Chapter 43.380 RCW
WASHINGTON STATEWIDE REENTRY COUNCIL

Sections
43.380.005 Finding—Intent.
43.380.010 Definitions.
43.380.020 Washington statewide reentry council—Created—Executive
director (as amended by 2021 c 243).
43.380.020 Washington statewide reentry council—Created—Executive
director (as amended by 2021 c 334).
43.380.030 Council—Membership.
43.380.040 Council—Initial appointments—Terms—Selection committee
—Cochairs.
43.380.050 Council powers and duties—Selection of executive
director—Stakeholder participation—Reports.
43.380.060 Council reimbursement.
43.380.070 Meetings.
43.380.080 Performance audits.

RCW 43.380.005 Finding—Intent. The legislature finds that the
cycle of recidivism warrants a closer examination of our criminal
justice system, correctional systems, and community services in
Washington. Over ninety-five percent of persons in prison will return
to the community, and more than half of those persons will reoffend
and be reincarcerated in today's system. This high rate of recidivism
results in more crimes, more victims, more prisons, and more trauma
within families and communities. We can do better for the people of
Washington.

The legislature intends to establish the Washington statewide
reentry council to develop collaborative and cooperative relationships
between the criminal justice system, victims and their families,
impacted individuals and their families, and service providers, with
the purpose of improving public safety and outcomes for people
reentering the community from incarceration. [2016 c 188 § 1.]

RCW 43.380.010 Definitions. The definitions in this section
apply throughout this chapter unless the context clearly requires
otherwise.
(1) "Council" means the Washington statewide reentry council.
(2) "Department" means the department of commerce. [2016 c 188 §
2.]

RCW 43.380.020 Washington statewide reentry council—Created—
Executive director (as amended by 2021 c 243). (1) Subject to the
availability of amounts appropriated for this specific purpose, the
Washington statewide reentry council is created and located within the
department for the purpose of promoting successful reentry of
offenders after incarceration.
(2) Through the executive director that may be appointed by the
council, the department shall administer the council by:
(a) Providing the council and its executive director use of the
department's facilities; and
Managing grants and other funds received, used, and disbursed by the council. (Except during the 2019-2021 fiscal biennium, the department may not designate additional full-time staff to the administration of the council beyond the executive director.) [2021 c 243 § 12; 2019 c 415 § 976; 2016 c 188 § 3.]

Findings—2021 c 243: See note following RCW 74.09.670.

RCW 43.380.020 Washington statewide reentry council—Created—Executive director (as amended by 2021 c 334). (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington statewide reentry council is created and located within the department for the purpose of promoting successful reentry of offenders after incarceration.

(2) Through the executive director that may be appointed by the council, the department shall administer the council by:
   (a) Providing the council and its executive director use of the department's facilities; and
   (b) Managing grants and other funds received, used, and disbursed by the council.

(3) Except during the 2019-2021 and 2021-2023 fiscal biennia, the department may not designate additional full-time staff to the administration of the council beyond the executive director. [2021 c 334 § 984; 2019 c 415 § 976; 2016 c 188 § 3.]

Reviser's note: RCW 43.380.020 was amended twice during the 2021 legislative session, each without reference to the other. For rule of construction concerning sections amended more than once during the same legislative session, see RCW 1.12.025.

Conflict with federal requirements—Effective date—2021 c 334: See notes following RCW 43.79.555.

Effective date—2019 c 415: See note following RCW 28B.20.476.

RCW 43.380.030 Council—Membership. (1) The council comprises fifteen members appointed by the governor.

(2) The governor must create a membership that includes:
   (a)(i) Representatives of: The department of corrections; the juvenile rehabilitation administration; a statewide organization representing community and technical colleges; a statewide organization representing law enforcement interests; a statewide organization representing the interests of crime victims; a statewide organization representing prosecutors; a statewide organization representing public defenders; a statewide or local organization representing businesses and employers; housing providers; and faith-based organizations or communities;
   (ii) At least two persons with experience reentering the community after incarceration; and
   (iii) Two other community leaders.
   (b) At least one position of the council must be reserved for an invited person with a background in tribal affairs, and such position has all of the same voting and other powers of other members.

(3) When making appointments, the governor shall consider:
The racial and ethnic background of applicants in order for the membership to reflect the diversity of racial and ethnic backgrounds of all those who are incarcerated in the state;

(b) The gender of applicants in order for the membership to reflect the gender diversity of all those who are incarcerated in the state;

(c) The geographic location of all applicants in order for the membership to represent the different geographic regions of the state; and

(d) The experiences and background of all applicants relating to the incarcerated population. [2016 c 188 § 4.]

RCW 43.380.040  Council—Initial appointments—Terms—Selection committee—Cochairs. (1) The governor shall make initial appointments to the council. Initial appointments are for staggered terms from the date of appointment according to the following: Four members have four-year terms; four members have three-year terms; and five members have two-year terms. The governor shall designate the appointees who will serve the staggered terms.

(2) Except for initial appointments under subsection (1) of this section, all appointments are for two years from the date of appointment. Any member may be reappointed for additional terms. Any member of the council may be removed by the governor for misfeasance, malfeasance, or willful neglect of duty after notice and a public hearing, unless such notice and hearing is expressly waived in writing by the affected member. In the event of a vacancy due to death, resignation, or removal, or upon the expiration of a term, the governor shall appoint a successor for the remainder of the unexpired term according to the procedures in subsection (3) of this section. Vacancies must be filled within ninety days.

(3) The council shall create a selection committee to recruit, review, and recommend future members. Prior to thirty days before the expiration of a term or within sixty days of a vacancy due to death, resignation, or removal, the selection committee shall submit a recommendation of possible appointees. The governor shall consider the recommendations of the committee when making appointments.

(4) The council shall elect cochairs from among its membership. Cochairs are elected for two-year terms from the date of election. Any former or current cochair may be reelected for an additional term. [2016 c 188 § 5.]

RCW 43.380.050  Council powers and duties—Selection of executive director—Stakeholder participation—Reports. (1) In addition to other powers and duties prescribed in this chapter, the council is empowered to:

(a) Meet at such times and places as necessary;
(b) Advise the legislature and the governor on issues relating to reentry and reintegration of offenders;
(c) Review, study, and make policy and funding recommendations on issues directly and indirectly related to reentry and reintegration of offenders in Washington state, including, but not limited to: Correctional programming and other issues in state and local correctional facilities; housing; employment; education; treatment; and other issues contributing to recidivism;
Apply for, receive, use, and leverage public and private
grants as well as specifically appropriated funds to establish,
manage, and promote initiatives and programs related to successful
reentry and reintegration of offenders;
(e) Contract for services as it deems necessary in order to carry
out initiatives and programs;
(f) Adopt policies and procedures to facilitate the orderly
administration of initiatives and programs;
(g) Create committees and subcommittees of the council as is
necessary for the council to conduct its business; and
(h) Create and consult with advisory groups comprising
nonmembers. Advisory groups are not eligible for reimbursement under
RCW 43.380.060.
(2) Subject to the availability of amounts appropriated for this
specific purpose, the council may select an executive director to
administer the business of the council.
(a) The council may delegate to the executive director by
resolution all duties necessary to efficiently carry on the business
of the council. Approval by a majority vote of the council is required
for any decisions regarding employment of the executive director.
(b) The executive director may not be a member of the council
while serving as executive director.
(c) Employment of the executive director must be confirmed by the
senate and terminates after a term of three years. At the end of a
term, the council may consider hiring the executive director for an
additional three-year term or an extension of a specified period less
than three years. The council may fix the compensation of the
executive director.
(d) Subject to the availability of amounts appropriated for this
specific purpose, the executive director shall reside in and be funded
by the department.
(3) In conducting its business, the council shall solicit input
and participation from stakeholders interested in reducing recidivism,
promoting public safety, and improving community conditions for people
reentering the community from incarceration. The council shall
consult: The two largest caucuses in the house of representatives; the
two largest caucuses in the senate; the governor; local governments;
educators; behavioral health providers; behavioral health
administrative services organizations; managed care organizations;
city and county jails; the department of corrections; specialty
courts; persons with expertise in evidence-based and research-based
reentry practices; and persons with criminal histories and their
families.
(4) The council shall submit to the governor and appropriate
committees of the legislature a preliminary report of its activities
and recommendations by December 1st of its first year of operation,
and every two years thereafter. [2019 c 325 § 5016; 2016 c 188 § 6.]

Effective date—2019 c 325: See note following RCW 71.24.011.

RCW 43.380.060 Council reimbursement. The members of the
council shall serve without compensation, but are entitled to be
reimbursed for travel expenses as provided in RCW 43.03.050 and
43.03.060. [2016 c 188 § 7.]
RCW 43.380.070  Meetings.  (1) Meetings of the council must be held in accordance with the open public meetings act, chapter 42.30 RCW, and at the call of the cochairs or when a majority of the council membership so requests. Members may participate in a meeting of the council by means of a conference telephone or similar communication equipment as described in RCW 23B.08.200.
   (2) Seven members of the council constitute a quorum.
   (3) Once operational, the council must convene on a regular schedule at least four times during each year.  [2016 c 188 § 8.]

RCW 43.380.080  Performance audits.  (1) The joint legislative audit and review committee shall conduct a performance audit of the council every six years.
   (2) Each audit must include but not be limited to:
      (a) A determination of the extent to which funds expended by the council or provided in biennial budget acts expressly for implementing the duties of the council have contributed toward reducing recidivism in Washington;
      (b) A determination of the efficiency and effectiveness of the council, based upon the achievement of the objectives and benchmarks established by this chapter and any applicable biennial budget acts; and
      (c) Any recommendations for changes to the council's performance and structure necessary to ensure or improve accountability.
   (3) The council may use the audits as the basis for developing changes to its policies and programs.  [2016 c 188 § 9.]