

SENATE BILL REPORT

SB 6125

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 5, 1992

Brief Description: Changing provisions relating to subsistence payments for offenders upon release from confinement.

SPONSORS: Senator Bailey

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6125 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, M. Kreidler, Rasmussen, and A. Smith.

Staff: Jon Carlson (786-7459)

Hearing Dates: February 3, 1992; February 5, 1992

BACKGROUND:

Under current law, a person released from a state correctional facility may retain his or her earnings accumulated from working while in confinement. Often, though, these persons have little or no money when they leave prison as their earnings are mostly spent on candy, cigarettes, and various other sundries. Upon release, the superintendent of the correctional facility must supply the person with suitable clothing, funds for transportation, and \$40 for subsistence. In some circumstances, up to an additional \$60 may be made available to the parolee for necessary expenses. However, if the person has sufficient funds (with the exception of earnings from working while in confinement), he or she is required to assume the expenses without subsistence payments.

If the person who is released does not receive subsistence payments, the Secretary of Corrections must pay the person \$55 per week for six weeks. These weekly payments may be extended for an additional 20 weeks if necessary to aid the person in his or her efforts to gain employment.

It is suggested that a newly-released prisoner should not rely on the subsistence payments or weekly payments currently provided by the state. Rather, this person should set aside a portion of earnings accumulated from working while in confinement in order to pay his or her living expenses upon release.

SUMMARY:

A subsistence account is established by the Department of Corrections on behalf of and for the use and benefit of each inmate upon the inmate's release from confinement.

The Department of Corrections must deduct 10 percent of an inmate's earnings accumulated from working while in confinement for deposit into the inmate's subsistence account. All interest earned by the account must accrue to the account.

The superintendent of the state correctional facility may authorize the use of funds in the inmate's subsistence account for support of the inmate's immediate family upon a showing of extreme financial need. The inmate's subsistence account may not be reduced below \$100.

An inmate unable to work due to medical reasons must receive \$100 upon release.

The provisions that allow subsistence payments or weekly payments to a person upon release from confinement are repealed. The superintendent of the facility may supply the person with suitable clothing and transportation funds.

EFFECT OF PROPOSED SUBSTITUTE:

Language is added which clarifies that any interest earned by the inmate subsistence account accrues to the account.

Appropriation: none

Revenue: none

Fiscal Note: requested January 28, 1992

TESTIMONY FOR:

Requiring inmates to save a percentage of their prison-earned income will help make them more accountable and better prepared for their eventual release.

TESTIMONY AGAINST: None

TESTIFIED: Senator Cliff Bailey, prime sponsor; Paul Leeberg, citizen (pro)