

SENATE BILL REPORT

SB 5525

As Amended by House, April 22, 2009

Title: An act relating to rental vouchers to allow release from state institutions.

Brief Description: Concerning rental vouchers to allow release from state institutions.

Sponsors: Senators Carrell, Hargrove, Stevens, Regala, Brandland, Kauffman and McAuliffe.

Brief History:

Committee Activity: Human Services & Corrections: 2/12/09, 2/23/09 [DP].

Passed Senate: 3/10/09, 42-2.

Passed House: 4/22/09, 54-43.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Kauffman and McAuliffe.

Staff: Shani Bauer (786-7468)

Background: Inmates may shorten their sentence time, if they display good behavior, through a program called earned early release. Depending on the crime committed, date of conviction, and the offenders' risk classification, offenders may get from 10 to 50 percent time off of their sentence.

Offenders who are convicted of a sex offense, a violent offense, a crime against persons, or a drug crime are eligible to be released to community custody in lieu of earned early release. The Department of Corrections (DOC) may deny transfer of the offender to community custody if the offender does not have an approved release plan. In the release plan, the offender must propose a residence location and living arrangements. If DOC finds that the proposed plan may violate the offender's conditions of sentence, place the offender at risk to reoffend, or compromise community safety, DOC will not approve the offender's release plan. In this case, the offender will remain incarcerated until a viable release plan is found or the offender reaches the end of his or her sentence.

In 2008 DOC held 1,258 offenders past their earned early release date for a total of 135,011 bed days (or an average of 107 days per offender). The offenders' release plans were denied

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for a variety of reasons, including the lack of a sponsor or living arrangement, county of origin issues, community safety, or lack of cooperation in programming or conditions.

Summary of Bill: DOC may provide rental vouchers to an offender for a period up to three months, if rental assistance will enable the offender to have an approved release plan.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony: PRO: This bill serves the dual purpose of providing much needed housing to offenders while saving the state money. Prior to the enactment of SB 6157, DOC had been providing some rental vouchers to offenders until they received an Attorney General opinion that they did not have authority to do so. This bill would ensure that DOC has that authority. There should be a provision in the statute to ensure that offenders rent housing that meets minimum housing codes. There will be some offenders who need housing assistance for much longer. The Reentry Housing Pilot Program funded through SB 6157 has been providing this assistance and has shown quite a bit of success. It would also be helpful to continue funding these housing efforts.

Some offenders who have earned release time are in prison up to a year or 18 months past their early release date because they don't have the funds to get housing and get started in the community. Especially in these times, even a couple of months housing assistance would be helpful. This bill enhances electronic monitoring, community notification, and ultimately, public safety.

Persons Testifying: PRO: Greg Provenzano, Columbia Legal Services; Lesto Rogers, Fresh Start Housing; Seth Dawson, Washington State Coalition for the Homeless.

House Amendment(s): A rental voucher must be provided in conjunction with other transitional support programming or services such as substance abuse treatment, mental health treatment, sex offender treatment, educational programming, or employment programming. DOC is required to track the offender's housing status for the offender's term of supervision and report to the Legislature by December 1, 2009, regarding the number of rental vouchers issued and the sanction history of offenders who receive rental vouchers. Clarifying changes are made to language and effective date provisions.