

SENATE BILL REPORT

ESHB 2334

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 27, 1992

Brief Description: Establishing a state-wide board for jail industries.

SPONSORS: House Committee on Human Services (originally sponsored by Representatives H. Myers, Hargrove, Winsley, Leonard, Riley, Ogden, Tate, Roland, Brumsickle, Cooper, Morris, Bray, Haugen, Prentice, Orr, Peery, Bowman, Ludwig, Mielke, Inslee, Jones, Broback, G. Fisher, Paris, May, Wineberry, Sprenkle and O'Brien)

HOUSE COMMITTEE ON HUMAN SERVICES

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

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

Staff: Ben Barnes (786-7465)

Hearing Dates: February 27, 1992

BACKGROUND:

City and county jails currently offer only a limited variety of work programs for inmates. One of the most frequently used work programs in the jail system is inmate work crews. Under this program, inmate work crews provide labor in low skilled and labor intensive projects such as picking up litter in parks and along roadways or providing non-professional landscaping for county or city parks. There is no statewide board, organization, or administrative body that provides technical assistance, accreditation, or ongoing monitoring of local jail work programs and their products or services.

The Justice Assistance Act, signed on October 13, 1984, continues the Prison Industry Enhancement Certification Program originally authorized within the Justice System Improvement Act of 1979. This legislation provides exemption from federal constraints on the marketability of prisoner-made goods, by permitting the sale of these products in interstate commerce. Up to 20 jail industry projects may be certified for this exemption when their operation has been determined by the Bureau of Justice Assistance to meet statutory and guideline requirements. As a prerequisite for participation in this federal program, local jail industries programs must have statutory authority to administer jail industry programs. Certification as a pilot project allows the state jail industry to sell goods in interstate commerce and to bid on federal contracts, both of which are normally prohibited by federal law.

SUMMARY:

A Jail Industries Board is created. Membership shall include county and city officials, jail administrators, and the Governor's appointees from the Department of Corrections Correctional Industries Division, Employment Security Department, Department of Trade and Economic Development, business, labor, an on-line law enforcement officer, education, and a member of a crime victims group. The purpose of the board is to provide a statutorily defined structure and process to assist local jail programs in developing, implementing, and maintaining safe and productive jail work programs that offer inmates meaningful work experiences and education and training in employable vocations. Jail work programs are authorized to recover an appropriate portion of inmate wages to pay for their cost of corrections and to maintain the jail industries program.

The board shall encourage the establishment of, or use of, existing local advisory groups that include individuals representing business, labor, crime victims advocates, and the developmentally disabled community. These local advisory boards shall work on behalf of the needs of the local community in conjunction with the state jail industries board.

A voluntary classification system is established for jail work programs. The jail work program classification system is similar to the Department of Corrections' work classification system currently in statute. The jail classification system separates the four levels of jail work programs based on level of program activity, management oversight, and level of inmate compensation. Minimum wage limits are established according to the class level of the work program. Inmates are not required to work in any of the jail program classes. The four classification levels are Class I through Class IV. Only inmates working in Class I and Class II work programs are eligible for industrial insurance benefits. A wage scale review mechanism is established that insures labor and business input before each work program contract is signed. In addition, both the local advisory and the state board are required to review all jail work programs to ensure that a jail work program will not negatively impact local businesses or the labor community. Jail work programs are allowed to provide Washington State businesses with products and services that are currently being produced or provided by out-of-state or foreign suppliers. Jail work programs that participate in this classification system are allowed to establish a separate jail industries revenue fund to receive income and pay expenses associated with the program. Pre-sentence and pre-conviction inmates are allowed to participate in jail work programs. All who receive a monetary wage while working in a jail industry program are required to contribute a reasonable portion of their wages toward: the cost of their incarceration, crime victims compensation, program fees, restitution, court fines and other legal financial obligations, family support, or savings.

Funding for the board is generated through the establishment of fees charged to participating programs and the procurement of other local, state, and federal funds. Basic staffing for the board is provided by the Department of Corrections until a source of funding can be obtained.

Appropriation: none

Revenue: none

Fiscal Note: none requested

SUMMARY OF PROPOSED SENATE AMENDMENT:

Board members will be reimbursed for their travel expenses as provided in statute. Clarifying language is added and ambiguous language is deleted.

TESTIMONY FOR:

The bill provides enabling legislation for the development and expansion of jail industries programs statewide. It allows inmates to develop job skills and to make a contribution to society, their own costs, and victims of crime.

TESTIMONY AGAINST: None

TESTIFIED: Representative Holly Myers, prime sponsor; Kurt Sharar, Washington State Association of Counties; Jane Johnson, Clark County Corrections