

Earned Prison Release



Background

The fact is that as many as 96 percent of incarcerated offenders will one day complete their sentences and be released to the community. Department of Corrections (DOC) is committed to preparing each offender for successful reentry into the community by investing available resources in an array of evidence-based and cost-effective intervention programs and services and by planning for the offender's release from prison.

Reentry programs and services are essential to help offenders learn the skills and self-control necessary to avoid future criminal behavior and to improve public safety. Family centered programs, such as our visit program, are designed to reunify and strengthen families and to create positive environments and support for successful release and community supervision.

Six months prior to earned release date (ERD)¹, a plan is created to identify options for housing, services, and transition planning, as well as to mitigate any victim or public safety concerns.

In Fiscal Year (FY) 2013, over 7,705 offenders were released from prison. Seventy-seven percent of those released on time, on their earned release date. The average number of days past ERD has fallen from 107 days in Fiscal Year 2008 to 61 days in Fiscal Year 2013.

Barriers to timely release

Many offenders releasing from prison as well as offenders under supervision face barriers to meeting their most basic needs, such as housing, employment, treatment, medical care, social services and appropriate documents (i.e., identification card or Social Security card). These barriers can often impact whether or not an offender can release from prison on time. Programs such as the housing vouchers have helped mitigate housing barriers for some offenders; however, for others these barriers, as well as concerns over public safety, may prevail over a timely release.

Governing Authority

Revised Code of Washington (RCW)

- RCW 9.94A
- RCW 9A.44.130
- RCW 71.09
- RCW 72.02.100
- RCW 72.09

Washington Administrative Code (WAC)

- WAC 137-28
- WAC 137-56

¹ Definition of ERD

The term of the sentence of an offender committed to a correctional facility operated by the department may be reduced by earned release time in accordance with procedures that shall be developed and adopted by the correctional agency having jurisdiction in which the offender is confined. The earned release time shall be for good behavior and good performance, as determined by the correctional agency having jurisdiction.



ERD by the numbers...

	FY 2008	FY 2010	FY 2011	FY 2012	FY 2013
Number of offenders released from prison	7,969	7,733	7,628	7,655	7,705
Percent of Offenders Released On Time	84%	76%	82%	80%	77%
Number and percent of offenders released past their ERD	1,258 16%	1,848 24%	1,396 18%	1,540 20%	1,737 23%
Total Number of Days Past ERD	135,011	177,713	104,350	89,586	105,309
Average Days Past ERD	107	96.2	74.7	58.2	60.6

The number of days past ERD for offender releases in FY 2013 releases dropped by 46 days compared to FY 2008 and the total number of days past ERD fell by over 22 percent.

Actions Taken

DOC has taken the following actions to reduce the number of offender held past their ERD:

- Streamlined internal policies and practices
- Started release planning with the offender earlier
- Implemented a housing voucher program to help offenders at risk of releasing homeless
- Minimized movement of offenders nearing releases so not to disrupt release planning processes
- Continued collaboration with DSHS and other agencies to link offenders to available resources and to assist with transition planning

For more information

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What do we know?

For the past few years, the Department of Corrections has been looking into why the majority of offenders release on time, on their earned release date, and the remaining offenders release past their release eligibility date. Forty-seven percent of those offenders releasing late were released within 30 days after their ERD.

Release planning is based on each individual offender and their needs. Some offenders chose not to participate in release planning and prefer to remain in prison until the end of their sentence. The fact is that most plans are approved and releases are timely. These plans provide for an appropriate setting conducive to successful reentry in the community, including an approved residence, opportunity for employment, support from friends and family, and treatment resources, if needed.

It is DOC's responsibility to prevent placing the offender where they may be at risk to violate their conditions of supervision or sentence, to reoffend, or present a threat to the safety of the victim(s) and community.

The type of offense is the most significant factor in whether or not a release is timely. Offenders who are serving prison time for sex crimes and assault are more likely to release later than those with other offenses. These offenders are released much later past their ERD than others, as well. Barriers to timely release for this group often relate to finding approved housing and victim/community concerns for public safety.

The transition to the community is significantly more difficult for offenders who are seriously mentally ill or assessed with a chemical dependency. These individuals need access to appropriate behavioral health services and treatment during transition and after release. Resources beyond what DOC can provide are needed in each community to address the needs of offenders while transitioning after release and while residing in the community.