S-4428.1

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**SECOND SUBSTITUTE SENATE BILL 5692**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Gildon, Honeyford, Randall, Rivers, and Wagoner)

AN ACT Relating to programming at the department of corrections; adding a new section to chapter 72.09 RCW; creating a new section; and providing an expiration date.

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

NEW SECTION. **Sec.**  The legislature finds that the good time system is too static, not reactive enough, and does not create an ecosystem that drives behavioral change through incentives. The legislature finds that a study to better understand what we have and what works will inform how the legislature can change and potentially supplement the existing good time system to prioritize the programs that work and most effectively change behavior for those who committed a crime, but are clearly making efforts to improve their lives and rehabilitate themselves. The legislature finds that the addition of a supplemental formula where completion of a program triggers automatic credit will create a better system of incentives for those incarcerated to engage in programming and education that is directly tied with release from confinement.

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

(1)(a) The Washington state institute for public policy shall prepare an evaluation of the top five programs with the highest participation rates at the department that are classified by the institute as evidence-based, in addition to the reentry community services program in RCW 72.09.370.

(b) For each of the programs identified, the evaluation must analyze the program's effectiveness, availability and accessibility of the program across the state correctional facilities, and the program's impact on recidivism. The evaluation must also identify whether eligibility for the program excludes participation for reasons unrelated to discipline or safety.

(c) The institute shall submit, in compliance with RCW 43.01.036, a report on the five program evaluations, in addition to the evaluation on the reentry community services program, in accordance with this section to the legislature and the sentencing guidelines commission by June 30, 2025.

(2)(a) The sentencing guidelines commission shall develop and recommend a formula for awarding earned early release time that supplements and complements the current earned early release time framework in RCW 9.94A.729 to individuals who complete programming at the department that is recognized by the program evaluations under subsection (1) of this section as having a positive, demonstrable impact on recidivism. The commission shall identify which offenses, if any, would be ineligible for the formula developed under this subsection. The commission shall consider completion of correctional postsecondary education programming as a factor in the formula developed under this subsection.

(b) The sentencing guidelines commission shall report its findings and formula recommendations, in compliance with RCW 43.01.036, to the governor and the appropriate committees of the legislature by April 1, 2026.

(3) This section expires June 30, 2026.

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