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**SENATE BILL 5912**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senator C. Wilson

Prefiled 12/27/23.

1 AN ACT Relating to reentry services and supports; amending RCW  
2 72.09.270; and creating a new section.

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

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

19 **Sec. 2.** RCW 72.09.270 and 2021 c 200 s 3 are each amended to  
20 read as follows:

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

5 (a) Incarcerated individuals who are sentenced to life without  
6 the possibility of release or sentenced to death under chapter 10.95  
7 RCW; and

8 (b) Incarcerated individuals who are subject to the provisions of  
9 8 U.S.C. Sec. 1227.

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

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

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

25 (b) The incarcerated individual's individual reentry plan shall  
26 be developed as soon as possible after the initial assessment is  
27 conducted, but, whenever possible, no later than ~~((sixty))~~ 60 days  
28 after completion of the assessment, and shall be periodically  
29 reviewed and updated as appropriate.

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

31 (a) A plan to maintain contact with the incarcerated individual's  
32 children and family, if appropriate. The plan should determine  
33 whether parenting classes, or other services, are appropriate to  
34 facilitate successful reunification with the incarcerated  
35 individual's children and family;

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

1 (c) A plan for the incarcerated individual during the period of  
2 incarceration through reentry into the community that addresses the  
3 needs of the incarcerated individual including education, employment,  
4 substance abuse treatment, mental health treatment, family  
5 reunification, and other areas which are needed to facilitate a  
6 successful reintegration into the community.

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

11 (i) Evaluate the incarcerated individual's behavioral health and  
12 physical health needs and, to the extent possible, connect the  
13 incarcerated individual with (~~existing services and resources that~~  
14 ~~meet those needs~~) relevant services, treatment programs, medication-  
15 assisted treatment, tribal and urban health clinics, behavioral  
16 health services, and other resources based on the individual's  
17 evaluated needs;

18 (ii) Assist the incarcerated individual with obtaining  
19 identification upon release;

20 (iii) Assist the incarcerated individual with submitting  
21 applications for applicable state and federal government assistance  
22 and benefits programs on behalf of the incarcerated individual;

23 (iv) Prepare a 90-day supply of any necessary prescribed  
24 medications to be provided upon release, through a combination of a  
25 30-day supply of in-hand medications and 60-day supply of  
26 prescriptions, to ensure continuity of care and that medications are  
27 readily available for the incarcerated individual upon release; and

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

32 (b) If the department has made arrangements with a partnering  
33 nonprofit organization that will support the individual's reentry  
34 into the community, the department shall make every effort to  
35 coordinate the timing of the individual's release from the  
36 department's custody.

37 (c) If the department recommends partial confinement in an  
38 incarcerated individual's individual reentry plan, the department  
39 shall maximize the period of partial confinement for the incarcerated

1 individual as allowed pursuant to RCW 9.94A.728 to facilitate the  
2 incarcerated individual's transition to the community.

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

8 (8)(a) In determining the county of discharge for an incarcerated  
9 individual released to community custody, the department may approve  
10 a residence location that is not in the incarcerated individual's  
11 county of origin if the department determines that the residence  
12 location would be appropriate based on any court-ordered condition of  
13 the incarcerated individual's sentence, victim safety concerns, and  
14 factors that increase opportunities for successful reentry and long-  
15 term support including, but not limited to, location of family or  
16 other sponsoring persons or organizations that will support the  
17 incarcerated individual, ability to complete an educational program  
18 that the incarcerated individual is enrolled in, availability of  
19 appropriate programming or treatment, and access to housing,  
20 employment, and prosocial influences on the person in the community.

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

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

28 (d)(i) For purposes of this section, except as provided in  
29 (d)(ii) of this subsection, the incarcerated individual's county of  
30 origin means the county of the incarcerated individual's residence at  
31 the time of the incarcerated individual's first felony conviction in  
32 Washington state.

33 (ii) If the incarcerated individual is a homeless person as  
34 defined in RCW 43.185C.010, or the incarcerated individual's  
35 residence is unknown, then the incarcerated individual's county of  
36 origin means the county of the incarcerated individual's first felony  
37 conviction in Washington state.

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

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