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SENATE BILL 6557

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State of Washington

53rd Legislature

1994 Regular Session

By Senator Hargrove

Read first time 01/27/94. Referred to Committee on Law & Justice.

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))~~ If after taxes and legal financial obligations  
15 have been deducted, the amount of earnings or gratuities by the inmate  
16 are equal to or exceed the minimum wage, the inmate may keep the amount  
17 of earnings that exceed the minimum wage. The following deductions  
18 shall be made from the remainder of the earnings of the inmate, even  
19 though the earnings may equal less than the minimum wage:

1 (a) Ten percent to the public safety and education account for the  
2 purpose of crime victims' compensation;

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

6 (c) Thirty percent for inmates in class I correctional industries,  
7 twenty percent for inmates in class II correctional industries, and  
8 fifteen percent for inmates in other correctional industries, to the  
9 department to contribute to the cost of incarceration.

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

14 The department personal inmate savings account, together with any  
15 accrued interest, shall only be available to an inmate at the time of  
16 his or her release from confinement, unless the secretary determines  
17 that an emergency exists for the inmate, at which time the funds can be  
18 made available to the inmate in an amount determined by the secretary.  
19 Once the department personal inmate savings account for an inmate has  
20 a balance of at least nine hundred fifty dollars, the ten percent  
21 deduction shall continue to be taken and be used to contribute to the  
22 cost of incarceration.

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

28 (3) The department shall develop the necessary administrative  
29 structure to recover inmates' wages and keep records of the amount  
30 inmates pay for the costs of incarceration and amenities. All funds  
31 deducted from inmate wages under subsection (1) of this section for the  
32 purpose of contributions to the cost of incarceration under subsection  
33 (1)(c) of this section shall be deposited in a dedicated fund with the  
34 department and shall be used only for the purpose of enhancing and  
35 maintaining correctional industries work programs until December 31,  
36 2000, and thereafter all such funds shall be deposited in the general  
37 fund.

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

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

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

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

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

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

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

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

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

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

35 (2) Consistent with general department of corrections policies and  
36 procedures pertaining to the general administration of correctional  
37 facilities, the board shall establish and implement policy for  
38 correctional industries programs designed to:

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

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

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

11 (d) Encourage the development of and provide for selection of,  
12 contracting for, and supervision of work programs with participating  
13 private enterprise firms;

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

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

18 (3) The board of directors shall at least annually review the work  
19 performance of the director of correctional industries division with  
20 the secretary.

21 (4) The director of correctional industries division shall review  
22 and evaluate the productivity, funding, and appropriateness of all  
23 correctional work programs and report on their effectiveness to the  
24 board and to the secretary.

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

29 Where a labor management trade advisory and apprenticeship  
30 committee has already been established by the department pursuant to  
31 RCW 72.62.050 the existing committee shall also advise the board of  
32 directors.

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

1        NEW SECTION.   **Sec. 3.**   Section 1 of this act shall take effect June  
2   30, 1994.

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