
HOUSE BILL 2905

State of Washington

61st Legislature

2010 Regular Session

By Representatives Miloscia, Upthegrove, White, Springer, Williams, Appleton, Kenney, and Ormsby

Read first time 01/18/10. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to planning for the discontinuation of discharge of
2 vulnerable populations from state institutions into homelessness;
3 amending RCW 72.09.270, 72.09.270, 43.63A.305, 13.40.210, 71.05.350,
4 and 71.24.045; adding a new section to chapter 72.09 RCW; adding a new
5 section to chapter 43.20A RCW; creating a new section; providing an
6 effective date; providing an expiration date; and declaring an
7 emergency.

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

9 NEW SECTION. **Sec. 1.** (1) The legislature finds that an extremely
10 high risk of homelessness exists for persons discharged from state
11 institutions and persons under ongoing care or supervision of state
12 agencies, including but not limited to youth aging out of the foster
13 care system, any former dependent of the state under chapter 13.34 RCW,
14 persons being released from psychiatric hospitalization, youth being
15 released from children's long-term inpatient programs, adults receiving
16 or denied ongoing mental health care from regional support networks,
17 persons with developmental disabilities and traumatic brain injuries
18 denied or losing eligibility for services, former offenders being
19 released from state correctional facilities, and former offenders under

1 active supervision. Providing safe and viable options for housing to
2 these populations to avoid homelessness confers a valuable benefit on
3 the public that is intended to reduce recidivism and public spending,
4 and improve public health, safety, and welfare.

5 (2) It is the goal of this state to:

6 (a) Gather evidence to discover the true nature and extent of the
7 problem of homelessness as it relates to persons discharged from state
8 institutions and persons under ongoing care or supervision of state
9 agencies; and

10 (b) Collect adequate and appropriate data related to the housing
11 status of persons discharged from state institutions and persons under
12 ongoing care or supervision of state agencies by January 2011; and

13 (c) In compliance with a United States department of housing and
14 urban development regulation for jurisdictions receiving federal
15 emergency shelter grant dollars, develop a certification that the state
16 has established a policy for the discharge of persons from publicly
17 funded institutions or systems of care in order to prevent such
18 discharge from rapidly resulting in homelessness for such persons; and

19 (d) Identify the strategies and resources necessary to ensure that
20 all persons discharged from state institutions and persons under
21 ongoing care or supervision of state agencies have access to decent,
22 appropriate, and affordable housing in a healthy safe environment; and

23 (e) Identify the strategies and resources necessary to eliminate
24 the occurrence of any state institution discharging persons into
25 homelessness by 2015.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09 RCW
27 to read as follows:

28 Not later than December 1, 2010, the department of corrections
29 shall submit to the appropriate committees of the legislature a plan by
30 which the department proposes to eliminate the discharge of offenders
31 from the custody of the department into homelessness or a time-limited
32 housing program that terminates in less than twelve months. The plan
33 must specifically identify the resources necessary and actions required
34 to eliminate the discharge of any offender into homelessness or a
35 time-limited housing program that terminates in less than twelve months
36 by 2015. Individuals with long-term disabilities, including but not
37 limited to, mental illness that would qualify for regional support

1 network services, co-occurring mental illness and chemical dependency,
2 developmental disabilities, or chronic physical disabilities, must be
3 discharged to permanent housing. The plan must also include
4 performance measures to gauge the effectiveness of the plan in
5 increasing the percentage of released offenders who secure and retain
6 stable housing and decreasing the percentage of released offenders who
7 enter homelessness. The department must include stakeholders in the
8 planning process. Existing department plans may be used to partially
9 fulfill the planning requirement, but must be updated with
10 implementation strategies to meet this new goal.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.20A RCW
12 to read as follows:

13 Not later than December 1, 2010, the department of social and
14 health services shall submit to the legislature a plan by which the
15 department proposes to eliminate the discharge into homelessness or a
16 time-limited housing program that terminates in less than twelve months
17 of youth aging out of the foster care system, youth being discharged
18 from the juvenile justice system, chronically mentally ill persons
19 being released from involuntary psychiatric commitment, and by which
20 the department proposes to address the housing needs of chronically
21 mentally ill persons receiving ongoing mental health care from regional
22 support networks. The plan must specifically identify the resources
23 necessary and actions required to eliminate the discharge of such youth
24 and adults into homelessness or a time-limited housing program that
25 terminates in less than twelve months by 2015. Individuals with long-
26 term disabilities, including but not limited to, mental illness that
27 would qualify for regional support network services, co-occurring mental
28 illness and chemical dependency, developmental disabilities, or chronic
29 physical disabilities, must be discharged to permanent housing. The
30 plan must also include performance measures to gauge the effectiveness
31 of the plan in increasing the percentage of released persons who secure
32 and retain stable housing and decreasing the percentage of released
33 persons who enter homelessness. The department must include
34 stakeholders in the planning process. Existing department plans may be
35 used to partially fulfill the planning requirement, but must be updated
36 with implementation strategies to meet this new goal.

1 **Sec. 4.** RCW 72.09.270 and 2008 c 231 s 48 are each amended to read
2 as follows:

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

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

8 (b) Offenders who are subject to the provisions of 8 U.S.C. Sec.
9 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 offenders using standardized and comprehensive tools to
15 identify the criminogenic risks, programmatic needs, and educational
16 and vocational skill levels for each offender. The assessment tool
17 should take into account demographic biases, such as culture, age, and
18 gender, as well as the needs of the offender, including any learning
19 disabilities, substance abuse or mental health issues, and social or
20 behavior deficits.

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

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

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

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

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

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

7 (6)(a) Prior to discharge of any offender, the department shall:

8 (i) Evaluate the offender's needs and, to the extent possible,
9 connect the offender with existing services and resources that meet
10 those needs; (~~and~~)

11 (ii) Connect the offender with a community justice center and/or
12 community transition coordination network in the area in which the
13 offender will be residing once released from the correctional system if
14 one exists; and

15 (iii) Record the housing status, including an address, of the
16 confirmed housing situation arranged for the offender pending the
17 offender's release from custody.

18 (b) If the department recommends partial confinement in an
19 offender's individual reentry plan, the department shall maximize the
20 period of partial confinement for the offender as allowed pursuant to
21 RCW 9.94A.728 to facilitate the offender's transition to the community.

22 (7) The department shall establish mechanisms for sharing
23 information from individual reentry plans to those persons involved
24 with the offender's treatment, programming, and reentry, when deemed
25 appropriate. When feasible, this information shall be shared
26 electronically.

27 (8)(a) In determining the county of discharge for an offender
28 released to community custody or community placement, the department
29 may not approve a residence location that is not in the offender's
30 county of origin unless it is determined by the department that the
31 offender's return to his or her county of origin would be inappropriate
32 considering any court-ordered condition of the offender's sentence,
33 victim safety concerns, negative influences on the offender in the
34 community, or the location of family or other sponsoring persons or
35 organizations that will support the offender.

36 (b) If the offender is not returned to his or her county of origin,
37 the department shall provide the law and justice council of the county
38 in which the offender is placed with a written explanation.

1 (c) For purposes of this section, the offender's county of origin
2 means the county of the offender's first felony conviction in
3 Washington.

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

6 (10) The department shall record housing status as a data element:

7 (a) For the duration of an offender's supervision; and

8 (b) When otherwise obtaining and entering data on the offender's
9 status.

10 **Sec. 5.** RCW 72.09.270 and 2008 c 231 s 48 are each amended to read
11 as follows:

12 (1) The department of corrections shall develop an individual
13 reentry plan as defined in RCW 72.09.015 for every offender who is
14 committed to the jurisdiction of the department except:

15 (a) Offenders who are sentenced to life without the possibility of
16 release or sentenced to death under chapter 10.95 RCW; and

17 (b) Offenders who are subject to the provisions of 8 U.S.C. Sec.
18 1227.

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

22 (3) In developing individual reentry plans, the department shall
23 assess all offenders using standardized and comprehensive tools to
24 identify the criminogenic risks, programmatic needs, and educational
25 and vocational skill levels for each offender. The assessment tool
26 should take into account demographic biases, such as culture, age, and
27 gender, as well as the needs of the offender, including any learning
28 disabilities, substance abuse or mental health issues, and social or
29 behavior deficits.

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

33 (b) The offender's individual reentry plan shall be developed as
34 soon as possible after the initial assessment is conducted, but,
35 whenever possible, no later than sixty days after completion of the
36 assessment, and shall be periodically reviewed and updated as
37 appropriate.

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

2 (a) A plan to maintain contact with the inmate's children and
3 family, if appropriate. The plan should determine whether parenting
4 classes, or other services, are appropriate to facilitate successful
5 reunification with the offender's children and family;

6 (b) An individualized portfolio for each offender that includes the
7 offender's education achievements, certifications, employment, work
8 experience, skills, and any training received prior to and during
9 incarceration; and

10 (c) A plan for the offender during the period of incarceration
11 through reentry into the community that addresses the needs of the
12 offender including education, employment, substance abuse treatment,
13 mental health treatment, family reunification, housing, and other areas
14 which are needed to facilitate a successful reintegration into the
15 community.

16 (6)(a) Prior to discharge of any offender, the department shall:

17 (i) Evaluate the offender's needs and, to the extent possible,
18 connect the offender with existing services and resources that meet
19 those needs; (~~and~~)

20 (ii) Connect the offender with a community justice center and/or
21 community transition coordination network in the area in which the
22 offender will be residing once released from the correctional system if
23 one exists; and

24 (iii) Record the housing status, including an address, of the
25 confirmed housing situation arranged for the offender pending the
26 offender's release from custody.

27 (b) If the department recommends partial confinement in an
28 offender's individual reentry plan, the department shall maximize the
29 period of partial confinement for the offender as allowed pursuant to
30 RCW 9.94A.728 to facilitate the offender's transition to the community.

31 (7) The department shall establish mechanisms for sharing
32 information from individual reentry plans to those persons involved
33 with the offender's treatment, programming, and reentry, when deemed
34 appropriate. When feasible, this information shall be shared
35 electronically.

36 (8)(a) In determining the county of discharge for an offender
37 released to community custody, the department may not approve a
38 residence location that is not in the offender's county of origin

1 unless it is determined by the department that the offender's return to
2 his or her county of origin would be inappropriate considering any
3 court-ordered condition of the offender's sentence, victim safety
4 concerns, negative influences on the offender in the community, or the
5 location of family or other sponsoring persons or organizations that
6 will support the offender.

7 (b) If the offender is not returned to his or her county of origin,
8 the department shall provide the law and justice council of the county
9 in which the offender is placed with a written explanation.

10 (c) For purposes of this section, the offender's county of origin
11 means the county of the offender's first felony conviction in
12 Washington.

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

15 (10) The department shall record housing status as a data element:

16 (a) For the duration of an offender's supervision; and

17 (b) When otherwise obtaining and entering data on the offender's
18 status.

19 **Sec. 6.** RCW 43.63A.305 and 2009 c 148 s 1 are each amended to read
20 as follows:

21 (1) The independent youth housing program is created in the
22 department to provide housing stipends to eligible youth to be used for
23 independent housing. In developing a plan for the design,
24 implementation, and operation of the independent youth housing program,
25 the department shall:

26 (a) Adopt policies, requirements, and procedures necessary to
27 administer the program;

28 (b) Contract with one or more eligible organizations described
29 under RCW 43.185A.040 to provide services and conduct administrative
30 activities as described in subsection (3) of this section;

31 (c) Establish eligibility criteria for youth to participate in the
32 independent youth housing program, giving priority to youth who have
33 been dependents of the state for at least one year;

34 (d) Refer interested youth to the designated subcontractor
35 organization administering the program in the area in which the youth
36 intends to reside;

1 (e) Develop a method for determining the amount of the housing
2 stipend, first and last month's rent, and security deposit, where
3 applicable, to be dedicated to participating youth. The method for
4 determining a housing stipend must take into account a youth's age, the
5 youth's total income from all sources, the fair market rent for the
6 area in which the youth lives or intends to live, and a variety of
7 possible living situations for the youth. The amount of housing
8 stipends must be adjusted, by a method and formula established by the
9 department, to promote the successful transition for youth to complete
10 housing self-sufficiency over time;

11 (f) Ensure that the independent youth housing program is integrated
12 and aligned with other state rental assistance and case management
13 programs operated by the department, as well as case management and
14 supportive services programs, including the independent living program,
15 the transitional living program, and other related programs offered by
16 the department of social and health services; and

17 (g) Consult with the department of social and health services and
18 other stakeholders involved with dependent youth, homeless youth, and
19 homeless young adults, as appropriate.

20 (2) The department of social and health services shall collaborate
21 with the department in implementing and operating the independent youth
22 housing program including, but not limited to, the following:

23 (a) Refer potential eligible youth to the department before the
24 youth's eighteenth birthday, if feasible, to include an indication, if
25 known, of where the youth plans to reside after aging out of foster
26 care;

27 (b) Provide information to all youth aged fifteen or older, who are
28 dependents of the state under chapter 13.34 RCW, about the independent
29 youth housing program, encouraging dependents nearing their eighteenth
30 birthday to consider applying for enrollment in the program;

31 (c) Encourage organizations participating in the independent living
32 program and the transitional living program to collaborate with
33 independent youth housing program providers whenever possible to
34 capitalize on resources and provide the greatest amount and variety of
35 services to eligible youth;

36 (d) Annually provide to the department data reflecting changes in
37 the percentage of youth aging out of the state dependency system each
38 year who are eligible for state assistance, as well as any other data

1 and performance measures that may assist the department to measure
2 program success, including but not limited to the number of youth aging
3 out of the state dependency system who do not have stable affordable
4 housing, as defined in RCW 43.185B.010, upon discharge; and

5 (e) Annually, beginning by December 31, 2007, provide to the
6 appropriate committees of the legislature and the interagency council
7 on homelessness as described under RCW 43.185C.170 recommendations of
8 strategies to reach the goals described in RCW 43.63A.311(2)(g).

9 (3) Under the independent youth housing program, subcontractor
10 organizations shall:

11 (a) Use moneys awarded to the organizations for housing stipends,
12 security deposits, first and last month's rent stipends, case
13 management program costs, and administrative costs(~~(.——When~~
14 ~~subcontractor organizations determine that it is necessary to assist~~
15 ~~participating youth in accessing and maintaining independent housing,~~
16 ~~subcontractor organizations may also use moneys awarded to pay for~~
17 ~~professional mental health services and tuition costs for court-ordered~~
18 ~~classes and programs));~~

19 (i) Administrative costs for each subcontractor organization may
20 not exceed twelve percent of the estimated total annual grant amount to
21 the subcontractor organization;

22 (ii) All housing (~~(stipends, security deposits, and first and last~~
23 ~~month's rent)) stipends must be payable only to a landlord or housing
24 manager of any type of independent housing;~~

25 (b) Enroll eligible youth who are referred by the department and
26 who choose to reside in their assigned service area;

27 (c) Enter eligible youth program participants into the homeless
28 client management information system as described in RCW 43.185C.180;

29 (d) Monitor participating youth's housing status;

30 (e) Evaluate participating youth's eligibility and compliance with
31 department policies and procedures at least twice a year;

32 (f) Assist participating youth to develop or update an independent
33 living plan focused on obtaining and retaining independent housing or
34 collaborate with a case manager with whom the youth is already involved
35 to ensure that the youth has an independent living plan;

36 (g) Educate participating youth on tenant rights and
37 responsibilities;

1 (h) Provide support to participating youth in the form of general
2 case management and information and referral services, when necessary,
3 or collaborate with a case manager with whom the youth is already
4 involved to ensure that the youth is receiving the case management and
5 information and referral services needed;

6 (i) Connect participating youth, when possible, with individual
7 development account programs, other financial literacy programs, and
8 other programs that are designed to help young people acquire economic
9 independence and self-sufficiency, or collaborate with a case manager
10 with whom the youth is already involved to ensure that the youth is
11 receiving information and referrals to these programs, when
12 appropriate;

13 (j) Submit expenditure and performance reports, including
14 information related to the performance measures in RCW 43.63A.311, to
15 the department on a time schedule determined by the department; and

16 (k) Provide recommendations to the department regarding program
17 improvements and strategies that might assist the state to reach its
18 goals as described in RCW 43.63A.311(2)(g).

19 **Sec. 7.** RCW 13.40.210 and 2009 c 187 s 1 are each amended to read
20 as follows:

21 (1)(a) The secretary shall set a release date for each juvenile
22 committed to its custody. The release date shall be within the
23 prescribed range to which a juvenile has been committed under RCW
24 13.40.0357 or 13.40.030 except as provided in RCW 13.40.320 concerning
25 offenders the department determines are eligible for the juvenile
26 offender basic training camp program. Such dates shall be determined
27 prior to the expiration of sixty percent of a juvenile's minimum term
28 of confinement included within the prescribed range to which the
29 juvenile has been committed. The secretary shall release any juvenile
30 committed to the custody of the department within four calendar days
31 prior to the juvenile's release date or on the release date set under
32 this chapter. Days spent in the custody of the department shall be
33 tolled by any period of time during which a juvenile has absented
34 himself or herself from the department's supervision without the prior
35 approval of the secretary or the secretary's designee.

36 (b) Prior to release, the department shall record details,

1 including an address, of the confirmed housing situation arranged for
2 the juvenile pending the juvenile's release from custody.

3 (2) The secretary shall monitor the average daily population of the
4 state's juvenile residential facilities. When the secretary concludes
5 that in-residence population of residential facilities exceeds one
6 hundred five percent of the rated bed capacity specified in statute, or
7 in absence of such specification, as specified by the department in
8 rule, the secretary may recommend reductions to the governor. On
9 certification by the governor that the recommended reductions are
10 necessary, the secretary has authority to administratively release a
11 sufficient number of offenders to reduce in-residence population to one
12 hundred percent of rated bed capacity. The secretary shall release
13 those offenders who have served the greatest proportion of their
14 sentence. However, the secretary may deny release in a particular case
15 at the request of an offender, or if the secretary finds that there is
16 no responsible custodian, as determined by the department, to whom to
17 release the offender, or if the release of the offender would pose a
18 clear danger to society. The department shall notify the committing
19 court of the release at the time of release if any such early releases
20 have occurred as a result of excessive in-residence population. In no
21 event shall an offender adjudicated of a violent offense be granted
22 release under the provisions of this subsection.

23 (3)(a) Following the release of any juvenile under subsection (1)
24 of this section, the secretary may require the juvenile to comply with
25 a program of parole to be administered by the department in his or her
26 community which shall last no longer than eighteen months, except that
27 in the case of a juvenile sentenced for rape in the first or second
28 degree, rape of a child in the first or second degree, child
29 molestation in the first degree, or indecent liberties with forcible
30 compulsion, the period of parole shall be twenty-four months and, in
31 the discretion of the secretary, may be up to thirty-six months when
32 the secretary finds that an additional period of parole is necessary
33 and appropriate in the interests of public safety or to meet the
34 ongoing needs of the juvenile. A parole program is mandatory for
35 offenders released under subsection (2) of this section and for
36 offenders who receive a juvenile residential commitment sentence of
37 theft of a motor vehicle 1, possession of a stolen motor vehicle, or
38 taking a motor vehicle without permission 1. The decision to place an

1 offender on parole shall be based on an assessment by the department of
2 the offender's risk for reoffending upon release. The department shall
3 prioritize available parole resources to provide supervision and
4 services to offenders at moderate to high risk for reoffending.

5 (b) The secretary shall, for the period of parole, facilitate the
6 juvenile's reintegration into his or her community and to further this
7 goal shall require the juvenile to refrain from possessing a firearm or
8 using a deadly weapon and refrain from committing new offenses and may
9 require the juvenile to: (i) Undergo available medical, psychiatric,
10 drug and alcohol, sex offender, mental health, and other offense-
11 related treatment services; (ii) report as directed to a parole officer
12 and/or designee; (iii) pursue a course of study, vocational training,
13 or employment; (iv) notify the parole officer of the current address
14 where he or she resides; (v) be present at a particular address during
15 specified hours; (vi) remain within prescribed geographical boundaries;
16 (vii) submit to electronic monitoring; (viii) refrain from using
17 illegal drugs and alcohol, and submit to random urinalysis when
18 requested by the assigned parole officer; (ix) refrain from contact
19 with specific individuals or a specified class of individuals; (x) meet
20 other conditions determined by the parole officer to further enhance
21 the juvenile's reintegration into the community; (xi) pay any court-
22 ordered fines or restitution; and (xii) perform community restitution.
23 Community restitution for the purpose of this section means compulsory
24 service, without compensation, performed for the benefit of the
25 community by the offender. Community restitution may be performed
26 through public or private organizations or through work crews.

27 (c) The secretary may further require up to twenty-five percent of
28 the highest risk juvenile offenders who are placed on parole to
29 participate in an intensive supervision program. Offenders
30 participating in an intensive supervision program shall be required to
31 comply with all terms and conditions listed in (b) of this subsection
32 and shall also be required to comply with the following additional
33 terms and conditions: (i) Obey all laws and refrain from any conduct
34 that threatens public safety; (ii) report at least once a week to an
35 assigned community case manager; and (iii) meet all other requirements
36 imposed by the community case manager related to participating in the
37 intensive supervision program. As a part of the intensive supervision
38 program, the secretary may require day reporting.

1 (d) For the duration of the parole period, the department shall
2 record housing status as a data element when otherwise obtaining and
3 entering data on the juvenile's status. After termination of the
4 parole period, the juvenile shall be discharged from the department's
5 supervision.

6 (4)(a) The department may also modify parole for violation thereof.
7 If, after affording a juvenile all of the due process rights to which
8 he or she would be entitled if the juvenile were an adult, the
9 secretary finds that a juvenile has violated a condition of his or her
10 parole, the secretary shall order one of the following which is
11 reasonably likely to effectuate the purpose of the parole and to
12 protect the public: (i) Continued supervision under the same
13 conditions previously imposed; (ii) intensified supervision with
14 increased reporting requirements; (iii) additional conditions of
15 supervision authorized by this chapter; (iv) except as provided in
16 (a)(v) and (vi) of this subsection, imposition of a period of
17 confinement not to exceed thirty days in a facility operated by or
18 pursuant to a contract with the state of Washington or any city or
19 county for a portion of each day or for a certain number of days each
20 week with the balance of the days or weeks spent under supervision; (v)
21 the secretary may order any of the conditions or may return the
22 offender to confinement for the remainder of the sentence range if the
23 offense for which the offender was sentenced is rape in the first or
24 second degree, rape of a child in the first or second degree, child
25 molestation in the first degree, indecent liberties with forcible
26 compulsion, or a sex offense that is also a serious violent offense as
27 defined by RCW 9.94A.030; and (vi) the secretary may order any of the
28 conditions or may return the offender to confinement for the remainder
29 of the sentence range if the youth has completed the basic training
30 camp program as described in RCW 13.40.320.

31 (b) The secretary may modify parole and order any of the conditions
32 or may return the offender to confinement for up to twenty-four weeks
33 if the offender was sentenced for a sex offense as defined under RCW
34 9A.44.130 and is known to have violated the terms of parole.
35 Confinement beyond thirty days is intended to only be used for a small
36 and limited number of sex offenders. It shall only be used when other
37 graduated sanctions or interventions have not been effective or the
38 behavior is so egregious it warrants the use of the higher level

1 intervention and the violation: (i) Is a known pattern of behavior
2 consistent with a previous sex offense that puts the youth at high risk
3 for reoffending sexually; (ii) consists of sexual behavior that is
4 determined to be predatory as defined in RCW 71.09.020; or (iii)
5 requires a review under chapter 71.09 RCW, due to a recent overt act.
6 The total number of days of confinement for violations of parole
7 conditions during the parole period shall not exceed the number of days
8 provided by the maximum sentence imposed by the disposition for the
9 underlying offense pursuant to RCW 13.40.0357. The department shall
10 not aggregate multiple parole violations that occur prior to the parole
11 revocation hearing and impose consecutive twenty-four week periods of
12 confinement for each parole violation. The department is authorized to
13 engage in rule making pursuant to chapter 34.05 RCW, to implement this
14 subsection, including narrowly defining the behaviors that could lead
15 to this higher level intervention.

16 (c) If the department finds that any juvenile in a program of
17 parole has possessed a firearm or used a deadly weapon during the
18 program of parole, the department shall modify the parole under (a) of
19 this subsection and confine the juvenile for at least thirty days.
20 Confinement shall be in a facility operated by or pursuant to a
21 contract with the state or any county.

22 (5) A parole officer of the department of social and health
23 services shall have the power to arrest a juvenile under his or her
24 supervision on the same grounds as a law enforcement officer would be
25 authorized to arrest the person.

26 (6) If so requested and approved under chapter 13.06 RCW, the
27 secretary shall permit a county or group of counties to perform
28 functions under subsections (3) through (5) of this section.

29 **Sec. 8.** RCW 71.05.350 and 1997 c 112 s 29 are each amended to read
30 as follows:

31 No indigent patient shall be conditionally released or discharged
32 from involuntary treatment without suitable clothing, and the
33 superintendent of a state hospital shall furnish the same, together
34 with such sum of money as he or she deems necessary for the immediate
35 welfare of the patient. Such sum of money shall be the same as the
36 amount required by RCW 72.02.100 to be provided to persons in need
37 being released from correctional institutions. As funds are available,

1 the secretary may provide payment to indigent persons conditionally
2 released pursuant to this chapter consistent with the optional
3 provisions of RCW 72.02.100 and 72.02.110, and may adopt rules and
4 regulations to do so. The department must also record the housing
5 status, including an address, of indigent patients when they are
6 discharged from a state hospital.

7 **Sec. 9.** RCW 71.24.045 and 2006 c 333 s 105 are each amended to
8 read as follows:

9 The regional support network shall:

10 (1) Contract as needed with licensed service providers. The
11 regional support network may, in the absence of a licensed service
12 provider entity, become a licensed service provider entity pursuant to
13 minimum standards required for licensing by the department for the
14 purpose of providing services not available from licensed service
15 providers;

16 (2) Operate as a licensed service provider if it deems that doing
17 so is more efficient and cost effective than contracting for services.
18 When doing so, the regional support network shall comply with rules
19 promulgated by the secretary that shall provide measurements to
20 determine when a regional support network provided service is more
21 efficient and cost effective;

22 (3) Monitor and perform biennial fiscal audits of licensed service
23 providers who have contracted with the regional support network to
24 provide services required by this chapter. The monitoring and audits
25 shall be performed by means of a formal process which insures that the
26 licensed service providers and professionals designated in this
27 subsection meet the terms of their contracts;

28 (4) Assure that the special needs of minorities, the elderly,
29 (~~disabled~~) persons with disabilities, children, and low-income
30 persons are met within the priorities established in this chapter;

31 (5)(a) Maintain patient tracking information in a central location
32 as required for resource management services and the department's
33 information system;

34 (b) Within the patient tracking system, track the housing status of
35 patients receiving care from regional support networks whenever there
36 is a change in housing status, or at a minimum, once a year;

1 (6) Collaborate to ensure that policies do not result in an adverse
2 shift of (~~mentally ill~~) persons with mental illnesses into state and
3 local correctional facilities;

4 (7) Work with the department to expedite the enrollment or re-
5 enrollment of eligible persons leaving state or local correctional
6 facilities and institutions for mental diseases;

7 (8) If a regional support network is not operated by the county,
8 work closely with the county designated mental health professional or
9 county designated crisis responder to maximize appropriate placement of
10 persons into community services; and

11 (9) Coordinate services for individuals who have received services
12 through the community mental health system and who become patients at
13 a state mental hospital to ensure they are transitioned into the
14 community in accordance with mutually agreed upon discharge plans and
15 upon determination by the medical director of the state mental hospital
16 that they no longer need intensive inpatient care.

17 NEW SECTION. **Sec. 10.** Sections 4 and 6 of this act expire August
18 1, 2010.

19 NEW SECTION. **Sec. 11.** Sections 5 and 7 of this act take effect
20 August 1, 2010.

21 NEW SECTION. **Sec. 12.** Sections 1 through 4, 6, 8, and 9 of this
22 act are necessary for the immediate preservation of the public peace,
23 health, or safety, or support of the state government and its existing
24 public institutions, and take effect immediately.

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