

SENATE BILL REPORT

2SHB 2791

As Reported by Senate Committee On:
Human Services, Mental Health & Housing, February 25, 2016
Ways & Means, February 29, 2016

Title: An act relating to the Washington statewide reentry council.

Brief Description: Creating the Washington statewide reentry council.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Pettigrew, Goodman, Moscoso, Senn, Frame, Stanford, Santos and Walkinshaw).

Brief History: Passed House: 2/15/16, 94-3.

Committee Activity: Human Services, Mental Health & Housing: 2/23/16, 2/25/16 [DP-WM, w/oRec].

Ways & Means: 2/29/16, 2/29/16 [DPA, w/oRec].

SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove.

Minority Report: That it be referred without recommendation.

Signed by Senator Padden.

Staff: Kevin Black (786-7747)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey, Becker, Billig, Brown, Conway, Darneille, Hasegawa, Hewitt, Nelson, Parlette, Pedersen, Rolfes and Schoesler.

Minority Report: That it be referred without recommendation.

Signed by Senator Padden.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Julie Murray (786-7711)

Background: The Department of Commerce (Department) is an executive branch agency responsible for enhancing and promoting sustainable community and economic vitality in Washington. Among its other statutory duties, the Department administers a diverse portfolio of programs as well as several state boards and commissions.

The Joint Legislative Audit and Review Committee (JLARC) is the Legislature's performance auditor. JLARC conducts performance audits, program evaluations, sunset reviews, and other analyses at the direction of the Legislature.

The Washington State Institute for Public Policy (WSIPP) carries out nonpartisan research at the direction of the Legislature. Fiscal and administrative services for the WSIPP are provided by The Evergreen State College.

Summary of Bill (Recommended Amendments): Subject to amounts appropriated for this specific purpose, the Washington Statewide Reentry Council (Council) is created within the Department of Commerce for the purpose of promoting successful reentry of offenders after incarceration. Subject to amount appropriated for this specific purpose, an executive director may be employed, residing within the Department. The executive director must be appointed by the Council for a three-year term, with Council approval required for any employment decisions involving the executive director. The Council may fix the compensation for the executive director, who is exempt from the state civil service law. No other full-time staff may be designated for the administration of the Council.

The Council must consist of 15 members appointed by the Governor, for staggered two-, three-, or four-year terms. All terms must be for two years after the initial round of appointments. Membership must include representatives of:

- the Department of Corrections;
- the Juvenile Rehabilitation Administration;
- a statewide organization representing community and technical colleges;
- a statewide organization representing law enforcement interests;
- a statewide organization representing the interests of crime victims;
- a statewide organization representing prosecutors;
- a statewide organization representing public defenders;
- a statewide or local organization representing businesses and employers;
- housing providers;
- faith-based organizations or communities;
- two persons with experience reentering the community after incarceration;
- two other community leaders; and
- at least one position for a person with a background in tribal affairs.

The Council must elect co-chairs from among its membership. Members may only be removed by the Governor for misfeasance, malfeasance, or willful neglect of duty following notice and a public hearing, unless notice and hearing are waived by the affected member. Vacancies must be filled within 90 days.

The Council may:

- advise the Legislature and the Governor on issues relating to reentry and reintegration of offenders;
- review, study, and make policy and funding recommendations on issues related to reentry, reintegration, and recidivism of offenders in Washington, including, but not limited to: correctional programming; other issues in state and local correctional facilities; housing; employment; education; and treatment;
- apply for, receive, use, and leverage public and private grants and appropriated funds to establish, manage, and promote initiatives and programs related to successful reentry and reintegration of offenders;
- contract for services in order to carry out initiatives and programs;
- create committees and subcommittees; and
- create and consult with advisory groups comprised of nonmembers.

The Council must solicit input and participation from stakeholders interested in reducing recidivism, promoting public safety, and improving community conditions for offenders reentering the community. The Council must consult the four Legislative caucuses, Governor, local governments, educators, mental health and substance abuse providers, behavioral health organizations, managed care organizations, city and county jails, the Department of Corrections, specialty courts, persons with expertise in evidence-based and research-based reentry practices, and persons with criminal histories and their families.

Once operational, the Council must meet regularly, at least four times each year. The Council must submit to the Governor and appropriate committees of the Legislature a preliminary report of its activities and recommendations no later December 1st of its first year of operation and a full report every two years thereafter. Members must serve without compensation, but may be reimbursed for travel.

JLARC must conduct a performance audit of the Council every six years, evaluating the efficiency and effectiveness of the Council, with the first audit to be completed by November 1, 2022.

Subject to amounts appropriated for this specific purpose, WSIPP must conduct a meta-analysis on the effectiveness of programs aimed at assisting offenders with reentering the community after incarceration, including literature on reentry programs in Washington and across the country, to determine what programs are effective in reducing recidivism among the offender population. WSIPP must report results to the Governor, Legislature, and Council by June 1, 2017.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Amendments): The creation of council, employment of executive director, and the Washington institute for public policy study are made subject to amounts specifically appropriated for these purposes. Specific dates for council activities removed.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Second Substitute Bill (Human Services, Mental Health & Housing): PRO: Are we going to continue to build and fill prisons, or will we take a new approach to help prisoners reentering society become taxpayers? We don't have an incarceration problem, we have a recidivism problem. Offenders are largely unemployed or underemployed after reentry. They also experience stigma and difficulty securing housing. This Council can provide guidance to the legislature. More than 95 percent of all offenders will be released back into the community at some point. African Americans are greatly overrepresented in prison. This will help get the community involved. The more the community and stakeholders are involved, we will see a decline in recidivism and a rise in lives being transformed. The road to jail can start young when kids have little family support. The diversity represented on the Council will help find solutions.

Persons Testifying on Second Substitute Bill (Human Services, Mental Health & Housing): PRO: Dan Satterberg, King County Prosecuting Attorney, WA Assn. of Prosecuting Attorneys; Karen Lee, Pioneer Human Services; Rev. Jimmie James, Washington Christian Leaders Coalition; Durrell Green, Partnering For Youth Achievement.

Persons Signed In To Testify But Not Testifying on Second Substitute Bill: No one.

Staff Summary of Public Testimony on Second Substitute Bill (Ways & Means): PRO: Pioneer Human Services serves over 10,000 clients per year with work release, reentry services, job training, and substance abuse treatment services. We know what is needed to rehabilitate citizens and know what successful reentry looks like. This bill represents sound public policy and fiscal policy to invest in reentry programs to save state money. Every person who fails to successfully reenter costs the state \$33,000 per year in incarceration costs. This council will put strategies into place and provide a framework for ending recidivism. We need to help citizens become productive members of society. Many are returning to communities with no support. This bill inspires a wide group of people to come together to resolve these issues.

Persons Testifying on Second Substitute Bill (Ways & Means): PRO: Karen Lee, CEO, Pioneer Human Services; Pastor Richmond Johnson, Mount Zion Missionary Baptist Church.

Persons Signed In To Testify But Not Testifying on Second Substitute Bill: No one.