



## MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: May 3, 2022  
To: Planning Commission (PC)  
From: Alena Tuttle, Associate Planner  
Subject: Code Amendments: "Halfway House", "Work Release Facilities", and similar uses.

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### **Purpose**

This meeting is meant to provide the Planning Commission a comprehensive overview of what a work release facility is, including:

- Daily operations.
- Which individuals are eligible for placement in a work release facility.
- How these individuals interact with the surrounding community.
- How these individuals further their education or employment status.

This further research was prompted by questions posed during the April 5<sup>th</sup>, 2022 meeting. The information in this memorandum was gathered by direct contact via phone call and email correspondence with Mark A. Kucza, Department of Corrections Senior Administrator - Reentry Division and Statewide Work Release Expansion Project Lead. Additional information was acquired through various resources such as DOC Policies (see exhibits) and the DOC work release expansion webpage.

Staff is seeking Planning Commission questions, comments, and concerns in order to prepare for further discussion at your May 17<sup>th</sup>, 2022 meeting.

### **Facility Operations**

"Work Release Facilities" are now called "Reentry Centers" by the Department of Corrections and will be referred to as such moving forward.

Within Washington State, there are currently twelve Reentry Centers. Out of these twelve, the Washington State Department of Corrections only owns a select few; the majority are privately owned and operated by the State through a 20-year lease. The property owner is financially responsible for paying for any tenant improvements needed for the building. Currently, staffing of these facilities consist of a mix of contracted and state employees. As contract compliance issues have been on the rise, and wages of contracted staff are low, the State is phasing out contracted staff and only state staff will be hired now to operate these facilities.

Unlike a prison which provides services inside of a secure perimeter, reentry center participants access substance use disorder and other types of treatment through community treatment providers accessible to the general public. These are then the same treatment providers that will provide services once individuals are released from the Reentry Center.

Previously, the State provided some in-house programs and services in Reentry Centers, but the State discontinued that practice. The State is considering bringing back substance abuse treatments and a cognitive behavioral intervention program. AA meetings are sometimes integrated with a reentry center if a community partner volunteers.

### **Screening and Eligibility**

The State uses data to pre-screen and identify eligible individuals at 18 months of their earned release date. An individual is ineligible for Reentry Center placement if they meet any of the following. Please refer to exhibit 1, DOC Policy 300.500 Reentry Center Screening for further details.

1. Will not be assigned Minimum 1 custody (lowest level custody classification, low security, eligible for partial confinement).
2. Has an open felony detainer/warrant.
3. Has an open Immigration and Customs Enforcement (ICE) detainer.
4. Has an Out-of-State release plan.
5. Had or currently has a referral recommending civil commitment.
6. Has a serious medical/mental health condition and has not been cleared for Reentry Center placement.
7. Has been convicted of Murder 1.
8. Has a current local victim safety concern.
9. Has been convicted of Rape 1 and is within the first 3 years of confinement.
10. Has been sentenced with a weapons enhancement and the mandatory portion of the sentence has not been completed.
11. Is a sex offender not amenable to crime-related treatment and poses a public safety or community risk.
12. Has refused assessment or has not completed mandatory programming and was found guilty for the refusal during incarceration.
13. Does not intend to become gainfully employed or participate in education or employment training.
14. Does not meet local interagency agreement criteria.
15. Has a consecutive or active concurrent sentence from another jurisdiction.
16. Has been terminated from the Reentry Center placement and/or Graduated Reentry during the current incarceration due to disciplinary action(s).

### **Community Access**

Participants in this program are authorized under the authority of a community corrections officer to leave and return to the Reentry Center for specific reasons such as school, work, counseling and outings with family or friends. It is also common for families and children to visit program participants at these centers.

Community access is allowed based on time spent in the reentry center, progress in meeting plan objectives, personal behavior, and risk to the public. Increased access to the community is based upon a three-step program. Each case manager decides when the individual is ready for entry into the community. The phased approach is to ease a once fully incarcerated and confined individual slowly out into the community environment.

Types of approvals to leave the Reentry Center are:

Point-to-Point Pass

Used only for approved personal business i.e., access to courts/law library/attorney, health and dental care, programs, religion during the hours of 7:00am and 10:00pm and cannot exceed a two-hour duration, excluding travel time.

Job Search Pass

Used only when a participant is seeking employment. The pass has an eight-hour duration including travel time. After four hours, the participant must contact and/or return to the facility.

The phased three step advancement into the community process is as follows:

Step 1

Qualification:

- i. Completion of the facility orientation.

Privileges earned:

- i. Point-to-Point passes.
- ii. Approved visitors.

Step 2

Qualification:

- i. Maintain employment and/or accredited educational programming a minimum of 32 hours per week.
- ii. Have a legal financial obligation schedule established, if applicable.
- iii. Successfully participate in all facility program requirements and comply with the custody facility plan.
- iv. Have remained major infraction free, including violations that resulted in a stipulated agreement, for the past 30 days.

Privileges earned:

- i. Point-to-Point passes.
- ii. Approved social outing time, up to 20 hours a week.
- iii. Other privileges as established.

Step 3

Qualification:

- i. Maintain employment and/or accredited educational programming a minimum of 40 hours per week.

- ii. Be current in his/her payments towards cost of supervision, LFOs, loans, and room and board.
- iii. Have remained major infraction free, including violations that resulted in a stipulated agreement, for the past 60 days.
- iv. Meet facility program requirements and comply with the custody facility plan.

Privileges earned:

- i. Point-to-Point passes.
- ii. Approved social outing time, up to 30 hours a week.
- iii. Other privileges as established.

### **Safety and Discipline**

All participants have a cell phone and must contact DOC if an issue arises such as being late due to missing the bus, car troubles, etc. If contact is not established, an immediate warrant is put out for the individual's arrest and full confinement (prison).

On a less serious case, if an individual is suspected of committing an infraction, s/he may be restricted to the facility pending the outcome of an investigation.

When an individual admits to or is found guilty of a major infraction s/he are returned to the previous step unless otherwise noted by the hearing officer. The offender must re-apply for step advancement. When eligible as determined by the classification committee, the offender may move through the step system.

### **Visits and Social Outings**

Families play a vital role in the reentry process and visits and social outings are encouraged to support maintaining ties with family, friends, and the community.

All requests must be approved before the planned outing. Out of state travel is not allowed but leaving the County may be approved. On an individual basis, case managers may place geographical boundaries based on victim concerns or other reasons.

An adult, 21 or older may apply to be approved as a sponsor to escort and account for an individual outside the reentry center. A social outing cannot exceed 10 hours at a time and may only occur between the hours of 8:00am and 10:00pm. The sponsor must always accompany the individual and escort the individual back into the facility when the outing is complete. A case manager will interview sponsors and/or family members and friends at least quarterly to ensure that individuals are complying with the conditions of the social outing agreement.

### **Employment**

Each reentry center location develops and maintains a list of approved employers who have been oriented regarding the Reentry Center rules related to offender employment. See exhibit 4. The list does not include one-off employers who have hired someone with a specific vocational certificate such as welding, HVAC or wastewater treatment/municipal employers; vocational trade certification while in prison is common. There are federal tax incentives for employers hiring second chance applicants and a federal program that includes bonding and insuring of offenders.

An individual's job and work schedule will be approved before beginning employment with employers not on the approved list. Each employer on the approved list will be contacted by telephone at least once per month if there is a Reentry Center participant currently employed at the location. An in-person visit is conducted at least once a month at new employer sites and every other month for employers on the approved list.

Employment is not always in the same City as the location of the Reentry Center and public transportation is the heavily relied upon method of getting to a job site. New employment partnerships may be established with local businesses after the siting of a new facility. There are currently several chain businesses that are pre-approved and have locations in SeaTac or neighboring cities, including businesses in the hospitality industry.

A participant in the Reentry Center does not necessarily need to seek employment. Educational attainment, such as going to community college is an option. For older adults eligible for social security, a reentry plan and working on reconnecting with family is also an option.

### **Next Steps**

Staff will be researching the following in addition to any further questions and requests the Planning Commission brings forth:

- Zoning and land use compatibility of the established Reentry Centers across Washington.
- Determining economic development impacts of Reentry Centers by contacting local Chambers of Commerce and businesses surrounding these facilities.
- Bringing forth newfound information on the City of Wenatchee's Hearing Examiner Decision of the DOC's Conditional Use Permit application for siting a new reentry center.

### **Attached Items (Exhibits)**

1. Reentry Center Screening Policy 300.500
2. Monitoring Graduated Community Access Policy 300.550
3. Visits and Social Outings for Reentry Centers Policy 450.310
4. Washington State Work Release Employers by Location