SENATE BILL REPORT
SB 5342

As of February 13, 2025

Title: An act relating to providing access for legislators to facilities owned and operated by the state.

Brief Description: Providing access for legislators to facilities owned and operated by the state.

Sponsors: Senators Christian and Frame.

Brief History:
Committee Activity: Human Services: 1/28/25, 2/05/25 [DPS-WM].
Ways & Means: 2/17/25.

Brief Summary of First Substitute Bill

- Requires the Department of Corrections; the Department of Children, Youth, and Families; and the Department of Social and Health Services, to make reasonable efforts to provide access to a facility or institution upon written request of an elected or appointed member of the Legislature.
- Limits the request for access to only facilities owned and operated by the respective agency and does not include any facilities operated in contract with the agency.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: That Substitute Senate Bill No. 5342 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Christian, Ranking Member; Orwall and Warnick.

Staff: Will Trondsen (786-7552)

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.

SENATE COMMITTEE ON WAYS & MEANS

Staff: Monica Fontaine (786-7341)

Background: The Washington State Legislature is comprised of 98 members of the House of Representatives and 49 members of the Senate.

The Department of Corrections (DOC) operates and manages 11 adult correctional facilities—nine are specifically for males and two for females. DOC also operates reentry centers.

The Department of Children, Youth, and Families (DCYF) operates two secure residential facilities: The Green Hill School in Chehalis which serves older male juveniles, and The Echo Glen Children's Center in Snoqualmie which serves younger males and female juveniles. DCYF also operates community facilities.

The Department of Social and Health Services (DSHS) Behavioral Health Administration operates three psychiatric state hospitals: Western State Hospital, Eastern State Hospital, and the Child and Study Treatment Center. DSHS also operates the Special Commitment Center, which is a total confinement facility on McNeil Island that provides specialized mental health treatment for civilly committed sex offenders that have completed their prison sentences. DSHS Developmental Disabilities Administration also operates four facilities: Fircrest School in Shoreline, Rainier School in Buckley, Lakeland Village in Medical Lake, and Yakima Valley School in Selah.

Summary of Bill (First Substitute): DOC, DCYF, and DSHS, are required to provide access to elected or appointed members of the Legislature to the premises of any facility or institution owned and operated. Upon receiving a written request from a member of the Legislature, the respective department must make reasonable efforts to facilitate the visit within the requested time frame. If the visit cannot be facilitated within the requested time frame, the agency shall provide the requesting member a prompt, written response explaining the reasons why the visit cannot be facilitated as requested, and the earliest date when the visit may occur.

Access includes a tour of the facility or to meet with a constituent residing in the facility's custody. Access to family events at the facility are managed on a case-by-case basis with priority attendance given to family members of individuals who reside at the facility.
All visitors to state facilities must adhere to safety and security protocols outlined by department policy and staff prior to and during the visit.

EFFECT OF CHANGES MADE BY HUMAN SERVICES COMMITTEE (First Substitute):

- Removes the 48 hour time limit on when an agency must be available to provide

access to a legislative member.
- Expands access to appointed members.
- Defines access to include tour of the facility or to meet with a constituent that is residing in the facility's custody.
- Provides that priority attendance of family events be given to family members of individuals who reside at the facility.
- Requires all visitors to state facilities must adhere to safety and security protocols outlined by department policy and staff prior to and during the visit.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill (Human Services): *The committee recommended a different version of the bill than what was heard.* PRO: Legislators need to see first hand the conditions of the facilities. This bill makes sure that elected members have the tools to go into these facilities and do their job. Legislators need to have access to the institutions when people let them know that there is a problem and they need to be able to see it in-person. There is an appreciation that some variables that may require additional time for these institutions, and each institution has a different way in how they handle the requests. It is imperative for citizens that elected members be able to go into any institution at any point for accountability purposes.

OTHER: The DOC supports providing access to legislative members. The current policy allows for two weeks notice and allows the staff to work through any issues to make sure it is safe for all. This bill currently requires 24 hour access, 7 days a week, within a 48-hour period. There would be a need for additional staff to implement this legislation.

Persons Testifying (Human Services): PRO: Senator Leonard Christian, Prime Sponsor; Raymond Williams, Just Us Solutions; Jacob Schmitt, Just Us Solutions, LLC.

OTHER: Jason Bennett, Department of Corrections.

Persons Signed In To Testify But Not Testifying (Human Services): No one.