is over is very rude and off-putting. Yelling "VISIT OVER" in a short, snappy voice puts a damper on the end of the visit. Is saying "It’s time to say goodbye" to [sic] nice and respectful?? (WA DOC Visiting Survey, Public Records Unit P-07)

**Visiting Room Environments**

Although seeing an incarcerated loved one can be an experience that visitors look forward to,

[j]visiting can be quite an emotional experience, with both positive and negative feelings in the mix: for example, families usually enjoy seeing their imprisoned loved one, but due to the brevity of the visit saying “goodbye” comes quickly, which can be distressing. (Impact of Punishment 2015)

For many families, the visiting room is the place on this Earth they least enjoy, with their loved one as the sole redeeming factor. It is not uncommon to hear visitors at some facilities whisper things like “I hate this place” or “I am never coming back” under their breath (SFC Officer Discussions 2016–2021). Prisoners find visiting spaces just as abnormal as do their free world visitors:

There’s no privacy at all. I mean, everything is in the open. And then at the end of the visit, you get to hug, kiss, and say goodbye...It felt normal and natural to be with her. But at the same time, that visiting room, I don’t give a shit what anybody says. I don’t care if people have been visiting out there for 30 fucking years, that is a completely unrealistic, false, inauthentic environment, period. I loved being with her and hated, hated that visiting room. (Woods and Poor November 2018)

Conflict with, and excessively zealous surveillance from, visitation staff is an additional source of stress. Although there are many decent visitation officers, they are typically gruff custody employees with no special social work training, and every WA DOC facility seems to have its one or two visitation officers whose every approach to interacting with families is at complete odds with the stated intentions of WA DOC’s visiting program ([DOC 450.300](#)).

The whole program needs to be revisited. Visiting at MSU is like one of the worst experiences I have ever experienced in my 40 years of living. [T]he visiting room coordinator has mentally checked out of her job. Half the staff are clearly not people persons and should not be allowed anywhere near people yet they apply for and take these jobs and make everyday ordinary people miserable, upset, and frightened to show their love and support for their love one’s [sic]. (WA DOC Visiting Survey, Public Records Unit P-07)

Some staff are gruff and overly loud in “correcting” visitors who forget and put their hands on their lap in what would, in other circumstances, be considered proper. I do not feel totally safe in the
Visitors want and deserve respect from staff. Staff behavior can rub visitors the wrong way when visitors themselves are taxpayers who pay the salaries of WA DOC employees (WA DOC Visiting Survey, Public Records Unit P-07). Visitors who are elderly, visitors who are high-ranking employees in other state agencies, or visitors who are public officials may feel especially indignant when visitation custody officers treat them with disrespect (WA DOC Public Records Unit P-07; SFC Officer Discussions 2016–2021). During a May 21, 2017 Asian-Pacific Islander prisoner event at the Washington Corrections Center for Women, a Washington Supreme Court justice was treated rudely by WA DOC visitation officers (SFC Officer Discussions 2016–2021), and on May 2, 2018 a former legislator attending a community coalition meeting at the SeaTac Administrative Office of the Court commented that during a recent visit to a WA DOC facility, visitation officers were “phenomenally rude and condescending” and made it “difficult for people to even get in the door to visit” (comments transcribed by primary report author while attending this meeting). On April 28, 2018 a visitation staff person at Monroe Correctional Complex harshly admonished WA DOC’s 87-year-old 2017 Volunteer of the Year, who had dedicated years of volunteer teaching service to the department, simply for walking up to a visiting family’s table and conversing with them at a children’s visiting room event (SFC Officer Discussions 2016–2021; complaint on file with WA DOC Public Records Unit).

Visiting spaces—which are cacophonous and devoid of privacy—are usually the only in-person spaces families have in which to resolve family or marital conflict, and trying to do so in the limited span of a visit can introduce additional emotional turmoil, often resulting in feelings of guilt or disappointment for both the incarcerated and the free world members of the family. This abnormal environment of WA DOC visiting rooms and the unnatural constraints it imposes on family and marital relationships can leave incarcerated family members feeling disproportionately vulnerable to loss of the relationships and abandonment (Longworth 2017).

For frequent visitors, visiting spaces are repetitive for the spirit, the senses, and the body. The same smell of microwave vending machine popcorn for years on end can come to feel demoralizing, and sitting in the same set of limited approved positions at an uncomfortable visiting room table causes neck and back problems over time, sometimes requiring physical therapy (SFC Officer Discussions 2016–2021).

When families spend an entire afternoon and evening in a WA DOC visiting room they need to eat meals, and their only options for food are overpriced and often unhealthy regional private vending machine companies’ offerings, whose monopolies on captive consumers in prisons are

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31 Vendors operating in WA DOC visiting rooms and staff breakrooms typically leave it to the discretion of delivery truck drivers to determine which items are stocked. There is high turnover rate among drivers, and few seem to receive training in the healthy options requirements for vending machines established by Executive Order 13-06.
reinforced by the Washington’s Department of Services for the Blind (DSB) Business Enterprise Program, which oversees all state vending machines programs.

WA DOC staff’s fixation on contraband prevention at the expense of all other objectives is an additional source of visiting program stress for families, the majority of whom are not contraband vectors. Degrading strip searches for incarcerated loved ones after every visit (Longworth 2017) and invasive pat and mouth searches for both prisoners and visitors over eight years old, on the pretext of contraband prevention, disturb any sense of normalcy for the family:

The strip search sets all positive interaction back and causes humiliation and fear. (WA DOC Visiting Survey, Public Records Unit P-07)

The strip search procedure is degrading and tears down a persons [sic] mental health after every visit which is contradictory to trauma care and positive interactions that enhance successful Reentry. (WA DOC Visiting Survey, Public Records Unit P-07)

WA DOC’s reluctance to publicly and fully acknowledge the role its own staff play in contraband introduction creates resentment on this particular point among the visitor population.33 This is especially the case when search policies are applied in absurd contexts, such as pat searching visitors who are entering a no-contact visit through glass where there is physically no ability to pass contraband (SFC Officer Discussions 2016–2021).

32 Families must load their vending machine cards with money that is sometimes eaten by loading machines; if a refund is available, it will take many weeks or months to occur, and, depending on the vendor with which the prison contracts, a refund may not be provided at all (WA DOC Visiting Survey, Public Records Unit P-07).

33 See documentation of WA DOC staff contraband introduction here: https://wacorrectionswatch.org/wa-doc-internal-documents/#Contraband
The use of Behavioral Observation Entries (BOEs, see DOC 300.010 Behavior Observations) and CePrison digital observations of visitor behavior—both of which are subjective records recorded by officers who receive no training on the cumulative harm that sensationly worded negative entries can inflict during prisoner classification reviews or when such records are used to revoke visitation rights—exacerbate the feeling of constant surveillance and build distrust and suspicion between WA DOC and the populations under its care in visiting rooms. Appeal processes to amend these permanent electronic records are still incomplete and haphazard, and WA DOC’s rescinding of WAC 137-08-105, which once required correction of prisoner erroneous records, raises additional cause for concern. What’s more, visitors and prisoners who dare to question line staff interpretations of visiting room policies and use of these records may be labeled hostile in prison records, and may experience retaliation (November MCC LFC 2018; WA DOC Public Records Unit P-07; SFC Officer Discussions 2016–2021). Fear of retaliation is one

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34 Compare this dynamic to that of the Norwegian correctional system, where prison visitors are given private spaces in which to visit with loved ones. See: https://barrowcadbury.org.uk/voices/norway-embraces-family-visits-for-prisoners/
of the most pernicious sources of stress and trauma for families in visiting rooms, mirroring patterns of retaliation throughout the WA DOC system.

Part of ensuring normalcy for families is increasing support for natural and healthy physical affection and prisoner romantic relationships in visiting rooms. When many prisoners under WA DOC jurisdiction go years or decades without experiencing a hug from another human being, the importance of physical affection and the oxytocin it releases in the human body to reducing mental health problems, aggression, stress, and many types of anti-social behavior cannot be ignored (Choy and Khalib 2013; Field 2002; Floyd 2014; Gallace and Spence 2010; Jakubiak and Feeney, 2017, 2018; Ma et al. 2016). Disturbingly, the only physical touch many prisoners might experience for years is the brief touch of an officer during a pat search.

When visitation officers are excessively nitpicky about physical affection—such as legs slightly touching under the table or a spouse briefly brushing hair from a partner’s forehead—and interrupts a pro-social bonding moment to scold or threaten an infraction, it can ruin the remainder of a visit and do real damage to the relationship. It is hard on the already weary free world spouse’s morale, which exacerbates feelings of guilt and helplessness in the incarcerated spouse (WA DOC Visiting Survey, Public Records Unit P-07). If marriages survive WA DOC visiting rooms, it is despite WA DOC practices, rather than because of them. As one prison chaplain explains, “A man and a woman cannot get to know one another under the conditions imposed upon them in a prison visiting room” (Amey 1986).

WA DOC visitation staff sometimes impose demeaning sanctions on romantic couples for non-sexual physical affection:

Another officer forced my husband to move to a seat further away from me without warning because ‘your hand is way to [sic] close to her chest,’ although my husband’s hand was not touching my chest. He was only holding my hands, which I was also using to lean against the table to support my weight because I have severe chronic back pain. I was deprived of physical closeness with my husband and forced to reach all the way across the table in order to hold his hand, which was extremely difficult to do with my back pain... It was humiliating and demeaning for him to suggest that my husband would attempt to grope my breasts in a public setting in front of numerous strangers, or that I would allow it, and he seemed to have separated us out of spite... (WA DOC Visiting Survey, Public Records Unit P-07)

I feel like I am a conservative modest and dignified woman. It has been a long time since I have felt demeaned like I do when I come to visit... In the visiting room I feel like my fiancé and I are bothered more than is necessary. We sit and hold hands we talk and laugh we have a great time. This is why I come here. During visit we are told several times not to touch here or there which if it happened was several minutes before that. We are not being intentional with our "breaking of the rules" but we love each other miss each other and sometimes I will touch his shoulder without thinking about it. Intimacy is an organic thing and it's sometimes not something we think about. It's not necessary to be CONSTANTLY REMINDED. We are told to have our chairs facing the table when they are clearly already facing the table. We were told that our legs were “intertwined”

35 https://wacorrectionswatch.org/wa-doc-internal-documents/#Retaliation
when they were not...We have been sitting there holding hands and an officer approached and said that we were not allowed to touch above the elbow. We clearly were not doing that, looked at the officer confused and said that we were just holding hands and with that prison condescending tone we were told that he just saw us do it and it’s not allowed. (WA DOC Visiting Survey, Public Records Unit P-07)

I saw the visiting lieutenant make a couple in their fifties sit across the table from each other, just because the husband brushed the wife’s hair away from her forehead. The wife was so embarrassed, her face was red. She looked like she was about to cry. (SFC Officer Discussions 2016–2021, transcribed)

In recent years, WA DOC headquarters has become increasingly aware of the need to shift the culture of its visiting programs. Although there is still endless room for improvement and innovation, some concrete first steps have been to initiate reforms of logistical processes and basic expectations for visitation officers. Processing of visiting and Extended Family Visiting applications were centralized in 2016 and 2019, respectively, addressing concerns of local facility inconsistencies, inefficiencies, and interference. Where visitors once received no direct notification of visiting application approval, automated emails now provide this information. WA DOC headquarters has also facilitated collaborative working groups with visitation staff and Family Councils to improve some aspects of visiting programs, as will be explored later in this report.
CURRENT WA DOC CULTURAL EVENTS AND VISITING ROOM PHOTO STATIONS ARE A FIRST STEP TOWARD PROVIDING FAMILIES WITH A SEMBLANCE OF NORMALCY IN PRISON VISITING ROOMS AND SHOULD SERVE AS A FOUNDATION FOR FUTURE INNOVATION

WA DOC’s Extended Family Visit program (DOC 590.100)—which allows approximately 3.5% of WA DOC prisoners\(^{36}\) to have their families stay overnight with them occasionally in on-site facilities, and which is primarily utilized by parents of WA DOC’s incarcerated\(^{37}\)—is currently the best model for family normalcy that WA DOC offers. Extended Family Visits (EFVs) help families reacclimate to each other prior to reentry and also provide a glimpse of meaningful family life for prisoners serving life without parole sentences. However, eligibility is highly restricted and expanding the program is not a priority for WA DOC. Making this program more inclusive also poses challenges, since the policy governing EFVs is one of the few in WA DOC that requires some degree of legislative approval to revise. However, with legislative support and capital projects investment, this program could be expanded to create a decent space for family normalcy on prison grounds.

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\(^{36}\) See WA DOC data for EFV participation: [https://www.doc.wa.gov/corrections/incarceration/visiting/prison-visits.htm#efv](https://www.doc.wa.gov/corrections/incarceration/visiting/prison-visits.htm#efv)

\(^{37}\) This information about which types of families typically participate in, or have access to, this program was relayed to the Statewide Family Council by WA DOC’s Correctional Program Administrator on September 15th, 2018.
While Washington state is more progressive than most states in allowing EFVs, its program is highly restricted compared to the Private Family Visits program offered by Correctional Service Canada, which allows loved ones with no biological relationship to a prisoner to participate in the program. Ultimately, Scandinavian models are of course the leading examples to which WA DOC should aspire.

Post-Incarceration Marriage and the Criminalization of Prisoners’ Intimate Lives

One cannot discuss WA DOC visiting programs without discussing post-incarceration marriages and prisoners’ intimate lives. Since mass incarceration warehouses thousands of marriageable people in the United States, and since prisoner marriage is constitutionally protected, it is no surprise that a large quantity of post-incarceration marriages occur across the country (Amey 1986). Washington state is no exception. Many marriages take place each year in WA DOC prisons (this happens virtually during the COVID-19 pandemic), though the rates are vastly different between men’s and women’s prisons, occurring far less frequently in the latter (SFC Officer Discussions 2016–2021). Some post-incarceration marriages occur between people who knew each other or even had a child together prior to incarceration, while others are between people who met each other after incarceration. WA DOC is required to provide a process for prisoner marriage, and RCW 72.01.090 gives the agency unchecked freedom to create any sort of process it likes. WA DOC’s process for prisoner marriages is presented in the Chapter 137-54 WAC.

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Unlike conventional marriages, in which “the couple assumes daily cohabitation and collaboration at the start,” post-incarceration marriages entail physical separation, imposing “barriers to role fulfillment and intimacy” (Amey 1986). In a prison marriage

one individual lives in an institution, while the spouse lives in the free world. Their living arrangements do not change after the wedding which is short and plain...The partners must endure their situation with patience, honesty, rationality, and compassion if the marriage is to survive with minimal frustration...There are various unalterable restraints on the couple’s interpersonal relations, role fulfillment, and need satisfaction. A prison marriage requires significant compromise and trust... (Amey 1986)

Despite these challenges, post-incarceration marriages provide many benefits to both the couple and to Washington state at large. The stabilizing effect of post-incarceration marriage on prisoners makes them easier to deal with and more responsible, easing tension...which benefit[s] both the institution and other inmates...The marriage serves as a stabilizer, as well as an established post-release foundation. Love and commitment and normalcy in an abnormal environment are indicative of the rewards of prison marriage for the inmate. (Amey 1986)

The courage of a free world person who chooses to marry an incarcerated partner cannot be understated. Such people make the decision despite the possibility of being stigmatized by friends, family, coworkers, and community, and the life chosen is one of hardship:

[I]t is very difficult to maintain the marital relationship under the restraints of imprisonment. Both partners must do ‘hard time’ and sustain their existence in “two different worlds.” (Amey 1986)

Once a post-incarceration marriage occurs, the prison visiting room is usually the only space for the married couple to talk, touch, and resolve conflict. The couple lacks privacy, with every marital interaction witnessed and scrutinized by both custody staff and other visitors, distorting their normal relational process (SFC Officer Discussions 2016–2021).

Because many prisoners are abandoned by family during incarceration, or have only toxic family connections prior to incarceration, opportunities for healthy post-incarceration family formation enhance public safety long-term. Although supporting post-incarceration marriage is an obvious way to reduce recidivism, the language of WA DOC’s policy for marriages and domestic partnerships (DOC 590.200) illustrates the absence of the agency’s active support. The policy reads: “The Department neither approves nor disapproves of marriage or domestic partnership.” WA DOC’s tepid stance is one of many ways the agency fails to acknowledge and build upon this important avenue for post-incarceration family formation and reentry support.

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40 Depending on conviction type, infraction records, and other factors, some couples may be eligible for Extended Family Visits after one year.

41 This was a topic of discussion among formerly incarcerated I Did the Time panel members at the 2018 Summer Institute in Spokane, Washington.
The lengthy WA DOC checklist and review process for post-incarceration marriages,\textsuperscript{42} in which prisoners and their future spouses are required to submit extensive and invasive documentation, all of which is subject to many rounds of bureaucratic denial or approval before marriage is allowed, imposes excessive barriers and is at odds with the spirit of constitutional protections for prisoners’ right to marry. The process is also subject to interference at many stages from local prison facility counselors, chaplains, Facility Risk Management Teams, and visitation staff, all of whom must do their part to approve items on the checklist. This process has only become more onerous under WA DOC’s new COVID-19 pandemic virtual wedding protocols.

Local facility employees often defer to their own whims when interpreting the details of WA DOC marriage policies, which has resulted in a recent trend of some local facility chaplains only allowing prisoners to purchase $9.98 stainless steel wedding bands through the prison’s private Union Supply vendor, although no WA DOC policy requires this, and despite WA DOC having allowed prisoners to purchase personal wedding rings from outside vendors in the recent past.\textsuperscript{43} Local prison chaplains at some WA DOC facilities are still allowing prisoners to purchase wedding rings from outside vendors, and we applaud them for doing so.

As we have identified in the previous section, even if prisoners succeed at marrying, most are denied access to Extended Family Visits. This reality underscores a broader failure to support marriages during incarceration:

\begin{quote}
The inability to consummate the marriage and experience intimate freedom are indicative of the costs of prison marriage according to a vast majority of respondents. Separation anxiety and despair are also correlative costs. (Amey 1986)
\end{quote}

In what represents an overstep of the scope of the legislative intent of corrections, many WA DOC employees and Washington state lawmakers wish to punish prisoners by denying access to natural sexual outlets.\textsuperscript{44} However, in doing so, they fail to consider how healthy and loving sexual relationships support development of pro-social behavior, and may even improve prisoner mental health and reduce prisoner aggression, thereby improving broader public safety. They also fail to consider that the legislative intent does not allow for punishment of the prisoner’s spouse, and that a prisoner’s spouse ought to have access to the normalcy of marital sexual relations.

\textsuperscript{42} See \url{https://wacorrectionswatch.org/wa-doc-internal-documents/#PrisonerMarriages}

\textsuperscript{43} On January 6, 2021 a group of 45 concerned community members submitted a formal letter to WA DOC Secretary Sinclair asking him to intervene in this deviation from WA DOC policy. This email record is on file with the WA DOC Public Records Unit.

\textsuperscript{44} This is not limited to sexual relations with romantic partners. Many types of prisoner erotic interests are criminalized by WA DOC employees, including written content in letters to and from spouses, images possessed by prisoners, and even prisoner masturbation. At least one staff person at the Washington State Penitentiary is reported to have been reassigned to a different post in the autumn of 2018 after using OC spray on a prisoner who was caught masturbating in a solitary confinement cell (SFC Officer Discussions 2016–2021).
Although WA DOC marriage ceremonies are typically small and rushed, WA DOC does allow prisoners to wear free world clothing for this special life event.
The hardships DOC imposes on prisoner marriages and intimate lives exacerbates prisoners’ fear of losing their romantic partners (McCoy 1981, 161) and has serious consequences for reentry support and broader public safety. Thus, we recommend that WA DOC work with the Family Councils to reform its marriage processes and support for marriages during incarceration.

*Family Councils*

WA DOC Family Councils have existed since the early 2000s, but were only formalized in WA DOC policy in 2015 ([DOC 530.155 Family Councils](https://www.doc.wa.gov/family/council.htm)), with policy details modeled on those of the California Statewide Inmate Family Council. All approved WA DOC visitors are eligible to participate in Family Councils, but the WA DOC Family Services Unit has estimated that fewer than 1% of visitors participate (Carrie Kendig, personal communication, March 3, 2016).

The Statewide and Local Family Councils are collaborative spaces for families of prisoners and WA DOC staff to address families’ issues of concern. They have also served as important conduits of information during the COVID-19 pandemic. Local Family Councils (LFCs) are linked to the 12 WA DOC prison facilities, with each LFC electing a representative to the Statewide Family Council (SFC), which typically meets six Saturdays per year at Correctional Industries headquarters in Tumwater, Washington, but has convened in virtual form using Skype or Microsoft Teams during the COVID-19 pandemic. No LFC has been created for families with loved ones under WA DOC Community Corrections jurisdiction, and there is currently no Community Corrections representative to the SFC. This leaves the families of approximately 20,000 people on community supervision with no access to peer support or inclusion in collaborative work with WA DOC.

Through Family Councils, families acquire greater access to information, as well as some measure of empowerment and support. Family Council membership provides at least some meaningful opportunities to work on issues of concern with WA DOC. Membership can also help families build the types of connections with WA DOC staff that result in improved responsivity and some degree of protection from retaliation from local facility staff, though in some cases Family Council membership has made families targets for especially severe retaliation from both local facility and DOC headquarters employees (see [Office of the Corrections Ombuds 2019 Annual Report](https://www.doc.wa.gov/family/council.htm) for one example).

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45 See https://www.doc.wa.gov/family/council.htm for minutes from regular COVID-19 information virtual meetings WA DOC has held with Family Councils

46 Statewide Family Council meetings are open public meetings, while Local Family Council meetings—most of which occur in meeting rooms beyond prison security checkpoints—require that guest attendees be approved in advance.
LFCs can be helpful places for families to learn about local prison facility issues and changes, but rarely are they launching points for noteworthy reforms or improvements. Although LFC strengths and weaknesses vary across WA DOC’s 12 prison sites, the major challenges they typically face are:

- Lack of genuine interest from local facility leadership staff, who do not consider family engagement a central part of prison custody and control operations;
- Ineffective tracking and resolution of perennial issues of concern;
- Insufficient knowledge of systemic and legislative context for issues discussed among both staff and family participants;⁴⁷
- Risk of retaliation for voicing concerns in front of the local facility employees who have direct power over incarcerated loved ones’ well-being;
- Superintendent resistance at some facilities to holding meetings in locations that would allow prisoner tier representatives to participate;

⁴⁷ At some prisons this can result in both staff and family participants bullying, shutting down, or retaliating against more well-informed family participants.
• Lack of diverse membership;\textsuperscript{48}
• Statewide inconsistencies in protocols, practices, and outcomes;
• Untimely communication of information from WA DOC headquarters to local facility staff participants;
• Inability of local facility WA DOC staff participants to change WA DOC agency policies;
• An unwillingness in local facility employees to connect families to the headquarters employees who do have the ability to facilitate statewide policy changes;
• Communication breakdowns between staff and family participants;
• Internal conflict among members due to differing levels of comfort with speaking assertively to WA DOC employees, or due to disparities in public policy knowledge;\textsuperscript{49}
• A tendency for WA DOC staff participants to transfer work tasks to unpaid LFC family participants;\textsuperscript{50}
• Especially low attendance and high membership turnover at minimum security facilities due to loved ones’ short sentence time remaining.

The SFC is typically more empowered and effective than the LFCs, in part due to:

• Resilient and committed participation;
• Accrued, shared knowledge among members;
• Direct access to WA DOC headquarters policy holders and decision-makers;
• Years of legislative lobbying experience among family participants;\textsuperscript{51}
• A higher percentage of family members and WA DOC staff with formal or autodidactic public policy education.

\textsuperscript{48} At some facilities, this is in part due to meetings scheduled on days that tend to be most convenient for WA DOC staff and for participants who are retirees.

\textsuperscript{49} Families whose loved ones have harsh sentences, mental health issues, tenuous access to desirable jobs or programs, or convictions that cause them to be ostracized (typically sex convictions) may be more uncomfortable when fellow Family Council members are assertive in communications with WA DOC staff, perceiving them as “rocking the boat” too much. Those family members who are more assertive may view more cautious family members as excessively submissive, or as undermining hard-won progress and advocacy efforts by being too willing to make concessions to WA DOC.

\textsuperscript{50} This is in part due to lack of expertise in WA DOC staff participants. Family members with expertise in contract management, editing, writing, data analysis, Microsoft Office suite, etc. are often more equipped than WA DOC employees to create materials or carry out analytical and advocacy tasks that are necessary to support families and visitors.

\textsuperscript{51} Because meetings are held at a location that is distant from most local prison facilities, only the most passionate and politically active families tend to participate, and among those, only individuals with the scheduling flexibility to do so can regularly participate. This has inevitable negative consequences for membership diversity.
However, the SFC faces challenges that in part parallel those of the LFCs, such as:

- Lack of genuine interest from the WA DOC Secretary;\(^5^2\)
- Ineffective tracking and resolution of some perennial agenda items;
- Lack of diverse membership;
- Tendency of WA DOC staff participants to prefer giving canned PowerPoint presentations rather than engaging in open roundtable discussions or working groups with family participants;
- Communication breakdowns between staff and family participants;
- Tendency for WA DOC staff participants to transfer work to unpaid SFC family participants;
- Deceptive appearance of legitimacy and fully inclusive collaboration.

Recruitment of new Family Council members is often impeded by visitation officers, who frequently forbid families to talk to other families during visiting, or who fail to provide the LFC badges WA DOC headquarters has made for LFC members to wear during visiting to help other families identify them. Also, Family Services Unit flyers advertising Family Councils are often out-of-stock in public access lobbies. Moreover, WA DOC currently does not allow Family Council members to set up information tables manned by Family Council volunteers in public access lobbies during visiting processing times.

The lack of Family Council membership (and WA DOC staff participant) diversity is itself a barrier to recruitment, since the dominant cultural norms at meetings can be unwelcoming, unpleasant, or even intimidating to members from different cultural backgrounds. Some participants have been the targets of unabashedly racist comments from other participants (SFC Officer Discussions 2016–2021), indicating a need for equity and cultural sensitivity training for Family Council members. In their current form, both LFC and SFC membership is disproportionately European-American, female, and retirement-age.\(^5^3\) However, one promising avenue for expanding recruitment and diversity is the creation of informal Family Council Facebook groups, though spreading the word about these groups to the broader visiting population is challenging.\(^5^4\)

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\(^{5^2}\) WA DOC Secretaries since Eldon Vail have for the most part been absent and detached from the SFC, and have had a dismissive attitude when considering the SFC as a valuable stakeholder. This manifests in repeated exclusion of the SFC from important work with other stakeholders, such as WA DOC’s work with the Vera Institute to address WA DOC solitary confinement practices.

\(^{5^3}\) Family Council meetings are conducted only in English, excluding immigrant families in the system.

\(^{5^4}\) At the time of writing this report, the Facebook group for Statewide Family Council members, created in August 2018, had 270 members.
The power imbalance between WA DOC and family participants in Family Council work is detectable in outcomes that reflect classic perils of collaboration between government agencies and citizens’ groups:

[A]gencies and other mission-oriented organizations that convene public participation processes see them as a means of making their decisions more broadly acceptable to the public and thus of helping them move forward with their missions... [T]he perception that participation confers legitimacy to policies may lead an agency to initiate a participatory process simply for that purpose, with no intention of affecting its decisions. ...[I]t is possible for an organization to convene a participation process that has no effect on its subsequent actions. When corrupted, misrepresented, or insincerely applied, public participation may function as a form of co-optation rather than a democratic practice. (National Research Council 2008, 50–52)

Insincere collaborative gestures and co-optation of family participants’ perspectives can occur when WA DOC:

- Provides unilaterally composed summaries of Family Council achievements and family concerns at coalition meetings and conferences, or to the Governor’s office, Office of the Corrections Ombuds, and legislators;
• Claims to have won family support for harmful policy revisions or decisions simply because it has presented them to Family Councils;
• Conflates its nominal mention of family stakeholders in policies, memos, and website statements with meaningful collaboration and inclusivity.

Families have learned that they must form independent coalitions and make direct connections with outside entities to correct the power imbalance and the potential for co-optation that are inherent in the current Family Council model. In 2019, Family Council members joined other criminal justice advocates in Washington to form the Washington Coalition for Prison Reform, which develops comprehensive lobbying strategies, gives testimony to state legislative committees, and trains families in effective self-advocacy. Family Council members also initiate direct communications and requests for active involvement with legislators, the Office of the Corrections Ombuds, the Washington Department of Health, the Vera Institute, Amend, local chapters of the NAACP, Disability Rights Washington, The Statewide Reentry Council, Smart Justice Spokane, Peace and Justice Action League of Spokane, Spokane Citizens Against Racism, I Did the Time, Columbia Legal Services, the Center for Justice, Greater Spokane Progress, various private vendors with which WA DOC contracts, and many other outside entities. When members of these independent groups show up at legislative committee hearings to testify in support of families or when issue reports analyzing WA DOC practices, WA DOC tends to become more responsive and committed to meaningful collaboration with Family Councils.

Local and statewide family council members from eastern and western WA DOC prisons answer community organization questions about the needs of families at the 2018 summer institute in Spokane, WA

The most promising foundations for internal Family Council collaboration have been WA DOC’s increased willingness to actively include families in input and revision on some WA DOC
policies, as well as the Family Council working groups convened in recent years. As of 2020, these working groups have included:

- **Healthy Commissary Working Group (2017)** – To apply Washington Governor Jay Inslee’s Executive Order 13-06 to prisoner commissary products, this group brought together representatives from the Statewide Family Council, the Washington Department of Health, Correctional Industries, and WA DOC Security Operations and Health Services to identify healthy non-perishable food and beverage items for Correctional Industries to add to its prison commissary offerings. Department of Health facilitation was crucial in the success of this working group.

- **Visitation Working Group (2017 to 2018)** – This working group brought WA DOC visitation staff and Family Council representatives together to collaboratively revise visiting room guidelines and photo pose charts. The specific projects and progress of this working group are presented in greater detail later in this section.

- **Extended Family Visit Allowable Items Working Group (2018 to 2019)** – Family Council representatives worked with the WA DOC Community Programs Administrator to develop a list of items families are allowed to bring into Extended Family Visits to meet both family needs and WA DOC security requirements.

- **Incarcerated Individual Technology Services Working Group (2019 to present)** – Family Council representatives, WA DOC, and the Office of the Corrections Ombuds held in-depth vendor demonstrations sessions to compare vendors providing phone, email, and tablet communications technology for prisoners, and are participating in additional types of rigorous assessment and comparison to ensure that the service chosen for prisoners and their families provides the best service with the lowest cost burden.

- **Incarcerated Individual Betterment Fund (IIBF) Working Group (2019 to present)** – Family Council representatives, WA DOC, and the Office of the Corrections Ombuds are carrying out an in-depth analysis of how IIBF funds are currently spent, with the goal of identifying inefficiencies, inappropriate expenditures, and best practices for future IIBF allocations.

**Case Study in a Collaborative Project – Visitation Working Group**

In response to countless visitor complaints of mistreatment from WA DOC prison facility visitation staff—most especially at Coyote Ridge Corrections Center and Monroe Correctional Complex—WA DOC headquarters Correctional Programs and Visitation staff facilitated a

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55 In addition to providing an [online form](#) for public input on policies (the effectiveness of which remains to be seen), WA DOC has actively collaborated with the Statewide Family Council to revise the following policies and policy attachments: [DOC 530.155 Family Councils](#), [DOC Policy 450.300 Visits for Incarcerated Individuals Attachment II Visitor Guidelines](#), and [DOC Policy 590.100 Extended Family Visiting Attachment I Allowable Items](#). While WA DOC has been resistant to including some revisions families need in these policies, this initial trial exercise in collaborative policy revision has been a positive first step.
Visitation Working Group from 2017 to 2018. The efforts of this group were carried out in several stages and forums:

- Preliminary planning meetings between the Correctional Program Administrator and SFC members (early 2017)
- Correctional Program Administrator visits to key prison facilities of concern to meet with superintendents and individual visitors (early 2017)
- Presentations from SFC members and collaborative focus group activities at the June and August 2017 Superintendents’ meetings to shape and identify specific Results Prisons goals for visitation programs
- Working session facilitated by Correctional Program Administrator at Monroe Correctional Complex in which families and visitation officers from multiple facilities collaboratively revised the visitor dress code guidelines\(^5\) (September 2017)
- Working session facilitated by Correctional Program Administrator at Airway Heights Corrections Center in which families and visiting sergeants from multiple facilities collaboratively revised guidelines for visitor physical affection and photo pose charts (September 2018)
- Follow-up visits from Correctional Program Administrator to facilities of concern to measure progress (Autumn 2018)
- Creation of a Memorandum of Understanding\(^5\) between the Teamsters 117 Union and WA DOC to create an ongoing process for evaluating behavior of visitation staff in the Teamsters 117 2019–2021 Collective Bargaining Agreement (pg. M-2)

While this working group was largely successful in carrying out some basic, preliminary reforms to WA DOC visiting programs, turnover in WA DOC Correctional Program Administrators resulted in some action items identified in the working group’s Results Prisons document falling through the cracks.\(^5\) For example, pictorial dress code guidelines posters that were to be put on the walls of every WA DOC prison’s public access lobby were never produced, and the online visiting orientation video that was to be made in collaboration with the SFC was never created. Moreover, data that were collected on superintendent presence in visiting rooms and visitation

\(^{56}\) WA DOC’s goal-setting framework under Governor Jay Inslee’s Results Washington initiative. See: https://results.wa.gov/

\(^{57}\) While these guidelines are still more puritanical than dress codes for American elementary schools, they are an improvement over previous guidelines.

\(^{58}\) This Memorandum of Understanding (MOU) represents a compromise. Teamsters wore red shirts to collective bargaining negotiations to protest WA DOC’s request to make visitation a special post (with staff selected for merit rather than by seniority). The MOU does not make visitation a special post—it remains a seniority-based post—but does establish a formal, if vague, expectation for visitation staff behavior.

\(^{59}\) See documentation here: https://washingtoncorrectionswatch.files.wordpress.com/2021/01/2017e280932018-visitation-working-group-documents-merged.pdf
staff rejections of visitors for dress code violations (also linked to in footnote 54) were never formally analyzed and have never been used to inform policy revisions.

An additional challenge has been ensuring that visiting policy reforms are communicated to and upheld by local facility visitation staff. Some facilities still rely on outdated printed versions of visitor guidelines or institutional memory instead of consulting current policy versions online.

See DOC 450.300 Visits for Incarcerated Individuals and Attachment II Visitor Guidelines
The Vistitation Working Group enabled WA DOC Visitaton Staff and Family Council members to shift the punitive tone of the original visiting room photo pose charts to a more uplifting tone.

The purpose of these changes appears not to have been communicated to all prison staff. On September 10, 2019 the primary author of this report heard a relief correctional officer—a staff person who fills in when regular...
Additional WA DOC Practices of Concern

Thus far, this report has primarily focused on how WA DOC practices affect prisoners and their families in prison spaces families are allowed to enter. However, WA DOC practices on prison living units and in daily prison operations have an equally serious effect on the broader family unit. Hundreds of pages could be added covering just the top twenty issues or so, but we have focused here on a handful that epitomize typical practices.

Sanctions and Transfers

When prisoners are transferred “on the tide of administrative whim” (Longworth 2016) or subjected to solitary confinement (i.e., Intensive Management Unit or Administrative Segregation placement of any kind) and other sanctions, it is disruptive to both the prisoner’s and the family’s life. Visits and communications with loved ones are drastically restricted or eliminated, and education and other pro-social programs are disrupted, undermining the very sort of long-term rehabilitation efforts that might ultimately address these types of short-term behavioral concerns. As the Office of the Corrections Ombuds 2019 Annual Report notes, WA DOC is in the habit of using revocation of access to family as a punishment, to the detriment of long-term reentry and public safety outcomes.  

Especially devastating to families is the temporary or permanent transfer of loved ones to prisons across the state, not only as a punishment, but for any number of reasons, including: (1) to enter so-called “protective custody,” (2) to attend an obligatory program such as Thinking for a Change that is offered only at specific facilities, or (3) even due to a family member or crime victim of the prisoner being hired as a staff person at the prison at which they are detained. These transfers impose serious hardships on families who cannot visit distant prisons due to the expense of travel or rigid work schedules.

WA DOC’s own survey of visitors captures some poignant accounts of how distant placement in a distant prison affects families:

Our son was moved to the opposite side of the state over 388 miles making visitation for us next to impossible. Thought the Web site said family involvement was key to rehabilitation. He is up for visiting employees take a sick day or vacation—in the Washington State Penitentiary West Complex visiting room exclaim, "You've got to be fucking kidding me!" while examining the new photo poses chart posted on the visiting room wall.

62 Interestingly, WA DOC’s COVID-19 pandemic quarantine and isolation protocols have mimicked (and even exceeded) these punitive practices.

63 See: https://nicic.gov/thinking-for-a-change

64 If a prisoner refuses, a negative record is created in the prisoner’s central file, potentially affecting eligibility in Indeterminate Sentence Review Board decisions and other areas of the prisoner’s life. See Jeremiah Bourgeois’ 2019 “The tribulations of Miller’s Children: How cruel and unusual punishments produced establishment clause violations,” American Journal of Criminal Law, 46(1).

The responses to which appear never to have been utilized in shaping policy
review soon to go to minimum and hope he gets to come back closer to us so his brother can visit. (WA DOC Visiting Survey, Public Records Unit P-07)

Visiting my son is a 17 hr. day and a 10 hr. drive. It will be very difficult to visit on a regular basis. (WA DOC Visiting Survey, Public Records Unit P-07)

I travel a long distance over the Cascades. It’s difficult but at least I get to hug my son. (WA DOC Visiting Survey, Public Records Unit P-07)

I have to travel four and a half hours one way and that is a long way to go. (WA DOC Visiting Survey, Public Records Unit P-07)

In WA DOC prisons, “a third of inmates reported their family did not have access to transportation to get to a prison and many had families who had to drive several hours for in-person visits at prisons” (Garber 2016), and “[d]istance and/or a lack of financial resources are all reasons children may not be able to see their parent in prison” (Friederich 2016). These statements come from WA DOC’s own website, yet this awareness seems not to have informed WA DOC custody and control practices.

**Gender Responsive Policies**

Washington currently has two women’s prisons, where women and some non-binary prisoners are housed. WA DOC policies and practices systematically harm women, transgender, Two Spirit, and gender-variant prisoners, whose needs and rights present a special category that is not currently an area of emphasis in WA DOC. WA DOC has failed to fully develop and implement its 2014 **DOC 590.370 Gender Responsiveness** policy or to implement the Women’s Needs and Risk Assessment (WRNA) tool, resulting in ongoing harm to these prisoners amidst the pressures of overcrowding and chronic understaffing. The COVID-19 pandemic has further disrupted scheduled plans for reform in WA DOC’s women’s prison programming and gender-responsive policy development.

A **2020 report from the Washington Office of Corrections Ombuds** identifies the unique hygiene, nutritional, security, and programming needs of these prisoners, whose families report concerns about pilot programs exploring alternatives to strip searches, such as the Washington Corrections Center for Women body scanner program, which often have the result of subjecting prisoners to humiliating “dry cell” contraband detection procedures (SFC Officer

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66 WA DOC tends to house prisoners based on gender assigned at birth, which has subjected many non-binary prisoners to harassment, restricted access to needed clothing and hygiene items, and inappropriate facility assignment.

67 See: https://nicic.gov/womens-risk-needs-assessment-project

68 There was a short-lived effort toward implementation in 2015 that culminated with the TEDx event “Does Gender Matter,” where women prisoners were strip-searched despite this practice being antithetical to the spirit of gender-informed practices. See: https://www.ted.com/tedx/events/13295

69 See WA DOC’s **Body Scanner Pilot: An Alternative to Strip Searches of Incarcerated Individuals 2019 Report to the Legislature**
Discussions 2016–2021; [DOC 420.311](https://doc.wa.gov). Such programs should be thoroughly assessed by independent multidisciplinary experts to detect unintended harms before widespread implementation, yet WA DOC has already submitted requests in its 2021–2023 Operating Budget Proposal budget—primarily to fund staff salaries, presumably for custody staff who monitor dry cells—for an expansion of this program.

We recommend that WA DOC develop gender responsive policies using principles established by both the Bangkok and Nelson Mandela Rules, mentioned in this report’s introduction, and the ACLU of Washington’s statement of rights.\(^{70}\)

**Food, Health, and Mental Health Services**

The Statewide Family Council, legislators, the Washington Department of Health, and the Office of the Corrections Ombuds have all expressed ongoing concerns about the subpar nutritional quality of Correctional Industries Food Services for prisoners,\(^{71}\) as well as WA DOC’s egregiously negligent Health Services, which the Office of the Corrections Ombuds has identified as playing a role in numerous prisoners deaths.\(^{72}\) Reports of slow response times to prisoner medical and mental health emergencies, as well as reports of elderly prisoners made to wait in long outdoor pill lines during inclement weather at least three WA DOC facilities, are additional medical concerns reported by WA DOC families (SFC Officer Discussions 2016–2021), and prison medical

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\(^{72}\) See multiple OCO reports covering these concerns: https://oco.wa.gov/reports-publications
issues continue to represent the primary area of investigations carried out by the Office of Corrections Ombuds.

Watching a loved one’s mental, physical, and dental health deteriorate over time is upsetting and demoralizing for families, and often results in additional costs to families in the form of reactive medical and dental care that could have been addressed with proactive preventative care for a formerly incarcerated loved one upon release. These issues also represent a financial burden for taxpayers. WA DOC should prioritize hiring a team of qualified and innovative nutrition and preventative medical care experts, and should ideally remove Correctional Industries from its prison food system, or at least give independent nutritional experts the power to veto menus and commissary catalogs designed by Correctional Industries staff who lack expertise in anything other than sales.

Reentry and Community Corrections

WA DOC has yet to include families in developing long-term reentry support plans during incarceration. The agency also goes to great lengths to keep prison volunteers from having even agency-facilitated mentorship relationships with prisoners’ families, depriving prisoners and their families of what could be a cost-free and valuable community network upon reentry.

Post-release, Community Corrections (CC) staff enter residential neighborhoods and workplaces wearing conspicuous paramilitary gear “like Call of Duty” or “law enforcement LARPers” (SFC Officer Discussions 2016–2021), undermining reentry success by instilling fear of supervised individuals in the community. WA DOC CC protocols should support reentry success and community normalcy. Supervision requirements should be sufficiently flexible to impose minimal inconvenience on families. Policies and practices for WA DOC’s new Graduated Reentry (GRE) Program, approved by the legislature in 2018 (RCW 9.94A.733), should be developed in collaboration with families, fraught as the GRE program has proven to be with hidden harms and inefficiencies.

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73 Note that the legislative intent of corrections (RCW 72.09.010) requires that WA DOC use taxpayer funding efficiently: “The system should provide for prudent management of resources. The avoidance of unnecessary or inefficient public expenditures on the part of offenders and the department is essential. Offenders must be accountable to the department, and the department to the public and the legislature. The human and fiscal resources of the community are limited. The management and use of these resources can be enhanced by wise investment, productive programs, the reduction of duplication and waste, and the joining together of all involved parties in a common endeavor. Since most offenders return to the community, it is wise for the state and the communities to make an investment in effective rehabilitation programs for offenders and the wise use of resources.”

74 This results in families of prisoners being excluded from pro-social events at some WA DOC facilities, such as the Monroe Correctional Complex’s annual Concerned Lifers Organization conference and Black Prisoners Caucus summit. See WA DOC’s Volunteer Guidebook here: https://www.doc.wa.gov/docs/publications/500-HA003.pdf
As previously stated, WA DOC needs to actively include families during a prisoner’s incarceration in the development of personal reentry plans. It needs to ensure a non-retaliatory and social work oriented work release environment, rather than a custody and control environment, and also needs to arrange CARF-accredited post-release housing for prisoners struggling with addiction, especially in rural counties, and especially for those releasing from women’s prisons.

Conclusion

While WA DOC’s 2019–2023 Strategic Plan’s proposed cultural changes and its publicized collaborations with the Vera Institute and Amend look promising on paper, the experiences of prisoners and their families reveal that WA DOC practices lag far behind. This is not to say that WA DOC has not taken some positive preliminary steps in some areas, but rather that those steps have been too limited and hesitant, and need to become something more compelling to convince the public that WA DOC is serious about prison form and doing its part to address toxic cycles of mass incarceration in Washington state. WA DOC’s handling of the COVID-19 pandemic has further illuminated the need for such reforms, but WA DOC’s pandemic response is a report for a future date.

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75 See Office of Corrections Ombuds report on WA DOC work release retaliation investigation
76 Commission on Accreditation of Rehabilitation Facilities
References


Research Bibliography

Appendix: Recommendation Checklists for Reforms

In addition to lawmakers establishing an independent Correctional Oversight Policy Board, Families and visitors would like to see WA DOC apply creativity, innovation, equity assessments, and collaboration with Family Councils, the Office of the Corrections Ombuds, the Washington Statewide Reentry Council, legislators, university researchers, and community groups to bring about the following checklists of reforms:

**Recommended Reforms for the WA DOC Family Services Unit**

- **Shift FSU priorities to helping families navigate mundane issues of concern at their loved one’s local prison facilities;**
- **Ensure regular FSU staff presence at local prison facilities, perhaps in public access lobbies during visiting processing to avoid imposing on actual visiting time;**
- **Create a functional process for ensuring that prisoner living units, prison visiting rooms, and public access lobbies are well-stocked with FSU informational materials;**
- **Collaborate with the Family Councils when determining priorities for the FSU to ensure that services offered align with areas of need;**
- **Collaborate with the Family Councils to develop informational guides and flyers for new families in the system;**
- **Designate an FSU staff person who is responsible for ensuring contract terms and quality standards compliance for all services provided to families through private vendors;**
- **Allow families to attend volunteer events with prisoners and provide agency-facilitated opportunities for families to build meaningful community mentor networks with WA DOC volunteers.**

**Provide the following support for incarcerated parents:**

- **Assistance with regaining shared custody of children, and with encouraging estranged co-parents and their families to support children regularly visiting incarcerated parents;**
- **Assistance with identifying and securing the commitment of DOC-approved adults to transport children to visiting;**
- **Expansions of existing FSU Parent-Teacher conference programs that aim to keep incarcerated parents involved with the school staff who teach their children;**
- **Public outreach and community partnerships to address the stigmatization of incarcerated parents, most especially incarcerated mothers;**
- **An environment of normalcy for and expansion of incarcerated mothers’ programs that allow infants to remain with mothers after birth;**
- **Alternatives to incarceration that would allow incarcerated mothers not to be separated from toddlers and very young children;**
**Imprisoning Relations: WA DOC’s Hidden Costs and Collateral Damage**

- **Enhancement of normalcy and variety of activities in visiting spaces for children of the incarcerated;**
- **Facilitation of direct collaboration between Washington’s Coalition for Children of the Incarcerated and Family Councils.**

**Provide the following support to Family Councils:**

- Provide stipends to Family Council members who take on projects and tasks that WA DOC staff are unable or unwilling to do;
- Provide LFC and SFC minutes translated into Spanish and major Asian languages spoken by many families in the WA DOC system;
- Create an SFC officer position to represent families in Community Corrections;
- Allow Local Family Councils to set up information booths in public access lobbies on visiting days;
- Apply Strategic Plan goals to work with LFCs and SFCs and toward making progress on the Association for Public Participation (IAP$^2$) Spectrum of Public Participation stages.

**Recommended Reforms for WA DOC Visiting Program and Infrastructure Reforms**

**Visiting Room Culture**

- Use multi-stakeholder collaboration to (1) negotiate visiting room staff positions as special positions, (2) collaboratively design visitation staff training curricula and equity training, and (3) ensure visitation staff diversity similar to that of the visiting population;
- Ensure that curricula for both regular visitation staff and relief staff communicate the public safety benefits of visiting room reforms, such as new photo pose charts and increased allowances for physical affection;
- Require visitation officers to wear civilian clothing, and consider eliminating paramilitary uniforms for all custody staff;
- Treat visiting programs as a central part of operations, equally important to custody and control.

**Procedural Aspects of Visiting and Accountability**

- Codify visiting and access to family for prisoners as a right and not a mere privilege in WA DOC policies and WACs;
- Provide transparency and comprehensive appeal processes for CePrison entries and BOEs, as well as meaningful ways for all parties involved to document counternarratives, and consider allowing both prisoners and visitors to enjoy the expungement of disciplinary records after one year that is currently enjoyed by the Teamsters 117 correctional officer union;
Create a no-tolerance policy for all forms of retaliation, to include training for staff on protecting visitor privacy and not encouraging conflict among visitors or among prisoners;\(^78\)

Approve visiting multiple prisoners who are not immediate family to expand support networks for indigent prisoners and prisoners without healthy or any family connections;\(^79\)

Follow California’s example in reducing the wait time for former prison volunteers wishing to become visitors to one month to encourage post-incarceration support network formation and to avoid creating conditions for on-site PREA violations;

Created engaged and supportive pathways back to contact visiting access for visitors whose access is revoked, and never revoke visiting privileges between spouses for any sort of romantic affection in visiting rooms;

Revoke visiting access only in the most serious cases of threats to prison security to avoid damaging long-term supports that reduce recidivism;

Consult qualified independent social workers when determining whether family members who were victims of a prisoner’s crime should be allowed to visit;\(^80\)

Ensure that WA DOC policies and practices do not allow sanctions to interfere with visiting access;

Provide honest annual reports to the Family Councils, Office of the Corrections Ombuds, and legislature with transparent data on ratios of staff to visitor contraband introduction;

Visiting Navigation and Family Engagement

Provide visiting orientation packet as an attachment to visiting approval confirmation emails, including information such as how to load vending debit cards, instructions for subscribing to visitation closure alerts, etc.;

Work with Family Councils to create an online visiting orientation video for new visitors;*

Provide comprehensive pictorial clothing guideline charts in prison public access lobbies;*

\(^78\) Washington state and WA DOC statutes and policies currently protect only whistleblowers and those reporting sexual harassment or assault complaints from retaliation.

\(^79\) WA DOC should follow the best practices of other American state correctional systems, such as those of Ohio, Illinois, and Minnesota, not to mention the practices of Canadian and Western European correctional systems, in approving visiting of multiple non-family prisoners. On February 19, 2019 WA DOC headquarters visitation staff agreed to assess visiting capacity data and work with the Office of Corrections Ombuds to consider a trial program for allowing visitors—perhaps starting with Family Council members—to visit more than one non-immediate-family prisoner (Elizabeth Hainline, personal communication). However, this action item seems to have fallen by the wayside with no follow-up reporting to the Family Councils.

\(^80\) WA DOC administrative staff who lack social work credentials are reported to sometimes make questionable decisions about visiting eligibility in such situations. In 2016, a terminally ill father of two incarcerated sons at Airway Heights Corrections Center had to provide multiple rounds of doctors’ notes and struggled with WA DOC to obtain one-time visiting access, simply because he was categorized as a victim of his sons’ crimes. Families should not have to fight for family reunification and redemption opportunities, especially when on their death beds.

(Records on file with WA DOC Public Records Unit.)
Provide more signage to help visitors navigate prison visiting spaces, processes, and local chain of command;

Provide signage in public access areas and visiting rooms explicitly stating rights and protections for families, including the right to public disclose CePrison records and BOEs, and the right to request a sergeant, lieutenant, or captain to assist in resolving concerns with visitation staff;

**Normalcy and Easing of Financial Burdens**

- Align prison visiting schedules at all facilities with the majority of families’ scheduling needs, and expand visiting hours into late evening;
- Provide monthly opportunities for inclusive family events that occur in spaces besides visiting rooms (such as exercise yards, chapels, education buildings, prison gardens, etc.) to allow for physical activity and sports (soccer, ultimate frisbee, etc.), to reduce monotony, and to provide a semblance of normalcy;
- Facilitate collaboration of custody staff, Family Councils, and Washington Coalition for Children of the Incarcerated to develop contraband prevention measures that allow for normalcy in visiting rooms;
- Eliminate all strip searches for prisoners without expanding the use of inhumane dry cells (indeed, the COVID-19 pandemic has demonstrated that WA DOC prison security is not undermined when staff do not carry out routine strip and pat searches);
- Eliminate unnecessarily invasive pat and mouth searches for visitors and prisoners;
- Extend current dress code and search exceptions for children under age eight to children under age 13;
- Do not punish poverty by turning away visitors with torn clothing or shoes;
- Expose prisoners to current free world fashions they will encounter upon release in the safe and monitored setting of visiting rooms by relaxing visitor clothing guidelines to some degree, modeling dress codes on Washington state K–12 school dress codes;
- Allow prisoners to wear free world clothing purchased through approved vendors in visiting rooms and on their living units, to promote prisoner dignity and family normalcy, as was the practice prior to WA DOC’s 2009 policy changes;
- Allow for more physical activity, natural seating positions, and physical affection in visiting spaces;
- Expand existing hotel voucher programs and provide other types of IIBF subsidies to low-income visitors to help cover the costs of visiting travel, lodging, and vending;
- Provide centralized and consistent accountability requirements and oversight for prison visiting vending contractors;
- Increase opportunities for Family Council facility tours, that families can have a better sense of their incarcerated loved one’s daily life;
- Allow families to take notes and drawings out of visiting rooms once inspected by visitation staff;
- Allow unrestricted conversing between families sitting at different tables in the visiting room, as happens in free world communities, to provide a sense of normalcy;
□ Allow small cushions or blankets for service animals and provide visiting room furniture that is comfortable for lengthy visits.

Visiting Infrastructure, Décor, and Activities

□ Use multi-stakeholder collaboration to formulate capital projects proposals to expand visiting and Extended Family Visiting infrastructure, most especially at facilities where small visiting rooms and cross-unit STG restrictions limit access to visiting;
□ Remove or redesign any posters and signage in public access lobbies, waiting areas, and visiting rooms that communicate shame or punitive messages to families surviving incarceration;
□ Provide and expand spaces in public access and visiting rooms for children and nursing mothers;
□ Provide small strollers for parents to transport toddlers to visiting rooms;
□ Partner with physical therapy interns to make prison visiting room seating arrangements and restrictions more ergonomic for frequent and elderly visitors;
□ Ensure that all visiting spaces, processes, and walking distances are comfortable for elderly and disabled visitors;
□ Ensure comfortable temperatures in visiting spaces;
□ Collaborate with Local Family Councils to decorate the walls of visiting processing and waiting areas with educational posters (e.g. posters on topics of cultural heritage, history, botany, astronomy, zoology, foreign language vocabulary, etc.) to stimulate visitors’ minds and reduce the monotony of the environment for families whose loved ones have lengthy sentences;
□ Provide family engagement spaces, designed in collaboration with Local Family Councils, that open at least an hour before the start of visiting processing and that provide restrooms, water, information about services, and protection from inclement weather for families who walk or bus to visiting, or who wish to get to know other families for the sake of support;
□ Recruit university scholars, community groups, and interns to help reimagine what visiting spaces could be;
□ Revolutionize visiting food options to help families supplement their incarcerated loved ones’ nutrition at low cost and to help families cultivate healthy lifestyle habits; consider visiting family cooking programs as a potential option;

81 Ex. The Washington State Penitentiary West Complex visiting public access area has a victims’ rights poster that may make families of convicted people feel shame, and a visiting room Puget Crime Stoppers poster that states “Use a gun. Do extra time. Just like them.” with mugshots. Such posters are not conducive to supporting family morale during incarceration.

82 Note recent research on different temperature needs of men and women when compromising on visiting room temperatures. See https://www.latimes.com/health/la-he-office-temperature-women-men-study-20190529-story.html
Recommendations for Supporting Marriages of WA DOC Prisoners

- Overhaul the prisoner marriage policy and process in collaboration with the Family Councils;
- Work with legislators to expand EFV eligibility to most married prisoners;
- Provide regular household finance workshops for married couples and collaborate with the Family Councils to design a curriculum that teaches incarcerated partners how to help free world spouses with household financial management from a distance;
- Provide movie nights and other family-friendly events for prisoners and their romantic partners;
- Treat post-incarceration marriages as equal in every way to pre-incarceration marriages;
- Allow couples to purchase prisoner wedding rings from vendors other than Correctional Industries;
- Provide an opportunity for in-person photos in free world wedding clothes for prisoners marrying via virtual ceremony during the COVID-19 pandemic.

Recommendations for WA DOC Food & Health Services

- Remove Correctional Industries from operating WA DOC’s prison mainline meal system and appoint qualified nutritionists recruited from outside of the correctional sector to...
run the prison food system; look to RCW 72.01.180 which authorizes a University of Washington or Washington State University dietitian to evaluate the correctional menu;

- Create a thoughtful preventative medical care plan for prisoners that includes using whole-foods-based nutrition to support mental health and immune function;
- Create a special Health Services training curriculum that trains prison medical staff to view prisoners as worthy of the Hippocratic Oath and not contempt or skepticism about the legitimacy of medical concerns;
- Vastly expand mental health services and access to therapeutic resources;
- Create a fully electronic prison medical records system;
- Educate families and prisoners on release of medical information processes for prisoners;
- Work with WA DOC’s security panel to create a feasible notification process that informs families when a loved one is taken to off-site medical care.

**Recommended Reforms Pertaining to Sanctions & Gender Responsiveness**

- Assess and consider overhauling policies that determine how STG labels and electronic behavioral records of both prisoners and visitors affect prisoners’ access to pro-social activities and family support;
- Avoid transferring prisoners to facilities that are distant from their families when applying sanctions;
- Bring all WA DOC policies, including those on sanctions and solitary confinement, into alignment with both the Mandela and Bangkok Rules, as well as with the recommendations of the ACLU of Washington’s 2019 The Rights of Transgender People in Washington State;
- Assess negative effects of body scanners before expanding or considering implementing statewide;
- Ensure that clothing and hygiene items meet the gender and culture needs of all prisoners in the WA DOC system;
- Ensure that employees who direct WA DOC’s gender responsiveness efforts are equipped to support the unique and poorly understood needs of LGBTQ+ prisoners.

**Recommended Reforms for Reentry & Community Corrections**

- Actively develop reentry support plans with prisoners’ families throughout incarceration;
- Eliminate paramilitary uniforms and provide inconspicuous gear for Community Corrections staff;
- Reform GRE policies and practices in collaboration with families and prisoners who have been the first to experience these policies;
- Ensure that community supervision requirements are flexible enough to impose minimal inconvenience on families;
- Arrange CARF-accredited work release options where appropriate, especially in rural counties and for prisoners releasing from women’s prisons.