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**SENATE BILL 5588**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators C. Wilson, Dhingra, Das, Hasegawa, Nguyen, Randall, Saldaña, and Stanford

Prefiled 12/22/21. Read first time 01/10/22. Referred to Committee on Human Services, Reentry & Rehabilitation.

1 AN ACT Relating to reentry and discharge planning for  
2 incarcerated individuals at the department of corrections; and  
3 amending RCW 72.09.270.

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

5 **Sec. 1.** RCW 72.09.270 and 2021 c 200 s 3 are each amended to  
6 read as follows:

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

11 (a) Incarcerated individuals who are sentenced to life without  
12 the possibility of release or sentenced to death under chapter 10.95  
13 RCW; and

14 (b) Incarcerated individuals who are subject to the provisions of  
15 8 U.S.C. Sec. 1227.

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

19 (3) In developing individual reentry plans, the department shall  
20 assess all incarcerated individuals using standardized and  
21 comprehensive tools to identify the criminogenic risks, programmatic

1 needs, and educational and vocational skill levels for each  
2 incarcerated individual. The assessment tool should take into account  
3 demographic biases, such as culture, age, and gender, as well as the  
4 needs of the incarcerated individual, including any learning  
5 disabilities, substance abuse or mental health issues, and social or  
6 behavior challenges.

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

10 (b) The incarcerated individual's individual reentry plan shall  
11 be developed as soon as possible after the initial assessment is  
12 conducted, but, whenever possible, no later than sixty days after  
13 completion of the assessment, and shall be periodically reviewed and  
14 updated as appropriate.

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

16 (a) A plan to maintain contact with the incarcerated individual's  
17 children and family, if appropriate. The plan should determine  
18 whether parenting classes, or other services, are appropriate to  
19 facilitate successful reunification with the incarcerated  
20 individual's children and family;

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

25 (c) A plan for the incarcerated individual during the period of  
26 incarceration through reentry into the community that addresses the  
27 needs of the incarcerated individual including education, employment,  
28 substance abuse treatment, mental health treatment, family  
29 reunification, and other areas which are needed to facilitate a  
30 successful reintegration into the community.

31 (6) (a) Prior to discharge of any incarcerated individual, the  
32 department shall develop an individual discharge plan and provide  
33 reentry linkage case management services as follows:

34 (i) No later than one year before release:

35 (A) Evaluate the incarcerated individual's mental health,  
36 substance use disorder, and medical needs and(~~(, to the extent~~  
37 ~~possible, connect)) create a transition plan that connects the  
38 incarcerated individual with existing services, medical and dental  
39 care services, mental health treatment programs, medication-assisted~~

1 treatment, and resources in the release area that meet those needs;  
2 ((and))

3 (B) Provide life skills classes and use of technology training to  
4 prepare the individual for release; and

5 (C) Assist the incarcerated individual with obtaining  
6 identification upon release;

7 (ii) No later than 30 days before release:

8 (A) Enroll the incarcerated individual in applicable state and  
9 federal government assistance and benefits programs;

10 (B) Transfer prescriptions and medications to the applicable  
11 pharmacy in the release area to ensure continuity of care and that  
12 medications are readily available for the incarcerated person upon  
13 release;

14 (C) Connect the incarcerated individual with housing, employment,  
15 and educational and job training opportunities in the area where the  
16 person will be residing upon release;

17 (D) Provide for short-term basic needs such as clothing, food,  
18 and hygiene supplies; and

19 (E) Prepare and coordinate transportation services as needed; and

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

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

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

34 (8) (a) In determining the county of discharge for an incarcerated  
35 individual released to community custody, the department may approve  
36 a residence location that is not in the incarcerated individual's  
37 county of origin if the department determines that the residence  
38 location would be appropriate based on any court-ordered condition of  
39 the incarcerated individual's sentence, victim safety concerns, and  
40 factors that increase opportunities for successful reentry and long-

1 term support including, but not limited to, location of family or  
2 other sponsoring persons or organizations that will support the  
3 incarcerated individual, ability to complete an educational program  
4 that the incarcerated individual is enrolled in, availability of  
5 appropriate programming or treatment, and access to housing,  
6 employment, and prosocial influences on the person in the community.

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

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

14 (d)(i) For purposes of this section, except as provided in  
15 (d)(ii) of this subsection, the incarcerated individual's county of  
16 origin means the county of the incarcerated individual's residence at  
17 the time of the incarcerated individual's first felony conviction in  
18 Washington state.

19 (ii) If the incarcerated individual is a homeless person as  
20 defined in RCW 43.185C.010, or the incarcerated individual's  
21 residence is unknown, then the incarcerated individual's county of  
22 origin means the county of the incarcerated individual's first felony  
23 conviction in Washington state.

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

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