
HOUSE BILL 1147

State of Washington

69th Legislature

2025 Regular Session

By Representatives Farivar, Simmons, Ryu, and Ramel

Prefiled 12/31/24.

1 AN ACT Relating to supporting civic engagement for incarcerated
2 and institutionalized individuals in state custody to promote
3 inclusion and rehabilitation; adding a new chapter to Title 72 RCW;
4 and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that people
7 with direct lived experience are experts in their own lives and
8 experience. The passage of the nothing about us without us act
9 solidified our commitment to developing smart and inclusive policy
10 with the leadership of directly impacted populations.

11 (2) Those who are incarcerated or experiencing
12 institutionalization face extraordinary barriers to civic
13 participation, are most impacted by law making, and benefit greatly
14 by participating in society. Society also benefits tremendously when
15 the treatment or rehabilitation of directly impacted people is
16 accelerated by their inclusion in the civic process.

17 (3) The legislature recognizes that:

18 (a) Individuals within state institutions remain members of
19 society throughout the duration and beyond the conclusion of their
20 treatment, punishment, or commitment within those institutions.

1 (b) All justice-involved individuals, including incarcerated
2 individuals, and individuals experiencing institutionalization, are
3 essential stakeholders in the laws and policies affecting their
4 lives, and the voices of these individuals must be represented in
5 civic processes to hold a functioning democracy.

6 (c) People who are in prisons, state hospitals, and residential
7 habilitation centers disproportionately come from marginalized
8 communities. Removing segments of marginalized communities from civic
9 processes through incarceration and institutionalization has a
10 compounding effect that perpetuates the marginalization of
11 disadvantaged communities overall.

12 (d) Crime is a form of divestment from society, the social order,
13 and the common good. Involuntary treatment and institutionalization
14 teach isolation from society when individuals are in the most need of
15 support. Conversely, civic engagement is a form of inclusion and
16 investment in society towards the common good.

17 (e) Individuals experiencing incarceration and
18 institutionalization who invest in society during their incarceration
19 and treatment are less likely to harm society after their release.
20 Civically engaged individuals are essential to reducing harm both
21 during and after their sentence and treatment.

22 (f) Civically engaged individuals help bring underrepresented
23 communities in from the margins, strengthening the fabric of society.

24 (g) Justice and treatment systems that value rehabilitation and
25 inclusion in society will encourage and facilitate civic engagement
26 and investment in the community.

27 (4) The legislature finds that limiting the civic engagement of
28 individuals serves no compelling governmental interest and has no
29 legitimate penological objective.

30 NEW SECTION. **Sec. 2.** Individuals currently incarcerated in
31 adult and juvenile prisons, individuals living at residential
32 habilitation centers, and individuals receiving treatment under RCW
33 72.23.175 have a right to civic engagement. All state and local
34 agencies shall ensure that individuals can fully exercise civic
35 engagement, which includes, but is not limited to, the rights
36 enumerated below:

37 (1) Form political organizations or groups and/or use current
38 groups or organizations within state institutions for the purpose of

1 civic engagement to work with community members, organizations,
2 institutions, and elected officials and their staff;

3 (2) Organize and communicate with members of community groups,
4 organizations, institutions, and elected officials and their staff;

5 (3) Register as voters in accordance with state law and cast
6 their vote in elections utilizing mail-in ballots;

7 (4) Meet with, support, or engage with political candidates
8 and/or campaign staff;

9 (5) Access classrooms, utility rooms, or other designated program
10 areas within state institutions for group meetings with community
11 members, organizations, institutions, holders of government office,
12 and their staff;

13 (6) Fully participate in teleconference and videoconference
14 meetings and proceedings with community groups, working groups,
15 legislative bodies, organizations, institutions, panels, or forums;
16 and

17 (7) Be free from punishment or retaliation for participating in
18 civic processes or exercising these rights.

19 NEW SECTION. **Sec. 3.** (1) The legislature finds that the
20 practices covered by this chapter are matters vitally affecting the
21 public interest for the purpose of promoting public safety, human
22 rights, and applying the nothing about us without us act, chapter
23 43.18A RCW; and RCW 72.09.135, 13.40.460, 72.05.130, 72.23.030, and
24 72.01.090.

25 (2)(a) No state or local agency may assert that denying any
26 individual their right to civic engagement serves a legitimate
27 penological objective or a compelling governmental interest in
28 relation to the purposes promoted by the legislature to establish a
29 comprehensive system of corrections, sentencing reform act of 1981,
30 chapter 9.94A RCW.

31 (b) No state or local agency shall impose or implement a
32 regulation in a manner that imposes a substantial burden on the
33 rights described in section 2 of this act.

34 (i) Any person who is injured by a violation of section 2 of this
35 act, or any person so injured because they refused to accede to a
36 proposal for an arrangement which, if consummated, would be in
37 violation of section 2 of this act may bring a civil action in
38 superior court to enjoin further violations, to recover the damages,
39 together with the costs of the suit, including a reasonable

1 attorneys' fee. In addition, the court may, in its discretion,
2 increase the award of damages up to an amount not to exceed three
3 times damages sustained, but such increase must not exceed \$25,000.
4 Any person may bring a civil action in the district court to recover
5 their damages, except for damages which exceed the amount specified,
6 and the costs of the suit, including reasonable attorneys' fees. The
7 district court may, in its discretion, increase the award of damages
8 to an amount not more than three times the damages sustained, but
9 such increased damage award must not exceed \$25,000.

10 (ii) For the purpose of this section, "person" includes the
11 counties, municipalities, and all political subdivisions of this
12 state.

13 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act constitute a
14 new chapter in Title 72 RCW.

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