

HOUSE BILL REPORT

SHB 1609

As Amended by the Senate

Title: An act relating to pilot regional correctional facilities.

Brief Description: Requiring a plan to establish pilot regional correctional facilities.

Sponsors: By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien and Buck; by request of Sentencing Guidelines Commission).

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/11/03, 2/21/03 [DPS].

Floor Activity:

Passed House: 3/13/03, 96-0.

Senate Amended.

Passed Senate: 4/16/03, 49-0.

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">· Requires the Sentencing Guidelines Commission (SGC) to submit a plan to the Legislature for establishing pilot regional correctional facilities by December 31, 2003.
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HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Mielke, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kagi, Lovick and Pearson.

Staff: Yvonne Walker (786-7841).

Background:

The Sentencing Reform Act of 1981 established the SGC; directing it to recommend to the Legislature a determinate sentencing grid for adult felonies. Over the years, the SGC has generally been responsible for the following:

- serving as a clearinghouse and information center for the collection, preparation, analysis, and dissemination of information on state and local adult and juvenile sentencing practices;
- reporting to the Governor and the Legislature on such issues as racial disproportionality in juvenile and adult sentencing, capacity and resources issues of state and local juvenile facilities, and recidivism information on adult and juvenile offenders; and
- recommending community custody ranges for convicted felony offenders.

In addition, over the years the SGC has been charged with annually evaluating state sentencing policies with the goal of achieving consistency between sentencing ranges and standards for the multitude of offenses defined in state law.

Summary of Substitute Bill:

By December 31, 2003, the SGC must submit a plan to the Legislature for establishing pilot regional correctional facilities. The plan must include, but is not limited to, the following:

- a plan for increasing the space availability in local and county jails for pretrial detainees;
- an efficient and effective plan for joint use of total confinement beds by local and state government;
- a description of proposed shared and revised jurisdiction and operational responsibility, including the possibility of establishing a regional corrections authority;
- a summary of proposed changes to the criminal code reflecting revised housing jurisdiction;
- a description of the inmate population eligible for placement in pilot regional correctional facilities;
- a review of treatment services and programs intended to meet the needs of special populations including drug and substance abuse, mental health, and special medical needs;
- an estimate of potential benefits to local and county jail operators and to the state, which could be realized by implementation of pilot programs;
- a proposed method for identifying pilot regional correctional facility sites;
- a methodology for ensuring that pilot regional correctional facilities will not be sited in any county that has three or more state or federal correctional institutions or facilities used for the confinement of convicted felons, including prisons, work ethic camps, and work release facilities;
- a methodology for evaluating the cost benefit of operation of pilot facilities; and
- recommendations for shared funding of the construction and operation cost of the facilities from state and local resources.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment deletes the provision that required the Sentencing Guidelines Commission to establish a methodology for ensuring that pilot regional correctional facilities would not be sited in any county that has three or more state or federal correctional institutions used for the confinement of convicted felons, including prisons, work ethic camps, and work release facilities.

In addition, as part of the Sentencing Guidelines Commission's plan for establishing pilot regional correctional facilities, the Senate amendment requires that the plan limits the inmates eligible for placement in the regional correctional facilities to solely pretrial detainees, inmates serving sentences of sixty days to twenty four months, and inmates serving terms of confinement totaling more than one year.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: In 1999 a number of sheriffs met with various legislators regarding the overcrowding in jails. During that time sheriffs stated that jails were built for city and county inmates; however, there was a numerous amount of state prisoners being housed in local jails across the state. It was also noted that the offenders being housed in these jails had substance abuse, mental health, and other medical problems which were quite expensive for localities to pay for. This bill would generate cost savings by allowing localities, in conjunction with the state, to negotiate large contracts for doctors, nurses, and other medical staff. This would eliminate the need for individual cities and counties to establish and negotiate their own contracts. If localities were able to enter into larger medical contracts jointly with the state, then everyone would be able to ensure that the resources were spread around more effectively and the costs of medicine and medical staff would be shared.

State prisoners who are non-violent who have sentences of less than two years should go to these new regional facilities. This would free up some space in both prison and local jails.

(Concerns) It is hoped that the Legislature is not just building regional jails for the sake of it. Remember the old saying "If you build it, then they will come." This bill seems to state that if the state builds these types of facilities then they will find a way to fill them up.

Testimony Against: None.

Testified: (In support) Representative O'Brien, prime sponsor; Judge Brian Gain and Joe Hawe, Sentencing Guidelines Commission; John Austin, Indeterminate Sentence Review Board; and Larry Erickson, Washington Association of Sheriffs and Police Chiefs.

(Concerns) Alan Mountjoy-Venning, Friends Committee on Washington Public Policy.