

**2SSB 5134** - H COMM AMD

By Committee on Community Safety, Justice, & Reentry

**NOT ADOPTED 04/07/2023**

1 Strike everything after the enacting clause and insert the  
2 following:

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

18 **Sec. 2.** RCW 72.02.100 and 2022 c 29 s 2 are each amended to read  
19 as follows:

20 (1) Any person serving a sentence for a term of confinement in a  
21 state correctional facility for convicted felons, pursuant to court  
22 commitment, who is thereafter released upon an order of parole of the  
23 indeterminate sentence review board, or who is discharged from  
24 custody upon expiration of sentence, or who is ordered discharged  
25 from custody by a court of appropriate jurisdiction, shall be  
26 entitled to retain his or her earnings from labor or employment while  
27 in confinement and shall be supplied by the superintendent of the  
28 state correctional facility with suitable and presentable clothing,  
29 the sum of no less than \$40 for subsistence, and transportation by  
30 the least expensive method of public transportation not to exceed the  
31 cost of \$100 to his or her place of residence or the place designated

1 in his or her parole plan, or to the place from which committed if  
2 such person is being discharged on expiration of sentence, or  
3 discharged from custody by a court of appropriate jurisdiction:  
4 PROVIDED, That up to (~~60 additional dollars~~) an additional \$60 may  
5 be made available to the parolee for necessary personal and living  
6 expenses upon application to and approval by such person's community  
7 corrections officer. If in the opinion of the superintendent suitable  
8 arrangements have been made to provide the person to be released with  
9 suitable clothing and/or the expenses of transportation, the  
10 superintendent may consent to such arrangement. If the superintendent  
11 has reasonable cause to believe that the person to be released has  
12 ample funds, with the exception of earnings from labor or employment  
13 while in confinement, to assume the expenses of clothing,  
14 transportation, or the expenses for which payments made pursuant to  
15 this section or RCW 72.02.110 or any one or more of such expenses,  
16 the person released shall be required to assume such expenses.

17 (2) (a) The department of corrections may provide temporary  
18 housing assistance for a person being released from any state  
19 correctional facility through the use of rental vouchers, for a  
20 period not to exceed six months, if the department finds that such  
21 assistance will support the person's release into the community by  
22 preventing housing instability or homelessness. The department's  
23 authority to provide vouchers under this section is independent of  
24 its authority under RCW 9.94A.729; however, a person may not receive  
25 a combined total of rental vouchers in excess of six months for each  
26 release from a state correctional facility.

27 (b) The department shall establish policies for prioritizing  
28 funds available for housing vouchers under this section for persons  
29 at risk of releasing homeless or becoming homeless without assistance  
30 while taking into account risk to reoffend.

31 **Sec. 3.** RCW 72.09.270 and 2021 c 200 s 3 are each amended to  
32 read as follows:

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

37 (a) Incarcerated individuals who are sentenced to life without  
38 the possibility of release or sentenced to death under chapter 10.95  
39 RCW; and

1 (b) Incarcerated individuals who are subject to the provisions of  
2 8 U.S.C. Sec. 1227.

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

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

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

18 (b) The incarcerated individual's individual reentry plan shall  
19 be developed as soon as possible after the initial assessment is  
20 conducted, but, whenever possible, no later than sixty days after  
21 completion of the assessment, and shall be periodically reviewed and  
22 updated as appropriate.

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

24 (a) A plan to maintain contact with the incarcerated individual's  
25 children and family, if appropriate. The plan should determine  
26 whether parenting classes, or other services, are appropriate to  
27 facilitate successful reunification with the incarcerated  
28 individual's children and family;

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

33 (c) A plan for the incarcerated individual during the period of  
34 incarceration through reentry into the community that addresses the  
35 needs of the incarcerated individual including education, employment,  
36 substance abuse treatment, mental health treatment, family  
37 reunification, and other areas which are needed to facilitate a  
38 successful reintegration into the community.

39 (6)(a) (~~Prior to~~) Within one year prior to the release or  
40 discharge of any incarcerated individual, the department shall

1 develop an individual discharge plan and provide reentry linkage case  
2 management services as follows:

3 (i) Evaluate the incarcerated individual's behavioral health and  
4 physical health needs and, to the extent possible, connect the  
5 incarcerated individual with (~~existing services and resources that~~  
6 ~~meet those needs~~) relevant services, treatment programs, medication-  
7 assisted treatment, tribal and urban health clinics, and behavioral  
8 health services, and other resources based on the individual's  
9 evaluated needs;

10 (ii) Assist the incarcerated individual with obtaining  
11 identification upon release;

12 (iii) Assist the incarcerated individual with submitting  
13 applications for applicable state and federal government assistance  
14 and benefits programs on behalf of the incarcerated individual;

15 (iv) Prepare a 90-day supply of any necessary prescribed  
16 medications to be provided upon release, through a combination of a  
17 30-day supply of in-hand medications and 60-day supply of  
18 prescriptions, when clinically appropriate, to ensure continuity of  
19 care and that medications are readily available for the incarcerated  
20 individual upon release; and

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

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

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

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

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

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

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

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

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

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

27 Correct the title.

EFFECT: Clarifies that, in fulfilling its duty to prepare a 90-  
day supply of any necessary prescribed medications to any  
incarcerated individual upon the individual's release, the department  
of corrections will provide the medications through a combination of  
a 30-day supply of in-hand medications and 60-day supply of  
prescriptions, when clinically appropriate.

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