

**2SSB 5134** - H COMM AMD

By Committee on Appropriations

ADOPTED AND ENGROSSED 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 72.09.270 and 2021 c 200 s 3 are each amended to  
19 read as follows:

20 (1) The department of corrections shall develop an individual  
21 reentry plan as defined in RCW 72.09.015 for every incarcerated  
22 individual who is committed to the jurisdiction of the department  
23 except:

24 (a) Incarcerated individuals who are sentenced to life without  
25 the possibility of release or sentenced to death under chapter 10.95  
26 RCW; and

27 (b) Incarcerated individuals who are subject to the provisions of  
28 8 U.S.C. Sec. 1227.

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

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

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

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

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

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

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

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

34 (6)(a) (~~Prior to~~) Within one year prior to the release or  
35 discharge of any incarcerated individual, the department shall  
36 develop an individual discharge plan and provide reentry linkage case  
37 management services as follows:

38 (i) Evaluate the incarcerated individual's behavioral health and  
39 physical health needs and, to the extent possible, connect the  
40 incarcerated individual with (~~existing services and resources that~~

1 ~~meet those needs))~~ relevant services, treatment programs, medication-  
2 assisted treatment, tribal and urban health clinics, and behavioral  
3 health services, and other resources based on the individual's  
4 evaluated needs;

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

7 (iii) Assist the incarcerated individual with submitting  
8 applications for applicable state and federal government assistance  
9 and benefits programs on behalf of the incarcerated individual;

10 (iv) Prepare a 90-day supply of any necessary prescribed  
11 medications to be provided upon release, through a combination of a  
12 30-day supply of in-hand medications and 60-day supply of  
13 prescriptions, when clinically appropriate, to ensure continuity of  
14 care and that medications are readily available for the incarcerated  
15 individual upon release; and

16 ~~((+ii))~~ (v) Connect the incarcerated individual with a community  
17 justice center and/or community transition coordination network in  
18 the area in which the incarcerated individual will be residing once  
19 released from the correctional system if one exists.

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

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

30 (8) (a) In determining the county of discharge for an incarcerated  
31 individual released to community custody, the department may approve  
32 a residence location that is not in the incarcerated individual's  
33 county of origin if the department determines that the residence  
34 location would be appropriate based on any court-ordered condition of  
35 the incarcerated individual's sentence, victim safety concerns, and  
36 factors that increase opportunities for successful reentry and long-  
37 term support including, but not limited to, location of family or  
38 other sponsoring persons or organizations that will support the  
39 incarcerated individual, ability to complete an educational program  
40 that the incarcerated individual is enrolled in, availability of

1 appropriate programming or treatment, and access to housing,  
2 employment, and prosocial influences on the person in the community.

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

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

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

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

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

22 NEW SECTION. **Sec. 3.** If specific funding for the purposes of  
23 this act, referencing this act by bill or chapter number, is not  
24 provided by June 30, 2023, in the omnibus appropriations act, this  
25 act is null and void."

26 Correct the title.

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