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SECOND SUBSTITUTE HOUSE BILL 2025

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State of Washington

65th Legislature

2018 Regular Session

By House Public Safety (originally sponsored by Representatives Goodman, Klippert, Pettigrew, Hayes, Griffey, Chapman, and Jinkins)

1 AN ACT Relating to requiring the development and implementation  
2 of a comprehensive plan to improve offender programs; and adding new  
3 sections to chapter 72.09 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.09  
6 RCW to read as follows:

7 The legislature recognizes the importance of reducing recidivism  
8 in the criminal justice system. Most people who are incarcerated will  
9 return to the community, yet more than half of people currently being  
10 imprisoned have been in prison before. This cycle of crime hinders  
11 public safety and is costly to taxpayers. In recent years the  
12 legislature has engaged in considerable efforts to provide responsive  
13 evidence-based programming specific to decreasing identified risk and  
14 need. The legislature recognizes that cognitive behavioral change  
15 programs should be used in an effort to reduce violence in the  
16 highest levels of custody and recidivism, and reentry specific  
17 programs should be used in an effort to reduce recidivism. The  
18 legislature has required a systematic shift towards evidence-based  
19 and research-based practices and has continued to focus state  
20 resources on effective programs in the field of adult corrections.

1 The legislature intends to expand upon these efforts by requiring  
2 the department to assess and implement reentry specific programs on  
3 an ongoing basis. The legislature intends for state funds  
4 appropriated in the omnibus appropriations act for cognitive  
5 behavioral change programs and reentry specific programs to be  
6 prioritized for evidence-based and research-based practices, but not  
7 to preclude promising practices. The legislature does not intend to  
8 stifle innovation or new development for cognitive behavioral change  
9 programs and reentry specific programs. Instead, the department must  
10 use evidence-based and research-based practices as a lens through  
11 which to evaluate cognitive behavioral change programs and reentry  
12 specific programs going forward. However, the legislature intends  
13 that the department not fund any cognitive behavioral change program  
14 and reentry specific program that does not reduce recidivism, prison  
15 violence, or readmission to prison to a statistically significant  
16 degree when evaluated over a reasonable period of time.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09  
18 RCW to read as follows:

19 (1) For funds appropriated to the department in the omnibus  
20 appropriations act identified for offender programs, the department  
21 shall develop and implement a comprehensive plan for cognitive  
22 behavioral change programs and reentry specific programs. The plan  
23 must prioritize funding for and implementation of programs that:

24 (a) Follow the risk needs responsivity model;

25 (b) Focus on higher risk offenders, including violent and  
26 nonviolent offenders, unless otherwise required by law;

27 (c) Are deemed evidence-based or research-based by the institute  
28 or Washington State University, or are recognized in a nationally  
29 observed repository including, but not limited to, the national  
30 institute of justice, national institute of corrections, or the  
31 substance abuse and mental health services administration's national  
32 registry of evidence-based programs and practices; and

33 (d) Have measurable outcomes including, but not limited to,  
34 reducing recidivism and readmissions to correctional institutions  
35 below current levels.

36 (2)(a) The department shall discontinue ineffective cognitive  
37 behavioral change programs and reentry specific programs and  
38 practices, and repurpose underspent funds according to the priorities  
39 in the plan.

1 (b) Within amounts provided in the omnibus operating  
2 appropriations act for cognitive behavioral change programs and  
3 reentry specific programs, the department may allocate up to ten  
4 percent for the piloting and researching of programs deemed promising  
5 practices.

6 (3) The department shall submit a report by December 1st of each  
7 even-numbered year, beginning in 2018, to the council, the governor,  
8 and the appropriate committees of the legislature regarding the  
9 department's compliance with this section. The report must: (a)  
10 Include a summary of the comprehensive plan; (b) analyze state funds  
11 allocated to cognitive behavioral change programs and reentry  
12 specific programs, including percentages and amounts of funds used in  
13 evidence-based and research-based practices and the number of people  
14 being served; (c) identify discontinued and newly implemented  
15 cognitive behavioral change programs and reentry specific programs,  
16 including information used by the department in evaluating the  
17 effectiveness of discontinued and implemented programs; and (d)  
18 provide recommendations to improve program outcomes, including  
19 recommended strategies, deadlines, and funding. The department shall  
20 respond to the council's inquiries and requests with respect to  
21 programs and consider the council's recommendations when developing  
22 and updating the comprehensive plan required under this section.

23 (4) For the purposes of this section:

24 (a) "Cognitive behavioral change programs" means offender change  
25 programs in correctional facilities and community settings using  
26 state funds. These programs are focused on restructuring of offender  
27 thoughts and behaviors that lead to more prosocial interactions in  
28 the community and provide the necessary skills for offenders to make  
29 better choices that lead to lower recidivism and safer communities.  
30 This term also includes contracted programs provided by third-party  
31 entities and paid for with state funds.

32 (b) "Council" means the Washington statewide reentry council.

33 (c) "Institute" means the Washington institute for public policy.

34 (d) "Reentry specific programs" means all programs and services  
35 provided in correctional facilities and community settings using  
36 state funds, whose primary purpose is to reduce recidivism. This term  
37 also includes contracted programs provided by third-party entities  
38 and paid for with state funds.

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