

HOUSE BILL REPORT

2SSB 5134

As Reported by House Committee On:
Community Safety, Justice, & Reentry

Title: An act relating to reentry services and supports.

Brief Description: Concerning reentry services and supports.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Wilson, C., Dhingra, Frame, Hasegawa, Kuderer, Nguyen, Nobles, Randall, Saldaña and Wellman).

Brief History:

Committee Activity:

Community Safety, Justice, & Reentry: 3/21/23, 3/27/23 [DPA].

**Brief Summary of Second Substitute Bill
(As Amended By Committee)**

- Requires that the money provided to an individual for subsistence upon the individual's release from confinement be no less than \$40.
- Requires the Department of Corrections to develop an individual discharge plan and provide reentry services within one year prior to an incarcerated individual's release or discharge.

HOUSE COMMITTEE ON COMMUNITY SAFETY, JUSTICE, & REENTRY

Majority Report: Do pass as amended. Signed by 7 members: Representatives Goodman, Chair; Simmons, Vice Chair; Griffey, Assistant Ranking Minority Member; Davis, Farivar, Fosse and Ramos.

Minority Report: Without recommendation. Signed by 2 members: Representatives Mosbrucker, Ranking Minority Member; Graham.

Staff: Lena Langer (786-7192).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background:

Gate Money.

Generally, persons releasing or discharging from the custody of the Department of Corrections (DOC) must be supplied with suitable and presentable clothing, the sum of \$40 for subsistence, and transportation by the least expensive method of public transportation not to exceed \$100. The \$40 for subsistence is commonly referred to as "gate money." The amount was established in statute in 1971. Per DOC policy, a case manager will submit a request for gate money, transportation funds, and 300 minutes in prepaid phone calls at least 30 days before the person's earned release date.

Individual Reentry Plans.

The DOC is required to develop individual reentry plans for each incarcerated individual under its jurisdiction except for those individuals sentenced to life without the possibility of release, sentenced to death, and those subject to deportation. When developing the reentry plan, the DOC must use standardized and comprehensive tools to assess and identify any criminogenic risks, programmatic needs, and educational and vocational skill levels. The assessment tool should consider demographic biases, such as culture, age, and gender, as well as the needs of the incarcerated individual, including any learning disabilities, substance abuse or mental health issues, and social or behavior challenges. The plan must be developed within certain timelines, and must be periodically reviewed and updated as appropriate.

Individual reentry plans must include:

- plans to maintain contact with family;
- a portfolio of the person's educational achievements, previous employment experience, and any training received; and
- a plan to facilitate reentry into the community that addresses education, employment, substance abuse treatment, mental health treatment, family reunification, and other needs.

Prior to discharge of any incarcerated individual, the DOC must:

- evaluate the individual's needs and, to the extent possible, connect the incarcerated individual with existing services and resources that meet those needs; and
- connect the individual with a community justice center and/or community transition coordination network in the area in which the incarcerated individual will be residing once released from the correctional system if one exists.

Community Justice Centers.

The DOC has six community justice centers throughout the state to provide comprehensive services and monitoring for incarcerated individuals who are reentering the community. A community justice center is a nonresidential facility staffed primarily by the DOC in which recently released individuals may access services necessary to improve their successful reentry into the community. Such services may include, but are not limited to: those listed

in the individual reentry plan, mental health, chemical dependency, sex offender treatment, anger management, parenting education, financial literacy, housing assistance, and employment assistance.

Identification Cards.

Per DOC policy, to facilitate transition to the community, the DOC assists individuals in obtaining a Washington identification card from the Department of Licensing or a replacement social security card from the Social Security Administration, or both. A case manager initiates applications for individuals who need state identification up to one year before the earliest transfer date to partial confinement, the release date, or any known court date for individuals impacted by sentence reform. For a replacement social security card, an individual may submit a request within 180 days to the earliest transfer date to partial confinement, the release date, or any known court date for individuals impacted by sentence reform.

Medications.

Per DOC policy, health services have at least 14 days to prepare medications in advance of an individual's release. Individuals being released or transferring to a reentry center will be provided up to a 90-day supply of medication, subject to the discretion of the DOC practitioner. A combination of at least a 30-day supply of DOC provided medication and written prescriptions may be used to meet the 90-day requirement. If necessary, an additional prescription for no more than a 90-day supply of medication may be telephoned to a community pharmacy within 90 days after the transfer.

Applying for Benefits.

Per DOC policy, before transition, incarcerated individuals may receive assistance with applying for health insurance, veterans' benefits or community resources, and food and cash assistance through the Department of Social and Health Services.

Summary of Amended Bill:

Gate Money.

The amount of money provided for subsistence must be "no less than" \$40, instead of "the sum of" \$40.

Individual Discharge Plans and Reentry Services.

In addition to the individual reentry plan, within one year prior to the release or discharge of any incarcerated individual, the DOC must develop an individual discharge plan and provide the following reentry linkage case management services:

- evaluate the incarcerated individual's behavioral health and physical health needs and, to the extent possible, connect the individual with relevant services, treatment programs, medication assisted treatment, tribal and urban health clinics, behavioral health services, and other resources based on the individual's evaluated needs;

- assist the incarcerated individual with obtaining identification upon release;
- assist the incarcerated individual with submitting applications for applicable state and federal government assistance and benefits programs on behalf of the individual;
- prepare a 90-day supply of any necessary prescribed medications to be provided upon release, through a combination of a 30-day supply of in-hand medications and 60-day supply of prescriptions, when clinically appropriate; and
- connect the incarcerated individual with a community justice center and/or community transition coordination network in the area in which the incarcerated individual will be residing once released.

Amended Bill Compared to Second Substitute Bill:

The amended bill 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 DOC 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.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Rehabilitation for individuals starts inside the prison. The \$40 that is given to individuals upon their release lowers people's confidence. Wraparound services help guide people as they try to reenter society. Many incarcerated people have mental health issues, substance abuse issues, and other concerns. Providing the services mentioned in the bill for people when they get out of prison has a big impact.

The mortality rate in the first 72 hours following an individual's release from confinement is, on average, 18 times higher than that of the general population. Currently an individual is released with \$40 in gate money. The \$40 amount was set in statute in 1971. Forty dollars is not enough to really help individuals upon release. This amount needs to be increased. This bill is important. It removes the \$40 cap, which will allow the budget to increase that amount to one that is more reasonable. Initially, the amount in the bill was increased to \$300. The \$300 amount was removed from the bill so that the Legislature does not have to reevaluate that amount in future years. The \$300 for gate money has already been accounted for in the Senate budget.

Individuals recently released from incarceration really need wraparound services. This bill

will help individuals get out of the prison system and not recidivate. This bill will benefit everyone involved in the system, as well as the public. This bill bridges the gap between corrections and services. The individualized reentry plan allows for someone to have initiative and shows them that their path is unique to them. Once individuals have the confidence boost and are allowed these individual plans, they will become the productive members of society that they have the potential to be. Successful reentry and community safety are reliant on well-thought-out and comprehensive release plans. The first 72 hours are the most critical for people coming out of prison. The first few months after someone is released from incarceration are the most difficult. It can be overwhelming for recently released individuals to find housing, employment, and to get prescribed their medications. This policy is important to ensure that people released from prison are successful and communities are safer.

There are not enough opportunities for individuals who leave incarceration without skills and services. The services in this bill will reduce recidivism and reduce victimization of the community. Often, individuals are released from incarceration without any funds, plans, work experience, services, or assistance. A team working with the same vision and building the individuals up to release is very powerful. It is imperative that the DOC provides some services to help people integrate back into society, otherwise people are likely to recidivate. Women, especially, are placed in a vulnerable position when they are released from prison without support. This bill will help protect women who are released from incarceration from exploitation.

(Opposed) None.

Persons Testifying: Senator Claire Wilson, prime sponsor; Christopher Poulos, Center for Justice and Human Dignity; JD Barton, Candis Hannah, and James Rocha, Orion Watch Community Outreach Programs; Michael Robinson; Kyra Slater, Innovations Human Trafficking Collaborative; Austin Slater; Janel McFeat, Washington Statewide Reentry Council; John Snaza; and Kelly Olson, Civil Survival Project.

Persons Signed In To Testify But Not Testifying: None.