
ENGROSSED SUBSTITUTE SENATE BILL 5873

State of Washington

69th Legislature

2026 Regular Session

By Senate Human Services (originally sponsored by Senators C. Wilson, Hasegawa, Nobles, Saldaña, and Wellman)

READ FIRST TIME 01/21/26.

1 AN ACT Relating to escorted leaves of absence for incarcerated
2 individuals; and amending RCW 72.01.370 and 72.01.380.

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

4 **Sec. 1.** RCW 72.01.370 and 1992 c 7 s 53 are each amended to read
5 as follows:

6 The superintendent of any state correctional facility may,
7 subject to the approval of the secretary and under RCW 72.01.375,
8 grant escorted leaves of absence to ~~((inmates))~~ incarcerated
9 individuals confined in such institutions to:

10 (1) ~~((~~Go~~))~~ Attend the funeral or go to the bedside of a seriously
11 ill immediate family member, including the ~~((inmate's wife, husband,~~
12 ~~child, mother or father, or other member of the inmate's immediate~~
13 ~~family who is seriously ill;~~

14 ~~(2) Attend the funeral of a member of the inmate's immediate~~
15 ~~family listed in subsection (1) of this section))~~ incarcerated
16 individual's children, stepchildren, grandchildren, great
17 grandchildren, parents, stepparents, grandparents, great
18 grandparents, siblings, aunts, uncles, and a person legally married
19 to or in a state registered domestic partnership with an incarcerated
20 individual. "Immediate family" includes the immediate family of an
21 incarcerated individual who was adopted as a child or an adult, but

1 does not include an incarcerated individual adopted by another
2 incarcerated individual or the immediate family of the adopted or
3 adopting individual;

4 ((~~3~~)) (2) Participate in athletic contests;

5 ((~~4~~)) (3) Perform work in connection with the industrial,
6 educational, or agricultural programs of the department;

7 ((~~5~~)) (4) Receive necessary medical or dental care which is not
8 available in the institution; (~~and~~

9 ~~(6~~)) (5) Participate as a volunteer in community service work
10 projects which are approved by the superintendent, but only
11 ((~~inmates~~)) incarcerated individuals who are nonviolent offenders may
12 participate in these projects. Such community service work projects
13 shall only be instigated at the request of a local community; and

14 (6) Participate in reentry programs to receive mentorship and
15 prepare incarcerated individuals for a successful reentry.

16 **Sec. 2.** RCW 72.01.380 and 2012 c 117 s 453 are each amended to
17 read as follows:

18 The secretary is authorized to make rules and regulations
19 providing for the conditions under which ((~~inmates~~)) incarcerated
20 individuals will be granted leaves of absence, and providing for
21 safeguards to prevent escapes while on leave of absence: PROVIDED,
22 That leaves of absence granted to ((~~inmates~~)) incarcerated
23 individuals under RCW 72.01.370 shall not allow or permit any
24 ((~~inmate~~)) incarcerated individual to go beyond the boundaries of
25 this state. The secretary shall also make rules and regulations
26 requiring the reimbursement of the state from the ((~~inmate~~))
27 incarcerated individual granted leave of absence, or his or her
28 family, for the actual costs incurred arising from any leave of
29 absence granted under the authority of RCW 72.01.370(~~(, subsections))~~)

30 (1) (~~and (2)~~): PROVIDED FURTHER, That no state funds shall be
31 expended in connection with leaves of absence granted under RCW
32 72.01.370(~~(, subsections))~~) (1) (~~and (2)~~), unless such ((~~inmate~~))
33 incarcerated individual and his or her immediate family are indigent
34 and without resources sufficient to reimburse the state for the
35 expenses of such leaves of absence. The state retains full liability
36 for any act constituting gross negligence committed by the department
37 of corrections during an escorted leave of absence.

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