

**RCW 72.65.040 Approval or denial of application—Adoption of work release plan—Terms and conditions—Revocation—Reapplication—Application of section.** (1) The superintendent of the state correctional institution in which a prisoner who has made application to participate in the work release program is confined, after careful study of the prisoner's conduct, attitude, and behavior within the institutions under the jurisdiction of the department, his or her criminal history and all other pertinent case history material, shall determine whether or not there is reasonable cause to believe that the prisoner will honor his or her trust as a work release participant. After having made such determination, the superintendent, in his or her discretion, may deny the prisoner's application, or recommend to the secretary, or such officer of the department as the secretary may designate, that the prisoner be permitted to participate in the work release program. The secretary or his or her designee, may approve, reject, modify, or defer action on such recommendation. In the event of approval, the secretary or his or her designee, shall adopt a work release plan for the prisoner, which shall constitute an extension of the limits of confinement and treatment of the prisoner when released pursuant thereto, and which shall include such terms and conditions as may be deemed necessary and proper under the particular circumstances. The plan shall be signed by the prisoner under oath that he or she will faithfully abide by all terms and conditions thereof. Further, as a condition, the plan shall specify where such prisoner shall be confined when not released for the purpose of the work release plan. At any time after approval has been granted to any prisoner to participate in the work release program, such approval may be revoked, and if the prisoner has been released on a work release plan, he or she may be returned to a state correctional institution, or the plan may be modified, in the sole discretion of the secretary or his or her designee. Any prisoner who has been initially rejected either by the superintendent or the secretary or his or her designee, may reapply for permission to participate in a work release program after a period of time has elapsed from the date of such rejection. This period of time shall be determined by the secretary or his or her designee, according to the individual circumstances in each case.

(2) This section applies only to persons sentenced for crimes that were committed before July 1, 1984. [2012 c 117 s 485; 1984 c 209 s 30; 1979 c 141 s 277; 1967 c 17 s 4.]

**Effective dates—1984 c 209:** See note following RCW 9.94A.030.