

RCW 72.09.270 Individual reentry plan. (1) The department of corrections shall develop an individual reentry plan as defined in RCW 72.09.015 for every incarcerated individual who is committed to the jurisdiction of the department except:

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

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

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

(3) In developing individual reentry plans, the department shall assess all incarcerated individuals using standardized and comprehensive tools to identify the criminogenic risks, programmatic needs, and educational and vocational skill levels for each incarcerated individual. The assessment tool should take into account demographic biases, such as culture, age, and gender, as well as the needs of the incarcerated individual, including any learning disabilities, substance abuse or mental health issues, and social or behavior challenges.

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

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

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

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

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

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

(6) (a) Prior to discharge of any incarcerated individual, the department shall:

(i) Evaluate the incarcerated individual's needs and, to the extent possible, connect the incarcerated individual with existing services and resources that meet those needs;

(ii) Connect the incarcerated individual with a community justice center and/or community transition coordination network in the area in which the incarcerated individual will be residing once released from the correctional system if one exists; and

(iii) Ensure that every consenting incarcerated individual confined in a department of corrections facility for 60 days or longer possesses a valid identicard or driver's license, issued by the

department of licensing under chapter 46.20 RCW, prior to the individual's release to the community. Issuance of the identicard or driver's license must not cause a delay in the incarcerated individual's release to the community or transfer to partial confinement. The department must:

(A) Pay any application fee required for obtaining the identicard;

(B) Provide a photo of the incarcerated individual for use on the identicard under RCW 46.20.035(1), which upon request of the individual must be a different photo than the individual's mug shot and not indicate that the individual was incarcerated at the time of the photo; and

(C) Obtain a signature from the individual that is acceptable to the department of licensing to use for an identicard or driver's license.

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

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

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

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

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

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

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

(9) Nothing in this section creates a vested right in programming, education, or other services. [2024 c 315 s 1; 2021 c 200 s 3; 2008 c 231 s 48; 2007 c 483 s 203.]

***Reviser's note:** RCW 10.95.040 through 10.95.901 relating to "death sentence" was repealed by 2023 c 102 s 21.

Effective date—2024 c 315: "This act takes effect January 1, 2025." [2024 c 315 s 8.]

Intent—Application—Application of repealers—Effective date—2008 c 231: See notes following RCW 9.94A.701.

Severability—2008 c 231: See note following RCW 9.94A.500.

Intent—2007 c 483: "Individual reentry plans are intended to be a tool for the department of corrections to identify the needs of an offender. Individual reentry plans are meant to assist the department in targeting programming and services to offenders with the greatest need and to the extent that those services are funded and available. The state cannot meet every need that may have contributed to every offender's criminal proclivities. Further, an individual reentry plan, and the programming resulting from that plan, are not a guarantee that an offender will not recidivate. Rather, the legislature intends that by identifying offender needs and offering programs that have been proven to reduce the likelihood of reoffense, the state will benefit by an overall reduction in recidivism." [2007 c 483 s 201.]

Findings—2007 c 483: See RCW 72.78.005.