

**WAC 137-80-020 Definitions.** (1) "Community custody" means that portion of an individual's sentence of confinement in lieu of earned release time, or imposed as part of a sentence, and served in the community subject to controls placed on the individual's movement and activities by the department. (See RCW 9.94A.030.)

(2) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by an individual under the jurisdiction of the department.

(3) "Community supervision" means a period of time during which an individual convicted of a crime, is living in the community under the jurisdiction of the department, and is subject to crime-related prohibitions and other sentence conditions imposed by a court. (See RCW 9.94B.020(2).)

(4) "Community work crew" means a crew comprised of incarcerated individuals who, with correctional officer supervision, leave prison to go into the community to provide services to eligible recipients. Community work crew services are Class IV services.

(5) "Contracting entity" means an eligible for-profit corporation, an eligible nonprofit corporation, or a public agency, as these terms are defined herein.

(6) "Correctional facility" means a facility, prison, or institution operated directly, or by contract, by the secretary for the purposes of incarcerating adults in total or partial confinement, as defined in RCW 9.94A.030.

(7) "Correctional industries advisory committee" or "committee" means the committee created under RCW 72.09.070 to make recommendations to the secretary regarding the implementation of RCW 72.09.100.

(8) "Crew supervisor" means a department or other public agency employee who provides security and custody supervision of workers and coordinates worker transportation to work locations.

(9) "Department" means the department of corrections.

(10) "DOSH" means the division of occupational safety and health, the part of the Washington state department of labor and industries (L&I) that develops and enforces safety and health rules.

(11) "For-profit corporation" means a corporation of two or more persons having a joint or common economic interest and is engaged in any lawful business under RCW 23B.03.010.

(12) "Goodwill services" means a type of Class IV (prisons) or Class V (community corrections) work, the cost of which is paid for by the department of corrections and the criteria for which is determined by the secretary or designee.

(13) "Gratuity" means a sum of money paid to an incarcerated individual, in accordance with an hourly rate scale approved by the secretary or designee, when the individual works in an eligible class industry.

(14) "Incarcerated individual" (formerly "offender") means an individual committed to the custody of the department including, but not limited to, individuals residing in a correctional institution or facility and individuals released from such facility on furlough, work release, or community custody, and individuals received from another state, state agency, county, or federal jurisdiction. (See RCW 72.09.015(17).)

(15) "Master agreement" means the main, multiyear agreement between the department and the recipient containing the terms and conditions for the provision of work crew services.

(16) "Not-for-profit corporation" or "nonprofit corporation" means a corporation or organization, certified by the federal Internal

Revenue Service as such and for which no part of its income is distributable to its members, directors, or officers.

(17) "Program director (director)" means the correctional industries program administrator appointed by the secretary.

(18) "Project Matrix" means the Class IV and Class V charts developed by the department that contain the types of services, grouped into Levels 1, 2, and 3 based upon risk and difficulty, that can be provided to eligible recipients.

(19) "Public agency" means any agency, political subdivision, or unit of local government of this state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any agency of the state government; any agency of the United States; any Indian tribe recognized as such by the federal government; and any political subdivision of another state. (See RCW 39.34.020(1).)

(20) "Public charity" means an organization, usually nonprofit, that holds federal 501(c)(3) tax exempt status. Public charities are generally recognized as those organizations with broad based public support and active programs, for example, houses of worship, benevolence organizations, animal welfare agencies, and educational organizations.

(21) "Recipient of the services" or "recipient" means an eligible nonprofit corporation, an eligible for-profit corporation, or a public agency, as these terms are defined herein, eligible to receive one or more types of work crew services.

(22) "Secretary" means the secretary of the department of corrections or his or her designee.

(23) "Service agreement" means the written and fully signed agreement required between a prison or community corrections location and a recipient, that is necessary before workers may perform goodwill services for the recipient.

(24) "Social welfare organization" means a civic 501(c)(4) organization, considered by the federal IRS to be operated exclusively for the promotion of social welfare, that is primarily engaged in actively promoting the common good in ways related to the organization's purpose.

(25) "Worker" means an individual under department jurisdiction who is incarcerated, in work release, or under community supervision or community custody who performs work crew services for eligible recipients.

(26) "Work location" means the location where workers perform the services or create the products requested by the recipient or contracting entity and over which such entity has the right of access or control.

(27) "Work program" means a comprehensive work program designed to provide individuals under department jurisdiction with work skills, work experience, and exposure to the work ethic.

(28) "Work project description" means a localized agreement, for up to one year, that operates under a Class IV or Class V master agreement to detail the responsibilities of the recipient and the community or community restitution work crew for each distinct work project.

(29) "Work release" means a program of partial confinement in which eligible individuals under department jurisdiction are employed or engaged as students in a regular course of study at school.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 20-13-054, § 137-80-020, filed 6/12/20, effective 7/13/20; WSR 15-20-010, § 137-80-020, filed 9/24/15, effective 1/1/16. Statutory Authority: RCW 72.01.090. WSR 07-12-073, § 137-80-020, filed 6/5/07, effective 7/6/07; WSR 03-21-088, § 137-80-020, filed 10/17/03, effective 11/17/03. Statutory Authority: RCW 72.09.050 and chapter 34.04 RCW. WSR 82-18-042 (Order 82-11), § 137-80-020, filed 8/27/82.]