
**Public Safety & Emergency Preparedness
Committee**

SSB 6407

Brief Description: Providing transitional reentry housing through the department of corrections.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Regala and Kline).

Brief Summary of Substitute Bill

- Requires the Department of Corrections to contract with housing providers to provide transitional re-entry housing for offenders transitioning to the community on earned early release who are in need of housing.

Hearing Date: 2/17/12

Staff: Yvonne Walker (786-7841).

Background:

An offender incarcerated within a Department of Corrections (DOC) facility may, through earned early release (also widely known as "good time"), reduce his or her time of incarceration upon demonstrating good behavior. Depending upon the crime, the offender's risk classification, and the date of conviction, an offender may receive from 10 to 50 percent time off from his or her sentence.

An offender eligible for earned early release must be transferred to community custody instead of earned release time. The DOC may deny transfer of an offender to community custody if the offender does not have an approved release plan. A release plan must contain a proposed place of residence and living arrangements. If the DOC determines that the proposed plan may violate the offender's condition of sentence or supervision, or may place the offender at risk to reoffend, or may compromise community safety, the DOC will not approve the plan. In this event, the

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offender will remain incarcerated until the DOC approves a new release plan or the offender reaches the end of his or her sentence.

As an alternative to total incarceration, the DOC may place an offender on partial confinement and/or provide rental vouchers to an offender for up to three months if rental assistance will enable the offender to have an approved release plan. The voucher must be provided in conjunction with additional transition support programming or services that enable an offender to participate in services, including, but not limited to: substance abuse treatment, mental health treatment, sex offender treatment, education programming, or employment training. The DOC is required to collect data regarding the housing status of offenders who receive rental vouchers.

Summary of Bill:

The term "rental vouchers" is changed and referred to as "housing assistance" provided to offenders. Housing assistance must be in the form of rental vouchers or transitional re-entry housing.

Within amounts appropriated for this purpose, the DOC must contract with housing providers to continuously make available no less than 50 beds in transitional re-entry housing to meet the needs of offenders transitioning to the community on earned early release and who are in need of housing. The DOC must give preference to those housing providers that provide a small, family-oriented, living environment with between three and 10 beds and provide transition support that enable an offender to participate in programming or services including, but not limited to: substance abuse treatment, mental health treatment, sex offender treatment, educational programming, or employment programming. To the extent feasible, the DOC must consolidate housing beds so one housing provider is contracted to provide at least three beds.

The DOC must assign one community corrections officer (CCO) as the primary contact for a housing provider. In addition, the DOC must provide local law enforcement with a list of transitional re-entry housing providers in the agency's jurisdiction and the assigned CCO.

If a housing provider has cause to terminate a tenancy of an offender, the housing provider must give written notice to the assigned CCO no less than 48 hours prior to terminating the tenancy. A housing provider may subsequently terminate the tenancy and require the offender to vacate the premises within 48 hours of receipt of written notice if the offender has:

- misused a controlled substance or alcoholic beverage, either on or off of the premises;
- engaged in harassment or verbal abuse of neighbors, staff, or other tenants;
- absconded;
- returned to the physical custody of the DOC or other agency for more than 30 days; or
- engaged in other behavior that is incompatible with the rules of the house and has been given at least three written violation notices.

An offender's failure to vacate the premises after termination of the tenancy constitutes criminal trespass. A housing provider may enlist the cooperation of law enforcement in removing the offender from the premises without having to obtain a court order or writ of restitution. The housing provider must provide law enforcement with a signed written statement attesting to the facts that substantiate the termination of the tenancy and subsequent criminal trespass.

A public agency or unit of local government is immune from civil liability for damages for assisting a housing provider in the removal of an offender from the premises. A housing provider who provides transitional re-entry housing is not liable for civil damages arising from the criminal conduct of an offender to any greater extent than a regular tenant.

The DOC must track the housing and recidivism status of offenders who participate in transitional re-entry housing and report to the Governor and appropriate committees of the Legislature by December 1, 2015.

Appropriation: None.

Fiscal Note: Available.

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