

# HOUSE BILL REPORT

## SB 5111

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*As Passed Legislature*

**Title:** An act relating to cost of corrections.

**Brief Description:** Directing money received by inmates, for testifying, into the victims compensation account.

**Sponsor(s):** Senators Madsen, Wojahn, Rasmussen, Amondson, A. Smith, Snyder, Gaspard and Skratek.

**Brief History:**

Reported by House Committee on:  
Human Services, April 3, 1991, DP;  
House amended;  
Passed House, April 18, 1991, 97-0;  
House receded;  
Passed Legislature, 96-0.

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**HOUSE COMMITTEE ON  
HUMAN SERVICES**

**Majority Report:** *Do pass.* Signed by 10 members: Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; and H. Myers.

**Staff:** Antonio Sanchez (786-7383).

**Background:** Current state law requires that the secretary of The Department of Corrections develop a formula which can be used to determine the extent to which wages earned while working in prison will be deducted to partially cover their costs of incarceration and the costs associated with the development and implementation of correctional industries programs. The Department of Corrections currently collects 15 percent of the wages from felony inmates working in Class I Correctional Industries, to pay for the cost of their incarceration. Last year, inmates participating in Class I Correctional Industries programs were paid a net total of \$671,707. Of this total, \$116,057 was paid towards the cost of corrections. These funds are placed in the state's general fund and are not allocated directly to the Department of Corrections. In addition to the Class I funds collected from offenders, the Department of Corrections has established aggressive policies to recover an offenders

legal financial obligations. This includes collecting for victim restitution, court costs, and charges associated with community supervision.

The state's Crime Victims Compensation Program was established by the Legislature in 1974. The program provides financial and/or medical help to eligible, innocent victims of crime. To be eligible for the program, the victim must have sustained a bodily injury or a sexual assault in the state of Washington. Benefits may include replacement of lost wages, medical coverage, mental health counseling, burial expenses and pensions. In 1989, a cap limited medical benefits up to \$150,000 per claim to treat injuries sustained as the result of a criminal act.

Currently, inmates working in Class I Correctional Industries programs, pay 5 percent of their gross wages to the Victims Compensation Fund. The Crime Victims Compensation Program does not collect any revenue from the payment of wages paid to inmates under Class II, III, IV, and V Prison Industry programs. The program's funds come from a federal grant and fines and assessments collected by the criminal justice system. A recent US Supreme Court decision requires that an inmate testifying in his or her own defense in federal court is entitled to a \$30 per day attendance fee.

**Summary of Bill:** All money an inmate receives for testifying in any judicial proceeding, must be deposited in the Crime Victims' Compensation Account.

**Fiscal Note:** Available.

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

**Testimony For:** This measure will give an appropriate message to the public.

**Testimony Against:** None.

**Witnesses:** Jeralita Costa, Washington Coalition of Crime Victim Advocates; Mike Redman, Washington Association of Prosecuting Attorneys; Bob Crocker, Department of Corrections; Bev Emery, Office of Crime Victims Advocacy; and Trish Tobis, citizen.