

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1922

Chapter 338, Laws of 1993
(partial veto)

53rd Legislature
1993 Regular Session

WORK ETHIC BOOT CAMP PILOT PROGRAM

EFFECTIVE DATE: 7/1/93

Passed by the House April 20, 1993
Yeas 97 Nays 0

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Passed by the Senate April 13, 1993
Yeas 43 Nays 2

JOEL PRITCHARD
President of the Senate

Approved May 13, 1993, with the
exception of section 5, which is
vetoed.

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1922** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 13, 1993 - 2:31 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1922

AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By House Committee on Corrections (originally sponsored by Representatives Lemmon, Mastin, Morris, Hansen, Basich, Kessler, Johanson, Scott, Tate, Bray, Campbell, Dunshee, Eide, Orr, Grant, Lisk, Ludwig, R. Meyers, Springer, Finkbeiner, Dorn, Vance, Quall, Kremen, Rayburn, Brough, Foreman, Riley, L. Johnson, Horn, King, Forner, Roland, Ogden, Thomas, Brumsickle, Long, Casada, Ballasiotes, Mielke, Cooke, Van Luven and Karahalios)

Read first time 03/03/93.

1 AN ACT Relating to creation of a work ethic boot camp; reenacting
2 and amending RCW 9.94A.030; adding new sections to chapter 72.09 RCW;
3 adding a new section to chapter 9.94A RCW; providing an effective date;
4 and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that high crime rates
7 and a heightened sense of vulnerability have led to increased public
8 pressure on criminal justice officials to increase offender punishment
9 and remove the most dangerous criminals from the streets. As a result,
10 there is unprecedented growth in the corrections populations and
11 overcrowding of prisons and local jails. Skyrocketing costs and high
12 rates of recidivism have become issues of major public concern.
13 Attention must be directed towards implementing a long-range
14 corrections strategy that focuses on inmate responsibility through
15 intensive work ethic training.

16 The legislature finds that many offenders lack basic life skills
17 and have been largely unaffected by traditional correctional
18 philosophies and programs. In addition, many first-time offenders who
19 enter the prison system learn more about how to be criminals than the

1 important qualities, values, and skills needed to successfully adapt to
2 a life without crime.

3 The legislature finds that opportunities for offenders to improve
4 themselves are extremely limited and there has not been adequate
5 emphasis on alternatives to total confinement for nonviolent offenders.

6 The legislature finds that the explosion of drug crimes since the
7 inception of the sentencing reform act and the response of the criminal
8 justice system have resulted in a much higher proportion of substance
9 abuse-affected offenders in the state's prisons and jails. The needs
10 of this population differ from those of other offenders and present a
11 great challenge to the system. The problems are exacerbated by the
12 shortage of drug treatment and counseling programs both in and outside
13 of prisons.

14 The legislature finds that the concept of a work ethic camp that
15 requires the offender to complete an appropriate and balanced
16 combination of highly structured and goal-oriented work programs such
17 as correctional industries based work camps and/or class I and class II
18 work projects, drug rehabilitation, and intensive life management work
19 ethic training, can successfully reduce offender recidivism and lower
20 the overall cost of incarceration.

21 It is the purpose and intent of sections 1 and 3 through 6 of this
22 act to implement a regimented work ethic camp that is designed to
23 directly address the high rate of recidivism, reduce upwardly spiraling
24 prison costs, preserve scarce and high cost prison space for the most
25 dangerous offenders, and provide judges with a tough and sound
26 alternative to traditional incarceration without compromising public
27 safety.

28 **Sec. 2.** RCW 9.94A.030 and 1992 c 145 s 6 and 1992 c 75 s 1 are
29 each reenacted and amended to read as follows:

30 Unless the context clearly requires otherwise, the definitions in
31 this section apply throughout this chapter.

32 (1) "Collect," or any derivative thereof, "collect and remit," or
33 "collect and deliver," when used with reference to the department of
34 corrections, means that the department is responsible for monitoring
35 and enforcing the offender's sentence with regard to the legal
36 financial obligation, receiving payment thereof from the offender, and,
37 consistent with current law, delivering daily the entire payment to the
38 superior court clerk without depositing it in a departmental account.

1 (2) "Commission" means the sentencing guidelines commission.

2 (3) "Community corrections officer" means an employee of the
3 department who is responsible for carrying out specific duties in
4 supervision of sentenced offenders and monitoring of sentence
5 conditions.

6 (4) "Community custody" means that portion of an inmate's sentence
7 of confinement in lieu of earned early release time served in the
8 community subject to controls placed on the inmate's movement and
9 activities by the department of corrections.

10 (5) "Community placement" means that period during which the
11 offender is subject to the conditions of community custody and/or
12 postrelease supervision, which begins either upon completion of the
13 term of confinement (postrelease supervision) or at such time as the
14 offender is transferred to community custody in lieu of earned early
15 release. Community placement may consist of entirely community
16 custody, entirely postrelease supervision, or a combination of the two.

17 (6) "Community service" means compulsory service, without compensa-
18 tion, performed for the benefit of the community by the offender.

19 (7) "Community supervision" means a period of time during which a
20 convicted offender is subject to crime-related prohibitions and other
21 sentence conditions imposed by a court pursuant to this chapter or RCW
22 46.61.524. For first-time offenders, the supervision may include
23 crime-related prohibitions and other conditions imposed pursuant to RCW
24 9.94A.120(5). For purposes of the interstate compact for out-of-state
25 supervision of parolees and probationers, RCW 9.95.270, community
26 supervision is the functional equivalent of probation and should be
27 considered the same as probation by other states.

28 (8) "Confinement" means total or partial confinement as defined in
29 this section.

30 (9) "Conviction" means an adjudication of guilt pursuant to Titles
31 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and
32 acceptance of a plea of guilty.

33 (10) "Court-ordered legal financial obligation" means a sum of
34 money that is ordered by a superior court of the state of Washington
35 for legal financial obligations which may include restitution to the
36 victim, statutorily imposed crime victims' compensation fees as
37 assessed pursuant to RCW 7.68.035, court costs, county or interlocal
38 drug funds, court-appointed attorneys' fees, and costs of defense,

1 fines, and any other financial obligation that is assessed to the
2 offender as a result of a felony conviction.

3 (11) "Crime-related prohibition" means an order of a court
4 prohibiting conduct that directly relates to the circumstances of the
5 crime for which the offender has been convicted, and shall not be
6 construed to mean orders directing an offender affirmatively to
7 participate in rehabilitative programs or to otherwise perform
8 affirmative conduct.

9 (12)(a) "Criminal history" means the list of a defendant's prior
10 convictions, whether in this state, in federal court, or elsewhere.
11 The history shall include, where known, for each conviction (i) whether
12 the defendant has been placed on probation and the length and terms
13 thereof; and (ii) whether the defendant has been incarcerated and the
14 length of incarceration.

15 (b) "Criminal history" shall always include juvenile convictions
16 for sex offenses and shall also include a defendant's other prior
17 convictions in juvenile court if: (i) The conviction was for an
18 offense which is a felony or a serious traffic offense and is criminal
19 history as defined in RCW 13.40.020(6)(a); (ii) the defendant was
20 fifteen years of age or older at the time the offense was committed;
21 and (iii) with respect to prior juvenile class B and C felonies or
22 serious traffic offenses, the defendant was less than twenty-three
23 years of age at the time the offense for which he or she is being
24 sentenced was committed.

25 (13) "Department" means the department of corrections.

26 (14) "Determinate sentence" means a sentence that states with
27 exactitude the number of actual years, months, or days of total
28 confinement, of partial confinement, of community supervision, the
29 number of actual hours or days of community service work, or dollars or
30 terms of a legal financial obligation. The fact that an offender
31 through "earned early release" can reduce the actual period of
32 confinement shall not affect the classification of the sentence as a
33 determinate sentence.

34 (15) "Disposable earnings" means that part of the earnings of an
35 individual remaining after the deduction from those earnings of any
36 amount required by law to be withheld. For the purposes of this
37 definition, "earnings" means compensation paid or payable for personal
38 services, whether denominated as wages, salary, commission, bonuses, or
39 otherwise, and, notwithstanding any other provision of law making the

1 payments exempt from garnishment, attachment, or other process to
2 satisfy a court-ordered legal financial obligation, specifically
3 includes periodic payments pursuant to pension or retirement programs,
4 or insurance policies of any type, but does not include payments made
5 under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050,
6 or Title 74 RCW.

7 (16) "Drug offense" means:

8 (a) Any felony violation of chapter 69.50 RCW except possession of
9 a controlled substance (RCW 69.50.401(d)) or forged prescription for a
10 controlled substance (RCW 69.50.403);

11 (b) Any offense defined as a felony under federal law that relates
12 to the possession, manufacture, distribution, or transportation of a
13 controlled substance; or

14 (c) Any out-of-state conviction for an offense that under the laws
15 of this state would be a felony classified as a drug offense under (a)
16 of this subsection.

17 (17) "Escape" means:

18 (a) Escape in the first degree (RCW 9A.76.110), escape in the
19 second degree (RCW 9A.76.120), willful failure to return from furlough
20 (RCW 72.66.060), willful failure to return from work release (RCW
21 72.65.070), or willful failure to be available for supervision by the
22 department while in community custody (RCW 72.09.310); or

23 (b) Any federal or out-of-state conviction for an offense that
24 under the laws of this state would be a felony classified as an escape
25 under (a) of this subsection.

26 (18) "Felony traffic offense" means:

27 (a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW
28 46.61.522), eluding a police officer (RCW 46.61.024), or felony hit-
29 and-run injury-accident (RCW 46.52.020(4)); or

30 (b) Any federal or out-of-state conviction for an offense that
31 under the laws of this state would be a felony classified as a felony
32 traffic offense under (a) of this subsection.

33 (19) "Fines" means the requirement that the offender pay a specific
34 sum of money over a specific period of time to the court.

35 (20)(a) "First-time offender" means any person who is convicted of
36 a felony (i) not classified as a violent offense or a sex offense under
37 this chapter, or (ii) that is not the manufacture, delivery, or
38 possession with intent to manufacture or deliver a controlled substance
39 classified in schedule I or II that is a narcotic drug or the selling

1 for profit (({of})) of any controlled substance or counterfeit
2 substance classified in schedule I, RCW 69.50.204, except leaves and
3 flowering tops of marihuana, and except as provided in (b) of this
4 subsection, who previously has never been convicted of a felony in this
5 state, federal court, or another state, and who has never participated
6 in a program of deferred prosecution for a felony offense.

7 (b) For purposes of (a) of this subsection, a juvenile adjudication
8 for an offense committed before the age of fifteen years is not a
9 previous felony conviction except for adjudications of sex offenses.

10 (21) "Nonviolent offense" means an offense which is not a violent
11 offense.

12 (22) "Offender" means a person who has committed a felony
13 established by state law and is eighteen years of age or older or is
14 less than eighteen years of age but whose case has been transferred by
15 the appropriate juvenile court to a criminal court pursuant to RCW
16 13.40.110. Throughout this chapter, the terms "offender" and
17 "defendant" are used interchangeably.

18 (23) "Partial confinement" means confinement for no more than one
19 year in a facility or institution operated or utilized under contract
20 by the state or any other unit of government, or, if home detention or
21 work crew has been ordered by the court, in an approved residence, for
22 a substantial portion of each day with the balance of the day spent in
23 the community. Partial confinement includes work release, home
24 detention, work crew, and a combination of work crew and home detention
25 as defined in this section.

26 (24) "Postrelease supervision" is that portion of an offender's
27 community placement that is not community custody.

28 (25) "Restitution" means the requirement that the offender pay a
29 specific sum of money over a specific period of time to the court as
30 payment of damages. The sum may include both public and private costs.
31 The imposition of a restitution order does not preclude civil redress.

32 (26) "Serious traffic offense" means:

33 (a) Driving while under the influence of intoxicating liquor or any
34 drug (RCW 46.61.502), actual physical control while under the influence
35 of intoxicating liquor or any drug (RCW 46.61.504), reckless driving
36 (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5));
37 or

1 (b) Any federal, out-of-state, county, or municipal conviction for
2 an offense that under the laws of this state would be classified as a
3 serious traffic offense under (a) of this subsection.

4 (27) "Serious violent offense" is a subcategory of violent offense
5 and means:

6 (a) Murder in the first degree, homicide by abuse, murder in the
7 second degree, assault in the first degree, kidnapping in the first
8 degree, or rape in the first degree, assault of a child in the first
9 degree, or an attempt, criminal solicitation, or criminal conspiracy to
10 commit one of these felonies; or

11 (b) Any federal or out-of-state conviction for an offense that
12 under the laws of this state would be a felony classified as a serious
13 violent offense under (a) of this subsection.

14 (28) "Sentence range" means the sentencing court's discretionary
15 range in imposing a nonappealable sentence.

16 (29) "Sex offense" means:

17 (a) A felony that is a violation of chapter 9A.44 RCW or RCW
18 9A.64.020 or 9.68A.090 or that is, under chapter 9A.28 RCW, a criminal
19 attempt, criminal solicitation, or criminal conspiracy to commit such
20 crimes;

21 (b) A felony with a finding of sexual motivation under RCW
22 9.94A.127; or

23 (c) Any federal or out-of-state conviction for an offense that
24 under the laws of this state would be a felony classified as a sex
25 offense under (a) of this subsection.

26 (30) "Sexual motivation" means that one of the purposes for which
27 the defendant committed the crime was for the purpose of his or her
28 sexual gratification.

29 (31) "Total confinement" means confinement inside the physical
30 boundaries of a facility or institution operated or utilized under
31 contract by the state or any other unit of government for twenty-four
32 hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

33 (32) "Transition training" means written and verbal instructions
34 and assistance provided by the department to the offender during the
35 two weeks prior to the offender's successful completion of the work
36 ethic camp program. The transition training shall include instructions
37 in the offender's requirements and obligations during the offender's
38 period of community custody.

1 (33) "Victim" means any person who has sustained emotional,
2 psychological, physical, or financial injury to person or property as
3 a direct result of the crime charged.

4 (~~(33)~~) (34) "Violent offense" means:

5 (a) Any of the following felonies, as now existing or hereafter
6 amended: Any felony defined under any law as a class A felony or an
7 attempt to commit a class A felony, criminal solicitation of or
8 criminal conspiracy to commit a class A felony, manslaughter in the
9 first degree, manslaughter in the second degree, indecent liberties if
10 committed by forcible compulsion, kidnapping in the second degree,
11 arson in the second degree, assault in the second degree, assault of a
12 child in the second degree, extortion in the first degree, robbery in
13 the second degree, vehicular assault, and vehicular homicide, when
14 proximately caused by the driving of any vehicle by any person while
15 under the influence of intoxicating liquor or any drug as defined by
16 RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

17 (b) Any conviction for a felony offense in effect at any time prior
18 to July 1, 1976, that is comparable to a felony classified as a violent
19 offense in (a) of this subsection; and

20 (c) Any federal or out-of-state conviction for an offense that
21 under the laws of this state would be a felony classified as a violent
22 offense under (a) or (b) of this subsection.

23 (~~(34)~~) (35) "Work crew" means a program of partial confinement
24 consisting of civic improvement tasks for the benefit of the community
25 of not less than thirty-five hours per week that complies with RCW
26 9.94A.135. The civic improvement tasks shall be performed on public
27 property or on private property owned or operated by nonprofit
28 entities, except that, for emergency purposes only, work crews may
29 perform snow removal on any private property. The civic improvement
30 tasks shall have minimal negative impact on existing private industries
31 or the labor force in the county where the service or labor is
32 performed. The civic improvement tasks shall not affect employment
33 opportunities for people with developmental disabilities contracted
34 through sheltered workshops as defined in RCW 82.04.385. Only those
35 offenders sentenced to a facility operated or utilized under contract
36 by a county are eligible to participate on a work crew. Offenders
37 sentenced for a sex offense as defined in subsection (29) of this
38 section are not eligible for the work crew program.

1 (~~(35)~~) (36) "Work ethic camp" means an alternative incarceration
2 program designed to reduce recidivism and lower the cost of corrections
3 by requiring offenders to complete a comprehensive array of real-world
4 job and vocational experiences, character-building work ethics
5 training, life management skills development, substance abuse
6 rehabilitation, counseling, literacy training, and basic adult
7 education.

8 (37) "Work release" means a program of partial confinement
9 available to offenders who are employed or engaged as a student in a
10 regular course of study at school. Participation in work release shall
11 be conditioned upon the offender attending work or school at regularly
12 defined hours and abiding by the rules of the work release facility.

13 (~~(36)~~) (38) "Home detention" means a program of partial
14 confinement available to offenders wherein the offender is confined in
15 a private residence subject to electronic surveillance. Home detention
16 may not be imposed for offenders convicted of a violent offense, any
17 sex offense, any drug offense, reckless burning in the first or second
18 degree as defined in RCW 9A.48.040 or 9A.48.050, assault in the third
19 degree as defined in RCW 9A.36.031, assault of a child in the third
20 degree, unlawful imprisonment as defined in RCW 9A.40.040, or
21 harassment as defined in RCW 9A.46.020. Home detention may be imposed
22 for offenders convicted of possession of a controlled substance (RCW
23 69.50.401(d)) or forged prescription for a controlled substance (RCW
24 69.50.403) if the offender fulfills the participation conditions set
25 forth in this subsection and is monitored for drug use by treatment
26 alternatives to street crime (TASC) or a comparable court or agency-
27 referred program.

28 (a) Home detention may be imposed for offenders convicted of
29 burglary in the second degree as defined in RCW 9A.52.030 or
30 residential burglary conditioned upon the offender: (i) Successfully
31 completing twenty-one days in a work release program, (ii) having no
32 convictions for burglary in the second degree or residential burglary
33 during the preceding two years and not more than two prior convictions
34 for burglary or residential burglary, (iii) having no convictions for
35 a violent felony offense during the preceding two years and not more
36 than two prior convictions for a violent felony offense, (iv) having no
37 prior charges of escape, and (v) fulfilling the other conditions of the
38 home detention program.

1 (b) Participation in a home detention program shall be conditioned
2 upon: (i) The offender obtaining or maintaining current employment or
3 attending a regular course of school study at regularly defined hours,
4 or the offender performing parental duties to offspring or minors
5 normally in the custody of the offender, (ii) abiding by the rules of
6 the home detention program, and (iii) compliance with court-ordered
7 legal financial obligations. The home detention program may also be
8 made available to offenders whose charges and convictions do not
9 otherwise disqualify them if medical or health-related conditions,
10 concerns or treatment would be better addressed under the home
11 detention program, or where the health and welfare of the offender,
12 other inmates, or staff would be jeopardized by the offender's
13 incarceration. Participation in the home detention program for medical
14 or health-related reasons is conditioned on the offender abiding by the
15 rules of the home detention program and complying with court-ordered
16 restitution.

17 NEW SECTION. **Sec. 3.** The department of corrections shall
18 establish one work ethic camp. The secretary shall locate the work
19 ethic camp within an already existing department compound or facility,
20 or in a facility that is scheduled to come on line within the initial
21 implementation date outlined in this section. The facility selected
22 for the camp shall appropriately accommodate the logistical and cost-
23 effective objectives contained in sections 1 and 3 through 6 of this
24 act. The department shall be ready to assign inmates to the camp one
25 hundred twenty days after the effective date of this act. The
26 department shall establish the work ethic camp program cycle to last
27 from one hundred twenty to one hundred eighty days. The department
28 shall develop all aspects of the work ethic camp program including, but
29 not limited to, program standards, conduct standards, educational
30 components including general education development test achievement,
31 offender incentives, drug rehabilitation program parameters, individual
32 and team work goals, techniques for improving the offender's self-
33 esteem, citizenship skills for successful living in the community,
34 measures to hold the offender accountable for his or her behavior, and
35 the successful completion of the work ethic camp program granted to the
36 offender based on successful attendance, participation, and performance
37 as defined by the secretary. The work ethic camp shall be designed and
38 implemented so that offenders are continually engaged in meaningful

1 activities and unstructured time is kept to a minimum. In addition,
2 the department is encouraged to explore the integration and overlay of
3 a military style approach to the work ethic camp.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 9.94A RCW
5 to read as follows:

6 (1) An offender is eligible to be sentenced to a work ethic camp if
7 the offender:

8 (a) Is sentenced to a term of total confinement of not less than
9 twenty-two months or more than thirty-six months;

10 (b) Is between the ages of eighteen and twenty-eight years; and

11 (c) Has no current or prior convictions for any sex offenses or
12 violent offenses.

13 (2) If the sentencing judge determines that the offender is
14 eligible for the work ethic camp and is likely to qualify under
15 subsection (3) of this section, the judge shall impose a sentence
16 within the standard range and may recommend that the offender serve the
17 sentence at a work ethic camp. The sentence shall provide that if the
18 offender successfully completes the program, the department shall
19 convert the period of work ethic camp confinement at the rate of one
20 day of work ethic camp confinement to three days of total standard
21 confinement. The court shall also provide that upon completion of the
22 work ethic camp program, the offender shall be released on community
23 custody for any remaining time of total confinement.

24 (3) The department shall place the offender in the work ethic camp
25 program, subject to capacity, unless the department determines that the
26 offender has physical or mental impairments that would prevent
27 participation and completion of the program, or the offender refuses to
28 agree to the terms and conditions of the program.

29 (4) An inmate who fails to complete the work ethic camp program,
30 who is administratively terminated from the program, or who otherwise
31 violates any conditions of supervision, as defined by the department,
32 shall be reclassified to serve the unexpired term of his or her
33 sentence as ordered by the sentencing judge and shall be subject to all
34 rules relating to earned early release time.

35 (5) The length of the work ethic camp program shall be at least one
36 hundred twenty days and not more than one hundred eighty days. Because
37 of the conversion ratio, earned early release time shall not accrue to
38 offenders who successfully complete the program.

1 (6) During the last two weeks prior to release from the work ethic
2 camp program the department shall provide the offender with
3 comprehensive transition training.

4 **NEW SECTION. Sec. 5. The work ethic camp program shall employ*
5 *one hundred percent of all inmates. The employment options available*
6 *for inmates shall include meaningful work opportunities that provide*
7 *the offender with real-world skills that help the offender find*
8 *employment when he or she successfully completes the work ethic camp*
9 *program. The department shall include in the work ethic camp program,*
10 *without limitation, class I, class II, and class IV correctional*
11 *programs. No more than thirty-five percent of the total inmate*
12 *population in the facility shall be employed in class III correctional*
13 *industries programs in the first year and thereafter ten percent less*
14 *per year until a maximum of ten percent of the inmates are working in*
15 *this employment class. In addition, work options shall also include*
16 *department-supervised work crews as defined by the department. These*
17 *work crews shall have the ability to work on public roads conducting*
18 *litter control, minor emergency repair or other minor tasks that do not*
19 *negatively impact employment opportunities for people with*
20 *developmental disabilities contracted through the operation of*
21 *sheltered workshops as defined in RCW 82.04.385, or have a negative*
22 *impact on the local labor market or local business community as*
23 *assessed by the department correctional industries advisory board of*
24 *directors. The department shall establish, to the extent possible,*
25 *programs that will positively impact our natural environment such as,*
26 *but not limited to, recycling programs and minor environmental cleanup*
27 *programs. If the department is directed by the legislature to increase*
28 *the percentage of inmates employed in correctional industries programs,*
29 *inmates employed through work ethic camps shall not be counted towards*
30 *this total percentage.*

31 **Sec. 5 was vetoed, see message at end of chapter.*

32 *NEW SECTION. Sec. 6. The work ethic camp program established in*
33 *sections 1 and 3 through 6 of this act shall be considered a pilot*
34 *alternative incarceration program and remain in effect until July 1,*
35 *1998. The department and the office of financial management shall*
36 *monitor and analyze the effectiveness of the work ethic camp program*
37 *and complete a final outcome evaluation study by January 15, 1998. The*

1 study shall include: The recidivism rates of successful program
2 graduates, analysis of the overall program costs, the ability to
3 maintain public safety, and any other pertinent data established by the
4 department. The department may encourage interested universities to
5 participate in studies that will enhance the effectiveness of the
6 program.

7 The department of corrections shall seek the availability of
8 federal funds for the planning, implementation, evaluation, and
9 training of staff for work ethic camp programs, substance abuse
10 programs, and offender education programs.

11 NEW SECTION. **Sec. 7.** Sections 1, 3, 5, and 6 of this act are each
12 added to chapter 72.09 RCW.

13 NEW SECTION. **Sec. 8.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

17 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of the
19 state government and its existing public institutions, and shall take
20 effect July 1, 1993.

Passed the House April 20, 1993.

Passed the Senate April 13, 1993.

Approved by the Governor May 13, 1993, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State May 13, 1993.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 5,
3 Engrossed Substitute House Bill No. 1922 entitled:

4 "AN ACT Relating to creation of a work ethic boot camp."

5 Engrossed Substitute House Bill No. 1922 directs the Department of
6 Corrections to create a work ethic camp within an existing or soon to
7 be completed Department of Corrections facility. This program of
8 education and training for offenders should reduce recidivism and
9 increase public safety.

10 Section 5 of Engrossed Substitute House Bill No. 1922 directs the
11 Department to employ 100 percent of all program inmates in Class I, II
12 and IV correctional industries jobs programs, with limited employment
13 allowed for Class III industries. The Department does not currently
14 have Class I and II programs available at potential camp sites and

1 therefore cannot comply with the requirements of this section within
2 the timeline set out in the bill.

3 Additionally, section 5 imposes limitations on the employment level
4 allowed for Class III industries such as food service, sanitation,
5 maintenance and clerical support. While I agree with the goal of
6 meaningful work experience, the limitations on Class III industries may
7 prove too restrictive, forcing the Department to pay staff overtime or
8 hire outside contractors to perform functions traditionally assigned to
9 inmates.

10 While I have vetoed section 5 for the reasons stated above, the
11 intent of Engrossed Substitute House Bill No. 1922 will be carried out.
12 The Department of Corrections is committed to the establishment of a
13 successful and productive camp under this bill and to work with the
14 legislature on the further development of the work ethic camp program.

15 With the exception of section 5, Engrossed Substitute House Bill
16 No. 1922 is approved."