



Mission

To improve public safety by positively changing lives

Vision

Working together for safer communities

Resentencing Impacts to DOC

In response to the State v. Blake decision, DOC developed processes to address a court vacate or resentencing. The legislature provided one-time funding of \$1.3 million in FY2021 and \$3.3 million in FY2022 to standup temporary virtual court facilities at DOC facilities, provide housing vouchers and immediate release resources to individuals resentenced and released from confinement sooner than expected.

To ensure defendants' rights to a speedy trial, to be present at their hearings and timely release from confinement, DOC hired additional staff required to facilitate virtual hearings, process court orders and assist with transitional planning and resource connection for individuals impacted by Blake vacates and resentencing resulting in a release (for non-Blake resentencing see [Resentencing | Washington State Department of Corrections](#)). Since 2021, DOC has facilitated over 15,500 virtual hearings, processed over 56,000 court orders and provided reentry services to nearly 1,100 individuals who were immediately released from prison pursuant to resentencing.

The department has continued to adapt to the changing landscape and has partnered with other departments and agencies to respond to resentencing changes without any dedicated resources. Resentencing circumvents the standard time-driven workload adding additional work for staff. The department has been able to maintain the positions through vacancies, but this is not sustainable. The following outlines the department's most impacted areas by resentencing and the need for sufficient staffing to complete the work.

Virtual Hearings

The department must make individuals available to the courts when requested and has created a process for virtual hearings to be completed. Each facility has a [Legal Liaison Office](#) as a point of contact for the telephonic/virtual hearings. A [form](#) must be completed and submitted to the facility 7 days before the hearing. Approximately 90% of all resentencing hearings are completed virtually. Although virtual resentencing hearings reduce unnecessary transportation costs, minimize disruption to incarcerated individuals and enhance community safety, there is a process to schedule, arrange and facilitate hearings, which requires staffing to:

- Ensure required forms and information has been received, coordinate with the incarcerated individual and pertinent staff by placing a virtual hearing hold and schedule the individual's movement out of the unit for the hearing.
- Physically facilitate each hearing. Incarcerated individuals cannot utilize the equipment due to the capability of internet connections, so the staff member must be present throughout the entire hearing and for up to 3 hours while waiting to be called by the judge
- Track and log all hearings scheduled and/or facilitated

The department holds quarterly meetings with court partners including court clerks, Administrative Office of the Courts, Office of Public Defense, and the Washington Association of Prosecuting Attorneys, to ensure virtual hearings are working well for all parties.

For more information about virtual hearings, please visit [External Agency and Court Hearings | Washington State Department of Corrections](#)

Public Records Requests

Prior to a resentencing hearing, DOC receives attorney requests for records of the individual's behavior, programming and rehabilitation. The department updated the [Public Records Request Portal](#) to include a specialized [form](#) for attorneys to complete for resentencing. DOC prioritizes these requests and must collect, redact, and provide the records based on the individual's court date.



Mission

To improve public safety by positively changing lives

Vision

Working together for safer communities

Resentencing Impacts to DOC

Sentence Calculations

Prior to a resentencing hearing, attorneys contact the department to ask time calculation questions, such as what an estimated new earned release date (ERD) and Maximum Expiration (Max Ex) date would be with a shorter sentence or to confirm DOC community custody for current/previous convictions. As a result of a resentencing, DOC receives an amended order and must update the time calculations for an adjusted ERD. As a standard practice, there is quality assurance to ensure an accurate release.

Victim Services

When an individual is resentenced and is releasing earlier than expected, DOC is required by statute to provide release notice to any victims and witnesses enrolled in the advanced notification program. DOC's Victim Services Program makes these notifications and then must take the calls/reply to the inquiries from concerned victims and witnesses related to individuals that are pending or have been resentenced. In these situations, victims are often unprepared for the individual to be releasing, have questions about the process, and may express safety concerns that need to be addressed swiftly prior to the release. An increase in resentencing means that staffing is needed to conduct more notifications, victim outreach, and wrap-around safety planning to support impacted victims.

For more information about DOC's Victim Services Program, visit their website.

Transitional Support

When an individual is resentenced, their reentry process is accelerated, and additional support is necessary to create a safer transition for the individual and the community. Resentencing Specialists provide the bridge from incarceration to the community. This requires the staffing to:

- Manage list of eligible individuals, and coordinate with virtual hearings staff and court officials
- Coordinate with prison case managers and incarcerated individuals pending a resentencing hearing to start transition preparation to include early request of identification documents, locating housing, identifying community resources and connecting with the individual's support network
- Provide pre-release programming and planning and post-release transitional support

As part of the transitional support, Health Services staff plays a vital role in early releases. They:

- Provide reentry case management services that are required by federal 1115 Medicaid Transformation Project - Reentry Demonstration Waiver to include needs assessment, care coordination, and health-care reentry plan
- Ensure release medications, durable medical equipment, and other release needs are met
- Troubleshoot any health-related needs (ie medical appointments or medication) post-release

For more information about the Department's Resentencing Team, visit their [website](#).