



PARTIAL CONFINEMENT OPTIONS

The **Washington State Department of Corrections** welcomes you and has provided you this document so that you can be an active participant in *your* reentry plan. Although this is a challenging time in your life, please take this time to self-reflect and begin planning for your future. Reentry planning starts at reception. There will be targeted opportunities and pathways supporting your successful reentry back into your community. Take advantage of programs and resources to enrich your skills, self-improvement, and prepare for a successful reentry. As you begin thinking about the programming you will engage in while you are incarcerated, it is also important to consider what partial confinement option(s) you may be eligible for. The Washington State Department of Corrections currently offers three partial confinement options: *Community Parenting Alternative (CPA)*, *Graduated Reentry (GRE)* and *Work/Training Release*. Continue reading about each partial confinement option and the eligibility requirements so you can pursue the best option for your personal reentry plan.

Community Parenting Alternative

The Parenting Sentencing Alternative (PSA) is the SSB 6639 bill that was approved by the Washington Legislator in 2010, which allows the Department of Corrections (DOC), in conjunction with the Department of Child, Youth and Family Services (DCYF) to create two alternatives to prison confinement for some individuals with minor children. This bill was amended in June 2020 and is now referred to as SSB 5291.

This bill created a judicial sentencing alternative that will be referred to as the Family & Offender Sentencing Alternative or FOSA. It also created a new program of partial confinement for use by DOC that is referred to as the Community Parenting Alternative or CPA.

If you have already been convicted and sentenced to prison you may qualify for the CPA portion of the PSA.

The CPA program allows DOC to transfer incarcerated individuals to the community under electronic monitoring to serve **up to the last 12 months** of their sentence at an approved address.

Minimum Eligibility for CPA

Children: You have a *minor* child that you are a parent with guardianship or legal custody of; OR the biological/adoptive parent or stepparent with a proven, established, ongoing and substantial relationship that existed at the time of the offense; OR you are an expectant parent.

Crime Restrictions: If you are currently serving a sentence for a sex crime, crime against a child, or ***serious violent offense***, you do not qualify for CPA.

If you are currently serving a sentence for a ***violent offense***, AND your Risk Classification (RLC) is High (HP, HD, HV, HVPD), then you are not eligible for CPA.



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Serious Violent Offenses:

- Murder First Degree
- Murder 2nd degree
- Assault 1st Degree
- Assault of a Child 1st Degree
- An attempt, criminal solicitation, or criminal conspiracy to commit one of the above listed felonies; or
- Homicide by Abuse
- Kidnapping 1st Degree
- Manslaughter 1st Degree
- Rape 1st Degree

Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense.

Violent Offenses:

- Arson 1st
- Arson 2nd
- Assault 2nd Degree
- Assault of a Child 2nd Degree
- Bail Jumping with Murder 1st Offense
- Burglary 1st Degree
- Child Molestation 1st Degree
- Coerce Patient to Request Life-ending Medication
- Damaging a Building by Explosion w/Threats to Human Beings
- Drive by Shooting
- Explosive Devices Prohibited
- Extortion 1st
- Forging Request for Medication
- Homicide by Watercraft by being under the Influence of Intoxicating Liquor or any Drug
- Homicide by Watercraft by the Operation of any Vehicle in a Reckless Manner
- Homicide by Watercraft by disregard for the Safety of Others
- Indecent Liberties by Forcible Compulsion
- Kidnapping 2nd Degree
- Leading Organized Crime
- Malicious Explosion of a Substance 1st
- Malicious Explosion of a Substance 2nd
- Malicious Placement of Explosive 1st Degree
- Manslaughter 2nd Degree
- Over 18 and Deliver Heroin, Meth, a Narcotic from Schedule I or II or Flunitrazepam from Schedule IV to Someone Under 18
- Promoting Commercial Sexual Abuse of a Minor
- Rape 2nd
- Rape of a Child 1st
- Rape of a Child 2nd
- Robbery 1st
- Robbery 2nd
- Sexually Violent Predator Escape
- Using a Machine Gun in the Commission of a Felony
- Trafficking 1st
- Trafficking 2nd
- Treason
- Vehicular Assault in a Reckless Manner or while under the influence of Intoxicating Liquor or any Drug
- Vehicular homicide-In a reckless manner
- Vehicular Homicide by Being Under the Influence



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- An attempt, criminal solicitation, or criminal conspiracy to commit one of the above listed felonies; Or ANY class A Felony; Or an attempt to commit a class A felony, or criminal solicitation of or criminal conspiracy to commit a class A felony

Other Eligibility Requirements:

- Cannot have a requirement to register (for kidnapping or sex offense)
- Cannot have a felony detainer/warrant
- Cannot have an out of state release plan
- Cannot currently be serving a sentence as a result of a FOSA revoke
- Cannot have a termination from a partial confinement option on the current sentence
- Must be 6 months major infraction free prior to transfer

See DOC 390.585 Community Parenting Alternative policy for more information

Ask your Classification Counselor for more information and a CPA brochure

If you don't have a minor child and/or don't meet the eligibility requirements, continue reading about the other partial confinement options in Graduated Reentry and Work/Training Release.

Graduated Reentry (GRE)

In 2018, the Washington State Legislature approved SHB 2638 Graduated Reentry. This legislation allows incarcerated individuals an opportunity to transition to work release up to 12 months prior to release, with the remaining portion of their sentence to be served at an approved address on electronic monitoring. The other pathway allows for incarcerated individuals to transfer from prison to an approved address on electronic monitoring for the remainder of their sentence.

In 2021, The Washington State Legislature passed ESSB 5121, which is an expansion to the current Graduated Reentry Legislation passed in 2018. This expansion was based largely on several factors such as prison capacity, success on return for 1-year recidivism rate of under 1%, and societal change regarding the impacts and effects of incarceration within our communities. This expansion now allows Washington State Department of Corrections (DOC) to transfer individuals onto electronic monitoring at an approved address through two different tracks. The Department will approve and place an individual on a GRE track based on risk, therefore some individuals may not be eligible to transfer to GRE Track 2 even if they do not have a current offense that is listed in the Crimes Against Persons, Serious Violent/Violent Crimes or is a sex crime.



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The minimum eligibility requirements for GRE includes that an individual cannot:

- Have a felony warrant,
- Have misdemeanor/felony detainer,
- Have an out-of-state release plan,
- Be subject to a deportation/ICE detainer or civil commitment order,
- Have been terminated from a partial confinement setting for the current incarceration,
- Have a guilty finding for a serious infraction in the previous 6 months, or
- Be under the jurisdiction of the Indeterminate Sentence Review Board (Board) as a Long Term Juvenile Board individual.
- Be a Level 3 sex offender or are incarcerated as a result of a Special Sex Offender Sentencing Alternative (SSOSA) revocation.
- Be currently serving an offense for Escape 1.
- Have been found guilty of a 762 infraction for Drug Offender Sentencing Alternative (DOSA) revocation while incarcerated.

In addition to the criteria listed above, an individual must:

- Be 6 months major infraction free prior to transfer
- Be reviewed by a committee if they have a past or current arrest or conviction with sexual elements

GRE Track 1:

- Eligible incarcerated individuals transfer to Work/Training Release up to 12 months prior to their ERD, with up to the final 5 months of their sentence served an approved address on electronic monitoring.
- Eligible incarcerated individuals transfer from prison up to 5 months prior to their ERD, to an approved address on electronic monitoring.

Individuals seeking GRE Track 1 may not be able to transfer to Work/Training Release if there is not bed space available OR if there are warrants exceeding \$5,000 (not eligible to go to WR, but eligible for GRE)

Minimum Eligibility for GRE Track 1

- You must spend a minimum of **6 months** in total confinement in a correctional facility.
- Individuals under the jurisdiction of the ISRB are eligible for Track 1 only and must:
 - Be serving on their court minimum term,
 - Be determined releasable by the Board, and
 - Not be serving confinement time on a revocation.

GRE Track 2:

- Eligible incarcerated individuals transfer from prison **up to 18 months** prior to their ERD, to an approved address on electronic monitoring.

Minimum Eligibility for GRE Track 2

- You must spend a minimum of **4 months** in total confinement in a correctional facility.
- Cannot be under the jurisdiction of the Indeterminant Sentence Review Board
- Cannot be serving a sentence for a *sex, violent* (see Serious Violent and Violent crimes listed above), or *crime against a person*.
- Cannot be required to register for a current or previous offense (Kidnap and Sex Offenses)

Crimes Against Persons:

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| <ul style="list-style-type: none"> • Aggravated Murder • 2nd Degree Murder • 2nd Degree Manslaughter • 2nd Degree Kidnapping • 2nd Degree Assault • 4th Degree Assault • 2nd Degree Assault of a Child • 1st Degree Rape • 3rd Degree Rape • 2nd Degree Rape of a Child • 1st Degree Robbery • 1st Degree Arson • 1st Degree Identity Theft • 1st Degree Extortion • 1st Degree Criminal Mistreatment • 1st Degree Theft from a Vulnerable Adult • Indecent Liberties • Vehicular Homicide • 1st Degree Child Molestation • 3rd Degree Child Molestation • Intimidating a Juror • Intimidating a Witness • Bomb Threat (if against person) • Promoting a Suicide Attempt • Stalking • Domestic Violence Court Order Violation • Felony Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug | <ul style="list-style-type: none"> • 1st Degree Murder • 1st Degree Manslaughter • 1st Degree Kidnapping • 1st Degree Assault • 3rd Degree Assault • 1st Degree Assault of a Child • 3rd Degree Assault of a Child • 2nd Degree Rape • 1st Degree Rape of a Child • 3rd Degree Rape of a Child • 2nd Degree Robbery • 1st Degree Burglary • 2nd Degree Identity Theft • 2nd Degree Extortion • 2nd Degree Criminal Mistreatment • 2nd Degree Theft from a Vulnerable Adult • Incest • Vehicular Assault • 2nd Degree Child Molestation • 1st Degree Promoting Prostitution • Communication with a Minor • Intimidating a Public Servant • Unlawful Imprisonment • Criminal Mischief (if against person) • Custodial Assault • Counterfeiting • Felony Physical Control of a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug |
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- Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense, and
- Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense.

See DOC 390.590 Graduated Reentry policy for more information

Ask your Classification Counselor for more information and a GRE brochure

Work Release

There is the option of traditional Work/Training Release up to your last six months of incarceration. Through this partial confinement option, you can transition to a work release facility located within or near your county of origin, **up to 6 months** prior to your ERD, to work or attend school/training, and engage in programming identified in your case plan. Individuals at work release focus on transition, to include finding and retaining employment, treatment, re-connecting with family members, develop life skills, and becoming productive members of the community. They learn and refine social and living skills to create a smoother transition from prison confinement. Work release is an opportunity for self-improvement, while assisting incarcerated individuals in creating a safe and productive lifestyle that can be sustained upon release.

Minimum Eligibility for Work/Training Release

- Must be eligible to be assigned Minimum 1 custody within 12 months of the ERD
- Must be releasing in the state of Washington
- Must be clear of felony detainers/warrants, deportation and/or civil commitment order(s)
- Misdemeanor criminal warrant(s) exceeding \$5,000 may prohibit placement until warrant is cleared or bail is reduced
- Have not been terminated from a partial confinement option on the current sentence
- Amenable to active participation in programming, either court of DOC ordered, while in work release

See DOC 300.500 Work/Training Release Screening policy for more information

For all partial confinement options, if you have a mandatory minimum sentence that must be served in total confinement as prescribed by statute, transfer to a partial confinement option can only occur after the mandatory minimum has been served.