

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In Re Application of:

FIVE STARS MOVING & STORAGE, LLC,

for a permit to operate as a motor carrier of
household goods.

NO. TV-150223

DECLARATION OF CHRISTOPHER WALL

Christopher T. Wall declares as follows:

1 I am the attorney for Five Stars Moving & Storage LLC in the above captioned action. I am over the age of 18, and I make this declaration based on personal knowledge.

2. Attached as Exhibit A is a true and accurate copy of the February 26, 2015 memorandum from Sharon Wallace to Dave Pratt, obtained Assistant Attorney General Andrew O’Connel in preparation for this matter. The memorandum cites “a google.plus advertisement for ‘Better Than The Rest’ ” which advertises “full service moves.” Ex. A at 2. The memorandum notes that “Mr. Trick contends that this is an old website that is no longer used.” *Id.*

3. Google.Plus business listings can be created in two ways: (1) a business can create its own listing; or (2) Google.Plus will automatically generate listings for

1 businesses.¹ In this case, Google.Plus automatically created this listing based on a
2 website that was Mr. Trick and his then-business partner set up in their efforts to start a
3 moving company. That website no longer exists.
4

5 4. Attached as Exhibit B is a true and accurate copy of a request that I
6 submitted to Google.Plus to remove “Better Than The Rest” moving and storage from the
7 google results. I submitted a report that the business was permanently closed.

8 5. Attached as Exhibit C is a true and accurate copy of a confirmation Google
9 sent to me that it had published my edit that the business is permanently closed.

10 6. Attached as Exhibit D is a true and accurate copy of the Google.Plus results
11 for “Better Than The Rest” reflecting that the business is permanently closed.

12 7. Attached as Exhibit E is a true and accurate copy of the webpage for
13 www.betterthantherest.com. I performed this search on June 3, 2015. The webpage
14 indicates that the domain is currently unused and is available for lease.

15 8. On June 3, 2015, I visited the Wayback Machine’s web archive. The
16 Wayback Machine is a non-profit organization that captures webpages over time. It’s
17 mission is to build an internet library of historical webpages as they existed at a given
18 point in time. *About the Internet Archive*, available at <https://archive.org/about/> (last
19 visited June 3, 2015). There were four listings for the website
20 www.betterthantherest.com. Attached as Exhibit F are true and accurate copies of the
21 Wayback Machine’s web capture of the webpage for www.betterthantherest.com on
22
23
24

25 ¹ Mike Blumenthal, Local University, *How Do I Merge My Google + Pages? Usually You Can’t, Now What?*,
26 available at <http://localu.org/blog/merge-google-pages-usually-cant-now/> “Google will automatically create a G+ Page for local for any business that has a bricks and mortar presence, as well as for individual doctors, lawyers and real estate agents at those locations. Typically there is no way to suppress or delete this G+ Page for local.”

1 November 21, 2008, July 27, 2013, May 18, 2014 and December 19, 2014. Each
2 shows that the website was unused and available for lease.

3 9. Attached as Exhibit G is a true and accurate copy of the King County
4 Prosecuting Attorney's Office's PAO Reentry Summit – Final Report obtained from the
5 King County website.

6 10. Attached as Exhibit H is a true and accurate copy of the article America's
7 Recidivism Nightmare available at
8 [http://www.thedailybeast.com/articles/2014/04/22/america-s-recidivism-](http://www.thedailybeast.com/articles/2014/04/22/america-s-recidivism-nightmare.html)
9 [nightmare.html](http://www.thedailybeast.com/articles/2014/04/22/america-s-recidivism-nightmare.html).

10 11. Attached as Exhibit I is a true and accurate copy of Columbia Legal
11 Services webpage on the CROP bill, available at <http://columbialegal.org/Bill-Reduces->
12 [Barriers-to-Work](http://columbialegal.org/Bill-Reduces-).

13 12. Attached as Exhibit J is a true and accurate copy of the House Bill Report
14 on HB 1553, obtained from the Washington Legislature's website available at
15 <http://app.leg.wa.gov/billinfo/summary.aspx?bill=1553&year=2015>.

16 13. Attached as Exhibit K is a true and accurate copy of the Washington State
17 Institute for Public Policy's Sex Offender Sentencing in Washington State December 2005
18 publication.

19 14. Attached as Exhibit L is a true and accurate copy of the Washington State
20 Institute for Public Policy's Sex Offender Sentencing in Washington State January 2006
21 publication.

22 I SWEAR UNDER PENALTY OF PERJURY OF THE LAWS OF WASHINGTON THAT THE
23 FOREGOING IS ACCURATE AND CORRECT.
24


CHRISTOPHER T. WALL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

EXHIBIT A

MEMORANDUM

February 26, 2015

To: Dave Pratt, Assistant Director
Transportation Safety

From: Sharon Wallace, Assistant Director
Consumer Protection and Communications

Subject: Research and recommendation regarding Five Stars Moving & Storage, LLC's application for a household goods permit

Background

- On Feb. 10, 2015, Five Stars Moving & Storage, LLC, submitted a household goods moving company permit application.
- The permit application lists William Trick as President, and Tom Cook as Vice President. Mr. Trick's address is listed as 11712 8th Ave. S., Seattle, WA 98168, and email is Billy@FiveStarsMoving.com.
- The permit application's household goods statement of support (attachment A) provides three statements of support.
 - Statement of support provided by Kim Gripp. A Facebook search of Kim Gripp shows Kim Gripp's daughter is Ashley Gripp. Ashley Gripp is the wife of Billy Trick.¹
 - Statement of support provided by Kevin Crocker. Mr. Crocker is named in the permit application as the Director of Operations for Five Stars Moving & Storage, LLC.²
 - The third statement of support is provided by Rachael Hibbs, relationship to Mr. Trick is unknown.
- A search of Washington Department of Revenue's Business Licensing Service produced a record for UBI No. 603451897. The entity has a registered trade name of "Five Stars Moving & Storage, LLC, and it is governed by Thomas Cook. The company has a business and mailing address of 111 W. 39th St., Vancouver, WA 98660-1974. The company has an open tax registration account registered to the same business and mailing address.
- A search of Washington Secretary of State Corporations Registration Data produced a record for "Five Stars Moving & Storage, LLC" with UBI No. 603451897. The entity lists Albert Schlotfeldt as the registered agent with an address of 900 Washington St., Suite 1020, Vancouver, WA 98660. The entity also lists Thomas Cook as the governing person with an address of 111 W. 39th St., Vancouver, WA 98660. The entity filed with the Secretary of State on Nov. 13, 2014.

¹ See Attachment A for a copy of Kim Gripp's statement of support.

² See Attachment B for a copy of Kevin Crocker's statement of support.

- A google.com search for “Five Stars Moving & Storage, Seattle” produced no relevant results located in Washington.
- On Feb. 26, 2015, an Internet search of telephone number (206) 380-6463 produced a link to a google.plus advertisement for “Better Than The Rest” moving company in Seattle.³ The telephone number listed in the advertisement is (206) 380-6463, which is Mr. Trick’s telephone number. The advertisement stated, “We offer full service moves! We also offer Labor only help as well as packing assistance! Call today for free quotes and availability.” Better than the Rest is not a permitted household goods company in the state of Washington. Mr. Trick contends that this is an old website that is no longer used.
- A reverse telephone record search for (206) 380-6463, on www.westlaw.com, produced a record for William A. Trick, III. His last address noted is from May 2013 at 10033 Des Moines Memorial Dr., Seattle, WA 98168-1623. A previous address for Mr. Trick is noted from March 2013 at 11712 8th Ave. S., Seattle, WA 98168-2181.
- A search of the U.S. Department of Transportation FMCSA Safety and Fitness Electronic Records system produced a record for Five Stars Moving & Storage LLC. The entity has a business and mailing address of 11712 8th Ave. S., Seattle, WA 98168, and a telephone number of (206) 380-6463.
- On Feb. 26, 2015, staff searched www.google.com for the name “William Trick.” The search produced a result for the name “William Anthony Trick” on the King County Sheriff’s sex offender watch website.⁴
- King County Sheriff’s website indicated that Mr. Trick was convicted of Child Molestation in the First Degree, on Nov. 27, 1999; was incarcerated; and was released on May 21, 2004. Comments on the website state: “William Trick sexually assaulted two 7-year-old females. Trick was acquainted with the victim’s mother through their employment. Trick had a history of volunteering at daycares and children overseas services. He had also served as a soccer and wrestling coach.”
- On Page 6 of the permit application the applicant is asked, “Has any person named in this application, been cited for violation of state laws or Commission rules?” The application, signed by William Trick, checked the box that indicates, “No.”⁵ Mr. Trick contends that commission staff told him that the question was only in regard to the statutes and rules related to the household goods moving industry.

Findings

- Staff conducted a search of Billy’s phone number on www.westlaw.com, and established that Billy’s full name is William Anthony Trick.
- The King County Sheriff’s sex offender watch website indicated William Anthony Trick as a Level II registered sex-offender who lives on the 11700 block of 8th Ave S Seattle, WA 98168.
- The King County Sexual Assault Resource Center defines Level II sex-offenders in the state of Washington as: Level II sex offenders generally present a moderate risk to re-offend within community at large. Some sample characteristics:

³ See Attachment C for a copy of google.plus advertisement, “Better Than The Rest” moving company.

⁴ See Attachment D for a copy of King County’s Offender Search details related to William Anthony Trick

⁵ See Attachment E for a copy of permit application indicating no previous violation of state laws.

- These individuals may be considered a Level II sex offender because of the nature of previous crime(s).
- For some Level 2 sex offenders, lifestyle (drugs and alcohol use, other criminal activity) may influence their potential to re-offend.
- These individuals often have; more than one victim and/or took advantage of a position of trust and authority, such as a teacher, coach, clergy, or babysitter.
- RCW 9A.44.083, provides: “Child molestation in the first degree (1) A person is guilty of child molestation in the first degree when the person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another who is less than twelve old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim. (2) Child molestation in the first degree is a class A felony.”
- RCW 9A.44.140 provides: Registration of sex offenders...duty to register provides “(1) For a person convicted in this state of a class A felony or an offense listed in RCW 9A.44.142(5), or a person convicted in this state of any sex offense or kidnapping offense, the duty to register shall continue indefinitely.”
- A Facebook.com profile for “Billy Trick” displays photos that match the photo of William Anthony Trick on the King County Sheriff’s website.⁶
- On Feb. 26, 2015, an Internet search of telephone number (206) 380-6463 produced a link to www.betterthantherest.com, which displayed the telephone number (206) 380-6463. The contact information states, “We offer full service moves! We also offer Labor only help as well as packing assistance! Call today for free quotes and availability.”

Recommendation

Staff recommends that the application for a household goods movers permit for Five Stars Moving & Storage, LLC, be denied based on WAC 480-15-302(8)(b), which states:

...“if a person named in the application has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identify theft, fraud, false statements, or the manufacture, sale or distribution of a controlled substance more than five years prior to the date of the application and the commission determines that the nature or extent of the crime(s) will likely interfere with the proper operation of a household goods moving company, the commission will deny operating authority to the applicant.”

Staff notes that the risk factor for a Level II is a moderate risk to reoffend. The household goods moving industry, by its nature, allows movers to enter homes. It must be taken into consideration that many households have children present during moves and may be unsupervised.

Further, Staff recommends the permit be denied based on Mr. Trick’ representation that no person named in the application has been cited for violation of state laws.

⁶ See Attachment F for a copy of Billy Trick’s Facebook page.

Attachment A

Feb. 9. 2015 4:02PM

No. 2479 P. 12



ATTACHMENT A

HOUSEHOLD GOODS STATEMENT OF SUPPORT

Your application must include at least three shipper or public statements supporting the proposed household goods moving service. Shipper statements may come from persons or organizations with a need for household goods moving services, or who support your request for a permit to provide those services. These forms may be copied by you as needed.

Applicant Name: Five Stars Moving & Storage

The following must be completed by the Supporter of the applicant

Name, Title, and Business Name:
Kim Gripp, Mrs.

Address (include street address, mailing address, city, state, zip, and county):
6410 73rd Ave NE
Marysville WA 98270

Phone Number: 425-418-5439

Do you currently need the services of a residential household goods moving company?
 No Yes If yes, please describe your current moving needs:

Do you anticipate a future need for the services of a residential household goods moving company?
 No Yes If yes, please describe your future moving needs:
When my husband and I retire, we will be moving into a smaller place

Briefly describe how granting this company a permit to provide household goods moving services in Washington State will benefit you, your business, and/or your community: They offer competitive pricing, they are hard working and trustworthy and that is something our community definitely needs.

Is there anything else the Commission should consider when making a determination about this company's application for a household goods permit? I would recommend this company to anyone looking to move in western Washington or anywhere in Washington State.

I certify (or declare) under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Kim Gripp
Signature of Person Completing Form

1-5-2015 Marysville, WA
Date and Location

Attachment B

Feb. 9. 2015 4:02PM

No. 2479 P. 13



ATTACHMENT A

HOUSEHOLD GOODS STATEMENT OF SUPPORT

Your application must include at least three shipper or public statements supporting the proposed household goods moving service. Shipper statements may come from persons or organizations with a need for household goods moving services, or who support your request for a permit to provide those services. These forms may be copied by you as needed.

Applicant Name:

The following must be completed by the supporter of the applicant

Name, Title, and Business Name: KEVIN CROCKE

Address (Include street address, mailing address, city, state, zip, and county): 11509 96th ST NE LAKE STEVENS WA 98258

Phone Number:

Do you currently need the services of a residential household goods moving company?
[X] No [] Yes If yes, please describe your current moving needs:

Do you anticipate a future need for the services of a residential household goods moving company?
[] NO [X] Yes If yes, please describe your future moving needs:
I will be selling my house and buying another in about 6 months

Briefly describe how granting this company a permit to provide household goods moving services in Washington State will benefit you, your business, and/or your community:
It will benefit me by having a mover that's trustworthy, reliable and safe; this will also create more jobs in Washington which will in turn stimulate our economy.

Is there anything else the Commission should consider when making a determination about this company's application for a household goods permit? NO

I certify (or declare) under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signature of Person Completing Form

Date and Location 2-17-14 LAKE STEVENS WA

Attachment C

Join Google+ Sign in to Google to see reviews from people you know. Learn more about Google+ Local

Better Than The Rest Seattle, WA 8,443 views 4 Follow

Better Than The Rest

1000 1st Ave
Seattle, WA 98101

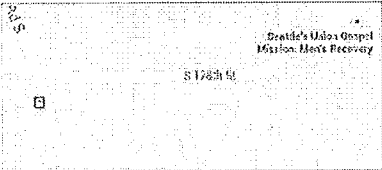
Office Moving and
Packing Experts for Labor

Follow

8,443 views

About Posts Photos Videos

Contact Information



Seattle's Union Group
Mason. Move. Recovery

Seattle, WA
(206) 380-6463

Office Moving Jobs • Today Open 24 hours

We offer full service moves! We also offer Labor only help as well as packing assistance! Call today for free quotes and availability

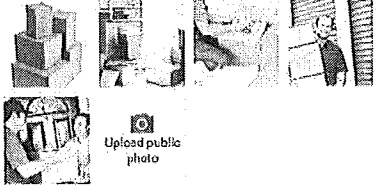
Edit details

Review Summary

Write a review


Be the first to review

Photos



Upload public photo

Attachment D



KING COUNTY

Sheriff's Office

Sheriff John Urquhart

Offender Search: Offender Details

Details

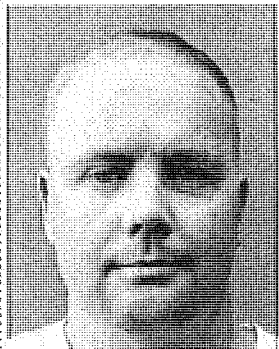
Name:	WILLIAM ANTHONY TRICK	Registration #:	6073
Level:	Level II		

• Age:	37	• Height:	5'10"
• Sex:	M	• Weight:	160lbs
• Race:	White	• Eyes:	Hazel
• Hair:	Blonde		
• Scars/Tattoos:	Scar on Chest (CHEST)		

11700 block of 8 AVE S SEATTLE, WA
98168

• Description:	9A.44.083 - Child molestation in the first degree View this statute
• Date Convicted:	11/27/1999
• Conviction State:	Washington
• Release Date:	05/21/2004
• Details:	Sexually assaulted two 7 year old females that he knew

WILLIAM TRICK SEXUALLY ASSAULTED TWO 7-YEAR-OLD FEMALES. TRICK WAS AQUAINTED WITH THE VICTIM'S MOTHER THROUGH THEIR EMPLOYMENT. TRICK HAD A HISTORY OF VOLUNTEERING AT DAYCARES AND CHILDREN OVERSEAS SERVICES. HE HAD ALSO SERVED AS A SOCCER AND WRESTLING COACH. IF YOU HAVE ANY QUESTIONS OR CONCERNS PLEASE CONTACT THE KING COUNTY SHERIFF'S OFFICE REGISTERED SEX OFFENDER UNIT AT (206) 263-2120.



WILLIAM ANTHONY TRICK

[Submit a tip or correction for this offender](#)

[Register to track this offender](#)

Attachment E

Feb. 9. 2015 4:01PM

No. 2479 P. 6

Do you have, or have you ever had a business related legal proceeding against you in Washington, or in any other state? No Yes If yes, please explain: _____

Has any person named in this application, within the past five years, been convicted of any crime involving theft, burglary, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance? No Yes If yes, please explain: _____

Has any person named in this application, been cited for violation of state laws or Commission rules? No Yes If yes, please explain: _____

FINANCIAL STATEMENT			
You must complete the following financial statement or attach a balance sheet, profit and loss statement, or business plan.			
Assets		Liabilities	
Cash in Bank	\$	Salaries/Wages Payable	\$
Notes Receivable	\$	Accounts Payable	\$
Investments	\$	Notes Payable	\$
Other Current Assets	\$	Mortgages Payable	\$
Prepaid Expenses	\$	TOTAL LIABILITIES	\$
Land and Buildings	\$	NET WORTH	
Trucks and Trailers	\$	Preferred Stock	\$
Office Furniture	\$	Common Stock	\$
Other Equipment	\$	Retained Earnings	\$
Other Assets	\$	Capital	\$
TOTAL ASSETS	\$	TOTAL LIABILITIES & NET WORTH	\$

EQUIPMENT LIST				
Describe the equipment you will own or lease to provide moving services (attach additional sheets if necessary).				
Year	Make	License Number	Vehicle ID Number	Gross Vehicle Weight
2006	International H300	1552768A	1HTMMAAM96H459898	26,000 lbs.

EXHIBIT B

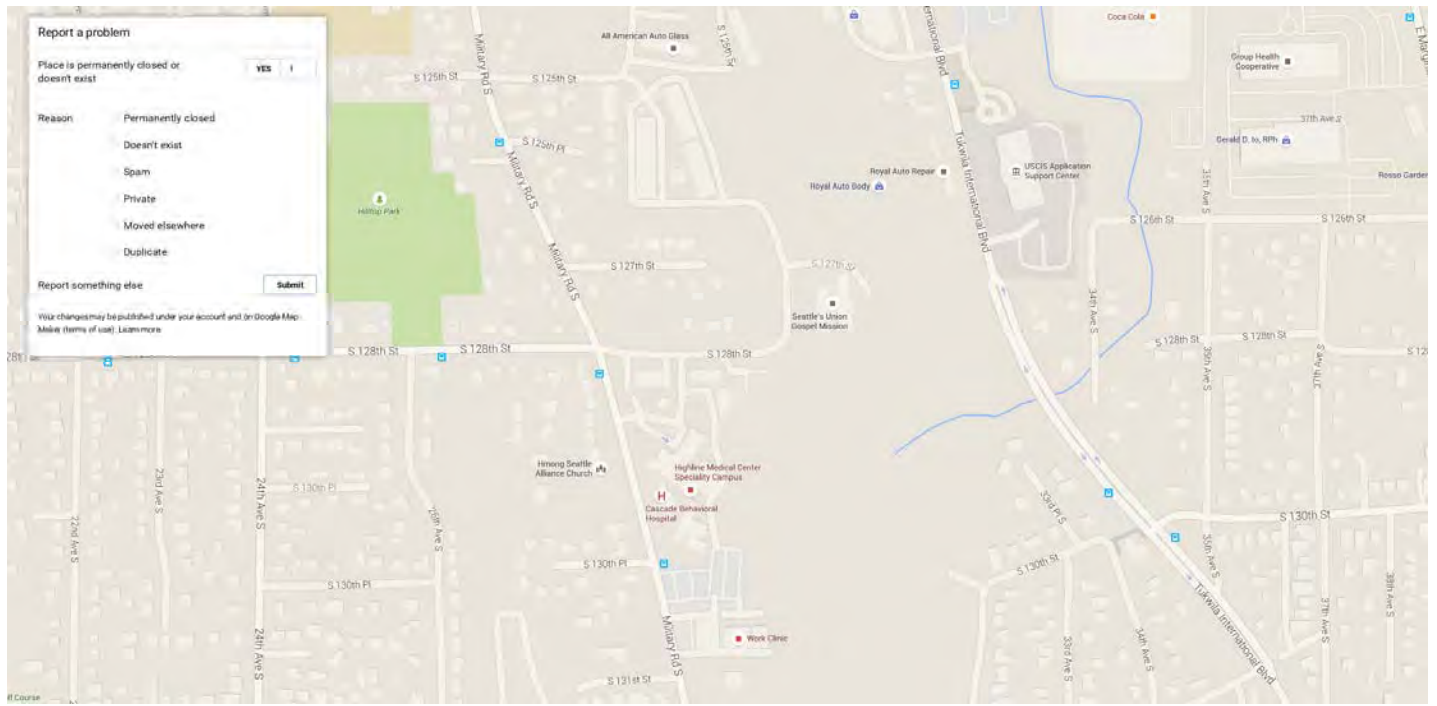


EXHIBIT C



Chris Wall

Published: Your edit to Better Than The Rest

1 message

Google Maps <noreply-maps-issues@google.com>
Reply-To: Google Maps <noreply-maps-issues@google.com>

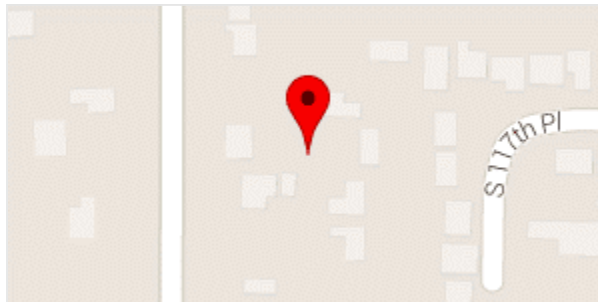
Tue, Jun 2, 2015 at 9:03 PM

Google Maps

Success

Your edit to Better Than The Rest has been **published**. You can view the updated information [here](#).

Thank you for improving Google Maps! Your insights make it a better, more useful map for everyone.



Better Than The Rest
11712 8th Ave S, Seattle, WA, United States

Your edit

Place is permanently closed

Edited on May 26, 2015 · **Published**

Thanks for your help,
The Google Maps team

EXHIBIT D

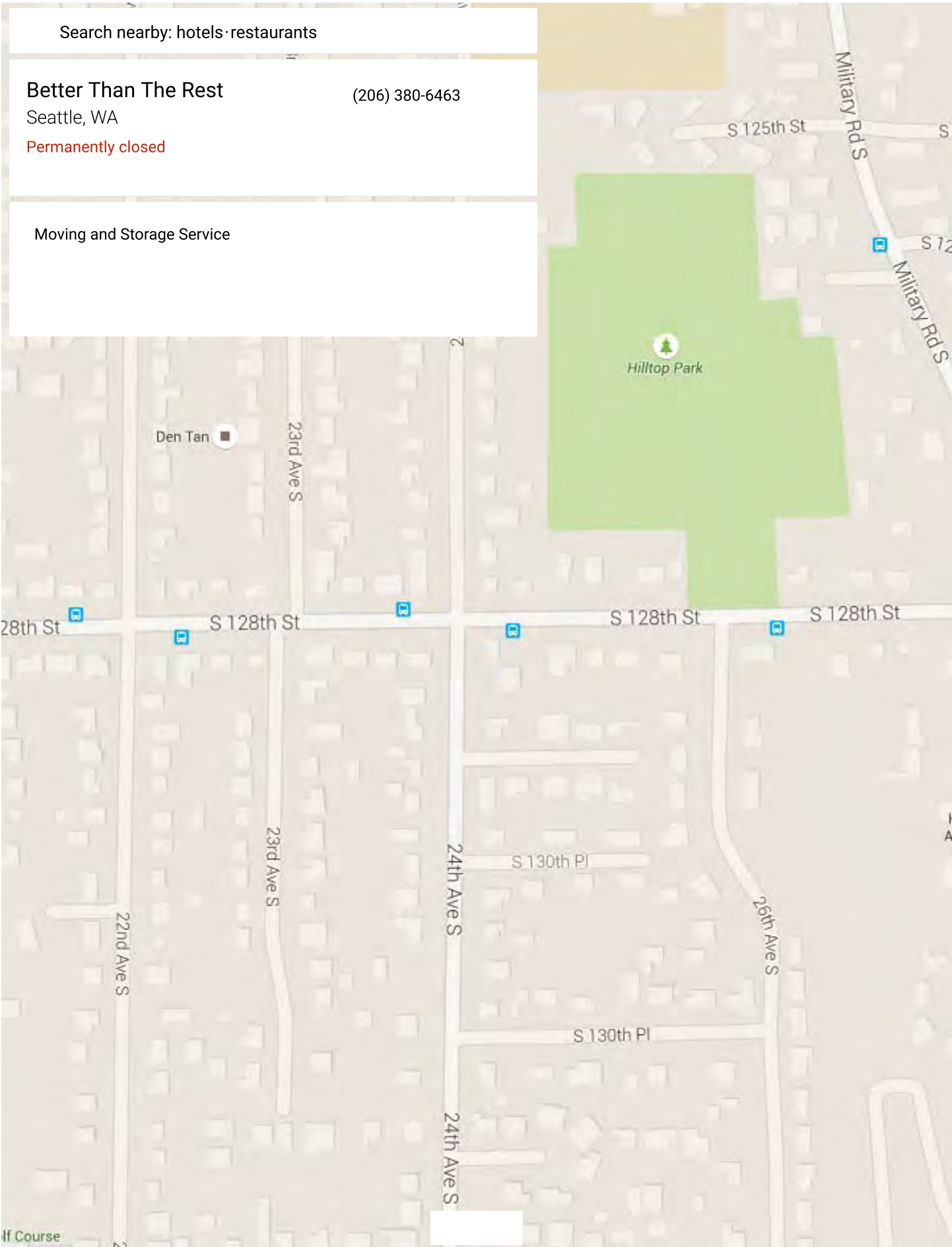


EXHIBIT E

**These other domains
are also available:**

21stcenturytcm.com
a1careers.com
alltimer.com
all-timer.com
americaonthecouch.com
ancientmedicine.com
askadoctoroforientalmedicine.com
askadom.com
askguo.com
audio-visual-aids.com
audio-visual-equipment.com
automaticwelders.com
autosocks.com
azyogalife.com
banallweapons.org
ban-all-weapons.org
basementsale.com
betterthanall.com
betterthantherest.com
bizwarfare.com
breakthehabit.com
cardioselfdefense.com
careerseye.com
classicbooksonline.com
contractassemblies.com
contract-assemblies.com
cost2ship.com
costnoobject.com
cyber-drugs.com
delaydeath.com
dfastener.com
d-fastener.com
dfasteners.com
d-fasteners.com
directmanufacturer.com
domain-o.com
dotcomfastener.com
dotcomfastener.net
dotcomfasteners.com
dotcomfasteners.net
efastener.com
efasteners.com
ehubby.com

e-husband.com
electronictimers.com
expensenoobject.com
fasteneroasis.net
fastenersontheweb.com
firstspeak.com
firsttimeinhistory.com
frequentshipper.com
friendsr.com
gangi-kungfu.com
honestcapitalism.com
honestherbalist.com
importwear.com
industrialgoodsauction.com
industriallubricants.com
industryoasis.com
inspectiondevices.com
integrativewellness.com
jacksofalltrades.com
legaladvice-free.com
machinelubricants.com
meetalawyer.com
moderntcm.com
myfastener.com
net-corporation.com
netflyfisherman.com
newchinesemedicine.com
neworientalmedicine.com
newtcm.com
noanger.com
nutsandboltsproductions.com
nutsandscrews.com
onlinefastenerauction.com
onlinefasteners.net
planetearthspeaks.com
planetsforum.com
pluscareers.com
poli-facts.com
precisionpillow.com
precisionsleep.com
premierforum.com
price2ship.com
pricenoobject.com
printedlabels.com
professionalherbals.com
readyssetship.com

rockudoc.com
rubadubprescriptions.com
safebrakes.com
screwsandnuts.com
seriousherbal.com
seriousherbals.com
ship-a-package.com
slogansinc.com
supplyoasis.net
surplusboltsandnuts.com
surplusfasteners.com
surplusnutsandbolts.com
surplusnutsandscrews.com
surplusscrewsandnuts.com
talktomother.com
teleseller.com
tellittomother.com
thankfulness.net
thankstoall.com
thecareerchannel.com
theweatherman.com
tradchinesemedicine.com
twentyfirstcenturytcm.com
uscrew.com
uscrewit.com
wanttobuyauction.com
wateranalyzers.com
wenameit.com
worldeconomicforecast.com
worldtogether.com
wptta.com
yourfastener.com



This domain, as well as the others listed on this site,
is available for sale, or lease with an option to buy.

(Stock in lieu of cash considered).

Rates start as low as \$10 per month.

Contact ckadish@wordcraftsmen.com

or call 847.459.6269 for details.

EXHIBIT F

Internet Archive Wayback Machine

http://www.betterthantherest.com/tnca.html

WORDCRAFTSMEN™

A DIVISION OF THE NET CORPORATION OF AMERICA

This domain, as well as the others listed on this site, is available for sale, or lease with an option to buy. (Stock in lieu of cash considered). Rates start as low as \$10 per month.

Contact ckadish@wordcraftsmen.com or call 847.459.6269 for details.

21stcenturytcm.com
a1carpets.com
alltimer.com
all-timer.com
americaonthecouch.com
ancientmedicine.com
askadctorientalmedicine.com
askadam.com
askguo.com
audio-visual-aids.com
audio-visual-equipment.com
automaticwelders.com
autosshocks.com
azyogalife.com
banallweapons.org
ban-all-weapons.org
basementsale.com
betterthanall.com
betterthantherest.com
bizwarfare.com
breakthehabit.com
cardioselfdefense.com
careersye.com
classicbooksonline.com
contractassemblies.com
contract-assemblies.com
cost2ship.com
costnoobject.com
cyber-drugs.com
delaydeath.com
dfastener.com
d-fastener.com
dfasteners.com
d-fasteners.com
directmanufacturer.com
domain-o.com
dotcomfastener.com
dotcomfastener.net
dotcomfasteners.com
dotcomfasteners.net

Internet Archive Wayback Machine

http://www.betterthantherest.com/tnca.html

WORDCRAFTSMEN™

A DIVISION OF THE NET CORPORATION OF AMERICA

This domain, as well as the others listed on this site, is available for sale, or lease with an option to buy. (Stock in lieu of cash considered). Rates start as low as \$10 per month.

Contact ckadish@wordcraftsmen.com or call 847.459.6269 for details.

21stcenturytcm.com
a1carpets.com
alltimer.com
all-timer.com
americaonthecouch.com
ancientmedicine.com
askadctorientalmedicine.com
askadam.com
askguo.com
audio-visual-aids.com
audio-visual-equipment.com
automaticwelders.com
autosshocks.com
azyogalife.com
banallweapons.org
ban-all-weapons.org
basementsale.com
betterthanall.com
betterthantherest.com
bizwarfare.com
breakthehabit.com
cardioselfdefense.com
careersye.com
classicbooksonline.com
contractassemblies.com
contract-assemblies.com
cost2ship.com
costnoobject.com
cyber-drugs.com
delaydeath.com
dfastener.com
d-fastener.com
dfasteners.com
d-fasteners.com
directmanufacturer.com
domain-o.com
dotcomfastener.com
dotcomfastener.net
dotcomfasteners.com
dotcomfasteners.net

TNCA - This domain for le... x

https://web.archive.org/web/20140517014023/http://betterthantherest.com/

Sign On - WestlawNext | Inbox (8) - townsend... | Kilpatrick Townsend & Gordon Thomas Home... | Lawyer Christopher W... | Bank of America - Ba... | Online Banking & Bill... | School Employees Cre... | Log In to Fidelity.com | Payments & Billing | Group Exercise Schedu... | Internet Archive Wayb...

INTERNET ARCHIVE
Wayback Machine

http://betterthantherest.com/frame.html

4 captures
21 Nov 02 - 19 Oct 14

JUL AUG SEP OCT NOV DEC
MAY 18
2013 2014 2015

WORDCRAFTSMEN^{INC.}
A DIVISION OF THE NET CORPORATION OF AMERICA

This domain, as well as the others listed on this site, is available for sale, or lease with an option to buy. (Stock in lieu of cash considered). Rates start as low as \$10 per month.

Contact ckadish@wordcraftsmen.com or call 847.459.6269 for details.

3:50 PM
6/3/2015

These other domains are also available:

- 21stcenturytcm.com
- a1careers.com
- alltimer.com
- americoorthecouch.com
- ancientmedicine.com
- askadoctoroforientalmedicine.com
- askadom.com
- askquo.com
- audio-visual-aids.com
- audio-visual-equipment.com
- automaticwelders.com
- autosshocks.com
- azyogalife.com
- banallweapons.org
- ban-all-weapons.org
- basementsafe.com
- betterthanail.com
- betterthantherest.com
- bizwarfare.com
- breakthehabit.com
- cardioselfdefense.com
- careers-eye.com
- classicbooksonline.com
- contractassemblies.com
- contract-assemblies.com
- cost2ship.com
- costnoobject.com
- cyber-drugs.com
- delaydeath.com
- dfastener.com
- d-fastener.com
- dfasteners.com
- d-fasteners.com
- directmanufacturer.com
- domain-o.com
- dotcomfastener.com
- dotcomfastener.net
- dotcomfasteners.com
- dotcomfasteners.net

TNCA - This domain for le... x

https://web.archive.org/web/20140517014023/http://betterthantherest.com/

Sign On - WestlawNext | Inbox (8) - townsend... | Kilpatrick Townsend & Gordon Thomas Home... | Lawyer Christopher W... | Bank of America - Ba... | Online Banking & Bill... | School Employees Cre... | Log In to Fidelity.com | Payments & Billing | Group Exercise Schedu... | Internet Archive Wayb...

INTERNET ARCHIVE
Wayback Machine

http://betterthantherest.com/frame.html

4 captures
21 Nov 02 - 19 Oct 14

JUL AUG SEP OCT NOV DEC
MAY 19
2013 2014 2015

WORDCRAFTSMEN^{INC.}
A DIVISION OF THE NET CORPORATION OF AMERICA

This domain, as well as the others listed on this site, is available for sale, or lease with an option to buy. (Stock in lieu of cash considered). Rates start as low as \$10 per month.

Contact ckadish@wordcraftsmen.com or call 847.459.6269 for details.

3:50 PM
6/3/2015

These other domains are also available:

- 21stcenturytcm.com
- a1careers.com
- alltimer.com
- americoorthecouch.com
- ancientmedicine.com
- askadoctoroforientalmedicine.com
- askadom.com
- askquo.com
- audio-visual-aids.com
- audio-visual-equipment.com
- automaticwelders.com
- autosshocks.com
- azyogalife.com
- banallweapons.org
- ban-all-weapons.org
- basementsafe.com
- betterthanail.com
- betterthantherest.com
- bizwarfare.com
- breakthehabit.com
- cardioselfdefense.com
- careers-eye.com
- classicbooksonline.com
- contractassemblies.com
- contract-assemblies.com
- cost2ship.com
- costnoobject.com
- cyber-drugs.com
- delaydeath.com
- dfastener.com
- d-fastener.com
- dfasteners.com
- d-fasteners.com
- directmanufacturer.com
- domain-o.com
- dotcomfastener.com
- dotcomfastener.net
- dotcomfasteners.com
- dotcomfasteners.net

EXHIBIT G

INVESTING FOR NO RETURN

Recommendations to reform Washington's system of reentry to improve outcomes for men and women released from the State's prisons, to reduce crime, and to enhance public safety.



**King County Prosecuting
Attorney's Office**

Table of Contents

Foreword 2

Reentry Summit Participants 5

Executive Summary 8

12 Priority Recommendations 11

Full Report 15

The Black Prisoners Caucus Report and Recommendations 23

Comprehensive List of All Recommendations 35

Endnotes 42

Transitioning Successfully from Prison to the Community:

Investing For No Return

Foreword by Dan Satterberg, King County Prosecuting Attorney

Over the past three decades, the criminal justice system in Washington State has risen to face many challenges. Over that time, leaders in local justice systems and in Olympia have built an infrastructure of courts, prosecutors, law enforcement agencies, prisons and jails to meet the unprecedented challenge of crime associated with the crack cocaine wave of the late 1980's and early 1990's. Our successes are notable:

- The rate of reported serious felony crime has dropped 43% since 1980, with a 27% drop in violent crime (not including drug crime statistics);
- We have incorporated drug courts and drug treatment into our criminal justice system, causing the percentage of prison inmates serving sentences for drug crimes to fall from 22% in 2005 to 8.6% today;
- While the Washington State prison population rose from about 7,000 in 1980 to 17,000 today, Washington State still ranks 41st of the 50 states in the rate of prison incarceration. We have incarcerated our citizens at a lower rate than the national average.

One area that has not received sufficient attention over the past 30 years is that which is broadly called "reentry." Simply put, government leaders have not accepted as part of the mission of the criminal justice system to assist inmates with making a successful transition back into the community upon completion of their sentence. It is not a performance measurement demanded of the criminal justice system.

In fact, as we forecast the need for prison space in the future, planners expect that 30-50% of all inmates who are released will be back in prison within three years. We expect recidivism, we plan for it, and we suffer the consequences of it. We need instead to work harder to help former inmates

make a successful transition to the community so that our entire community can reap the benefits of a lower recidivism rate.

Assisting the individuals being released from prisons and jails to avoid the predictable conditions that lead to recidivism makes sense on many levels. Reducing recidivism makes the community safer, transforms formerly incarcerated individuals into productive citizens, and strengthens the families that surround each of these men and women.

Whether you measure the economic return or the restoration of human dignity to each formerly incarcerated person, it just makes sense to improve our efforts and systems to help with that difficult transition.

I offer the following principles to help guide our discussion of reentry:

1. Reentry planning begins on the day a person is sentenced to prison or jail.
2. People returning to the community after a period of incarceration need the same things everyone else does to succeed: housing, food, clothing, a job or an educational opportunity.
3. People returning to the community after a period of incarceration may also need these things: peer support, community orientation, family counseling, mental health and/or chemical dependency treatment, and help navigating social service networks and the legal system.
4. While the "Criminal Justice System" is generally considered a monolithic structure by people most impacted by it, it is actually scores of smaller systems that are often disconnected. A person who is in the custody of the state for one offense should have the ability to resolve other pending matters in other systems so that when they are released from prison they do so with a clean slate, or at least an organized and approved plan to resolve other pending legal matters.
5. It is *not* the mission of the criminal justice system to impose lifelong disabilities upon people who have been convicted of a crime, served their time, and paid restitution and other legal financial obligations. State, county, and city governments should do more to affirmatively assist people with reentry, and financially support successful existing programs and nonprofit effort to provide vocational training, housing and education.

6. Collateral consequences beyond those imposed by a court, and social stigma that interfere with successful reintegration into the community are major causes of recidivism. Even the language that we use to describe those who were formerly incarcerated contributes to the imposing barriers we erect in the path of successful reentry.

7. Most of the successful reentry programs have been created in the private non-profit sector, many without any government assistance. We must identify the programs that work and strengthen them. State government must begin to own the responsibility to assist in successful reentry by supporting private efforts and by instituting early re-entry planning within the Department of Corrections. Local governments must also embrace programs that work, and look to the challenges faced in the reentry from jail as well as prison.

This report is the work product of people interested in change – some inside the criminal justice system, some from the private sector, and others who were formerly incarcerated. Our goal is to elevate the level of discussion around our shared responsibility to help with the reentry transition, and to make practical recommendations for increased government action.

I am grateful for the participation of the summit members, and grateful to live in a state where people understand the need to help a former prisoner escape the cycle of recidivism by providing basic needs and support during the critical period of re-entry. I am confident that if we make reducing recidivism a priority, we will make our communities safer while at the same time making the lives of formerly incarcerated people more productive and fulfilling.

It's time for a frank discussion about the realities of reentry. We can do better.

Sincerely,

Dan Satterberg
King County Prosecuting Attorney

Reentry Summit Participants

Dan Satterberg

King County Prosecuting Attorney

Leesa Manion

Chief of Staff
King County Prosecuting Attorney's
Office

Bernie Warner

Secretary
Washington Department of Corrections

Sandy Mullins

Director, Office of Executive Policy
Washington Department of Corrections

Scott Frakes

Deputy Prisons Director
Washington Department of Corrections

Jenny Durkan

U.S. Attorney
Western District of Washington

Larry Gossett

Chair
King County Council

Larry Evans

Legislative Aide
King County Council

Gerald Hankerson

Vice President
Seattle NAACP

Karen Lee

CEO
Pioneer Human Services

Mary Flowers

City of Seattle and Peoples Institute
Northwest

Dustin Washington

Community Justice Program Director
American Friends Service Committee

Martin Friedman

Social Justice Director
YWCA

John Page

LEAD Program Coordinator
The Defender Association
and representing
The Black Prisoners Caucus

Adam Kline

Senator
Washington State Legislature

Sean Tepfer

Law Enforcement Coordinator
and Community Outreach Specialist
U.S. Attorney's Office

Steve Oas

Director
Washington State Institute for Public
Policy

Dannette Smith

Director
City of Seattle Human Services
Department

Stevan Dozier

Case Manager
The R.O.Y.A.L Project

Cheryl Strange

Vice President, Behavioral Health and
Reentry
Pioneer Human Services

Steve Woolworth
Assistant Vice President, Reentry
Pioneer Human Services

Hilary Young
Vice President, Policy and
Communications
Pioneer Human Services

Analiase Johnson
Officer
U.S. Probation and Pretrial Services
Western District of Washington

Jeffrey Robson
Officer
U.S. Probation and Pretrial Services
Western District of Washington

Joseph E. Garcia
Lead Instructor/Program Coordinator
Corrections Educations Programs
South Seattle Community College

Ari Kohn
Executive Director
Post Prison Education Program

Erin Jones
Director of Equity and Achievement
Federal Way School District

Dawn Vrentas
Student Affairs
Post Prison Education Program

Janet Jones Preston
Family Support Training Specialist
Seattle Public Schools

Steve Johnson
Director, Office of Economic
Development
City of Seattle

Ron Hawk
Support Enforcement Officer
Division of Child Support

Reverend Paul Benz
Co-Director
Faith Action Network

Kim Bogucki
Detective
Seattle Police Department
and The If Project

Gina McConnell
The If Project

Nate Caldwell
Director, Community Corrections
Division
King County Dept. of Adult and
Juvenile Detention

Bill Block
Director
King County Committee to End
Homelessness

Jeff Lilley
President
Union Gospel Mission

Darrin Krauss
Director of Prison Outreach
Union Gospel Mission

Estella Ortega
Executive Director
El Centro de la Raza

Enrique Gonzalez
Juvenile Justice Policy Advocate
El Centro de la Raza

Joe Brotherton
Attorney
and Concerned Lifers Organization

Jim Tharpe
President
Unity House

Yvonne Walker
Research Analyst for Rep. Eric
Pettigrew
Washington State Legislature

Donta Harper
Field Administrator
Washington Department of Corrections

Alighwa Henderson
Black Prisoners Caucus

Robin Halberstadt
Justice Improvement Project Manager
King County Office of Performance
Strategy and Budget

Hong Tran
Attorney
The Defender Association

Jeff Smith
American Friends Service Committee

Ricky Willis
Pastor
True Vine of Holiness

Carla Lee
Project Coordinator
Center for Children and Youth Justice

Leila Curtis
Deputy Prosecuting Attorney
King County Prosecuting Attorney's
Office

Leslie Mills
Community Corrections Supervisor
Washington Department of Corrections

Lonnie Taylor
Community Corrections Officer
Washington Department of Corrections

Jeannie MacNab
Lead Senior Policy Analyst
King County Office of Performance
Strategy and Budget

Marvin Charles
Executive Director
Divine Alternatives for Dads Services
(DADS)

Marcel Purnell
American Friends Service Committee

Jim Branch
Development Manager
New Horizons

Keith Gaugler
Classifications Counselor
Washington Department of Corrections

Kathleen O'Brien
Division Chief, Family Support
King County Prosecuting Attorney's
Office

Kimberly McKeag
Senior Deputy Prosecuting Attorney
King County Prosecuting Attorney's
Office

Executive Summary

Each year, nearly 8,000 men and women are released from Washington State prisons.¹ Nearly one-third of the 8,000 men and women released will recidivate within the first three years of release. Of those that recidivate, the vast majority do so within the first year of getting out of prison.²

Research has consistently shown that reducing recidivism saves money over the long term. Investments of public money in the criminal justice system since 1980 have largely been focused on building up the infrastructure of the criminal justice system – police, prisons, jails, courts, prosecutors, public defenders. The average taxpayer investment in the criminal justice system has risen by over 120% during that time, coinciding with a decrease in our State's reported felony crime rates of 43% since 1980³.

Our State's incarceration rate has also increased over that same period of time.⁴ Today nearly half of all adult men and women who are being sentenced to prison for felony offenses have been there before.⁵ Of those released to King County from prison within the past five years, nearly 40% have since been readmitted to prison for new offenses.

Even a cursory analysis of this data suggests that our State should do more to stop the revolving doorway to prison and invest in strategies and programs to more successfully support men and women making the transition from prison back into the community.

Numerous studies confirm that the first months following release are an especially challenging and high-risk period for men and women making the transition back into the community.⁶ The majority of men and women released from prison face very real barriers to reentry, including a lack of stable housing, limited educational and employment opportunities, unaddressed mental health and/or substance abuse issues, and inadequate support services.⁷ Failing to address these barriers in any sort of intentional or meaningful way has the effect of impeding the path to productive citizenship, and instead repaves a direct path back to prison.⁸

It is within this framework that King County Prosecuting Attorney Dan Satterberg, along with community partners Mary Flowers, Dustin

Washington, Martin Friedman, and John Page, convened a four-day Reentry Summit in the Fall of 2012 at the offices of the Prosecuting Attorney (PAO).

Stakeholders from throughout the state were invited to the table to engage in an honest conversation about the barriers facing those released from prison and to brainstorm solutions to overcome those barriers. Stakeholders were challenged to identify system-level changes that would have the greatest impact on reducing or eliminating barriers to success. Stakeholders were also encouraged to honestly identify practices that contributed to disproportionality and to think about improvements or system changes that would positively impact disproportionality.

As part of this Summit, Dan Satterberg consulted with and sought input from The Black Prisoners Caucus (BPC), a program inside the Monroe Correctional Complex, and promised to include in this report an unvarnished, unedited chapter from the BPC.

In addition, each year the BPC conducts its own summit on an important policy issue. This year, the BPC planned its summit to align with the work of the PAO's Reentry Summit and focused on two related topics: reentry and education.

At the conclusion of the Reentry Summit, stakeholders developed 12 priority recommendations for consideration by our state's leaders and policy makers. These 12 recommendations fall within six broad categories, and with political will, many are achievable within a relatively short period of time:

Housing	Treatment
Transition	Education
Employment	Family Support

The cost to operate prisons is high. Currently, there are 12 adult prison facilities throughout the state, and the Washington Department of Corrections (DOC) estimates that annual operations costs hover around \$45 million per prison.⁹ The construction of just one new 2000-bed prison carries the hefty price tag of \$250 million. Compared to 20 years ago, costs for criminal justice and incarceration borne by taxpayers are nearly twice as much today.¹⁰

In light of these trends and in consideration of future implications, state legislators and policy-makers, in recent years, have “expressed an interest in identifying alternative evidence-based options that can: (a) reduce the future need for prison beds; (b) save money for state and local taxpayers; and (c) contribute to lower crime rates.”¹¹ At the local as well as national levels, the result has been renewed focus and momentum around the issue of reentry.¹² This report summarizes the conversation and lists the recommendations that stem from the PAO’s Summit.

12 Priority Recommendations

Prior To Release

1. Build a Reentry Tool Kit

Provide men and women leaving prison with a reentry “tool kit” to help facilitate access to housing, employment and services. Items in the tool kit would include a Washington State identification card, Social Security card, and portfolio or recent resume listing all job skills and experience, including jobs held or classes taken while incarcerated.

Currently, the majority of men and women leaving prison are left to obtain these necessary items on their own without much guidance. These items are necessary to access housing and employment, yet for many, just knowing where to go to obtain these items is a challenge.

Since incarcerated individuals have DOC-issued identification cards, and their true identity is seldom in question, the Washington State Department of Licensing should be able to issue official state identification cards prior to release.

2. Basic Needs Benefits

As their release date approaches, incarcerated people should receive guidance for determining eligibility for public benefits for housing, food assistance and other basic needs. DOC staff should be trained to assess and enroll people about to be released in benefit programs so they are not released homeless, hopeless and hungry.

Those without a stable address upon release should be classified as homeless so that they may more readily access housing vouchers and services. Examine the expansion of the existing housing voucher assistance program and consider whether 90 days is long enough to provide stability.

3. Outstanding Warrants and Court Obligations

Identify and resolve outstanding warrants while men and women are incarcerated so that when they are released, they have a “clean slate.” Similarly, clearly identify each person’s legal financial obligations and establish a realistic payment plan prior to release. Child support obligations should also be clearly established with a flexible payment plan taking into consideration the reduced earning potential of a recently incarcerated person.

4. Community Orientation Program

Offer a reentry orientation for individuals at least six months prior to release to share practical information, such as where to go for services and how to access and check schedules for public transportation.

New students arriving at college are offered formal orientations designed to ensure student success. Like a college orientation, a reentry orientation would include very concrete information regarding essential needs.

5. Support and Expand Existing Successful Programs

Within several DOC institutions are examples of successful personal improvement programs: The Village (Washington Correction Center for Women), The Legacy Program (Mission Creek Corrections Center for Women), The Black Prisoners Caucus (Monroe Correctional Complex), and The Redemption Program (multiple locations). These programs should be recognized and supported as models by DOC administration, and replicated where possible in all prisons.

DOC rules and regulations should be amended to allow formerly incarcerated individuals who have successfully transitioned back into the community to serve as peer mentors to those behind bars. Current DOC rules and regulations do not allow former inmates to regularly meet with individuals behind bars, even though former inmates who have successfully made the transition back into the community could serve as natural role models to those who are incarcerated.

6. Family Counseling to Support Reintegration

Offer those incarcerated and their families *shared* classes or training to build skills, such as communications, family dynamics, and parenting, to better prepare families for the return of their loved one back into the family and into the community. Expand the limited number of existing programs that offer these services.

7. Reentry Council

Create a statewide Reentry Council to oversee and guide re-entry practices and policy. It may also be beneficial to have regional re-entry councils that would tie into and align with the statewide Reentry Council. Create a subcommittee (either statewide or within DOC) to examine how to better offer differentiated services depending on the age, gender, and health needs of the individual being released. A “one size fits all” model is not always successful.

8. Employment

Currently, only 4% of all men and women released from prison have access to work release. Expand the capacity of work release to support the transition of more incarcerated men and women. Work release should also begin earlier while men and women are incarcerated, and the length of the program should be increased.

In The Community

9. State Contract Requirements

When not inconsistent with other security regulations, the State of Washington should require businesses providing goods or performing services to employ a certain number of formerly incarcerated individuals and offer tax incentives to those businesses that knowingly hire formerly incarcerated people.

10. Treatment in the Community

Offer incarcerated men and women mental health and/or substance abuse treatment upon demand (i.e. when they are ready for it) as opposed to waiting until the individual is within six months of his or her release.

Offering treatment when an individual asks for it promotes an increased level of engagement in treatment models. Instead, current practice often *requires* treatment as a condition of release.

11. Coaching Instead of Policing

We should transition traditional community supervision from a monitoring model to a coaching/advocate model that starts behind bars. Create a supervision model where successful reentry is a performance measurement for community corrections officers.

12. Community Awareness

Increase community awareness and engagement regarding reentry. Educate communities about reentry, the obstacles to successful reentry, and the benefits of successful reentry, to shift how we view the men and women leaving prison. Increasing community awareness and education will help start a necessary paradigm shift.

Investing In No Return

Full Report

Crime, Recidivism and Reentry in Washington – the Current State of Affairs

Crime rates in Washington State are lower today than 20 years ago, yet residents are paying more for prisons.

Current data indicate that “felony crime rates [in Washington State] are 43% lower than they were in 1980...and the odds of being a victim of serious violent or property crime have been reduced significantly.”¹³

At the same time, however, the state’s incarceration rate has increased, and currently stands at about three adults incarcerated per 1,000.¹⁴ While Washington’s incarceration rate is considerably lower than the national average, the latest State Caseload Forecast Council (CFC) has predicted continued growth in incarceration rates over the next 20 years despite declining crime rates.

The most recent projections indicate that continued increases will result in the need for two new prisons by 2020, and three and one-half by 2030. The forecast is partially explained by current sentencing laws, anticipated criminal justice and demographic trends, and population growth.¹⁵

An equally plausible explanation can be derived from an examination of current prison demographics, which suggest that entry and reentry through “a revolving doorway to prison” may also be driving statewide incarceration costs.

As of June 2012, nearly half of all adult men and women currently incarcerated in Washington State are there due to *readmission* for a new felony conviction following a prior release from prison.¹⁶ Equally striking is that nearly 40% of those released from prison to King County *within the last five years* have since been readmitted to prison.

In Washington, the costs to operate a prison are high. There are currently 12 adult prison facilities throughout the state, and DOC estimates that annual operations costs hover around \$45 million per prison.¹⁷ The construction of just one new 2000-bed prison carries the hefty price tag of \$250 million. Compared to 20 years ago, costs for criminal justice and incarceration borne by taxpayers are nearly twice as much today.¹⁸

In light of these trends and in consideration of future implications, state legislators and policy makers, in recent years, have “expressed an interest in identifying alternative *evidence-based* options that can: (a) reduce the future need for prison beds, (b) save money for state and local taxpayers, and (c) contribute to lower crime rates.”¹⁹ At the local as well as national levels, the result has been renewed focus and momentum around the issue of reentry.²⁰

Approximately 20% of all incarcerated men and women are released to King County each year.²¹ Notably, the assessed risk of reoffense among men and women released to King County mirrors that in the rest of the state. In other words, nearly two-thirds (1,078) of the 1,609 men and women who were released from state prisons to King County in fiscal year 2011 were determined to be at “high-risk” to reoffend, and the majority (60%) were classified as high-risk for violent recidivism.²²

Community Supervision resources of DOC have been cut drastically, and now only those who are classified as “high-risk, high-violent” may be placed on community supervision.²³

Of the nearly 8,000 men and women released from the state's prisons in 2006, one-third *actually* recidivated within 36 months, the majority having done so within their first years of release.²⁴

Not surprisingly, recidivists who had been classified as “high violent risk” had the highest rates of reoffense in the state.²⁵ Violent crimes, however, accounted for the lowest percentage of reoffenses.

Instead, new crimes committed by the 2006 cohort tended to involve nonviolent, property, drug, or other offenses.²⁶ Consistent with recidivism trends in the state since the turn of the century, an additional 10% of the 2006 cohort recidivated by the five-year mark.²⁷ Trends for the 2007 cohort were similar to those for prior cohorts, although overall 36-month recidivism rates were slightly lower (28.7%).²⁸

Still, the high risk of reoffense coupled with high rate of reoffense -- particularly for the high-risk subpopulation -- should not be deemed a foregone conclusion. While forecasts about statewide recidivism rates have proven to be reliable, predictions about the “probability of recidivism [by an individual tend to be] much less precise, given dynamic factors.”²⁹

Criminological research suggests that desistance from crime -- or the process of terminating offending behavior -- appears to be most strongly influenced by salient life events experienced over one's life course, which affect social bonds and informal social control.³⁰

Elements such as “job stability and marital attachments are significantly related to changes in adult crime: the stronger the adult ties to work and family, the less crime and deviance.”³¹ These elements have been found to be especially influential for men.³² In short, even the highest risk, longest-standing, and most violent offenders can retreat from patterns of offending behavior and become productive and upstanding members of the community.

But a metamorphosis is not likely to happen overnight and is even less likely to take place when individuals leaving prison face multiple frustrating systemic barriers.

Many offenders enter prison with a host of issues and exit with the same, which --left unaddressed--decrease their chances for successful reentry, and ultimately, compromise public safety.³³

Taking into account extensive national research on the subject of risk factors for entry into the prison system, the pervasiveness of **unemployment, under-education, and unaddressed treatment needs** among men and women -- prior to incarceration -- comes as no surprise.

In the last decade, the unemployment rate for men and women in Washington State-- just one year prior to prison admission -- increased threefold from 28% in 2001 to 67% in 2008.³⁴

Partially explaining and perhaps exacerbating this trend is the substantially low level of educational attainment by those who end up in prison. “At

incarceration, approximately 59% of [adults] in Washington State had less than a 12th grade education level, compared to about 10% of the State's general population."³⁵

Like limited education, serious or chronic mental illness also creates an impediment to obtaining and retaining employment for a number of working-age adults in our state. "Unfortunately, many mentally ill, unemployable citizens end up in the custody of the Department of Corrections."³⁶ Indeed, a seriously mentally ill person is three times more likely to end up in jail or prison than in a hospital.³⁷

Resources in the State's prisons for addressing employment, education, and treatment needs of inmates are scarce and often reserved exclusively for certain populations. A March, 2012 needs assessment of inmates in Washington State's prisons revealed that **highest identified needs of high-risk men and women are housing, treatment, and employment.**³⁸

Often, these men and women continue to face the same pressing challenges upon release, while attempting to comply with mandatory terms of supervision. According to the March 2012 needs assessment, housing, employment, and treatment again topped the list of needs among high risk men and women on active supervision in the community.³⁹

These hardships are often exacerbated by efforts to fulfill obligations to children and family members and to address legal financial obligations.⁴⁰ More than half of our state's incarcerated men and women are parents who impact the family structure, and its financial and emotional stability.⁴¹ Obstacles encountered in securing employment, housing, or treatment upon release from prison have the effect of destabilizing prospects for financial and emotional security in families, further impacting indebtedness for legal obligations like child support and statutorily required fees⁴² assessed for felony convictions.

A high-risk factor for many is the return to high-crime and economically-depressed communities of origin that, when coupled with a lack of access to critical support services, hinders successful reentry.⁴³ DOC has noted that resources -- beyond what the DOC can provide -- are needed in *each* Washington community to address the needs of men, women, and their families.⁴⁴

In King County, the lack of sufficient housing options, employment opportunities, and treatment services available to men and women released from the local jails, has been highlighted, and reentry planning has been initiated by local leaders and stakeholders, who will comprise the King County Reentry Task Force.⁴⁵

A Strategic Investment in Reentry makes “Cents.”

Through systemic reforms that facilitate investments in prevention and early intervention programs, Washington has made progress in decreasing overall crime rates statewide. Likewise, the State has taken critical first steps toward addressing recidivism by implementing proven practices *in prison* and enacting new laws aimed at reducing recidivism.

According to the Washington State Institute for Public Policy (WSIPP), actual recidivism rates are lower today than they would have been because of a number of critical changes in law and policy that have been in effect since 2002.⁴⁶

Continued investment by the Legislature in evidence-based prison programming has contributed to improvements in adult recidivism rates.⁴⁷ Many programs currently employed have been found to be effective at reducing crime, including cognitive behavioral programs, vocational education, drug treatment, correctional industries, and employment and work programs.⁴⁸ The 2007 Legislature allotted \$48 million in the biennial budget to “expanded use of evidence-based criminal justice treatment and prevention programs.”⁴⁹

This investment, in conjunction with new legislation targeting recidivism, has resulted in statistically significant improvements in overall adult felony recidivism rates in Washington State.⁵⁰ Newly enacted laws have had the effect of changing how the State provided supervision to adult felony offenders, eliminating supervision for certain low-risk property offenders, revising the drug offender sentencing grid, and replacing community custody sentence ranges with set terms.⁵¹

Until recently, however, Washington had not directly invested in reentry as a strategy to reduced recidivism in our state. In Washington, like much of the

nation, “reentry is a critical issue for three reasons: (1) the growing prison population and numbers of returning offenders; (2) the impact of returning prisoners on crime rates; and (3) the rising cost of corrections.”⁵²

In 2007, the Washington Legislature passed a bill establishing a pilot program aimed at better providing coordinated supervision services to men and women upon release.⁵³

The bill, now codified at RCW 72.78, expressed a clear intent on the part of the state to facilitate successful reentry and reintegration among men and women transitioning from prison by addressing the deficits that contributed to their criminal behavior in the first place, and are likely to perpetuate the cycle of crime if unresolved, and by facilitating strong partnerships between “DOC, local governments, law enforcement, social service providers, and interested members of the community.”⁵⁴ This law and attention to reentry by the State paved the way for reform of corrections policies⁵⁵ and advanced reentry initiatives and programs across the State.⁵⁶

Focusing resources on individuals with the highest risk for recidivism has the potential to produce the greatest impact on crime rates in the community.⁵⁷

Growing attention to and investment in reentry at the national level renders the present an ideal time for the state to build on prior successes in reducing recidivism rates by targeting strategies aimed at successful reentry. For decades, State legislators have relied on current research, analyses of practices and data, and cost-benefit calculations to guide systemic investments designed to benefit residents and help the economy thrive. Investments in the state have been, in essence, informed and strategic.

In a recent series of legislatively-commissioned studies, WSIPP proposed that Washington “successfully implement a moderate-to-aggressive portfolio of evidence-based options” to address recidivism rates, increase public safety, and mitigate the need for more prisons in the State by 2020.⁵⁸ State recidivism and crime data dictate that an effective strategy entails including reentry-specific options in the portfolio.

To ensure that the State receives the greatest “bang for its buck,” however, such options should capitalize on the impact of any investment. Dr. Steve Oas, Director of WSIPP, recently noted that “**more crime can be avoided when resources are aimed at the highest risk populations.**” The most optimal investment strategy is to focus programming and resources on the two-thirds of men and women determined to be at high risk to recidivate within 36 months of release.

Understanding this population’s histories in the criminal justice system, their personal, familial, and social experiences, the systemic factors driving them into the criminal justice system, and most importantly, their unmet needs -- is the first step in navigating the reentry maze.

From there, a critical examination of hurdles and supports in both the system and community is needed to help identify and understand service gaps and related limitations, and critical resources that may be untapped or underutilized. This examination serves ultimately to inform recommendations that improve and facilitate successful reentry into the community.

“The first year of release, indeed, the first moments of release [from prison], can be critical for shaping an [individual’s] pathway toward desistance or recidivism.”⁵⁹

Numerous studies confirm that the earliest months following release are an especially vulnerable and high-risk period for men and women returning to the community. Further complicating an already fragile situation are often numerous barriers faced by men and women, as they attempt to reenter after having “paid their debts” to society.

In most cases, these barriers, which include unstable housing, limited or lack of educational and employment opportunities, unaddressed health needs, and inaccessible support services, were present at the time that these individuals entered the criminal justice system, and subsequently, prison.

For a number of men and women, these same barriers will continue to persist upon reentry.⁶⁰ Supporting these men and women through the initial transition period and beyond is critical to improving the chances for successful reentry outcomes, and in turn, enhancing public safety. Failing to

address these barriers in an intentional and meaningful way has the effect of impeding the journey to productive citizenship, and repaving a direct pathway back to prison.⁶¹

The following list of proposed recommendations attempts to address roadblocks to reentry in an intentional and meaningful way. These recommendations, in addition to the 12 priority recommendations listed earlier in this report, were developed over the course of the four Reentry Summit meetings, with input from all participants.

During the course of developing these recommendations, six primary areas of focus emerged:

1. **EDUCATION**
2. **TREATMENT/PROGRAMMING**
3. **EMPLOYMENT**
4. **HOUSING**
5. **FAMILY SUPPORT**
6. **TRANSITION**

While this list of recommendations is comprehensive, it does not necessarily represent consensus, despite the fact that there was agreement among participants that each recommendation listed below adds some value in making reentry more successful.

It is also important to note that this is not an exhaustive or final list of recommendations; rather, this list represents a starting point for broader systemic reform of the current reentry process.

Finally, inherent in each recommendation are core themes of the Summit: *humanization, cultural competence, individual voice, system-based reform, and collaboration.*

A Report By The Black Prisoners Caucus

The next five pages comprise the Reentry Report written and submitted by the Black Prisoners Caucus (BPC), a program inside the Monroe Correctional Complex.

The BPC was founded in 1972 by men incarcerated at the Washington State Reformatory in Monroe, and has continuously worked to improve the condition of incarcerated people, their families, and their communities.

The BPC maintains an organizational culture of support, dignity, pride, and hope. Through what some members have referred to as “a circle of life,” the BPC has created a community-led model for emotional healing, education, growth, and self-determination under the most challenging circumstances.

The BPC plans, collaborates, implements, and hosts workshops, summits, and forums on many topics, including education, criminal justice, domestic violence, employment, youth-related issues, family support, culture, and spirituality. Many, including public officials, educators, students, social service practitioners, clergy, and DOC staff have attended various BPC-sponsored events.

This report represents the BPC's collective observations about the challenges facing those are released from prison, along with a list of key questions and logistical details that should be considered by each individual being released from prison and by organizations vested in their successful reentry.

BPC members worked collectively to learn from the experiences of those who were ill-prepared to reenter the community, and as a result, returned to prison. BPC members have compiled their

collective observations and assessments about what key factors point toward successful reentry and what unmet needs may lead to recidivism.

Re-Entry Programming

The issue with re-entry has caused a large amount of discussion between everyone involved in the process. It is agreed that we need to devote more time and energy working out some of the apparent difficulties with the current re-entry system. The only question is what to do with the program that will enable it to provide the necessary elements for success.

It is essential that re-entry start as soon as possible. When you have a child, you do not wait until that child has to go somewhere before you teach them to walk. You do not wait until they need to say something before you teach them to talk. So, why is it that re-entry is withheld until a person is about to be released before the process is presented to them? Starting the process when one enters the system may appear to be a waste of time and energy if that person is not scheduled for release for many years. However, with prior preparation, the individual will have a foundation to build upon and will be able to make direction adjustments along the way. They will also understand the process more fully than they would if they had to wait until the last minute to begin.

In addition to this, the person will not be grounded in the prison mentality of there is nothing there for me, or nobody is going to give me a chance, and other such feelings that hold people back from really trying to make it upon release. Options will disappear over time, and new ones will appear, and the only way to be prepared for them is to be made aware of their existence from the beginning and adjusting your plans in accordance with the changes.

The Department of Corrections has a list of every person's release date. With this information, it will be easy to target those men

who are in the greatest need of re-entry information. Once the individual reaches one year from their release date, they should be required to take part in a variety of release-oriented programs. These programs will be designed specifically for those men who are being released within the next year however; they should be open to everyone who has: a projected release date within a two-year period. With special emphasis placed on the individuals who are the closes to their release date, we must not forget that the process leading towards release should/must start the very first day after conviction. The more time put into preparation for release, the better the chances are that the release process will be successful and effective.

In every facility in the system, there are people with the title of Counselor and/or Caseworker. These individuals need to start functioning according to their job description. Instead of just moving paper from one place, to another,, they should involve themselves with the process of developing a plan of action for the men or women on their caseload. This will give them some idea of what they need to be doing in preparation for the time when a final release plan needs to be submitted and final re-entry involvement begun.

When the man or woman is admitted to their parent institution, other; than a simple, "hello, I'm your counselor and you are going to be here for a while and if you need anything come see me", some type of inventory should be made of the persons' skills, abilities, capabilities, resources if any. This should also include what they may need to concentrate on while incarcerated to prepare them for the time when they will be ready to enter a re-entry program.

If re-entry preparation is not started in prison, then most of the people being released will start out with a bigger handicap than just being a newly released person. The present mindset is

for everyone to enter into change programs such as Cognitive Behavior Therapy, Moral Recognition Therapy, Anger Management, and a host of other such programs. I will agree that these programs have merit and value; however, they are not the all-in-all as they are often presented. I know of no occasion where either of them, nor a combination of them all, has played a part in a person getting housing upon release, being hired by an employer, or buying a Big Mac. Placing the emphasis and money where it will accomplish the most makes more sense than to place it on just one type of program when there are money issues to be dealt with.

When we consider most released people entered prison at an early age, and most have never held a regular job, the issue of job placement and location will be one of the first areas of concern in the re-entry criterion. Even with the present economic crisis, some jobs can be obtained to at least get a person started, and, help them to survive until something better is available. An assessment of the person's work skills, if any, will need to be evaluated so that possible areas of employment can be targeted for that person.

Housing is another area that every person will have difficulty with, unless they have family or loved ones that will provide housing for them or at least help them obtain a place to live. As it is with employment, housing is going to be an area that most people will have trouble obtaining. Property owners and realtors must be knowledgeable of what influences a recently released person will have on their property values, and how tenants will react to that person living in the same building or area. Although areas that are willing to accept new releases are available, finding them is not an easy task. Compounding this is having the resources for damage deposits, and two months' rent, and you have priced most people out of a place to live.

It is vital that as much information on available resources upon release is provided to the individual while in prison. Doing this will assist him/her in judging if everything they will need for success is included, and if not they can start to gather the possible resources in advance so they will not have to attempt to discover them after release. Avoiding a possible problem or area of difficulty hopefully will be accomplished if discovered in time. Chances for success are reduced when a person is released from prison, and finds that resources they need are not available, cannot be found if available, or are too expensive. An assessment of what the person's needs are should be made prior to release, and a list of possible or definite areas of assistance is researched and presented so that requirements for assistance and any cost required is available. Resources include but is not limited to, A A, N A, Mental Health Counseling, Substance Abuse, Housing Referrals, Job Finding, Food Banks, How to sign up for food stamps, medical and disability, etc.

Areas requiring attention prior to release include counseling, so that the individual is ready for the stresses they will face upon release. The need for life skills, such as how to budget your money; how to use the buses to move around; where to find needed service; where and how to contact emergency services, and where to find help in times of need, are also essential. Classes on filling out a job application, resume writing, and interview skills are desperately needed. This includes how to dress for the interview and researching the company so you can ask intelligent questions about the job and your place in the company.

The stigma of being fresh out of prison is amplified by trying to find various resources without someone willing to offer a helping hand, The man or woman just out of prison, just like someone new to

a job, will need to feel welcomed and have someone show him or her how to navigate the city. Our society is ever changing, and even for someone who is returning to an area they lived in, many things will have changed and finding resources will not be easy. If one has never had to use the needed resources prior to prison, their knowledge of them may be non-existent at best. Being new to your environment and feeling all alone must be considered once a person walks out of prison. Having someone take you by the hand, like a tour guide, and show you where everything is located is the best manner to assure that the person is aware of where the resources are and just how to reach them.

Being released from prison should be a happy time, however, there is a large amount of stress related to being released that the re-entry program should address. If the stress related to being released can be reduced, it will give the person a degree of stability, which will reduce the probability of recidivism. Realizing that there is going to be some difficulties that one will have to face upon re-entering society will help a person to be ready to face them realistically. This realization comes with having a plan B and perhaps even a plan C as a part of the re-entry planning. If something can go wrong, they always will, and this is especially true for someone who has not been a part of society for an extended period. The inclusion of some flexibility in the plan allows for the last minute changes that always seem to occur. However, the flexibility should not be used as an excuse for not following a plan if things go wrong. It is included so there will always be another direction to travel so that a person is not standing still while waiting for the primary plan to be implemented.

The person will have to be the one filling out the items in the re-entry plan. This is necessary to give the person some control over

their lives. While in prison, the person has had almost no real control over the elements of their lives. In addition to this, they have had almost no decision power. To enforce the fact that they will have control of their lives, it will be imperative that each person start to make decisions for themselves with some guidance from the people assisting them. These processes will emphasize the fact that the person will now have to make decisions for themselves and they cannot depend on someone else to tell them what to do.

A fill-in the blanks form cannot be use for most people because, just as there is going to be different people using the form, each person will have a different set of needs, will be going to a different part of the state, and will have varying types of resources available to them.

Hearing first person accounts on issues related to what you are about to face, or something you may need to be aware of can be the one things that causes you to give more serious thought to what you are about to do. Because of this, it would be a wise decision to have some people who have experienced the stress and other factors associated with re-entry come and talk with the members of the program. They will be able to relate to what the class is going through and tell them exactly what they had to go through in order to successfully transition from one point to another. Everything that these people speak on may not be totally positive, but just the experiences they had (and perhaps might still have) will prepare the people in the re-entry class for the reality of leaving and trying to be as successful and as positive as possible once they are re-entering free society.

In addition to relating their experiences, they can possibly present information on places and people who can be contacted that will be able to provided some much needed help and assistance to people upon release. They may also be aware of some resources that are not listed in the current program, and some that may no longer be available.

This aspect of the program carries the value of hearing someone that can be related to knowing that they have been there, and they can understand what will be experienced, and the best way to avoid some of the pitfalls people are sure to face.

Implementing this program is going to take some time and dedication to assure it is effective. However, the basic purpose of corrections is to prepare each person for successful return to society with the best possible chance for establishing themselves as positive, productive members of that society. It is a truism that if you equip a man with the necessary tools for success and give him half a chance, he will take full advantage of it and become a better person because you showed faith in him.

The items listed below are an example of what a person needs in a reentry plan:

1. RELEASE ADDRESS:

- a. This can be a family member or a friend's home if you do not have a place of your own.
- b. Your release address should include:
 - i. Physical address
 - ii. Phone number
 - iii. How long will you be living there
 - iv. Deposft needed if any
 - v. When will housing vouchers be needed if at all
 - vi. Who is the contact person for your housing
 - vii. Copies of application or rental agreement if you have one
 - viii. Do you have other options if this one does not work

2. SUPPORT SYSTEM:

- a. You will need to have a support system in place such as family, friends, and/or religious organizations, and people you trust that will not be afraid to let you know when you are off track and can give you the necessary support when things are not going well

3. EMPLOYMENT:

- a. You must have employment set up

- i. Name, address and phone number
- ii. What type of work will you be doing
- iii. What are your work hours
- iv. How far is employment from where you live
- v. What are your wages

- b. If no employment

- i. You must have a resume (how to put one on the Internet)
- ii. Type of employment you are looking for
- iii. Where will you look for this job
- iv. What is your search plan
 - 1. Car
 - 2. Public transportation (are you aware of the cost involved)
 - 3. Internet
 - 4. Newspaper
 - 5. Telephone
 - 6. Friends
 - 7. Word-of-mouth

- c. Have you considered the possibility of working more than one job

- i. One full time and one part time
- ii. Two full time

iii. Two part time

4. EDUCATION:

- a. Will you need to seek education
- b. b, Schools applied to
- c. Classes needed, desired
- d. Cost involved — how will you pay
- e. How long is program
- f. Do you need transportation
- g. Will this interfere with your employment
- h. Is it needed for your employment

5. FINANCIAL/SUPPORT:

- a. Do you need support until you get a job
- b. Have you checked with DSHS
- c. Can you get unemployment benefits
- d. Are you eligible for Social Security
- e. Can you depend on family and/or friends
- f. Do you have retirement benefits
- g. Do you have vet benefits
- h. Are there local charities you can depend on
- i. What will you need weekly-monthly to live on
- j. Have you taken into consideration things such as:
 - i. Food
 - ii. Housing
 - iii. Clothing
 - iv. Utilities
 - v. Transportation
 - vi. Insurance
 - vii. Savings.
 - viii. Entertainment
 - ix. The unexpected

6. TRANSPORTATION:

- a. Do you have valid ID
- b. Do you know how to get it
- c. Do you need a drivers license
- d. Do you know how to get one
- e. Do you know the bus routes
- f. Do you know what riding the bus cost
- g. Have you checked into bus passes
- h. Can you depend on any one to get around
- i. Do you have or are you planning to get a car or other means of personal transportation
- j. Do you have outstanding tickets or owe fines
- k. Have you made arrangements to pay them

7. ARE THERE RELEASE REQUIREMENTS YOU NEED TO ATTEND TO:

- a. Are there any restrictions on where you can live
- b. Are there any restrictions on who you can be around
- c. Are there any treatment or program requirement you need
- d. How are you working to meet these requirements if you have any
- e. Do any of these treatments/programs require payment
- f. Can you afford to pay for them
- g. Are they nearby and can you get to them in a timely manner
- h. Will any of these interfere with your employment
- i. Do you have any legal financial obligations that you need to attend to

8. YOUR FUTURE:

- a. Make sure you have enough time in your day for leisure time activities
- b. Make a daily schedule of what you need to accomplish each day and maintain it to the best of your ability. Your priorities may change, but it is important to have a plan in place to establish a sense of organization
- c. Set some personal goals that can be realized within 6 — 12 — 18

months out

- d. Adjust your personal goals as each one is reached and set more
- e. Attempt to associate only with people who want the best for you and will help you, reach your goals
- f. How are you making sure you are on the right path
- g. Set specific times to meet with your support group
- h. Be aware if or when you are under stress and develop some means of dealing with the stress in a positive manner

There are a few other areas of need prior to release that should be included in an effective re-entry program, but this will provide an idea of how much a prior to release re-entry program is needed.

A Comprehensive List of All Recommendations

EDUCATION

- Develop a mandatory **reentry planning orientation** for all individuals upon the start of their prison sentence to assess academic level, learning needs, and long-term educational goals so that individuals could address some needs and achieve some long-term goals while incarcerated.
- Expand and **facilitate access to educational and employment opportunities** for incarcerated men and women so that they may acquire basic life skills and develop marketable employment skills.
- Conduct **individualized, skill-based career research and planning** for individuals at least six months prior to release. Use Washington-specific tools to help men and women develop detailed short and long-term employment, education and career goals with concrete steps to achieve those goals.
- Ensure that individuals leave prison with **portfolios** summarizing job skills, education, and employment experience developed during the course of incarceration, which will also help improve access to post-secondary education and/or vocational training.
- Connect individuals with “**transition counselors**” and/or community partners to help facilitate access to post-secondary education and/or vocational training. To the extent possible, begin this work prior to release.
- Convene an **education workgroup** to continue to develop recommendations to address barriers to education following the summit.

- Ensure that Community Corrections Officers utilize **collaborative networks** to help men and women access post-secondary education and/or vocational training during and following incarceration.
- Support **culturally relevant, nontraditional programs** and resources that help facilitate educational development and the pursuit of post-secondary education and/or vocational training by men and women while in prison and in transition to the community.

TREATMENT

- At the time of incarceration and at least six months prior to release, assess treatment needs and develop a concrete and comprehensive **treatment plan** with input from the men and women being served. Treatment should be offered throughout the period of incarceration.
- Identify **barriers** that may **restrict eligibility** for treatment (both in prison and the community), including but not limited to, a lack of state-issued identification or Social Security cards, outstanding warrants, and financial obligations. Develop a plan to address the identified barriers.
- Make **trauma-informed treatment and support** available and accessible to individuals while they are incarcerated.
- Ensure that **specialized treatment** is available and accessible to targeted populations throughout the State's correctional facilities.

- Facilitate direct connections to **community care providers** to help ensure ongoing treatment and transition of care in the community.
- Restore **reentry specialists** within DOC to facilitate reentry planning, provide a continuum of service, and streamline the transition process.
- Reexamine and modify **access to mental health care criteria**, particularly where eligibility hinges on “at-risk” classification.
- Create and offer a **certificate of rehabilitation** to men and women who have undergone and completed treatment programs while in prison and after release.
- Establish a **network of care providers** for men and women to access while in prison and to connect with upon release and reentry into the community.

FAMILY SUPPORT

- As part of the mandatory reentry orientation, assist men and women in identifying **family or friend-specific partners** to facilitate family reunification throughout the term of incarceration.
- As part of the mandatory reentry orientation, help men and women develop a viable **plan** to address **child support obligations** during the term of incarceration and after release.
- Increase availability of and accessibility to **parenting classes** in prisons.

- Offer incarcerated men and women classes on developing and maintaining **healthy relationships**.
- Support and provide opportunities for **family reunification** in prison, and help address identified barriers to reunification.
- Create and facilitate access to family reunification **support groups** led by **experienced mentors**, and provide opportunities for ongoing interaction in prison -- especially in remote correctional facilities.
- Increase and facilitate access to the **Family Offender Sentencing Alternative Program** (FOSA) and the **Community Parenting Alternative** (CPA) for men and women in the final 12 months of incarceration.
- Convene a **Reentry Council** at the state and local levels to continue to develop recommendations that address family-specific issues affecting men and women transitioning from prison to the community.
- Reexamine and modify **State policies and laws** that bar access to State needs-based programs and services because of outstanding child support obligations.

HOUSING

- As part of the mandatory orientation, assist men and women in identifying viable housing options upon release as part of an **intensive release plan**.
- Help men and women leaving prison access and obtain **short-term, transitional housing** for a minimum of six months (180 days) following release.
- Expand DOC's **housing voucher program** and conduct ongoing analyses of populations served, process, and

outcomes throughout the state.

- Eliminate **exclusionary housing policies and practices** based on an individual's criminal history.
- Amend the State **Landlord-Tenant Act** to address provisions permitting adverse action based on an individual's criminal record.
- Authorize **tax credits** via the Washington State Housing Finance Commission to incentivize owners of rental properties to provide housing to men and women with criminal records.

EMPLOYMENT

- As part of the mandatory reentry orientation, assess strengths, talents, and specialized employment skills of men and women, and **identify relevant and tangible employment options**.
- Expand and facilitate access to **educational and employment opportunities** in our State prisons so that incarcerated men and women may acquire basic skills, including technological proficiency, cultivate specialized knowledge and expertise, and hone practical and marketable employment skills.
- Connect men and women with **peer mentors** to help facilitate access to employment opportunities and serve as a mechanism for accountability.
- Streamline and modify the 38-page document detailing **court-ordered conditions**.
- Develop and launch a **public education campaign** to encourage employers to hire individuals who have been

released from prison and to raise awareness/availability of tax incentives programs.

- Identify and replicate proven **work-release programs** implemented in Washington State.
- Address policies requiring a **50% hold for child support** on an individual's employment wages. Recognize that family stability plays an important role in successful reentry, and that a small contribution to child support arrears is more important than no contribution.
- Reserve a specific percentage of **government jobs** for individuals released from prison.
- Support "**Ban the Box**" type initiatives by inviting participation and input from individuals who have to identify their criminal history on job applications. Consider local B&O tax breaks for companies that employ formerly incarcerated individuals.

TRANSITION

- As part of the mandatory reentry orientation, conduct an **individualized needs assessment** and develop a **transition plan** that incorporates input from incarcerated men and women.
- Expand **access to rehabilitation programs** in prison – including, but not limited to, education, treatment, and other specialized programs. Address capacity issues that impede satisfaction of rehabilitation requirements set forth by the Indeterminate Sentence Review Board.
- Provide legal records and documents, critical for accessing services and opportunities in the community -- including but not limited to, a **State-issued ID card or**

Social Security card, and birth certificate to men and women 12 months prior to work-release and six months prior to release.

- Upon release, provide men and women with **critical supplies to address basic needs**, such as a calendar, a watch, and a toiletry kit, and other tools.
- Establish a **coordinated community base** for transition support that consists of voices from the institution and community.

Endnotes

¹ Evans, Michael. (2011). *Recidivism Rate Outcomes for 2007*. Washington State Department of Corrections

² *Ibid.*

³ Steve Oas, Marna Miller, and Elizabeth Drake. (2006) *Evidence-Based Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia: Washington State Institute for Public Policy, Document No. 06-10-1201, p. 3.

⁴ *Ibid.*

⁵ R. Barnoski. (1997). *Standards for Improving Research Effectiveness in Adult and Juvenile Justice*. Olympia: Washington State Institute for Public Policy, Document No. 97-12-1201. It is important to note that this figure includes all inmates readmitted, during any time period, to DOC and not just those within a particular time frame. Further, the figure does it consist of those with current pending criminal charges, as most offenses require at least one year to be processed in the criminal justice system.

⁶ Bumby, Kurt et al. (2007). *Increasing Public Safety through Successful Offender Reentry: Evidence-Based and Emerging Practices in Corrections*. A companion document to the National Institute of Corrections TPC Reentry Handbook and The National Institute of Corrections TPC Case Management Handbook. Center for Effective Public Policy. Pager, Devah. (2005) *Evidence-Based Policy for Successful Prisoner Reentry*. *Criminology and Public Policy* 5(3): 505-514. Patrick Langan and David Levin. (2002) *Recidivism of Prisoners Released in 1994*. Bureau of Justice Statistics Special Report. Washington, DC: U.S. Department of Justice: *Reentry Policy Council Report: Addressing Core Challenges*, Last modified January 1, 2012, <http://www.reentrypolicy.org/Report/PartI/ChapterI-B/PolicyStatement4/Recommendation4-A>.

⁷ Bumby, Kurt et al. (2007). *Increasing Public Safety through Successful Offender Reentry: Evidence-Based and Emerging Practices in Corrections*. A companion document to the National Institute of Corrections TPC Reentry Handbook and The National Institute of Corrections TPC Case Management Handbook. Center for Effective Public Policy.

⁸ *Ibid.*

⁹ Steve Oas, Marna Miller, and Elizabeth Drake. (2006) *Evidence-Based Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia: Washington State Institute for Public Policy, Document No. 06-10-1201.

¹⁰ *Ibid.*

¹¹ *Ibid.* Page 1.

¹² Bumby, Kurt et al. (2007). *Increasing Public Safety through Successful Offender Reentry: Evidence-Based and Emerging Practices in Corrections*. A companion document to the National Institute of Corrections TPC Reentry Handbook and The National Institute of Corrections TPC Case Management Handbook. Center for Effective Public Policy.

¹³ Steve Oas, Marna Miller, and Elizabeth Drake. (2006) *Evidence-Based Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia: Washington State Institute for Public Policy, Document No. 06-10-1201, p. 3.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ R. Barnoski. (1997). *Standards for Improving Research Effectiveness in Adult and Juvenile Justice*. Olympia: Washington State Institute for Public Policy, Document No. 97-12-1201. It is important to note that this figure includes all inmates readmitted, during any time period, to DOC and not just those within a particular time frame. Further, the figure does it consist of those with current pending criminal charges, as most offenses require at least one year to be processed in the criminal justice system.

¹⁷ Steve Oas, Marna Miller, and Elizabeth Drake. (2006) *Evidence-Based Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia: Washington State Institute for Public Policy, Document No. 06-10-1201.

¹⁸ *Ibid.*

-
- ¹⁹ *Ibid.*
- ²⁰ Bumby, Kurt et al. (2007). *Increasing Public Safety through Successful Offender Reentry: Evidence-Based and Emerging Practices in Corrections*. A companion document to the National Institute of Corrections TPC Reentry Handbook and The National Institute of Corrections TPC Case Management Handbook. Center for Effective Policy Study.
- ²¹ *Ibid.*
- ²² *Ibid.*
- ²³ *Ibid.* See Also RCW 9.94A.701 & .702.
- ²⁴ Evans, Michael. (2010). *Recidivism Revisited*. Olympia: Washington State Department of Corrections.
- ²⁵ *Ibid.*
- ²⁶ *Ibid.* "Other" offenses include failure to register as a sex offender.
- ²⁷ *Ibid.*
- ²⁸ Evans, Michael. (2011). *Recidivism Rate Outcomes for 2007*. Washington State Department of Corrections.
- ²⁹ Steve Oas, Marna Miller, and Elizabeth Drake. (2006). *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia: Washington State Institute for Public Policy, Document No. 06-10-1201.
- ³⁰ J. Laub and R. Sampson. (2001). *Understanding Desistance from Crime*. Crime and Justice: A Review of Research, Vol. 28. Chicago: University of Chicago Press.
- ³¹ *Ibid.*
- ³² *Ibid.*
- ³³ Bumby, Kurt et al. (2007). *Increasing Public Safety through Successful Offender Reentry: Evidence-Based and Emerging Practices in Corrections*. A companion document to the National Institute of Corrections TPC Reentry Handbook and The National Institute of Corrections TPC Case Management Handbook. Center for Effective Public Policy.
- ³⁴ Seattle Jobs Initiative. (February 2012). "Educational Attainment, Employment and Incarceration, Part 1 of 2." *Beyond the Headlines -- At a Glance: Jobs, Workers, and the Economy*.
- ³⁵ *Ibid.*
- ³⁶ Washington State Department of Corrections. (November 2008). *Mental Health Treatment Services: Therapy and Medicine Offer New Lives*. (2008) Olympia: Washington State Department of Corrections.
- ³⁷ Fuller Torrey, E. et al. (2010). *More Mentally Ill Persons are in Jails and Prisons than Hospitals: A Survey of the States*. Treatment Advocacy Center. Accessed November 13, 2012 at http://www.treatmentadvocacycenter.org/storage/documents/final_jails_v_hospitals_study.
- ³⁸ Seidlitz, Amy. (2012). *Evidence-Based Corrections*. [PowerPoint] Olympia: Washington State Department of Corrections.
- ³⁹ *Ibid.*
- ⁴⁰ C. Kubrin and E. Stewart. (2006). *Predicting Who Reoffends: The Neglected Role of Neighborhood Context in Recidivism Studies*. Criminology Volume 44, No. 1 2006. P. 167.
- ⁴¹ Washington State Department of Corrections. *Strategic Plan 2011-2017*. Retrieved November 13, 2012 at <http://www.doc.wa.gov/aboutdoc/docs/strategicplan2011-2017.pdf>.
- ⁴² See, RCW 7.68.035 & 36.18.020 (2)(h).
- ⁴³ Kubrin, C. and Stewart, E. (2006). *Predicting Who Reoffends: The Neglected Role of Neighborhood Context in Recidivism Studies*. Criminology Volume 44, No. 1 2006. P. 167.
- ⁴⁴ Washington State Department of Corrections. *Strategic Plan 2011-2017*. Accessed November 13, 2012 at <http://www.doc.wa.gov/aboutdoc/docs/strategicplan2011-2017.pdf>.
- ⁴⁵ *The King County Offender Reentry Plan*. (March 2011). King County Department of Community and Human Services, Mental Health, Chemical Abuse, and Dependency Services Division.
- ⁴⁶ E.K. Drake, S. Oas, & R. Barnoski. (2010). *Washington's Offender Accountability Act: Final Report on Recidivism Outcomes*. Olympia: Washington State Institute for Public Policy, Document No. 07-08-1201.
- ⁴⁷ *Ibid.*
- ⁴⁸ E. Drake, S. Oas, & M. Miller. (2009). *Evidence-Based Policy Options to Reduce Crime and Criminal Justice Costs: Implications in Washington State*. Victims and Offenders, 4: 170-196. Taylor & Francis Group, LLC.
- ⁴⁹ *Ibid.*
- ⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² New Capitalist Reentry Strategies Institute. Accessed November 14, 2012 at <http://newcapitalist.net/affiliations/reentry-strategies-institute/>.

⁵³ ESSB 6157 (2007 Legislative Session).

⁵⁴ RCW 72.78.005.

⁵⁵ *Washington State Department of Corrections. Strategic Plan 2011-2017.* Accessed November 13, 2012 at <http://www.doc.wa.gov/aboutdoc/docs/strategicplan2011-2017.pdf>.

⁵⁶ Examples include the 2012 King County Prosecuting Attorney's Office Offender Reentry Summit, the Yakima County DOC Reentry Program, King County Offender Reentry Initiative, Seattle Neighborhood Corrections Initiative, and Grays Harbor Community Transition Coordination Network.

⁵⁷ E. Drake. (2007). *Offender Reentry Initiative: Recommended Criteria for the Community Transition Coordination Networks.* Olympia: Washington State Institute for Public Policy, Document No. 07-08-1202.

⁵⁸ Steve Oas, Marna Miller, and Elizabeth Drake. (2006). *Evidence-Based Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates.* Olympia: Washington State Institute for Public Policy.

⁵⁹ Pager, Devah. (2005). "Evidence-Based Policy for Successful Prisoner Reentry." *Criminology and Public Policy* 5(3):505-514.

⁶⁰ Bumby, Kurt et al. (2007). *Increasing Public Safety through Successful Offender Reentry: Evidence-Based and Emerging Practices in Corrections.* A companion document to the National Institute of Corrections TPC Reentry Handbook and The National Institute of Corrections TPC Case Management Handbook. Center for Effective Public Policy. Pager, Devah. (2005) *Evidence-Based Policy for Successful Prisoner Reentry.* *Criminology and Public Policy* 5(3): 505-514. Patrick Langan and David Levin. (2002) *Recidivism of Prisoners Released in 1994.* Bureau of Justice Statistics Special Report. Washington, DC: U.S. Department of Justice: *Reentry Policy Council Report: Addressing Core Challenges*, Last modified January 1, 2012, <http://www.reentrypolicy.org/Report/PartI/ChapterI-B/PolicyStatement4/Recommendation4-A>.

⁶¹ *Ibid.*

EXHIBIT H



Kevork Djansezian/Getty

IN THE CLINK 04.22.14 9:49 AM ETCaitlin
Dickson

America's Recidivism Nightmare

A new government study shows a disturbing trend for the prison population.

The Bureau of Justice Statistics has finally released new information on recidivism rates among former prisoners in the U.S.—and while the numbers, aren't necessarily surprising, experts say, they are disturbing.

The study, released Tuesday, tracked 404,638 state prisoners from 30 states who were released in 2005. It found that 67.8 percent of them were re-arrested within three years of their release and 76.6 percent were re-arrested within five years. Of the latter group, more than a third were re-arrested in the first six months after leaving prison, and more than half were arrested by the end of the first year, showing that the rate of recidivism was highest during the first year

Those who study criminal justice may be eager to get their hands on this new data, but the researchers are quick to warn against comparing the findings of the latest study with the one before it, which dated from the 1994. That study documented a recidivism rate of 67.5 percent but it was smaller in scope; it focused on former prisoners from 15 states rather than 30 and followed up after three years rather than five. More importantly—as Matt Durose, one of the FBI statisticians who worked on the study, pointed out—prison populations have changed since 1994.

“One of the biggest factors is age. The prison population is getting older,” Durose told The Daily Beast, noting that only 17 percent of the former prisoners included in the 1994 study were 40 years old or older. That age group accounted for 30 percent of the inmates examined in the new study. “When you have changes in the cohorts, that can directly impact the results. Recidivism rates decline with age.”

One of the other key differences between the two studies is that improvements that have been made to how the FBI and individual states make and store criminal history records, or rap sheets. Since 1994, \$500 million from the BJS's National Criminal History Improvement program, in addition to individual state funding, has gone into updating automated rap sheets and fingerprinting technology as well as a computerized system for storing records. These improvements mean fewer illegible fingerprints, more access to out-of-state records and, as a result, more documented arrests.

If it remains hard to understand where the BJS's new numbers stand in the greater context of recidivism in the U.S. that's because “recidivism” is not easily defined. The BJS study measures recidivism by number of arrests—the broadest definition—but it could also be measured by convictions or, according to the narrowest definition, returns to prison.

“You're always going to get the highest rate when you look at rearrests. But just because you are arrested doesn't mean you're found guilty,” said Edward Latessa, professor and director of the School of Criminal Justice at the University of Cincinnati, who also noted that numbers don't differentiate by the seriousness of the crime. “If I'm arrested for armed robbery and you're arrested for public intoxication, we're both going to show up as arrested.”

THE DAILY BEAST

POLITICS

ENTERTAINMENT

WORLD

U.S. NEWS

TECH + HEALTH

BEASTSTYLE



recidivism, but acknowledges that while arrests may be the broadest measure, it's also the easiest data to get ahold of. That's why the BJS's definition and length of follow-up used are important to consider when analyzing such the latest numbers.



You're always going to get the highest rate when you look at rearrests. But just because you are arrested doesn't mean you're found guilty."

"If you define it as a return to prison and you follow for a year, you'll have a much lower rate," Latessa said.

CUNY's John Jay College of Criminal Justice Professor Deborah Koetzle agrees with Latessa but hopes that the drastic numbers will spark more conversation about the need for rehabilitation and re-entry programs to combat recidivism.

"In a lot of ways we set people up because we put them in prisons, which are are coercive, violent environments that can have psychological impacts, and when they come out we put up a lot of barriers," Koetzle told The Daily

Beast. "We make it difficult for them to get jobs, to find housing. We put them back in an environment where there's a lot of temptations without a lot of support."

Koetzle argues that most correctional facilities are not equipped with the types of psychological or substance abuse treatment programs many inmates need, making it unsurprising when people come home and get into trouble again.

"We spend a lot of money incarcerating people and it's not a very efficient way of doing things unless we're providing treatment," Koetzle said. "We should to look at these figures and think, there is a reason for this. We need to do a better job."



SHARE



TWEET



POST



EMAIL

15 COMMENTS ▾

EXHIBIT I

[ABOUT](#)[ADVOCACY](#)[RESOURCES](#)[GET INVOLVED](#)

HOUSE BILL PROPOSES TO REDUCE BARRIERS TO WORK FOR PEOPLE WITH FORMER CRIMINAL JUSTICE INVOLVEMENT

Wednesday, January 21, 2015

Today, **Washington State Rep. Brady Walkinshaw** (D-Seattle) filed the **Certificate of Restoration of (CROP)**, a bill developed to remove barriers to occupational licenses for qualified applicants who have : Occupational restrictions apply to jobs as diverse as chemical dependency counselor, wreck hauler, cor solicitor and barber. **Overall, there are more than 90 career paths that are closed to someone beca** Many employers want to hire qualified applicants for these types of jobs, but cannot due to these restric

This legislation is part of a larger national movement to address the skyrocketing costs of high incarceration in the United States. Washington State's prison population, like that of the entire nation, has been stead increasing over the past 30 years. Increasingly, lawmakers have recognized that these type of occupati people with criminal histories do not increase public safety or reduce costs, but serve as a detrimental b states have similar processes to the proposed bill to address barriers to reentry, including North Carolin York.

Rep. Walkinshaw sees CROP as a step toward "building safer and healthier communities through incre opportunities and reduced recidivism." **King County Prosecuting Attorney Dan Satterberg** describes says the person has paid their debt to society and can move forward."

Under the legislation, a person would apply for this certificate in Superior Court by filing a civil motion st amount of time had passed, they had no new arrests or convictions, and had met or were meeting the t The applicant must notify the prosecutor that they are seeking a certificate. **If the certificate is signed licensing body cannot deny someone's application for an occupational license based on crimina person must be otherwise qualified and suitable for the license.** Employers are not required to hire will be able to hire the qualified applicant of their choice. This law does not apply to sex offenders and th requirements and exceptions for those who might work with vulnerable groups. This law would not restc remove the criminal record from public view.

"People make mistakes and people change," says Melissa Lee, Staff Attorney and Coordinator of the [In Columbia Legal Services](#), an advocate for the bill. **"At some point, they should be able to move on v**

living, and contribute fully to our society and Washington State's economy.”

The bill will most likely be scheduled for a hearing the last week in January in the House Public Safety C supported by a broad coalition of organizations from across Washington State, including Washington As Attorneys, Rental Housing Association, Washington Superior Court Judges Association, Partners for O Seattle Business Association, Union Gospel Mission, and others.

[Getting Legal Help](#) [Locations](#) [Privacy Policy](#) [Terms and Conditions](#)

Site by F

© Copyright 2014 Columbia Legal Services. All rights reserved.

EXHIBIT J

HOUSE BILL REPORT

HB 1553

As Reported by House Committee On:
Public Safety

Title: An act relating to certificates of restoration of opportunity.

Brief Description: Encouraging certificates of restoration of opportunity.

Sponsors: Representatives Walkinshaw, MacEwen, Ryu, Appleton, Moscoso, Holy, Gregerson, Zeiger, Peterson, Farrell, Walsh, Reykdal, Orwall, Pettigrew, Tharinger, Fitzgibbon and Kagi.

Brief History:

Committee Activity:

Public Safety: 2/3/15, 2/6/15 [DPS].

Brief Summary of Substitute Bill

- Creates a process by which a person with a criminal record can be granted a certificate of restoration of opportunity, which removes any professional bar imposed solely as a result of the conviction.

HOUSE COMMITTEE ON PUBLIC SAFETY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton, Griffey, Pettigrew and Wilson.

Staff: Cassie Jones (786-7303).

Background:

Any state, city, county, or other municipal entity is prohibited from disqualifying a person from employment, or any occupation, trade, vocation, or business for which a state or local license, permit, certificate or registration is required solely because of a prior conviction of a felony. However, a prior conviction may be considered in conjunction with other factors.

The following exemptions also apply:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

1. If the felony is directly related to the employment or profession sought and it has been fewer than 10 years since conviction, the conviction can be the sole reason for a denial.
2. If the position is in the county treasurer's office and the felony was for embezzlement or theft, a person may be disqualified from employment even if more than 10 years have passed since the conviction or guilty plea.
3. If the position is an education position which requires certification or a position with (or contracted with) a school district or educational service district which requires regularly scheduled unsupervised access to children, conviction of a felony against a child, as specified in RCW 28A.400.322, disqualifies a person even if more than 10 years have passed since the conviction or guilty plea.
4. Health professions are exempt from the prohibition on disqualification.

Summary of Substitute Bill:

If a person holds a certificate of restoration of opportunity (CROP), no state, county, or municipal department, board, officer, or agency authorized to assess the qualifications of any applicant for a license, certificate of authority, qualification to engage in the practice of a profession or business, or for admission to an examination to qualify for such a license or certificate may disqualify a qualified applicant, solely based on the applicant's criminal history, if the applicant meets all other statutory or regulatory requirements.

A CROP may be granted to a person by a superior court if the person meets the following eligibility requirements:

- one year has passed from sentencing for those sentenced by a Washington court to probation, or receiving a deferred sentence or other noncustodial sentencing for a misdemeanor or gross misdemeanor offense or an equivalent juvenile adjudication;
- 18 months have passed from release of total or partial confinement from a Washington prison or jail or juvenile facility for those sentenced by a Washington court to incarceration for a misdemeanor or gross misdemeanor or an equivalent juvenile adjudication;
- two years have passed from sentencing for those sentenced by a Washington court to probation, or receiving a deferred sentence or other non-custodial sentence for a class B or C felony or an equivalent juvenile adjudication;
- two years have passed from release from total or partial confinement from a Washington prison or jail or juvenile facility for those sentenced by a Washington court for a class B or C felony or an equivalent juvenile adjudication;
- three years have passed from sentencing for those sentenced by a Washington court to probation, or receiving a deferred sentence or other noncustodial sentencing for a class A felony or an equivalent juvenile adjudication; or
- three years have passed from release from total or partial confinement from a Washington prison or jail or juvenile facility for those sentenced by a Washington court for a class A felony or an equivalent juvenile adjudication.

All applicants in the above six categories must also meet the following additional requirements:

- is in compliance with, or has completed, all sentencing requirements except for legal financial obligations (the person must have a payment plan in place and have made at least nine payments in the last 12 months, or have good cause for missing payments);
- was never convicted of a sex offense or a crime with sexual motivation and is not required to register as a sex offender; and
- has not been arrested for nor convicted of a new crime and has no pending criminal charges or known imminent charges.

Exemptions:

1. Criminal justice agencies are exempt and may disqualify an individual who holds a CROP based solely on criminal history.
2. The Washington State Bar Association is exempt and may disqualify an individual who holds a CROP based solely on criminal history.
3. The Department of Social and Health Services has discretion to disqualify an individual who holds a CROP based solely on criminal history if the employment involves unsupervised access to vulnerable adults, children, or individuals with mental illness or developmental disabilities.
4. The Department of Health has discretion to disqualify an individual who holds a CROP based solely on criminal history if practice of the profession involves unsupervised contact with vulnerable adults, children, or individuals with mental illness or developmental disabilities.

Substitute Bill Compared to Original Bill:

The substitute bill: (1) limits the scope of the immunity granted to the Department of Social and Health Services and the Department of Health by providing immunity from suit for damages rather than immunity from suit generally; (2) clarifies that an applicant for a certificate must provide notice of the application to all prosecuting attorneys in all jurisdictions where the applicant was convicted of a crime in the five years preceding the application; (3) requires that a court declining to consider an application or dismissing an application must state the reasons for its decision on the order; (4) clarifies that the Washington State Gambling Commission is exempt from the act; and (5) makes technical corrections.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There is a need to find ways to enable successful re-entry and empower employers to make hiring decisions based on better information. The bill allows the certificates to be granted by the court when the individuals convicted of a crime have met a

specific set of objective criteria. The bill attempts to satisfy the needs of employers and protect society. The bill allows individuals who have served time to come back to society and get access to employment and housing. This is an effort to prevent re-offense.

It is not the mission of the criminal justice system to impose lifelong disabilities on people who break the law. There should be a social mission to make sure offenders do not recidivate. Collateral consequences are consequences of conviction that were not a part of the sentence. This trips up offenders on the road to becoming a tax payer. The certificate is a receipt to be earned that shows debt payment to society. Those that search the criminal history will see both the certificate and the conviction. It is a transparent alternative to sealing a conviction. There is no employer mandate.

This bill is about the spirit of redemption. Studies show that employment reduces recidivism. There are exceptions for individuals with a CROP who would work with youth or vulnerable adults. Offenders getting out of institutions are full of hope and seek to change their lives. They have to have employment in order to do this. Losing hope leads to a loss of care for society. This bill addresses collateral consequences of crime. Judges see the consequences first hand. There are incredible barriers. This bill provides a realistic second chance. This is the right approach to addressing past criminal history rather than other approaches that attempt to hide and conceal things.

This bill creates employment opportunities for individuals with a criminal history. There is a need to address safety of vulnerable people and this bill gives the flexibility to promote that safety. This certificate is only as good as it is fully displayed. Anytime state patrol records are accessed it should be the first thing that is seen. This will increase the effectiveness of the tool.

A felony conviction can be an absolute bar in the helping professions. A trained, experienced individual who acquires a felony conviction may be excluded from employment due to the law. Criminal convictions create a daunting array of roadblocks for a job search. There are financial and emotional impacts on families. It is time to open the economy to individuals convicted of crimes who want to rebuild their lives. One in five Washington adults has a criminal record. Jobs reduce recidivism. There are 90 career paths closed to people with a criminal history. This is a social justice issue because there is disproportionate impact of incarceration and unemployment on people of color. A CROP will improve public safety and strengthen families. The bill strikes an appropriate balance between patient safety and the need to reintegrate offenders into society.

(Opposed) None.

Persons Testifying: Representative Walkinshaw, prime sponsor; Dan Satterberg, King County Prosecuting Attorney's Office; Merf Ehman, Columbia Legal Services; Bill Hinkle, Rental Housing Association; Glenna Awbrey, STAR Project; Elizabeth Martin, Superior Court Judges Association; James McMahan, Washington Association of Sheriffs and Police Chiefs; Jim Vollendroff, King County Department of Human Services; Bill Moss, Department of Social and Health Services; Rowland Thompson, Allied Daily Newspapers; William Keizer; Rolando Avila and Andrian Sherman, Poverty Action Network; Mike Schwartz, YWCA, King-Snohomish County; Nick Federici, Pioneer Human Services; Julia

Gorton, Washington Restaurant Association; Kristin Peterson, Department of Health; and Devon Schrum, Department of Corrections.

Persons Signed In To Testify But Not Testifying: None.

EXHIBIT K

SEX OFFENDER SENTENCING IN WASHINGTON STATE: NOTIFICATION LEVELS AND RECIDIVISM

The 2004 Legislature directed the Washington State Institute for Public Policy (Institute) to conduct a comprehensive analysis and evaluation of the impact and effectiveness of current sex offender sentencing policies.¹ Because this is an extensive topic, we are publishing a series of reports.

In 1990, the Washington State Legislature passed the Community Protection Act, an omnibus bill that included the requirement for sex offenders to register with the sheriff in their county of residence.² Public officials, for the first time in U.S. laws, were also authorized to release “necessary and relevant” information about sexual predators to the public.

In 1990, the multi-disciplinary End of Sentence Review Committee (ESRC) within the Department of Corrections began issuing three types of notifications to law enforcement: Special Bulletins (highest risk), Law Enforcement Alerts, and Teletype.³ The ESRC’s notification decision was based upon a review of the offender’s criminal history, institutional behavior, and other relevant information.

In 1997, the Legislature directed a more consistent statewide approach to notifications.⁴ The extent of disclosure was to be rationally related to: (a) the level of risk posed by the offender to the community; (b) the locations where the offender resides, expects to reside, or is regularly found; and (c) the needs of the affected community members for information to enhance their individual and collective safety.

The ESRC then adopted the Washington State Sex Offender Risk Level Classification Tool⁵ to determine a sex offender’s risk to the community. The ESRC notification levels are sent to local law enforcement who determine the level communicated to the public.

In a previous report, the Institute analyzed the relationship between recidivism and Washington’s passage of sex offender registration and community

¹ ESHB 2400, Chapter 176, Laws of 2004.

² RCW 4.24.550.

³ *Policy 350.500, End of Sentence Reviews*, Olympia: Washington State Department of Corrections, May 1990.

⁴ RCW 4.24.5502.

⁵ http://www.doc.wa.gov/CPU/eosrc_index.htm.

SUMMARY

This report examines the relationship between recidivism and the sex offender notification levels set by Washington State’s End of Sentence Review Committee (ESRC). These notification levels are sent to local law enforcement who make the final determination of the level communicated to the public.

Starting in 1990 the ESRC’s notification risk classification was based upon a review of the offender’s criminal history, institutional behavior, and other relevant information. As a result of 1997 legislation, the ESRC adopted a more consistent approach to classification—the Washington State Sex Offender Risk Level Classification Tool.

The Classification Tool combines two factors: specific notification considerations and an offender’s risk assessment score. The result is three notification levels (I, II, III) that define the degree of risk to the community posed by convicted sex offenders.

Key Findings

- The 1997 statute increased the percentage of sex offenders who received a notification level from 50 percent in 1997 to nearly 90 percent in 1999.
- The notification levels determined by the ESRC do not classify sex offenders into groups that accurately reflect their risk for reoffending.

Future reports will address prospects for a more accurate sex offender risk assessment instrument.

notification statutes.⁶ The report concluded that recidivism rates for sex offenders have decreased since the enactment of these statutes.

This report examines how well the ESRC’s notification levels predict recidivism. A future report will examine the notification levels issued by law enforcement.

⁶ Robert Barnoski, 2005, *Sex Offender Sentencing in Washington State: Does Community Notification Influence Recidivism Rates?* Olympia: Washington State Institute for Public Policy, Document No. 05-08-1202.

The Washington State Sex Offender Risk Level Classification Tool places sex offenders into one of three notification levels by combining a risk assessment score and a notification considerations score.

The risk assessment score is based on the original 1995 version of the Minnesota Sex Offender Screening Tool (MnSOST)—one of the earliest sex offender assessment tools. In 1998, Minnesota developed the MnSOST–R, which is a more valid predictor of sex offender recidivism.⁷

The ESRC’s notification considerations score is based on the following four items:

- The victim in a non-familial sex conviction was particularly vulnerable or incapable of resistance due to physical or mental disability or ill health.
- The sex offense was of a predatory nature, or the offender used a position of community trust (i.e., coach, teacher, group leader, or police officer) or a professional relationship to facilitate the non-familial sex offense.
- The offender continued to act out sexual deviancy during incarceration.
- The offender was an adult male with a Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR) score of 4 to 6. (The RRASOR is a widely used actuarially-based assessment.)⁸

The Washington State Sex Offender Risk Level Classification Tool defines the three notification levels as follows:

- **Level I:** Low-risk offenders with an assessment score under 47 points and no notification considerations.
- **Level II:** Moderate-risk offenders with an assessment score under 47 points and one or two notification considerations.

⁷ D.L. Epperson, J.D. Kaul, S.J. Huot, D. Hesselton, W. Alexander, and R. Goldman, 1995, *Minnesota Sex Offender Screening Tool (MnSOST)*, St. Paul, MN: Minnesota Department of Corrections; D.L. Epperson, J.D. Kaul, S.J. Huot, D. Hesselton, W. Alexander, and R. Goldman, 1998, *Minnesota Sex Offender Screening Tool—Revised (MnSOST–R)*, St. Paul, MN: Minnesota Department of Corrections; D.L. Epperson, J.D. Kaul, S.J. Huot, R. Goldman, and W. Alexander, 2003, *Minnesota Sex Offender Screening Tool—Revised Technical Paper: Development, Validation, and Recommended Cut Scores*, St. Paul, MN: Minnesota Department of Corrections.

⁸ R.K. Hanson, 1997, *The Development of a Brief Actuarial Risk Scale for Sexual Offense Recidivism*, Department of the Solicitor General of Canada, Public Works and Government Services Canada, cat. No. JS4-1/1997-4E.

- **Level III:** High-risk offenders with an assessment score under 47 points and three or four notification considerations, or an assessment score of 47 or more points.

Local law enforcement agencies can modify the level of risk determined by the ESRC when notifying the public about sex offenders in their community. The Washington Association of Sheriffs and Police Chiefs created a model policy for release of information.⁹

Study Design: This report focuses on two research questions:

- How well do the ESRC notification levels predict recidivism (a conviction for another crime in Washington State)?
- Did the 1997 revisions improve prediction?¹⁰

This study includes the notification level data from two time periods: the period between passage of the 1990 and 1997 statutes, and the period after the 1997 statute. To allow sufficient follow-up time, the study sample includes sex offenders released to the community before October 1999.¹¹ Three types of recidivism are measured: any felony, violent felony, and felony sex.¹²

Exhibit 1 displays the number of sex offenders released from prison during the two study periods, and the percentage with an ESRC notification level.

Exhibit 1
ESRC Notification Levels
Sex Offenders in Each Study Group

Study Group	Number	Percent With Notification Level
1990 – 1996	4,445	51%
1997 – 1999	1,304	88%

From 1990 to 1996, 51 percent of sex offenders released from prison had an ESRC notification level. During 1997 to 1999, the percentage rose to 88 percent.

The 1997 statute clearly resulted in an increased percentage of sex offenders released with an ESRC notification classification.

⁹ RCW 9A.44.130.

¹⁰ DOC began using the revised levels in October 1997.

¹¹ Robert Barnoski, 2005, *Sex Offender Sentencing in Washington State: Measuring Recidivism*. Olympia: Washington State Institute for Public Policy, Document No. 05-08-1202.

¹² Felony recidivism includes reoffending for any felony offense. Violent felony recidivism includes homicide, sex, robbery, assault, and weapon offenses. Felony sex recidivism is also included in violent felony recidivism.

Exhibit 2 shows the percentage distribution of ESRC notification levels. For the 1990 to 1996 period, we designate Special Bulletins as Level III, Law Enforcement Alerts as Level II, and Teletypes as Level I. The Level I percentage decreased from 69 percent in the 1990 to 1996 period to 58 percent in the 1997 to 1999 period, while the Level II percentages increased from 8 to 24 percent. The percentage of Level III sex offenders dropped from 23 to 17 percent.

Exhibit 2
ESRC Level Classifications
for Each Study Group

Study Group	Notification Level Distribution*		
	I	II	III
1990 – 1996	69%	8%	23%
1997 – 1999	58%	24%	17%

*Those with a recorded notification level.

The 1997 statute resulted in an increased percentage of sex offenders classified as Level II and a reduced percentage classified as Level I and III.

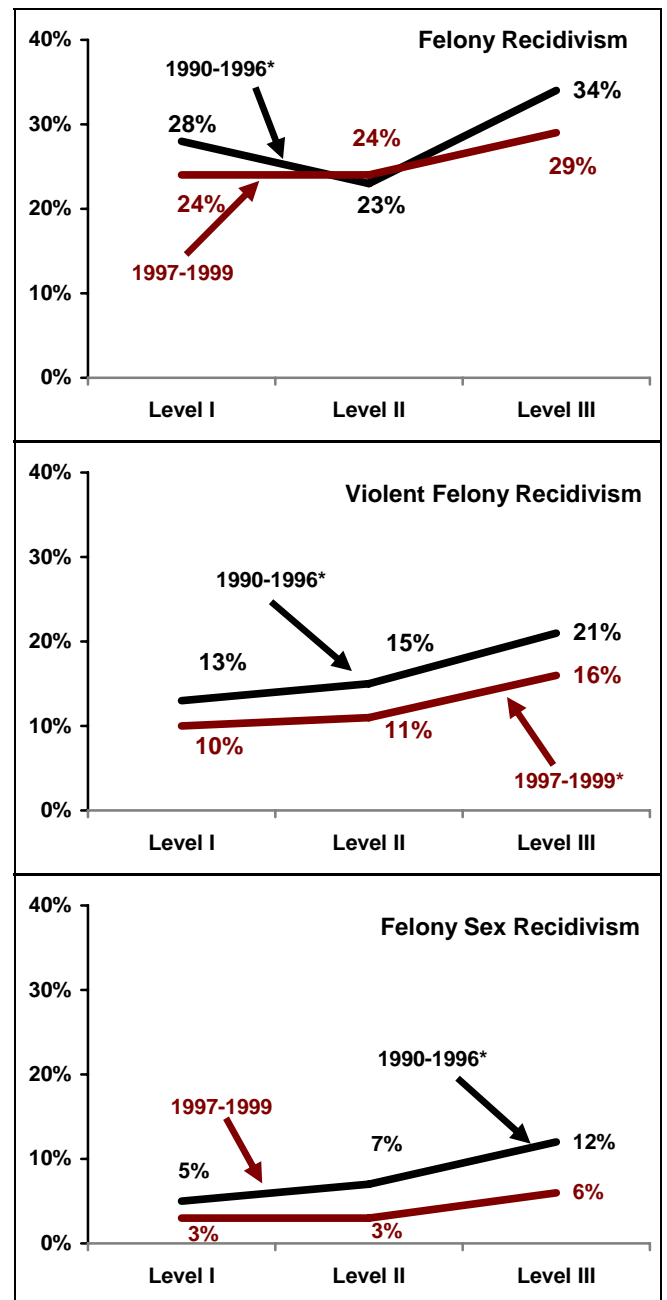
Exhibit 3 displays the three types of five-year felony recidivism rates for sex offenders with and without ESRC notification levels since 1990. During the 1990 to 1996 period, sex offenders with notification levels have higher recidivism rates than those without levels. During the 1997 to 1999 period, the differences between those with and without a level are smaller. That is, prior to the 1997 statute only higher-risk sex offenders tended to have ESRC notification levels.

Exhibit 3
Five-Year Felony Recidivism Rates:
Sex Offenders With and Without ESRC Notification
Levels for Each Study Group

Type of Recidivism	Without a Level	With a Level	Increase for Those With
1990 – 1996			
Felony	22.2%	28.1%	5.9%
Violent	9.8%	15.2%	5.4%
Sex	3.8%	6.4%	2.60%
1997 – 1999			
Felony	30.6%	26.0%	-4.6%
Violent	8.8%	11.3%	2.5%
Sex	1.3%	3.3%	2.0%

Exhibit 4 displays the three types of recidivism for offenders in the three notification levels from the two study periods. For example, the felony recidivism rates for the 1990 to 1996 period vary from 28 percent, to 23 percent, to 34 percent for notification Levels I, II and III respectively. The recidivism rates for Level III offenders are consistently higher than the rates for Level I offenders.

Exhibit 4
Five-Year Felony Recidivism Rates and
ESRC Notification Levels
 (Statistically significant differences are noted by an *)



We now use two statistics to help assess how well the ESRC notification levels predict recidivism.

The first measure of predictive accuracy is statistical significance. During the 1990 to 1996 period, the ESRC notification levels have a statistically significant association with all three measures of recidivism. During the 1997 to 1999 period, only violent felony recidivism has a statistically significant association with the notification levels.

Statistical significance indicates that the recidivism rates for the three levels differ. With large samples, as in this study, even small differences in recidivism can be statistically significant. In addition to statistical significance, researchers report another measure of predictive accuracy when discussing assessment findings: the Area Under the Receiver Operating Characteristic (AUC). The AUC is the best measure of predictive accuracy between the dichotomous outcome of recidivism and the three risk-level categories.¹³ The AUC statistic varies between .500 and 1.00. AUCs in the .500s indicate little to no predictive accuracy, .600s indicate weak accuracy, .700s moderate, and those above .800 have strong predictive accuracy.¹⁴

Exhibit 5 displays the AUCs for the ESRC notification levels during the two study periods. The AUCs indicate that the notification levels have little to no predictive accuracy. The one exception is the AUC of .611 for felony sex recidivism during the 1990 to 1996 period—but this indicates only weak accuracy.

Exhibit 5
Association Between
ESRC Notification Levels and Recidivism

	AUC	
	1990 – 1996	1997 – 1999
Felony	0.522	0.518
Violent	0.558	0.552
Sex	0.611	0.560

Additional Analyses

The notification level data in this report are for offenders released six years ago; to check whether predictive accuracy is better for a more recent sample of sex offenders, we repeat the analyses using a shorter three-year follow-up period for the 2,328 sex offenders released as late as June 2001. The same results are obtained.

Our previous report on the relationship between recidivism and Washington’s passage of sex offender registration and community notification statutes¹⁵ found that recidivism rates have decreased since 1997. This is also evident in Exhibit 4 where the recidivism rates of the 1997 to 1999 study group are consistently lower than the 1990 to 1996 study group’s rates. It may be that the classification correctly identified higher-risk offenders as Levels II and III but, because of law enforcement’s community notification, they do not reoffend at a rate much higher than Level I offenders.

To test this theory, we created a matched sample of sex offenders from the pre-1990 period and assigned these offenders the notification levels of the post-1997 offenders they matched. The analyses of this matched sample did not show any decrease in recidivism for the Level II or III sex offenders relative to their matched offenders, with one exception. The felony sex recidivism rate of Level III sex offenders during the 1997 to 1999 period was slightly less than the matched sample; however, this difference was not statistically significant.

Based on the AUC statistics we conclude that the notification levels determined by the ESRC do not classify sex offenders into groups that accurately reflect their risk for reoffending.

¹³ V.L. Quinsey, G.T. Harris, M.E. Rice, C.A. Cormier, 2005, *Violent Offenders: Appraising and Managing Risk, Second Edition*, Washington, DC: American Psychological Association.

¹⁴ University of Michigan, 2003, *The Area Under the ROC Curve*. See: <http://gim.unmc.edu/dxtests/roc3.htm>.

¹⁵ Robert Barnoski, 2005, *Sex Offender Sentencing in Washington State: Does Community Notification Influence Recidivism Rates?* Olympia: Washington State Institute for Public Policy, Document No. 05-08-1202.

For further information, contact Robert Barnoski at (360) 586-2744 or barney@wsipp.wa.gov

Document No. 05-12-1203



Washington State
Institute for
Public Policy

The Washington State Legislature created the Washington State Institute for Public Policy in 1983. A Board of Directors—representing the legislature, the governor, and public universities—governs the Institute and guides the development of all activities. The Institute’s mission is to carry out practical research, at legislative direction, on issues of importance to Washington State.

EXHIBIT L

SEX OFFENDER SENTENCING IN WASHINGTON STATE: SEX OFFENDER RISK LEVEL CLASSIFICATION TOOL AND RECIDIVISM

The 2004 Legislature directed the Washington State Institute for Public Policy (Institute) to conduct a comprehensive analysis and evaluation of the impact and effectiveness of current sex offender sentencing policies.¹ Because this is an extensive topic, we are publishing a series of reports.

The 1990 Washington State Legislature passed the Community Protection Act, an omnibus bill that authorized the release of information to the public regarding dangerous sex offenders.² In 1990, the multi-disciplinary End of Sentence Review Committee (ESRC) within the Department of Corrections began issuing three types of notifications to law enforcement.³ The Legislature directed a more consistent statewide approach to notifications in 1997.⁴

As a result, the ESRC began using the Washington State Sex Offender Risk Level Classification Tool (classification tool) to determine a sex offender's risk to the community.⁵ This tool places sex offenders into one of three notification levels by combining a risk assessment score and a notification considerations score. The resulting notification levels are sent to local law enforcement who make the final determination of the risk level.

In a previous report, the Institute analyzed the relationship between these notification levels and recidivism.⁶ The report concluded the ESRC does not classify sex offenders into groups that accurately reflect their risk for reoffending.

This report examines how well the components within the Sex Offender Risk Level Classification Tool, the notification considerations and risk assessment scores, predict felony sex recidivism.

SUMMARY

The 1990 Washington State Legislature passed the Community Protection Act authorizing the release of information to the public regarding dangerous sex offenders. In 1997, the Legislature directed a more consistent statewide approach to notifications.

Since 1997, the Washington State End of Sentence Review Committee (ESRC) has placed sex offenders into one of three notification levels using the Sex Offender Risk Level Classification Tool. This tool combines two scores to determine an offender's notification level: a risk assessment score and a notification considerations score. The resulting notification level is sent to local law enforcement who make the final determination of the level communicated to the public.

A previous Institute report concluded that the ESRC risk levels do not classify sex offenders into groups that accurately reflect their risk for reoffending. This report examines the relative accuracy of the two components within the Sex Offender Risk Level Classification Tool in predicting recidivism.

Key Findings Regarding the Classification Tool

- The notification considerations score has little or no accuracy in predicting sex offender recidivism.
- The risk assessment score has little or no accuracy in predicting sex offender recidivism. Some elements, however, predict felony sex recidivism with moderate accuracy.
- The necessary steps for developing a more accurate risk assessment instrument are outlined at the end of this report.

¹ ESHB 2400, Chapter 176, Laws of 2004.

² RCW 4.24.550.

³ *Policy 350.500, End of Sentence Reviews*, Olympia: Washington State Department of Corrections, May 1990.

⁴ RCW 4.24.5502; see:

http://www.doc.wa.gov/CPU/eosrc_index.htm.

⁵ See: <http://www.wsipp.wa.gov/rptfiles/05-12-1205.pdf>.

⁶ R. Barnoski, 2005, *Sex Offender Sentencing in Washington State: Notification Levels and Recidivism*. Olympia: Washington State Institute for Public Policy, Document No. 05-08-1202.

The Institute entered information from Washington State Sex Offender Risk Level Classification Tool documents in the ESRC files to create a database for this report. Since measuring sex offender recidivism requires a five-year time period in the community, and one additional year for processing in the courts,⁷ the Institute obtained the ESRC files for sex offenders released between October 1997 and June of 1999.

We measure three types of recidivism: a conviction in Washington State for (1) any new felony offense, (2) any new violent felony offense, and (3) any new felony sex offense.⁸

Exhibit 1 describes the sample used in this study. ESRC data was entered for 684 sex offenders released from prison between October 1997 and June of 1999.

Of the 684 sex offenders in the study sample, 149 (22 percent) recidivated with a felony offense within five years. Only 23 (3 percent) of the sex offenders recidivated with a felony sex offense.

Exhibit 1
Classification Tool Study Sample
For 684 Sex Offenders Released From Prison
Between October 1997 and June of 1999

Number Recidivating With:	
Any Felony	149 (22%)
Violent Felony	67 (10%)
Felony Sex	23 (3%)

The small number of recidivists with sex offenses makes prediction difficult. Given these rates, the assumption that no sex offenders will reoffend with a felony sex offense would be accurate 97 percent of the time.

We use a statistic called the Area Under the Receiver Operating Characteristic (AUC) to measure predictive accuracy. The AUC is the best measure of predictive accuracy for a dichotomous outcome like recidivism.⁹ The AUC statistic varies between .500 and 1.00. AUCs in the .500s indicate little or no predictive accuracy, .600s indicate weak

⁷ R. Barnoski, 2005, *Sex Offender Sentencing in Washington State: Measuring Recidivism*, Olympia: Washington State Institute for Public Policy, Document No. 05-08-1202.

⁸ Felony recidivism includes reoffending for any felony offense. Violent felony recidivism includes homicide, sex, robbery, assault, and weapon offenses. Felony sex recidivism is also included in violent felony recidivism.

⁹ V.L. Quinsey, G.T. Harris, M.E. Rice, C.A. Cormier, 2005, *Violent offenders: Appraising and managing risk, second edition*, Washington, DC: American Psychological Association. M.E. Rice & G.T. Harris, 2005, Comparing effect sizes in follow-up studies: ROC area, Cohen's d, and r, *Law and Human Behavior* 29(5): 615-620.

accuracy, .700s moderate, and those above .800 have strong predictive accuracy.¹⁰

Exhibit 2 shows the three types of recidivism rates for the three levels of risk in the study sample. Level I is the lowest risk and Level III the highest. The AUCs indicate that the notification levels have little or no predictive accuracy. These results are consistent with Institute's previous report.¹¹

Exhibit 2
Five-Year Recidivism Rates for Notification Levels
for Classification Tool Study Sample

Risk Level	Percent Sample	Five-Year Recidivism Rate		
		Felony	Violent Felony	Felony Sex
Level I	54%	24%	9%	4%
Level II	29%	21%	11%	2%
Level III	17%	25%	15%	5%
AUC		0.500	0.565	0.502

We now examine the two parts of the classification tool in more detail. First we analyze the relationship between the notification considerations and recidivism. Then we analyze the relationship between recidivism and the risk assessment.

Four notification consideration items are calculated in the classification tool:

- 1) The victim in a non-familial sex conviction was particularly vulnerable or incapable of resistance due to physical or mental disability or ill health.
- 2) The sex offense was of a predatory nature, or the offender used a position of community trust or a professional relationship to facilitate the non-familial sex offense.
- 3) The offender continued to act out sexual deviancy during incarceration.
- 4) The offender was an adult male with a Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR) score of 4 to 6.¹²

The notification considerations score is the number of items possessed by a sex offender; a score of zero means no notification considerations.

¹⁰ University of Michigan, 2003, *The Area Under an ROC Curve*. See: <http://gim.unmc.edu/dxtests/roc3.htm>.

¹¹ R. Barnoski, 2005, *Sex Offender Sentencing in Washington State: Notification Levels and Recidivism*, Olympia: Washington State Institute for Public Policy, Document No. 05-12-1203.

¹² R.K. Hanson, 1997, *The development of a brief actuarial risk scale for sexual offense recidivism*. Department of the Solicitor General of Canada, Public Works and Government Services Canada, cat. No. JS4-1/1997-4E.

Exhibit 3 displays the percentage distribution and recidivism rates for the notification considerations score. About 64 percent of the sex offenders in the sample have no notification considerations, and nearly 25 percent have one. The recidivism rates do not increase with an increasing score.

The AUCs in Exhibit 3 indicate that the notifications considerations score has little or no predictive accuracy.

Exhibit 3
Five-Year Recidivism Rates for Number of Notification Considerations

Notification Considerations Score	Percent Sample	Five-Year Recidivism Rate		
		Felony	Violent Felony	Felony Sex
Zero	63.7%	23.6%	8.7%	3.4%
One	24.7%	19.5%	13.0%	3.6%
Two	8.8%	16.7%	8.3%	3.3%
Three	2.3%	18.8%	12.5%	0.0%
Four	0.4%	0.0%	0.0%	0.0%
AUC		0.537	0.532	0.513

Exhibit 4 displays the percentage distribution and recidivism rates for each notification consideration.

Thirteen percent of the offenders had a vulnerable victim consideration, and their recidivism rates are not higher than the rates for those offenders without this factor. Multivariate analyses are used to test whether the notification considerations could be combined to more accurately predict recidivism. These analyses failed to produce an increase in predictive accuracy.

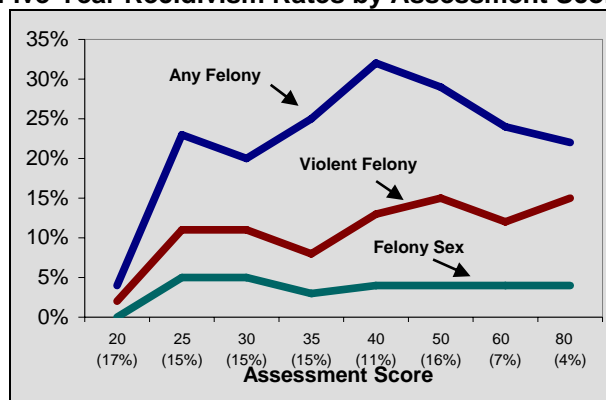
Exhibit 4
Five-Year Recidivism Rates for Notification Items

Notification Consideration	Percent Sample	Five-Year Recidivism Rate		
		Felony	Violent Felony	Felony Sex
A. Victim Vulnerability				
Not Vulnerable	87%	23%	10%	4%
Vulnerable Victim	13%	16%	9%	1%
AUC		0.521	0.504	0.543
B. Predatory Offense				
Not Predatory	74%	24%	10%	3%
Predatory	26%	15%	10%	3%
AUC		0.552	0.507	0.503
C. Continued Deviancy				
No Prison Deviancy	91%	21%	9%	4%
Prison Deviancy	9%	25%	14%	2%
AUC		0.509	0.518	0.522
D. RRASOR				
Under 4	96%	22%	10%	3%
4 to 6	4%	25%	14%	7%
AUC		0.504	0.510	0.524

We conclude that the notification considerations on the classification tool have little or no accuracy in predicting sex offender recidivism. We next examine the risk assessment portion of the tool.

Exhibit 5 shows the recidivism rates of sex offenders by their assessment score. The percentages in parenthesis represent the percentage of sex offenders in the sample with that score. For example, 17 percent of the sex offenders have an assessment score between zero and 20 points; these sex offenders have very low rates of reoffending. The recidivism rates do not consistently increase when the assessment scores above 25 points increase. Using these risk scores, we could not identify sex offenders with a high risk for either violent or felony sex reoffending.

Exhibit 5
Five-Year Recidivism Rates by Assessment Score



The AUCs for the association between the risk score and the three types of recidivism are:

- 0.614 for felony recidivism
- 0.616 for violent felony recidivism
- 0.557 for felony sex recidivism.

These AUCs indicate that the assessment risk score has, at best, weak predictive accuracy.

Technical Appendix A shows the AUCs for each item on the assessment. One item has weak accuracy in predicting felony sex recidivism, and three items have weak predictive accuracy in predicting violent felony recidivism.

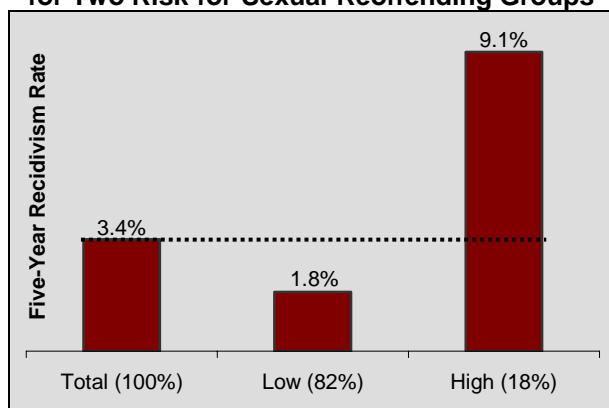
We now use multivariate statistical analyses, stepwise logistic regression, to determine if the individual notification and assessment items can be combined to form a better predictor of violent felony and felony sex recidivism.

Technical Appendix B shows the items included in the resulting prediction equation. The AUC for predicting violent felony and felony sex recidivism from individual items are 0.708 and 0.738 respectively; moderate predictive accuracy.

Exhibit 6 displays the felony sex recidivism rates for offenders classified as either low or high risk for sexual reoffending based on the prediction equation in Appendix B; it was not possible to form a moderate risk group. The felony sex recidivism rate for the total sample is 3.4 percent, while the low risk group's rate is 1.8 percent and the high risk group's is 9.1 percent. Eighteen percent of the sample is in the high risk group, and 82 percent is in the low risk group. A critical question for policy and decision-makers is whether a 9 percent felony sex recidivism rate warrants a label of high risk.

Exhibit 6

Recidivism Rates Based on Multivariate Analysis for Two Risk-for-Sexual-Reoffending Groups



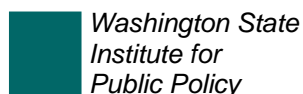
Discussion. The results of the multivariate analysis of the individual items in the risk assessment are encouraging since the AUC indicates moderate predictive accuracy for felony sex recidivism. That is, it may be possible to have a better predictor of felony sex recidivism. However, these results can not reliably be used as the basis of a new risk prediction tool.

To implement a new risk assessment for sexual reoffending requires the following steps:

- a rigorous review of existing sex offender risk assessment research,
- involvement of clinicians and those who will be using the assessment,
- construction of an assessment tool that combines the best information available in the research literature, and
- further statistical analyses.

For further information, contact Robert Barnoski at (360) 586-2744 or barney@wsipp.wa.gov

Document No. 06-01-1204



The Washington State Legislature created the Washington State Institute for Public Policy in 1983. A Board of Directors—representing the legislature, the governor, and public universities—governs the Institute and guides the development of all activities. The Institute's mission is to carry out practical research, at legislative direction, on issues of importance to Washington State.