
SECOND SUBSTITUTE SENATE BILL 5692

State of Washington

67th Legislature

2022 Regular Session

By Senate Ways & Means (originally sponsored by Senators Gildon, Honeyford, Randall, Rivers, and Wagoner)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to programming at the department of corrections;
2 adding a new section to chapter 72.09 RCW; creating a new section;
3 and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the good time
6 system is too static, not reactive enough, and does not create an
7 ecosystem that drives behavioral change through incentives. The
8 legislature finds that a study to better understand what we have and
9 what works will inform how the legislature can change and potentially
10 supplement the existing good time system to prioritize the programs
11 that work and most effectively change behavior for those who
12 committed a crime, but are clearly making efforts to improve their
13 lives and rehabilitate themselves. The legislature finds that the
14 addition of a supplemental formula where completion of a program
15 triggers automatic credit will create a better system of incentives
16 for those incarcerated to engage in programming and education that is
17 directly tied with release from confinement.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09
19 RCW to read as follows:

1 (1)(a) The Washington state institute for public policy shall
2 prepare an evaluation of the top five programs with the highest
3 participation rates at the department that are classified by the
4 institute as evidence-based, in addition to the reentry community
5 services program in RCW 72.09.370.

6 (b) For each of the programs identified, the evaluation must
7 analyze the program's effectiveness, availability and accessibility
8 of the program across the state correctional facilities, and the
9 program's impact on recidivism. The evaluation must also identify
10 whether eligibility for the program excludes participation for
11 reasons unrelated to discipline or safety.

12 (c) The institute shall submit, in compliance with RCW 43.01.036,
13 a report on the five program evaluations, in addition to the
14 evaluation on the reentry community services program, in accordance
15 with this section to the legislature and the sentencing guidelines
16 commission by June 30, 2025.

17 (2)(a) The sentencing guidelines commission shall develop and
18 recommend a formula for awarding earned early release time that
19 supplements and complements the current earned early release time
20 framework in RCW 9.94A.729 to individuals who complete programming at
21 the department that is recognized by the program evaluations under
22 subsection (1) of this section as having a positive, demonstrable
23 impact on recidivism. The commission shall identify which offenses,
24 if any, would be ineligible for the formula developed under this
25 subsection. The commission shall consider completion of correctional
26 postsecondary education programming as a factor in the formula
27 developed under this subsection.

28 (b) The sentencing guidelines commission shall report its
29 findings and formula recommendations, in compliance with
30 RCW 43.01.036, to the governor and the appropriate committees of the
31 legislature by April 1, 2026.

32 (3) This section expires June 30, 2026.

--- END ---