
SUBSTITUTE SENATE BILL 5588

State of Washington

67th Legislature

2022 Regular Session

By Senate Human Services, Reentry & Rehabilitation (originally sponsored by Senators C. Wilson, Dhingra, Das, Hasegawa, Nguyen, Randall, Saldaña, and Stanford)

READ FIRST TIME 01/21/22.

1 AN ACT Relating to reentry and discharge planning for
2 incarcerated individuals at the department of corrections; and
3 amending RCW 72.09.270.

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

5 **Sec. 1.** RCW 72.09.270 and 2021 c 200 s 3 are each amended to
6 read as follows:

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

11 (a) Incarcerated individuals who are sentenced to life without
12 the possibility of release or sentenced to death under chapter 10.95
13 RCW; and

14 (b) Incarcerated individuals who are subject to the provisions of
15 8 U.S.C. Sec. 1227.

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

19 (3) In developing individual reentry plans, the department shall
20 assess all incarcerated individuals using standardized and
21 comprehensive tools to identify the criminogenic risks, programmatic

1 needs, and educational and vocational skill levels for each
2 incarcerated individual. The assessment tool should take into account
3 demographic biases, such as culture, age, and gender, as well as the
4 needs of the incarcerated individual, including any learning
5 disabilities, substance abuse or mental health issues, and social or
6 behavior challenges.

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

10 (b) The incarcerated individual's individual reentry plan shall
11 be developed as soon as possible after the initial assessment is
12 conducted, but, whenever possible, no later than sixty days after
13 completion of the assessment, and shall be periodically reviewed and
14 updated as appropriate.

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

16 (a) A plan to maintain contact with the incarcerated individual's
17 children and family, if appropriate. The plan should determine
18 whether parenting classes, or other services, are appropriate to
19 facilitate successful reunification with the incarcerated
20 individual's children and family;

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

25 (c) A plan for the incarcerated individual during the period of
26 incarceration through reentry into the community that addresses the
27 needs of the incarcerated individual including education, employment,
28 substance abuse treatment, mental health treatment, family
29 reunification, and other areas which are needed to facilitate a
30 successful reintegration into the community.

31 (6)(a) Prior to discharge of any incarcerated individual, the
32 department shall develop an individual discharge plan and provide
33 reentry linkage case management services as follows:

34 (i) No later than one year before release, or as early as
35 practicable during the person's sentence if a person's term of
36 confinement is less than one year:

37 (A) Evaluate the incarcerated individual's behavioral health and
38 physical health needs (~~(and, to the extent possible, connect the~~
39 ~~incarcerated individual with existing services and resources that~~
40 ~~meet those needs)); ((and))~~

1 (B) Provide life skills classes and use of technology training to
2 prepare the individual for release; and

3 (C) Assist the incarcerated individual with obtaining
4 identification upon release;

5 (ii) No later than 30 days before release, or as early as
6 practicable during the person's sentence if a person's term of
7 confinement is less than 30 days:

8 (A) Submit applications for applicable state and federal
9 government assistance and benefits programs on behalf of the
10 incarcerated person;

11 (B) Create a transition plan that connects the incarcerated
12 individual with relevant physical and behavioral health services,
13 treatment programs, medication-assisted treatment, tribal and urban
14 health clinics and behavioral health services, and other resources in
15 the release area based on the person's evaluated needs;

16 (C) Prepare a 90-day supply of any necessary prescribed
17 medications to be provided upon release, through a combination of a
18 30-day supply of in-hand medications and 60-day supply of
19 prescriptions, to ensure continuity of care and that medications are
20 readily available for the incarcerated person upon release;

21 (D) Connect the incarcerated individual with available housing,
22 employment, and educational and job training opportunities in the
23 area where the person will be residing upon release;

24 (E) Provide for short-term basic needs such as clothing, food,
25 and hygiene supplies; and

26 (F) Prepare and coordinate transportation services as needed; and

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

31 (b) If the department recommends partial confinement in an
32 incarcerated individual's individual reentry plan, the department
33 shall maximize the period of partial confinement for the incarcerated
34 individual as allowed pursuant to RCW 9.94A.728 to facilitate the
35 incarcerated individual's transition to the community.

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

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

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

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

21 (d) (i) For purposes of this section, except as provided in
22 (d) (ii) of this subsection, the incarcerated individual's county of
23 origin means the county of the incarcerated individual's residence at
24 the time of the incarcerated individual's first felony conviction in
25 Washington state.

26 (ii) If the incarcerated individual is a homeless person as
27 defined in RCW 43.185C.010, or the incarcerated individual's
28 residence is unknown, then the incarcerated individual's county of
29 origin means the county of the incarcerated individual's first felony
30 conviction in Washington state.

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

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