
SUBSTITUTE SENATE BILL 5912

State of Washington

68th Legislature

2024 Regular Session

By Senate Human Services (originally sponsored by Senators C. Wilson, Dhingra, Frame, Hasegawa, Nguyen, Nobles, and Trudeau)

READ FIRST TIME 01/19/24.

1 AN ACT Relating to reentry services and supports; amending RCW
2 72.09.270; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that successful
5 rehabilitation and reentry has a positive impact on reduced
6 recidivism rates and increased community safety. The legislature
7 further finds that the success of individuals releasing from
8 confinement in correctional institutions can be increased through
9 access to supportive services, medical assistance, and other
10 necessities. The legislature recognizes that the mortality rate in
11 the first 72 hours following release from confinement is on average
12 18 times higher than the general population. The legislature further
13 finds that access to basic human needs like food, medication,
14 clothing, transportation, and shelter are necessary supports for most
15 individuals exiting confinement. Therefore, the legislature resolves
16 to enhance recovery, reduce recidivism, and improve public safety by
17 providing increased access to supportive services and assistance
18 following release from confinement.

19 **Sec. 2.** RCW 72.09.270 and 2021 c 200 s 3 are each amended to
20 read as follows:

1 (1) The department of corrections shall develop an individual
2 reentry plan as defined in RCW 72.09.015 for every incarcerated
3 individual who is committed to the jurisdiction of the department
4 except:

5 (a) Incarcerated individuals who are sentenced to life without
6 the possibility of release or sentenced to death under chapter 10.95
7 RCW; and

8 (b) Incarcerated individuals who are subject to the provisions of
9 8 U.S.C. Sec. 1227.

10 (2) The individual reentry plan may be one document, or may be a
11 series of individual plans that combine to meet the requirements of
12 this section.

13 (3) In developing individual reentry plans, the department shall
14 assess all incarcerated individuals using standardized and
15 comprehensive tools to identify the criminogenic risks, programmatic
16 needs, and educational and vocational skill levels for each
17 incarcerated individual. The assessment tool should take into account
18 demographic biases, such as culture, age, and gender, as well as the
19 needs of the incarcerated individual, including any learning
20 disabilities, substance abuse or mental health issues, and social or
21 behavior challenges.

22 (4)(a) The initial assessment shall be conducted as early as
23 sentencing, but, whenever possible, no later than forty-five days of
24 being sentenced to the jurisdiction of the department of corrections.

25 (b) The incarcerated individual's individual reentry plan shall
26 be developed as soon as possible after the initial assessment is
27 conducted, but, whenever possible, no later than ~~((sixty))~~ 60 days
28 after completion of the assessment, and shall be periodically
29 reviewed and updated as appropriate.

30 (5) The individual reentry plan shall, at a minimum, include:

31 (a) A plan to maintain contact with the incarcerated individual's
32 children and family, if appropriate. The plan should determine
33 whether parenting classes, or other services, are appropriate to
34 facilitate successful reunification with the incarcerated
35 individual's children and family;

36 (b) An individualized portfolio for each incarcerated individual
37 that includes the incarcerated individual's education achievements,
38 certifications, employment, work experience, skills, and any training
39 received prior to and during incarceration; and

1 (c) A plan for the incarcerated individual during the period of
2 incarceration through reentry into the community that addresses the
3 needs of the incarcerated individual including education, employment,
4 substance abuse treatment, mental health treatment, family
5 reunification, and other areas which are needed to facilitate a
6 successful reintegration into the community.

7 (6) (a) (~~Prior to~~) Within one year prior to the release or
8 discharge of any incarcerated individual, the department shall
9 develop an individual discharge plan and provide reentry linkage case
10 management services as follows:

11 (i) Evaluate the incarcerated individual's behavioral health and
12 physical health needs and, to the extent possible, connect the
13 incarcerated individual with (~~existing services and resources that~~
14 ~~meet those needs~~) relevant services, treatment programs, medication-
15 assisted treatment, tribal and urban health clinics, behavioral
16 health services, and other resources based on the individual's
17 evaluated needs;

18 (ii) Assist the incarcerated individual with obtaining
19 identification upon release;

20 (iii) Assist the incarcerated individual with submitting
21 applications for applicable state and federal government assistance
22 and benefits programs on behalf of the incarcerated individual;

23 (iv) Prepare a 90-day supply of any necessary prescribed
24 medications to be provided upon release, through a combination of a
25 30-day supply of in-hand medications and 60-day supply of
26 prescriptions, to ensure continuity of care and that medications are
27 readily available for the incarcerated individual upon release; (~~and~~

28 ~~(ii))~~ (v) Connect the incarcerated individual with a community
29 justice center and/or community transition coordination network in
30 the area in which the incarcerated individual will be residing once
31 released from the correctional system if one exists;

32 (vi) Assist with connecting the incarcerated individual with the
33 clerk of the sentencing court where the individual's sentence
34 originated from to set up a payment plan in order to repay any
35 outstanding restitution or other legal financial obligations; and

36 (vii) Provide notice and information regarding any outstanding
37 no-contact or antiharassment orders to ensure full understanding of
38 the meaning of the orders and potential consequences of violation by
39 contact with victims.

1 (b) If the department has made arrangements with a partnering
2 nonprofit organization that will support the individual's reentry
3 into the community, the department shall make every effort to
4 coordinate the timing of the individual's release from the
5 department's custody.

6 (c) If the department recommends partial confinement in an
7 incarcerated individual's individual reentry plan, the department
8 shall maximize the period of partial confinement for the incarcerated
9 individual as allowed pursuant to RCW 9.94A.728 to facilitate the
10 incarcerated individual's transition to the community.

11 (7) The department shall establish mechanisms for sharing
12 information from individual reentry plans to those persons involved
13 with the incarcerated individual's treatment, programming, and
14 reentry, when deemed appropriate. When feasible, this information
15 shall be shared electronically.

16 (8) (a) In determining the county of discharge for an incarcerated
17 individual released to community custody, the department may approve
18 a residence location that is not in the incarcerated individual's
19 county of origin if the department determines that the residence
20 location would be appropriate based on any court-ordered condition of
21 the incarcerated individual's sentence, victim safety concerns, and
22 factors that increase opportunities for successful reentry and long-
23 term support including, but not limited to, location of family or
24 other sponsoring persons or organizations that will support the
25 incarcerated individual, ability to complete an educational program
26 that the incarcerated individual is enrolled in, availability of
27 appropriate programming or treatment, and access to housing,
28 employment, and prosocial influences on the person in the community.

29 (b) In implementing the provisions of this subsection, the
30 department shall approve residence locations in a manner that will
31 not cause any one county to be disproportionately impacted.

32 (c) If the incarcerated individual is not returned to his or her
33 county of origin, the department shall provide the law and justice
34 council of the county in which the incarcerated individual is placed
35 with a written explanation.

36 (d) (i) For purposes of this section, except as provided in
37 (d) (ii) of this subsection, the incarcerated individual's county of
38 origin means the county of the incarcerated individual's residence at
39 the time of the incarcerated individual's first felony conviction in
40 Washington state.

1 (ii) If the incarcerated individual is a homeless person as
2 defined in RCW 43.185C.010, or the incarcerated individual's
3 residence is unknown, then the incarcerated individual's county of
4 origin means the county of the incarcerated individual's first felony
5 conviction in Washington state.

6 (9) Nothing in this section creates a vested right in
7 programming, education, or other services.

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