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POLICY BRIEF · 2027 LEGISLATIVE SESSION

Smart on Crime, Smart on the Budget

A discussion draft on lowering corrections spending by lining up sentence review, reentry and prison operations, and showing what that could actually save.

01 · THE ASK

Put corrections dollars where they do the most good

The governor projects a shortfall of about $4 billion in the first year of the next budget, and the Department of Corrections spends about $1.7 billion a year. There's room to spend that money better: supervising more people in lower-cost settings, giving people who have served long sentences a real review, and closing the units that empty out.

A graduated reentry slot costs a fraction of a prison bed. A commutation for someone serving life avoids decades of cost. Together with elder parole and unit closures, our preliminary estimate is about **$70 million a year**, or about $140 million a biennium, at an accelerated pace.

$86,261	~600	$142M	0 of 15
Average cost of a prison bed per year, FY2026 (DOC)	People in graduated reentry, mid-2026 (DOC)	Accelerated estimate per biennium (preliminary)	Board-recommended commutations granted since 2025

Age opens the door to review. It doesn't decide the outcome.

Each pathway has its own rules and safeguards (page 5).

Five pieces

1 **Grow graduated reentry**

Supervise more low-risk people in the community, at a fraction of the cost. About 600 are in it now; the target is 2,000 or more.

2 **Commute at Inslee's scale**

The governor follows his own board and publishes criteria for older and medically fragile people. Inslee commuted 422 during the 2020 COVID emergency.

3 **Pass elder parole**

Give people 50 and older who have served 20 years a hearing before the review board.

4 **Make earned release retroactive**

Higher earned release rates should reach people already inside, not just future offenses.

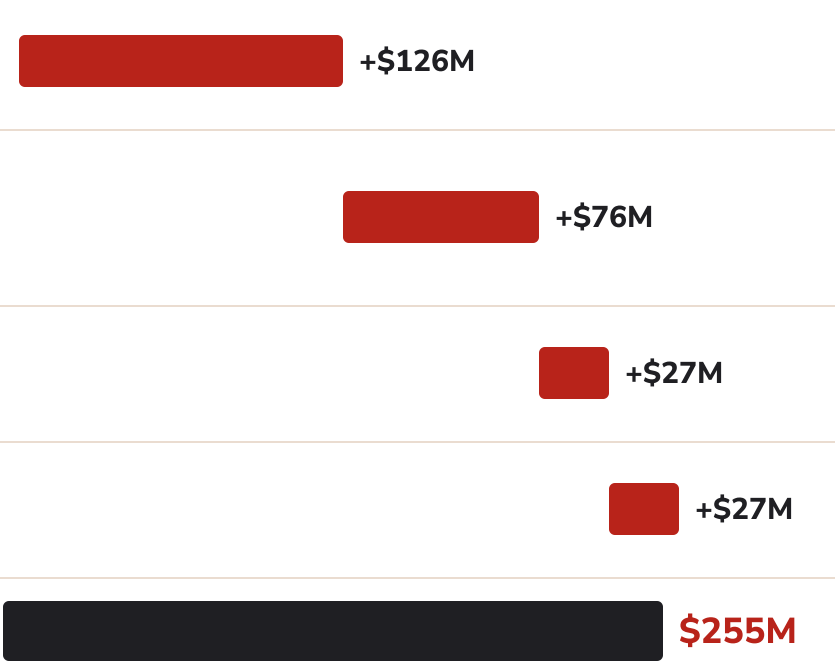
5 **Close units as they empty**

Re-close the Reformatory unit reopened in 2026 and close Monroe's solitary unit, moving people with serious mental illness to Sky River's treatment beds.

02 · THE PICTURE

Four moves, about $250 million a biennium

Each step shifts people to lower-cost supervision or resolves a sentence through review. As units empty, they close, and the savings stack up.



Full-scale BarNone estimates, net of reentry, supervision and Medicaid costs, once running. At an accelerated pace: about $140 million. Figures are rounded separately. Lower populations also let the state re-close the Reformatory unit reopened in 2026.

WHAT A LEGISLATOR CAN SAY

"We had a $4 billion hole and hard choices to make. We chose to stop paying $86,000 a year to hold people our own review processes say can go home."

"We protected schools and health care by closing prison units we no longer need."

"Every release went through a defined process, with supervision and reentry funded."

Everyone gets something they need

Budget writers
Real, recurring savings in a crisis year, tied to units that actually close.

Advocates
Commutations, elder parole, retroactive earned release and more reentry.

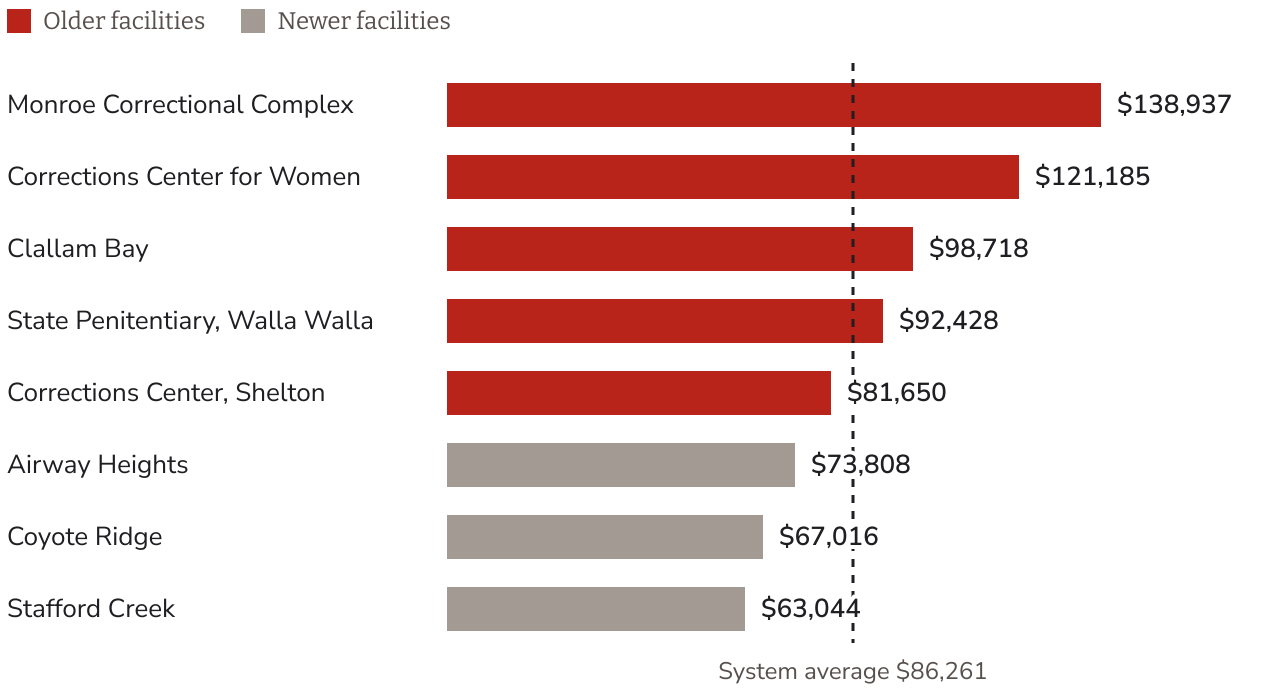
Legislators
A responsible budget choice with public safety safeguards built in.

Corrections staff
Transfers, retraining and priority hiring before any unit closes.

Published costs vary widely from prison to prison

DOC's latest figure is $86,261 per person per year (FY2026 draft, 200-RE019 rev. Oct. 2026; includes facility health care, excludes administrative and Reentry Division costs). DOC's report groups prisons as older or newer: the older group, which also includes minimum camps, averages $100,200 and the newer group $67,917.

Cost per person, per year, by prison



Source: DOC, cost per incarcerated individual by facility (200-RE019). Includes facility health care. Differences also reflect custody level, health care needs and who each prison serves, not just building age, so unit-level analysis should set closure priorities.

What we get back

Long sentences deter little

Deterrence comes mostly from the chance of getting caught, not from how long the sentence is.

Risk drops with age

Crime falls steeply as people get older, which is why long-serving older people deserve a structured chance at review.

The oldest cost the most

About 23% of people in state prisons are over 50 (DOC, March 2026), and their health care drives costs up.

Give people who've served long sentences a real chance to show they're ready

This plan is for people who have served long sentences, especially older people and people with serious medical needs. It gives them a structured chance to show that keeping them locked up is no longer needed for public safety.

Who could qualify

- People 50 and older who have served 20 years (elder parole)
- People with serious medical needs or at the end of life
- People under 18 at the offense, through the review board's existing petitions (under 21 if a bill like HB 1317 passes)
- People nearing release who are assessed low risk (graduated reentry)

Who stays

- Anyone the board finds likely to commit new crimes despite release conditions
- People who don't meet a pathway's eligibility rules

Prison is still needed for some people.

Each pathway has its own safeguards

PATHWAY	WHO DECIDES	SAFEGUARDS
Elder parole (proposed)	Indeterminate Sentence Review Board	Individual hearing, risk assessment, victim notice and participation, release conditions. Modeled on the board's juvenile process.
Earned release	DOC, under statute	Credits earned through conduct and programming; the highest rates are limited by offense and risk classification. Community supervision after release.
Graduated reentry	DOC	Risk assessment, electronic monitoring or reentry center, possible return to prison for violations.
Clemency	Governor, on the board's advice	Public hearing before the Clemency and Pardons Board, victims heard, governor makes the final call.

Harry Alexander, 68

Three-strikes life sentence; has had a stroke, with heart, kidney and diabetes problems. The board recommended commutation 4 to 1. The governor denied it.

Carlton Rudolph, 68

Also a three-strikes life sentence. The board recommended commutation 5 to 0. His case is still waiting on the governor.

05 · THE PACKAGE

Three tracks: an operating plan, a bill package and executive action

The package runs on three tracks. They reinforce each other, but each can move on its own, and the savings depend on which ones pass.

A Near-term operating plan

Budget provisos · 2027–29

- **Unit closure plan.** DOC names closure candidates with a plan for custody, receiving capacity, health care, staffing and one-time costs. Appropriations drop as units close.
- **Graduated reentry at scale.** Funds 1,500 or more added graduated reentry slots, a lower-cost supervision option, along with housing vouchers and Medicaid enrollment at release, plus transfers, retraining and priority hiring for affected DOC staff.

B Statutory package

Bills · 2027 session

- **Elder parole (proposed).** Hearings before the review board for people 50 and older who have served 20 years; life-without-parole cases after 25 years. Builds on HB 1866 (2017–18).
- **Earned release, retroactive.** A higher earned release rate that reaches people already inside. HB 1239 (2026) stalled, and its substitute covered only future offenses.
- **Concurrent enhancements.** Lets judges run firearm and deadly weapon enhancements at the same time. Builds on HB 1178.

C Executive action

Governor · now

- Commute at Inslee's scale: act on the four pending commutations, fund and fill the five new board seats from HB 1131 (2025), and publish criteria so older and medically fragile people get heard in batches. Medical placement can grow too (SB 5895, 2026).

How the pieces depend on each other

IF THIS HAPPENS	THEN
Graduated reentry and commutations scale up in 2027	The fastest savings. Units empty and Track A can close them inside 2027–29.
The bills fail or narrow	Track A shrinks to what the current forecast allows. Savings fall toward the conservative scenario.
The governor won't move on clemency	Lose one of the fastest levers. The budget makes the case for acting now.

06 · THE NUMBERS

At an accelerated pace, about $70 million a year

Preliminary BarNone estimates. The scale is the choice.

	TODAY'S PACE	ACCELERATED	FULL SCALE
Graduated reentry, added slots	600	1,500	2,000
Commutations	100	300	400
Elder parole releases	0	200	400
Earned release (retroactive)	200	500	900
Prison beds freed / closed	900 / 540	2,500 / 2,125	3,700 / 3,700
Avoided prison cost	$27M	$98M	$166M
Cost of reentry slots, housing, supervision, Medicaid	−$10M	−$28M	−$39M
Net general fund, per year	**$17M**	**$71M**	**$128M**
Per biennium, once running	$34M	$142M	$255M

How we count. People out of prison at any one time once running (average daily population), not one-time releases. Inputs: $45,000 saved per closed bed; $7,424 per bed that stays open; costs of $13,500 per reentry slot, $11,500 per commutation or parole release, $3,000 per earned release. Rounded separately.

Graduated reentry is a cost swap. Each move trades a prison bed for a slot costing about $13,500. Once units close, each one nets roughly $30,000 a year.

Scale empties units. At 2,000 or more moves, whole units empty and can close. Savings per closed bed: about $45,000, below the $86,261 average because headquarters costs stay.

Commutations avoid future cost. A commuted life sentence avoids decades of prison cost, often $1 million to $2 million, partly offset by reentry and supervision.

Small moves don't. A bed that stays open saves only about $7,424 a year, DOC's marginal cost in recent fiscal notes.

Possible avoided capital

If the Reformatory, its hospital and the solitary unit all leave the walled site, the $34.5M wall replacement and about $11M in other work could be dropped. Not counted above.

Timing

The population has held flat at about 13,900 to 14,000. Commutations and graduated reentry can move inside 2027–29; elder parole takes longer.

Tie population cuts to real closures, and fund the transition

Tie closures to appropriations

When Larch closed in 2023, DOC used the savings to open units elsewhere. Savings reach the general fund only when the budget cuts the matching appropriation.

Fund reentry before release

Housing, supervision and Medicaid enrollment at release. People who leave with nowhere to live are the likeliest to fail.

Let unit-level analysis pick the units

Facility averages mix custody level, health care and the people each prison serves. Closing one unit doesn't remove a prison's shared costs. DOC should cost each candidate unit.

Take care of the workers

Many of these are union jobs. Plan transfers, retraining and priority hiring for other state jobs. Most Larch staff found work at other prisons or agencies.

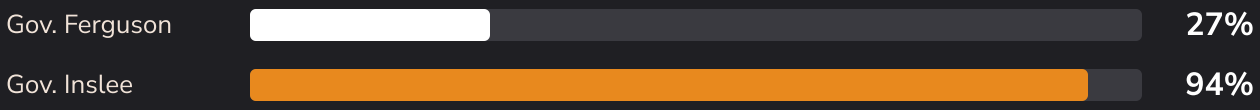
CLEMENCY: THE FASTEST LEVER WE'RE NOT USING

15 Commutations the board recommended since Jan. 2025

0 Granted

11 Denied

4 Pending, as of Sept. 2026



The bars count all favorable board recommendations, pardons and commutations together. Gov. Ferguson granted 13 of 48, all of them pardons, so his rate on commutations alone is 0 of 15 (Seattle Times analysis, Oct. 2026). The 27% counts pending cases as not followed. Each commuted life sentence avoids decades of cost, often $1 million to $2 million per person. Inslee commuted 422 during the 2020 COVID emergency, so large-scale clemency is doable. Fund and fill the five new board seats (about $600,000 a year), publish criteria for older and medically fragile people, and commutations become one of the fastest ways to cut prison costs in 2027–29.

What we'll hear, and how we'll answer

OBJECTION	ANSWER
"This puts dangerous people on the street."	Nobody is released just for being older. Elder parole and clemency need an individual hearing; earned release and graduated reentry use DOC risk tools, supervision and possible return to prison for violations. Page 4 lays out each pathway.
"Victims deserve to see the sentence served."	Victims get notice, can take part in hearings and can ask for release conditions. Their input shapes the decision. The review asks whether more years in prison still serve public safety.
"Closing prisons kills rural jobs."	Unit-level analysis comes first, and the plan funds transfers, retraining and priority hiring. Most Larch staff found new jobs.
"Releasing people doesn't really save money."	Right, unless units close. That's why appropriations drop only as units close, and why we show the marginal cost next to the average.
"It's soft on crime."	It's smart on crime. Research finds the chance of getting caught deters far more than sentence length. The plan spends part of the savings on reentry.
"Wait for a better budget year."	The population over 55 keeps growing, and so does the cost per person. Waiting makes this more expensive.

One set of facts, different emphasis

Budget writers

A phased plan that saves money only as units close, with average and marginal cost side by side.

Swing legislators

Smart on crime: defined eligibility, individual review where it counts, and supervision after release.

Victims and advocates

Notice, participation and conditions stay. Their input shapes each decision.

Corrections staff

A transition plan before any closure: transfers, retraining and priority hiring.

09 · WHAT IF

Planning for the hard cases: people, safety and savings

Every reform has a failure case. These are the ones legislators will ask about, with what the record shows and how the plan handles each.

What if someone who gets out commits a new crime?

What we know: In DOC's study of people released in 1998 and 2008, 4% to 5% of those 55 and older returned on a new crime within three years, versus about 22% of younger people. Of 73 people released through the board's juvenile process, followed six months to 11 years, one was convicted of a new felony (nonviolent eluding).

Our answer: Eligibility tiered by age, time served and risk assessment; release conditions and supervision; outcomes published every year.

What if graduated reentry participants fail?

What we know: Of 5,733 participants as of July 2026, 60% completed, 21% were terminated and 3.4% were counted as escapes.

Our answer: Violations can mean a return to prison. Fund rental vouchers and supervision, keep the substance use evaluation required since 2025, and report why people are terminated.

What about victims and survivors?

What we know: Victims already get notice and a voice in review board and clemency hearings.

Our answer: Notice and input at every release decision, release conditions victims can request, and part of the savings for the Office of Crime Victims Advocacy and survivor services.

Where will people live and get health care?

What we know: About 94% to 95% of people leaving DOC qualify for Medicaid. Washington's reentry waiver covers some services up to 90 days before release, launched July 2026. Graduated reentry can provide up to six months of rental vouchers.

Our answer: Pair every release pathway with housing funding and Medicaid enrollment, and count the federal match as an offset to DOC's medical costs.

What if the savings never show up in the budget?

What we know: DOC's budget grew while the prison population fell, and the Larch savings went to new units elsewhere.

Our answer: A budget proviso that cuts appropriations as units close, with quarterly reports to the fiscal committees.

Planning for the hard cases: operations, labor and the law

The second set of questions is about operations, labor and the law. Each has a workable answer if it's built in from the start.

What if the prison population goes up?

What we know: The population has held flat at about 13,900 to 14,000, and the 2026 budget reopened a Reformatory unit at Monroe for 158 close-custody beds. The tight spot is custody level, not total beds.

Our answer: Warm closures with reopening triggers, for example occupancy above 95% of operational capacity for two quarters. Close by custody level, not just bed count.

What about staffing and overtime?

What we know: DOC custody staff worked more than 1.2 million overtime hours in FY2023, averaging about 23 hours of mandatory overtime a month.

Our answer: Closures redeploy staff to cut mandatory overtime. This is about fewer forced double shifts, not layoffs.

What about the unions and the law?

What we know: Teamsters Local 117 sued over the Larch closure; the court let DOC proceed in 2023, but the duty to bargain over effects remains. Clemency is the governor's constitutional power.

Our answer: Effects bargaining with Teamsters 117 and WFSE, transfer rights and lead time. The Legislature funds and requests clemency capacity; counsel reviews any closure proviso.

Do closed prisons still cost money?

What we know: Yes. Larch kept about 10 staff on site after closing. McNeil Island needed $2 million in emergency power repairs in 2025. Monroe's wall secures the Reformatory, its hospital and the solitary unit, so the wall project goes away only if all three move.

Our answer: Score savings after carrying costs. DOC has pledged to keep people with serious mental illness out of solitary; Sky River's treatment beds are on the same campus.

Can the system handle the workload?

What we know: Retroactive earned release means recalculating sentences. Elder parole needs review board hearings. Resentencing needs court time.

Our answer: Phase it in and fund DOC records staff, board hearing capacity and court time up front.

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All savings figures are preliminary BarNone estimates built from DOC's published costs, not official fiscal estimates.

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