

HOUSE BILL REPORT

SSB 5025

As Reported by House Committee On:
Community Safety, Justice, & Reentry

Title: An act relating to implementation of technology systems at the department of corrections.

Brief Description: Concerning implementation of technology systems at the department of corrections.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Dozier, Boehnke, Gildon, Padden, Wagoner and Wilson, J.).

Brief History:

Committee Activity:

Community Safety, Justice, & Reentry: 3/14/23, 3/23/23 [DPA].

Brief Summary of Substitute Bill
(As Amended By Committee)

- Requires replacement of the Department of Corrections' (DOC) existing Offender Management Network Information System (OMNI), which is used to manage facilities and incarcerated individuals.
- Requires the DOC to implement a comprehensive Electronic Health Records (EHR) system.
- Specifies requirements for the development of the replacement OMNI and EHR systems, including timelines associated with software development and deployment.

HOUSE COMMITTEE ON COMMUNITY SAFETY, JUSTICE, & REENTRY

Majority Report: Do pass as amended. Signed by 9 members: Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis, Farivar, Fosse, Graham and Ramos.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Martha Wehling (786-7067).

Background:

Sentencing.

The Legislature created the Department of Corrections (DOC) in 1981 and directed it to manage adult prison facilities and supervise offenders residing in the community on probation. After an individual is arrested, if the individual pleads guilty or is convicted at trial of a felony, the judge imposes a prison sentence pursuant to the Sentencing Reform Act's sentence grid.

After an individual is sentenced and confined in a DOC facility, the DOC determines the individual's release date. Sentences can be modified from the base sentence through earned release time, commutation, enhancements, exceptional sentences, consecutive and concurrent sentences, or alternative sentences. Some sentences have mandatory minimum lengths, and others have enhancements.

"Earned release time" allows an individual to reduce his or her felony sentence through good behavior and performance. The total percentage of the sentence that may be reduced depends on various factors, including the underlying offense and the date of conviction. Earned release time is not available for certain enhancements.

Tracking System.

The DOC has used the Offender Management Network Information System (OMNI) since 2003 to manage facilities, treatment, sentencing, movement, discipline, and other data on incarcerated individuals. The DOC's prior system, the Offender Based Tracking System (OBTS), was acquired from Florida and implemented in 1984.

Early Release.

Limited exceptions to the Sentencing Reform Act allow an individual to be released prior to completing his or her sentence ordered by the court. These include: a transfer to a partial confinement program; an authorized furlough or leave of absence; an extraordinary medical placement; an order to release by the Indeterminate Sentence Review Board; administratively earned early release time; and a pardon or commutation granted by the Governor. Certain felony crimes must serve a mandatory minimum sentence. An individual who is convicted for crimes committed as a juvenile may petition the Indeterminate Sentence Review Board for early release under certain conditions. Certain individuals are entitled to vacation of convictions or recalculation of the offender score pursuant to the Washington Supreme Court (Court) decision in 2021 in *State v. Blake*. Those individuals may be released if the individual has served a period of confinement that exceeds the new standard range.

A 2002 Court decision, *In re Personal Restraint of King*, required the DOC to reduce base sentences for "good time" earned in a county jail prior to transition to a DOC facility. The

Court reasoned that the DOC should begin the enhancement time period when the individual begins his or her custody with the DOC, completes his or her enhancement time, and only then begins serving his or her "standard" time imposed during sentencing. Early release credit and presentence detention time should be applied to the standard time to avoid conflict in interpretation of enhancement time and early release time, and to ensure the DOC could control earned early release credit for good behavior. The Court directed the DOC to "calculate prisoners' sentences in this manner in order to obey the Legislature's commands." The DOC modified the OBTS to comply with the Court's direction. In 2015 the DOC announced that an error in the OMNI resulted in an incorrect calculation of the release date for over 3,000 incarcerated individuals.

Earned early release days are recommended by the DOC as a reward for accomplishment, using a fair, measurable, and understandable system. At least once a year, the DOC must inform each incarcerated individual of any award of earned early release days for good conduct and good performance.

Health Care Services Within the Department of Corrections.

The DOC is required to provide basic medical services to incarcerated individuals. Health care services include medical, dental, and mental health care services, which may be provided by contracts between the DOC and qualified practitioners, facilities, or agents. The DOC must implement uniform standards to determine when an individual requires a referral for external consultation or treatment.

Incarcerated individuals must receive an initial medical examination upon entry into the correctional system, and a health profile that identifies serious medical and dental needs, the individual's capacity for work and recreation, and a financial assessment of the individual's ability to pay for health care services.

Summary of Amended Bill:

Offender Management Network Information System Replacement.

The Department of Corrections' (DOC) existing Offender Management Network Information System (OMNI) must be replaced with a new system that is more efficient and technologically advanced. The DOC must attempt to replace the sentencing calculation module first. The replacement system must be implemented within six months of contract signing, or within a best practices timeline.

The DOC must use a competitive Request for Proposal process, while leveraging existing resources, development plans, and funding. Vendor competition must be full and open, and include a best value analysis.

The system replacing the OMNI must:

- be capable of continual updates;

- use an agile development model capable of software demonstration delivery;
- be functional within 180 days of contract signing, or within a best practices timeline; and
- use quantifiable deliverables.

Health Records System.

The DOC must work with the Office of Equity, and collaborate with Consolidated Technology Services, the Department of Social and Health Services (DSHS), and the Health Care Authority (HCA) to implement a comprehensive electronic health records system that:

- complies with the statewide electronic health records plan;
- implements a common technology solution to leverage shared businesses processes and data in support of client services;
- coordinates requirements similar to DSHS and HCA;
- communicates with information and data systems used by managed care organizations for care coordination activities;
- is capable of being continually updated;
- uses an agile development model capable of software demonstration delivery;
- is functional within 180 days, or within a best practices timeline; and
- uses quantifiable deliverables.

Amended Bill Compared to Substitute Bill:

The sentencing calculation module for the Offender Management Network Information System (OMNI) replacement system is required to be implemented within six months of contract signing, or within a best practices timeline, rather than by June 30, 2025. The Department of Corrections is required to attempt to replace and implement the sentencing calculation module before other components of the OMNI replacement system, but is not required to implement the module first.

Two software development changes are made to both the replacement OMNI and Electronic Health Records systems. First, the sprint time for software demonstration delivery is changed from two-week sprints to sprint lengths based on implementation team recommendations, but less than four-week intervals. Second, the deployment date of the replacement systems is changed to six months after the contract is signed, or within a best practices timeline, rather than six months after funding is provided.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) The Department of Corrections is not paperless. Every time an individual needs health care, the individual's medical records must be boxed up. In one case, the medical records could not be sent with the individual to the health care facility because the records weighed 200 pounds and exceeded the helicopter's weight limit.

In addition, issues with the Offender Management Network Information System were not discovered until 2015, when 3,200 felons were released, resulting in two murders. The Department of Corrections needs this system fixed, and the upgrades will benefit not only those who work within the system, but those who are incarcerated because the system tracks both good and bad behavior.

(Opposed) None.

Persons Testifying: Senator Perry Dozier, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.