



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

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EXECUTIVE ORDER 16-05

**BUILDING SAFE AND STRONG COMMUNITIES
THROUGH SUCCESSFUL REENTRY**

WHEREAS, the purpose of adult corrections and juvenile rehabilitation is to improve public safety by holding those who commit crimes accountable while also rehabilitating these individuals to reduce recidivism;

WHEREAS, it is the state's responsibility, once an individual has been sentenced to an adult correctional facility or juvenile residential facility, to ensure that those facilities are secure and humane while also providing treatment, programming, and opportunities that will ultimately reduce the likelihood that those individuals will harm future victims when they return to their communities;

WHEREAS, in Washington State approximately:

- 17,000 adults are incarcerated in prisons;
- 95 percent of which will eventually return to society; and
- 50 percent of those incarcerated are parents.

WHEREAS, employment following incarceration reduces the likelihood of an individual reoffending and the state has set a Results Washington goal of increasing six-month post-incarceration employment from 30% to 40% by 2017;

WHEREAS, research shows that effective juvenile reentry programs can reduce juvenile recidivism and improve long-term outcomes for these youth;

WHEREAS, individuals with criminal records face pervasive obstacles in many areas of life that hinder their ability to successfully reintegrate, including obstacles relating to employment, education, housing, and eligibility for many social service benefits;

WHEREAS, the collateral consequences of incarceration disproportionately affect communities of color;

WHEREAS, in its recent guidance manuals, the Equal Employment Opportunity Commission endorsed, as a best practice, eliminating policies or practices that exclude people from employment based on any criminal record, and the Obama Administration's *My Brother's Keeper* Task Force endorsed hiring practices that give applicants a fair chance and allow employers the opportunity to judge individual job candidates on their merits;

WHEREAS, a "Ban the Box" policy is intended to improve public safety, by providing individuals with criminal records a better opportunity to reintegrate in society, receive skill development and training, and support themselves and their families;

WHEREAS, the state of Washington has already eliminated from the standard state employment application the “box” requiring an applicant to disclose whether or not she or he has been arrested or convicted of a crime;

WHEREAS, the state of Washington must continue to lead in offering increased state employment opportunities for applicants with past criminal records by identifying additional barriers in the application process that disallow otherwise qualified candidates to explain their individual circumstances to potential employers;

WHEREAS, the Washington State Department of Corrections and Correctional Industries are currently partnering with the Washington State Department of Veterans Affairs, the State Board for Community and Technical Colleges, local governments, non-profits, faith communities, labor organizations, and businesses to support and increase opportunities for those reentering their communities;

WHEREAS, the Department of Social and Health Services’ (DSHS) Juvenile Rehabilitation (JR) and Division of Vocational Rehabilitation (DVR) divisions are currently in partnership with Workforce Development Councils and Institution Education Schools to develop pathways of opportunity for job readiness and work-based learning;

WHEREAS, the Washington State Legislature has recognized the importance of successful transitions from incarceration, most recently by creating a Certificate of Restoration of Opportunity program (CROP) that removes barriers for individuals who have demonstrated that they successfully reintegrated in their communities, and also by launching a statewide reentry council to develop collaborative and cooperative relationships between the criminal justice system, victims and their families, impacted individuals and their families, and service providers, in order to improve public safety and outcomes for people reentering their communities; and

WHEREAS, further actions by state agencies to support successful reentry into the workforce following incarceration will bolster Washington’s reputation as an ideal place to do business by bolstering qualified applicant pools and improving the likelihood that an employer will identify committed and prepared candidates for its workforce.

NOW THEREFORE, I, Jay Inslee, Governor of the state of Washington, direct Washington State agencies to implement further hiring policies intended to encourage full workforce participation of motivated and qualified persons with criminal histories in order to improve public safety by reducing recidivism and help repair and rebuild families and communities impacted by incarceration.

I hereby direct these agencies to engage in the directives below with a goal of substantial compliance by January 1, 2017. By October 1, 2016, they shall also submit to my office any additional barriers that they identify that may be addressed through future executive and legislative actions.

Department of Corrections (DOC) and Juvenile Rehabilitation (JR): Build a reentry-focused orientation program for every individual as she or he enters and exits a correctional

facility. This orientation shall provide individuals information regarding the certificate of restoration of opportunity, restoration of voting rights, resources for individuals currently in and leaving the system, and crisis services. All people leaving a state prison facility and juvenile residential facility shall receive electronic and/or hard copies of necessary documents to include certificates of completion, medical information, voter registration forms, and other documents that assist in transition to the community. DOC and JR shall also pilot technological solutions that improve safe and successful transition to the community.

The following agencies shall work in coordination with the DOC Reentry Division and JR to complete the following tasks:

Office of Financial Management: Work with state human resource managers across all state agencies to identify and reduce other barriers to state employment for those with criminal records; develop training tools for appointing authorities on the appropriate consideration of criminal history to allow qualified applicants the opportunity to provide information that demonstrates their rehabilitation.

Department of Licensing: Identify a mechanism to ensure that all individuals leaving a state correctional facility have a Washington State identification card.

Department of Commerce: Build a corporate outreach plan with Correctional Industries to identify workforce needs that may be met with appropriately trained individuals with criminal backgrounds; build commitment within the business community to remove barriers for qualified applicants with criminal records so that they may compete for living wage jobs.

Department of Social and Health Services (DSHS): Create mechanisms to allow qualified individuals to be pre-screened for federal and state benefits before leaving a correctional facility; analyze the agency's list of positions for which certain criminal conviction disqualifiers exist, as well as the reasons that purport to support those disqualifiers, to identify any potential adjustments that can remove barriers but maintain safety.

Employment Security Department (ESD): Facilitate access to the statewide Work Source system for DOC and JR staff, so that they may input employment and training information obtained by incarcerated individuals to better assist ESD in helping these individuals plan for new careers upon release by connecting them to training programs and employment opportunities.

State Board of Community and Technical Colleges (SBCTC): Create a statewide correctional post-secondary education and apprenticeship pathway for youth and adults in collaboration with DOC, JR, and the Office of the Superintendent of Public Instruction.

State Apprenticeship and Training Council: In coordination with SBCTC and Correctional Industries, identify both apprenticeship and pre-apprenticeship training opportunities in correctional facilities.

State Cybersecurity Office: Develop recommendations to introduce secure internet-based reentry tools for individuals in adult and juvenile correctional facilities, such as ESD's job search system, library materials for education programs, housing information, college information, and similar resources.

Health Care Authority: Build a process that allows Medicaid benefits to suspend rather than terminate when individuals are incarcerated to ensure seamless delivery of critical treatment services upon an individual's release. The suspension would end once the individual is released from incarceration back into the community. While in suspended status, qualified inpatient events for these individuals will be paid by Medicaid.

Provisions of this Executive Order are not intended to alter any existing collective bargaining agreements. This Executive Order shall take effect immediately.

Signed and sealed with the official seal of the state of Washington, on this 26th day of April 2016, at Olympia, Washington.

By:

/s/

Jay Inslee
Governor

BY THE GOVERNOR:

/s/

Secretary of State