



## THE PARENTING SENTENCING ALTERNATIVE IS A POSITIVE SOLUTION FOR PUBLIC SAFETY

Research shows children of incarcerated parents are significantly more likely to end up in the criminal justice system themselves. The goal of this program is to help interrupt the cycle of intergenerational incarceration.



## DEPARTMENT OF CORRECTIONS

*Working Together for Safe Communities*

### CONTACT INFORMATION

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## What you need to know about the

## PARENTING SENTENCING ALTERNATIVE



# Parenting Sentencing Alternative (PSA) – Substitute Senate Bill 5291

## WHAT IS THE PARENTING SENTENCING ALTERNATIVE (PSA)?

The Washington Legislature in 2010 approved SSB 6639, a bill supported by the Department of Corrections (DOC) and Department of Social and Health Services (DSHS), which makes some incarcerated individuals who have minor biological children, stepchildren, or are expectant parents eligible for supervision and treatment in lieu of



prison. This bill also created an alternative for those already incarcerated who have minor biological children, stepchildren, or are expectant parents. The law became effective on June 10, 2010 and was enhanced in June 2020 through [ESSB 5291](#).

## THERE ARE TWO SENTENCING OPTIONS – Court and Prison

**The Court Option:** Family Offender Sentencing Alternative (FOSA). FOSA allows judges to waive a sentence that is at the high end of the standard sentence range for the current offense that is greater than one year and impose 12 months of community supervision along with the conditions for treatment and programming for eligible individuals facing a prison sentence. Individuals will be supervised by a Corrections Specialist who is responsible for a caseload of participants who are under FOSA.

**The Prison Option:** Community Parenting Alternative (CPA). The Parenting Sentencing Alternative allowed the Department to create a prison alternative referred to as the Community Parenting Alternative, or CPA. With this option, DOC may transfer the individual to the community under electronic monitoring to serve up to the last 12 months of his/her sentence. Participants will be monitored by a Corrections Specialist who is responsible for approval of community activities, employment and treatment programs while participating in the alternative. These cases are screened for eligibility by DOC/DCYF with input from community stakeholders. Final Approval will be granted by the DOC Secretary.

## CAN A FOSA OR CPA OFFENDER BE REVOKED?

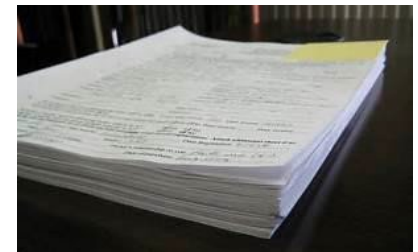
For FOSA, DOC provides quarterly progress reports to the court regarding the participants progress in programming, treatment, and other supervision requirements. Judges have the authority to require the participant appear in court to evaluate progress. The judge can modify conditions or impose confinement within the standard range of the current offense. If FOSA is revoked by the court, the time spent in the community will not be credited toward the confinement time. For CPA, DOC hearings officers conduct an administrative hearing to adjudicate infraction behavior that occurs. Participants may be returned to prison to complete their sentence if found guilty.

CPA participants may be returned to prison due to medical circumstances and/or issues that place the child, community, or program at risk.

## WHAT HELPS DETERMINE IF FOSA OR CPA IS APPROPRIATE?

Judges may require that DOC complete a risk assessment report and/or chemical dependency screening prior to sentencing. As part of the risk assessment, the court is informed if the Child Welfare System agency has an open child welfare case or if there were prior substantiated referrals of abuse or neglect involving the participant.

DOC utilizes a multidisciplinary screening committee consisting of child welfare experts and others who work with individuals in transition. This committee screens and reviews applicants for transfer from prison onto electronic monitoring in order to be home to parent their children.



Please see the following link for additional criteria:  
<https://doc.wa.gov/corrections/justice/sentencing/community-parenting.htm>