

---

**BILL REQUEST - CODE REVISER'S OFFICE**

---

BILL REQ. #: S-0062.2/21 2nd draft

ATTY/TYPIST: JO:eab

BRIEF DESCRIPTION: Concerning county of origin for individuals released to community custody by the department of corrections.

1 AN ACT Relating to county of origin for individuals released to  
2 community custody by the department of corrections; and amending RCW  
3 72.09.270.

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

5 **Sec. 1.** RCW 72.09.270 and 2008 c 231 s 48 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 offender who is  
9 committed to the jurisdiction of the department except:

10 (a) Offenders who are sentenced to life without the possibility  
11 of release or sentenced to death under chapter 10.95 RCW; and

12 (b) Offenders who are subject to the provisions of 8 U.S.C. Sec.  
13 1227.

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

17 (3) In developing individual reentry plans, the department shall  
18 assess all offenders using standardized and comprehensive tools to  
19 identify the criminogenic risks, programmatic needs, and educational  
20 and vocational skill levels for each offender. The assessment tool  
21 should take into account demographic biases, such as culture, age,

1 and gender, as well as the needs of the offender, including any  
2 learning disabilities, substance abuse or mental health issues, and  
3 social or behavior deficits.

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

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

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

13 (a) A plan to maintain contact with the inmate's children and  
14 family, if appropriate. The plan should determine whether parenting  
15 classes, or other services, are appropriate to facilitate successful  
16 reunification with the offender's children and family;

17 (b) An individualized portfolio for each offender that includes  
18 the offender's education achievements, certifications, employment,  
19 work experience, skills, and any training received prior to and  
20 during incarceration; and

21 (c) A plan for the offender during the period of incarceration  
22 through reentry into the community that addresses the needs of the  
23 offender including education, employment, substance abuse treatment,  
24 mental health treatment, family reunification, and other areas which  
25 are needed to facilitate a successful reintegration into the  
26 community.

27 (6)(a) Prior to discharge of any offender, the department shall:

28 (i) Evaluate the offender's needs and, to the extent possible,  
29 connect the offender with existing services and resources that meet  
30 those needs; and

31 (ii) Connect the offender with a community justice center and/or  
32 community transition coordination network in the area in which the  
33 offender will be residing once released from the correctional system  
34 if one exists.

35 (b) If the department recommends partial confinement in an  
36 offender's individual reentry plan, the department shall maximize the  
37 period of partial confinement for the offender as allowed pursuant to  
38 RCW 9.94A.728 to facilitate the offender's transition to the  
39 community.

1 (7) The department shall establish mechanisms for sharing  
2 information from individual reentry plans to those persons involved  
3 with the offender's treatment, programming, and reentry, when deemed  
4 appropriate. When feasible, this information shall be shared  
5 electronically.

6 (8)(a) In determining the county of discharge for an offender  
7 released to community custody, the department may ~~((not))~~ approve a  
8 residence location that is not in the offender's county of origin  
9 ~~((unless it is determined by the))~~ if the department determines that  
10 ~~the ((offender's return to his or her county of origin would be~~  
11 ~~inappropriate considering))~~ residence location would be appropriate  
12 based on any court-ordered condition of the offender's sentence,  
13 victim safety concerns, ~~((negative influences on the offender in the~~  
14 ~~community, or the))~~ and factors that increase opportunities for  
15 successful reentry and long-term support including, but not limited  
16 to, location of family or other sponsoring persons or organizations  
17 that will support the offender, availability of appropriate  
18 programming or treatment, and access to housing, employment, and  
19 prosocial influences on the offender in the community.

20 (b) If the offender is not returned to his or her county of  
21 origin, the department shall provide the law and justice council of  
22 the county in which the offender is placed with a written  
23 explanation.

24 (c)(i) For purposes of this section, except as provided in  
25 (c)(ii) of this subsection, the offender's county of origin means the  
26 county of the offender's residence at the time of the offender's  
27 first felony conviction in Washington state.

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

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

--- END ---