

# HOUSE BILL REPORT

## HB 1674

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### As Reported By House Committee On:

Criminal Justice & Corrections

**Title:** An act relating to the Washington state reformatory.

**Brief Description:** Increasing the capacity of the Washington state reformatory.

**Sponsors:** Representatives Dunn, Alexander, Clements, Skinner, Thompson and Sullivan.

### Brief History:

#### Committee Activity:

Criminal Justice & Corrections: 2/21/97, 3/5/97 [DP].

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## HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 8 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Cairnes; Delvin; Hickel; Mitchell and Robertson.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Blalock; Dickerson and Sullivan.

**Staff:** Yvonne Walker (786-7841).

**Background:** In 1978, inmates at the Washington State Reformatory (WSR) filed a suit claiming unconstitutional conditions existed at the facility. In 1981, the Department of Corrections (DOC) entered into a consent decree that mandated several actions occur. At that time, the population at WSR was well over 1,000 offenders. One of the mandates of the consent decree was to bring the population down to 656 offenders by 1983, which approximated single occupancy cell conditions.

Over the next several years, the department started the population reduction in WSR. In the late 1980s, the department began petitioning the court to set aside the consent decree but the court resisted. Finally in early 1992, based upon an evaluation which reported that the WSR was sized to manage a maximum population of 768 inmates, the court lifted the consent decree thereby allowing the department to have full control of the institution.

Since the early 1980s, the DOC has been single-bunking the prison in conformance with federal consent decrees related to conditions of confinement. The DOC's rationale for single-bunking is cell size. There are currently 632 cells (totaling 54 square feet each) and 60 cells (totaling 60 square feet each); 80 square feet is DOC's standard policy for single-cell bunking.

During the 1995 legislative session, the DOC proposed converting the WSR from medium security to close custody (by the DOC's policy, close custody cells are single-bunked). The Senate passed the 1995-97 capital and operating budgets providing funding for the conversion, though neither the House nor final legislative budgets approved the conversion. In 1996, the DOC again requested conversion funding. The conversion was approved in both the House and Senate versions of the 1996 supplemental capital budget. The Legislature could not reach agreement on the supplemental capital budget, however, and funding was not provided for the conversion. Governor Lowry's 1997-99 capital and operating budgets proposals again provide funds for the conversion.

**Summary of Bill:** The Department of Corrections is required to house two inmates to each housing cell containing two beds at the Washington State Reformatory located in Monroe, Washington.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** None.

**Testimony Against:** There are three reasons why the Department of Corrections should not assign and house two inmates to each housing cell at the Washington State Reformatory. First, this might be in direct conflict with the federal consent decree which was recently lifted by the court in 1992. Secondly, the current inmate programming, food support, and the current structure of the facility cannot support the increase in population. Third, it would be extremely expensive to bring the facility up to accreditation standards to hold a number of inmates that is double its current population. It has been proposed by the Department of Corrections that a conversion of the reformatory from a medium-security to a close-custody would be a better choice and would save the state money in the long run.

**Testified:** Tom Rolfs, Department of Corrections (con); Eugene St. John, Washington Public Employees Association (con); and Kevin Dustin (con).