
SUBSTITUTE SENATE BILL 6557

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senator Hargrove)

Read first time 02/04/94.

1 AN ACT Relating to the deductions made to inmate wages and the
2 responsibilities of the correctional industries board; amending RCW
3 72.09.111 and 72.09.070; and providing an effective date.

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

5 **Sec. 1.** RCW 72.09.111 and 1993 sp.s. c 20 s 2 are each amended to
6 read as follows:

7 (1) The secretary shall deduct from the gross wages or gratuities
8 of each inmate working in ~~((class I or class II))~~ correctional
9 industries work programs, ~~((or of any inmate earning more than the
10 state minimum wage, other than an inmate under the jurisdiction of the
11 division of community corrections,))~~ taxes and legal financial
12 obligations. ~~((Following the deductions for legal financial
13 obligations and taxes, deductions from the remaining wages or
14 gratuities shall be))~~ The secretary shall develop a formula for the
15 distribution of offender wages and gratuities.

16 (a) The formula shall include the following minimum deductions from
17 class I gross wages and from all others earning at least minimum wage:

18 ~~((a) Ten))~~ (i) Five percent to the public safety and education
19 account for the purpose of crime victims' compensation;

1 (~~(b)~~) (ii) Ten percent to a department personal inmate savings
2 account (~~(until such account has a balance of at least nine hundred~~
3 ~~fifty dollars)~~); and

4 (~~(c) Thirty~~) (iii) Twenty percent to the department to contribute
5 to the cost of incarceration.

6 (b) The formula shall include the following minimum deductions from
7 class II gross gratuities:

8 (i) Five percent to the public safety and education account for the
9 purpose of crime victims' compensation;

10 (ii) Ten percent to a department personal inmate savings account;
11 and

12 (iii) Fifteen percent to the department to contribute to the cost
13 of incarceration.

14 (c) The formula shall include the following minimum deduction from
15 class IV gross gratuities: Five percent to the department to
16 contribute to the cost of incarceration.

17 Any person sentenced to life imprisonment without possibility of
18 release or parole under chapter 10.95 RCW shall be exempt from the
19 requirement under (a)(ii) or (b)(ii) of this subsection(~~(, but shall~~
20 ~~have a forty percent deduction taken under (c) of this subsection)~~).

21 The department personal inmate savings account, together with any
22 accrued interest, shall only be available to an inmate at the time of
23 his or her release from confinement(~~(. Once the department personal~~
24 ~~inmate savings account for an inmate has a balance of at least nine~~
25 ~~hundred fifty dollars, the ten percent deduction shall continue to be~~
26 ~~taken and be used to contribute to the cost of incarceration)~~), unless
27 the secretary determines that an emergency exists for the inmate, at
28 which time the funds can be made available to the inmate in an amount
29 determined by the secretary. The management of classes I, II, and IV
30 correctional industries may establish an incentive payment for offender
31 workers based on productivity criteria. This incentive shall be paid
32 separately from the hourly wage/gratuity rate and shall not be subject
33 to the specified deduction for cost of incarceration.

34 In the event that the offender worker's wages or gratuity is
35 subject to garnishment for support enforcement, the crime victims'
36 compensation, savings, and cost of incarceration deductions shall be
37 calculated on the net wages after taxes, legal financial obligations,
38 and garnishment.

1 (2) The department shall explore other methods of recovering a
2 portion of the cost of the inmate's incarceration and for encouraging
3 participation in work programs, including development of incentive
4 programs that offer inmates benefits and amenities paid for only from
5 wages earned while working in a correctional industries work program.

6 (3) The department shall develop the necessary administrative
7 structure to recover inmates' wages and keep records of the amount
8 inmates pay for the costs of incarceration and amenities. All funds
9 deducted from inmate wages under subsection (1) of this section for the
10 purpose of contributions to the cost of incarceration (~~under~~
11 ~~subsection (1)(c) of this section~~) shall be deposited in a dedicated
12 fund with the department and shall be used only for the purpose of
13 enhancing and maintaining correctional industries work programs until
14 December 31, 2000, and thereafter all such funds shall be deposited in
15 the general fund.

16 (4) The expansion of inmate employment in class I and class II
17 correctional industries shall be implemented according to the following
18 schedule:

19 (a) Not later than June 30, 1995, the secretary shall achieve a net
20 increase of at least two hundred in the number of inmates employed in
21 class I or class II correctional industries work programs above the
22 number so employed on June 30, 1994;

23 (b) Not later than June 30, 1996, the secretary shall achieve a net
24 increase of at least four hundred in the number of inmates employed in
25 class I or class II correctional industries work programs above the
26 number so employed on June 30, 1994;

27 (c) Not later than June 30, 1997, the secretary shall achieve a net
28 increase of at least six hundred in the number of inmates employed in
29 class I or class II correctional industries work programs above the
30 number so employed on June 30, 1994;

31 (d) Not later than June 30, 1998, the secretary shall achieve a net
32 increase of at least nine hundred in the number of inmates employed in
33 class I or class II correctional industries work programs above the
34 number so employed on June 30, 1994;

35 (e) Not later than June 30, 1999, the secretary shall achieve a net
36 increase of at least one thousand two hundred in the number of inmates
37 employed in class I or class II correctional industries work programs
38 above the number so employed on June 30, 1994;

1 (f) Not later than June 30, 2000, the secretary shall achieve a net
2 increase of at least one thousand five hundred in the number of inmates
3 employed in class I or class II correctional industries work programs
4 above the number so employed on June 30, 1994.

5 (5) It shall be in the discretion of the secretary to apportion the
6 inmates between class I and class II depending on available contracts
7 and resources.

8 **Sec. 2.** RCW 72.09.070 and 1993 sp.s. c 20 s 3 are each amended to
9 read as follows:

10 (1) There is created a correctional industries board of directors
11 which shall have the composition provided in RCW 72.09.080.

12 (2) Consistent with general department of corrections policies and
13 procedures pertaining to the general administration of correctional
14 facilities, the board shall establish and implement policy for
15 correctional industries programs designed to:

16 (a) Offer inmates meaningful employment, work experience, and
17 training in vocations that are specifically designed to reduce
18 recidivism and thereby enhance public safety by providing opportunities
19 for legitimate means of livelihood upon their release from custody;

20 (b) Provide industries which will reduce the tax burden of
21 corrections and save taxpayers money through production of goods and
22 services for sale and use;

23 (c) Operate correctional work programs in an effective and
24 efficient manner which are as similar as possible to those provided by
25 the private sector;

26 (d) Encourage the development of and provide for selection of,
27 contracting for, and supervision of work programs with participating
28 private enterprise firms;

29 (e) Develop and design correctional industries work programs;

30 (f) Invest available funds in correctional industries enterprises
31 and meaningful work programs that minimize the impact on in-state jobs
32 and businesses.

33 (3) The board of directors shall at least annually review the work
34 performance of the director of correctional industries division with
35 the secretary.

36 (4) The director of correctional industries division shall review
37 and evaluate the productivity, funding, and appropriateness of all

1 correctional work programs and report on their effectiveness to the
2 board and to the secretary.

3 (5) The board of directors shall have the authority to identify and
4 establish trade advisory or apprenticeship committees to advise them on
5 correctional industries work programs. The secretary shall appoint the
6 members of the committees.

7 Where a labor management trade advisory and apprenticeship
8 committee has already been established by the department pursuant to
9 RCW 72.62.050 the existing committee shall also advise the board of
10 directors.

11 (6) The board shall develop a strategic yearly marketing plan that
12 shall be consistent with and work towards achieving the goals
13 established in the six-year phased expansion of class I and class II
14 correctional industries established in RCW 72.09.111. This marketing
15 plan shall be presented to the appropriate committees of the
16 legislature by January 17 of each calendar year until the goals set
17 forth in RCW 72.09.111 are achieved.

18 NEW SECTION. Sec. 3. Section 1 of this act shall take effect June
19 30, 1994.

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