H-3940.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SECOND SUBSTITUTE HOUSE BILL 2025**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2018 Regular Session**

**By** House Public Safety (originally sponsored by Representatives Goodman, Klippert, Pettigrew, Hayes, Griffey, Chapman, and Jinkins)

AN ACT Relating to requiring the development and implementation of a comprehensive plan to improve offender programs; and adding new sections to chapter 72.09 RCW.

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

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

The legislature recognizes the importance of reducing recidivism in the criminal justice system. Most people who are incarcerated will return to the community, yet more than half of people currently being imprisoned have been in prison before. This cycle of crime hinders public safety and is costly to taxpayers. In recent years the legislature has engaged in considerable efforts to provide responsive evidence-based programming specific to decreasing identified risk and need. The legislature recognizes that cognitive behavioral change programs should be used in an effort to reduce violence in the highest levels of custody and recidivism, and reentry specific programs should be used in an effort to reduce recidivism. The legislature has required a systematic shift towards evidence-based and research-based practices and has continued to focus state resources on effective programs in the field of adult corrections.

The legislature intends to expand upon these efforts by requiring the department to assess and implement reentry specific programs on an ongoing basis. The legislature intends for state funds appropriated in the omnibus appropriations act for cognitive behavioral change programs and reentry specific programs to be prioritized for evidence-based and research-based practices, but not to preclude promising practices. The legislature does not intend to stifle innovation or new development for cognitive behavioral change programs and reentry specific programs. Instead, the department must use evidence-based and research-based practices as a lens through which to evaluate cognitive behavioral change programs and reentry specific programs going forward. However, the legislature intends that the department not fund any cognitive behavioral change program and reentry specific program that does not reduce recidivism, prison violence, or readmission to prison to a statistically significant degree when evaluated over a reasonable period of time.

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

(1) For funds appropriated to the department in the omnibus appropriations act identified for offender programs, the department shall develop and implement a comprehensive plan for cognitive behavioral change programs and reentry specific programs. The plan must prioritize funding for and implementation of programs that:

(a) Follow the risk needs responsivity model;

(b) Focus on higher risk offenders, including violent and nonviolent offenders, unless otherwise required by law;

(c) Are deemed evidence-based or research-based by the institute or Washington State University, or are recognized in a nationally observed repository including, but not limited to, the national institute of justice, national institute of corrections, or the substance abuse and mental health services administration's national registry of evidence-based programs and practices; and

(d) Have measurable outcomes including, but not limited to, reducing recidivism and readmissions to correctional institutions below current levels.

(2)(a) The department shall discontinue ineffective cognitive behavioral change programs and reentry specific programs and practices, and repurpose underspent funds according to the priorities in the plan.

(b) Within amounts provided in the omnibus operating appropriations act for cognitive behavioral change programs and reentry specific programs, the department may allocate up to ten percent for the piloting and researching of programs deemed promising practices.

(3) The department shall submit a report by December 1st of each even-numbered year, beginning in 2018, to the council, the governor, and the appropriate committees of the legislature regarding the department's compliance with this section. The report must: (a) Include a summary of the comprehensive plan; (b) analyze state funds allocated to cognitive behavioral change programs and reentry specific programs, including percentages and amounts of funds used in evidence-based and research-based practices and the number of people being served; (c) identify discontinued and newly implemented cognitive behavioral change programs and reentry specific programs, including information used by the department in evaluating the effectiveness of discontinued and implemented programs; and (d) provide recommendations to improve program outcomes, including recommended strategies, deadlines, and funding. The department shall respond to the council's inquiries and requests with respect to programs and consider the council's recommendations when developing and updating the comprehensive plan required under this section.

(4) For the purposes of this section:

(a) "Cognitive behavioral change programs" means offender change programs in correctional facilities and community settings using state funds. These programs are focused on restructuring of offender thoughts and behaviors that lead to more prosocial interactions in the community and provide the necessary skills for offenders to make better choices that lead to lower recidivism and safer communities. This term also includes contracted programs provided by third-party entities and paid for with state funds.

(b) "Council" means the Washington statewide reentry council.

(c) "Institute" means the Washington institute for public policy.

(d) "Reentry specific programs" means all programs and services provided in correctional facilities and community settings using state funds, whose primary purpose is to reduce recidivism. This term also includes contracted programs provided by third-party entities and paid for with state funds.

**--- END ---**