

HOUSE BILL REPORT

2SHB 1818

As Passed House:
February 12, 2022

Title: An act relating to promoting successful reentry and rehabilitation of persons convicted of criminal offenses.

Brief Description: Promoting successful reentry and rehabilitation of persons convicted of criminal offenses.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Simmons, Caldier, Davis, Macri, Peterson, Santos, Wylie and Ormsby).

Brief History:

Committee Activity:

Housing, Human Services & Veterans: 1/21/22, 1/27/22 [DPS];
Appropriations: 2/4/22, 2/5/22 [DP2S(w/o sub HHSV)].

Floor Activity:

Passed House: 2/12/22, 87-10.

Brief Summary of Second Substitute Bill

- Extends the period for which the Department of Corrections (DOC) may provide housing vouchers from three to six months.
- Allows the DOC to provide housing vouchers to any person releasing from a state correctional facility if a voucher will support the person's release into the community by preventing housing instability or homelessness.
- Eliminates supervision fees charged to persons who commit criminal offenses.

HOUSE COMMITTEE ON HOUSING, HUMAN SERVICES & VETERANS

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

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Peterson, Chair; Taylor, Vice Chair; Caldier, Ranking Minority Member; Gilday, Assistant Ranking Minority Member; Barkis, Bateman, Donaghy and Leavitt.

Staff: Serena Dolly (786-7150).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Housing, Human Services & Veterans. Signed by 33 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Stokesbary, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Corry, Assistant Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Boehnke, Caldier, Chandler, Chopp, Cody, Dolan, Dye, Fitzgibbon, Frame, Hansen, Harris, Hoff, Jacobsen, Johnson, J., Lekanoff, Pollet, Rude, Ryu, Schmick, Senn, Springer, Steele, Stonier, Sullivan and Tharinger.

Staff: Yvonne Walker (786-7841).

Background:

Rental Vouchers.

Before transferring an incarcerated person from confinement into supervised community custody, the Department of Corrections (DOC) must approve the person's release plan, including the proposed residence and living arrangements. The DOC may deny a release plan if the proposed plan, including residence and living arrangements, places the person at risk to reoffend, violates the conditions of the sentence or supervision, or presents a risk to victim safety or community safety.

The DOC may provide rental vouchers to the person for up to three months if it will help facilitate the approval of a person's release plan. The rental vouchers must be provided in conjunction with additional support services such as substance abuse and mental health treatment. The DOC must maintain a list of housing providers that meet certain requirements for accepting rental vouchers. Rental vouchers may only be used to pay a housing provider on the DOC's list where more than two persons receiving vouchers will be residing per dwelling unit. The DOC is required to gather data, as recommended by the Washington State Institute for Public Policy (WSIPP), on each person receiving a rental voucher to determine if the vouchers are effective in reducing recidivism.

In addition, the DOC has separate authority to provide rental vouchers for incarcerated persons discharging from the Washington Corrections Center for Women and the Mission Creek Corrections Center for Women, for up to three months, if such assistance will support

the person's release into the community. The vouchers must be provided within existing resources of the DOC. The rental vouchers are separate from the DOC's authority to issue rental vouchers for persons releasing into community custody.

Supervision Fees.

Interstate Compact for Adult Supervision.

The Interstate Compact for Adult Offender Supervision governs the supervision of persons subject to DOC supervision who move from one state to another. Sending states must notify receiving states and obtain approval before sending a person. Receiving states must accept and supervise a person when the reasons for the move are appropriate. The DOC is authorized to charge a reasonable fee for processing interstate transfer applications. According to DOC rule, the transfer request fee is \$100.

Supervision Intake Fees.

When a felony sentence requires supervision or parole through the DOC, the person must pay a supervision intake fee. The DOC may exempt or defer all or partial payment of intake fees based on factors that include, among others, inability to obtain employment, age, student status, and other extenuating circumstances. For persons with offense dates before October 1, 2011, the supervision intake fee is a one-time fee based on a calculation of remaining supervision time left to serve, not to exceed \$600. For persons who committed their offense on or after October 1, 2011, the DOC must assess a supervision intake fee between \$400 and \$600. According to DOC rule, the current fee is \$475. All fees collected by the DOC must be deposited in the Cost of Supervision Fund, a dedicated fund in the custody of the State Treasurer.

In addition, the DOC may collect a supervision intake fee when it is charged with supervising a person with a misdemeanor or gross misdemeanor sentence.

Summary of Second Substitute Bill:

Rental Vouchers.

The maximum period for housing vouchers issued to eligible persons being released from DOC into community custody is extended to six months.

The separate authority of the DOC to issue housing vouchers in other circumstances is expanded. The DOC may issue housing vouchers to any person being released from any state correctional facility, regardless of the person's community custody status, if the DOC finds that the assistance will support the person's release into the community by preventing housing instability or homelessness. Vouchers may only be issued for up to six months.

The DOC must establish policies for prioritizing funds available for housing vouchers for persons at risk of being released into homelessness or becoming homeless without assistance, while taking into account the person's risk to reoffend. The requirement that the vouchers be funded with existing resources is removed. A person may receive vouchers

under either program so long as they do not receive a combined total of rental vouchers from the DOC that exceeds six months for each release from a state correctional facility.

The WSIPP must conduct an outcome evaluation and benefit-cost analysis of Washington's housing voucher program to account for expansion of the program. The analysis must consider the impacts on homelessness, recidivism, criminal justice costs, use of public services, and other factors determined to be appropriate by the WSIPP. The DOC must cooperate with the WSIPP to facilitate access to data or other resources necessary to complete the analysis. By November 1, 2025, the WSIPP must submit a final report to the Governor and the Legislature.

Supervision Fees.

The interstate transfer application fee and DOC supervision intake fees are eliminated. The Cost of Supervision Fund is repealed effective June 30, 2022, and the State Treasurer must transfer all residual funds to the General Fund.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 9, 2022.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill passed, except for section 8, relating to community custody fees, which takes effect July 1, 2022. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony (Housing, Human Services & Veterans):

(In support) The state has reduced the number of prison inmates by 30 percent, and recidivism is going down. Successful reentry and rehabilitation should be a priority. Some people remain incarcerated because they cannot secure post-release housing. People being released from state correctional facilities need housing and employment but face discrimination. They may have gaps in work history and be barred from public housing. They often have supervision requirements, treatment requirements, and parenting requirements, which make it difficult to also find a job and secure housing. Three months is not enough time to establish rental history and secure a new place to live. Housing is a basic human right. The cost to extend the voucher is not that much. While the costs of supervision may not seem like a lot, those costs are combined with other legal financial obligations and other debt. Often people have little to no ability to pay these costs. It is very stressful to be released from prison with debt. Eliminating supervision fees furthers the effort to move supervision from a punitive model toward a more rehabilitative one.

(Opposed) None.

(Other) Vouchers allow individuals to be released when they would otherwise have to remain incarcerated due to a lack of housing. Extending the vouchers creates more stability

and will increase the number of landlords willing to accept it. The voucher program has been successful in transitioning people from incarceration to housing, but not everyone qualifies. Approximately 9% of incarcerated people were released into homelessness in 2020, and expanding eligibility would decrease that number. Eliminating supervision fees is a small step to better support the financial stability of people under supervision. The Governor's budget proposes backfilling the lost revenue.

Staff Summary of Public Testimony (Appropriations):

(In support) None.

(Opposed) None.

Persons Testifying (Housing, Human Services & Veterans): (In support) Representative Tarra Simmons, prime sponsor; James Chambers ; Hannah Woerner, Columbia Legal Services; Amber Letchworth, I Did the Time; Lavonnie Mcmanus, Revive Reentry; and Karen Lee, Washington Statewide Reentry Council.

(Other) Danielle Armbruster and Jacob Bezanson, Department of Corrections, Reentry Division; and Cynthia Hollimon, Office of Financial Management.

Persons Testifying (Appropriations): None.

Persons Signed In To Testify But Not Testifying (Housing, Human Services & Veterans): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.