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SENATE BILL 6125

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State of Washington

52nd Legislature

1992 Regular Session

By Senator Bailey

Read first time 01/17/92. Referred to Committee on Law & Justice.

1 AN ACT Relating to subsistence payments for offenders upon release  
2 from confinement; amending RCW 72.02.100; adding a new section to  
3 chapter 72.02 RCW; creating a new section; and repealing RCW 72.02.110.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that reintegration  
6 of an offender into the community is crucial to preventing recidivism  
7 of the offender. The legislature further finds that the acquisition  
8 and retention of gainful employment is of paramount importance in  
9 reintegrating the offender by reducing opportunities to commit criminal  
10 acts. The legislature further finds that an offender requires a  
11 minimum amount of subsistence in order to cover personal and living  
12 expenses while such person is actively seeking employment.  
13 Accordingly, the legislature finds that each person serving a term of  
14 confinement in a state correctional facility should assume

1 responsibility for saving a portion of any earnings accumulated from  
2 the labor or employment of such person while confined for purposes of  
3 paying his or her immediate personal and living expenses upon release  
4 from confinement.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.02 RCW  
6 to read as follows:

7 (1) Except for a person sentenced to death or life imprisonment  
8 without possibility of release or parole, a person serving a sentence  
9 for a term of confinement in a state correctional facility for  
10 convicted felons shall be required to allocate a portion of any  
11 earnings accumulated through the labor or employment of the inmate  
12 towards a subsistence account for use by the inmate upon his or her  
13 release from confinement.

14 For each inmate earning wages pursuant to RCW 72.09.100, the  
15 department of corrections shall automatically deduct ten percent of  
16 such earnings for deposit into the inmate's subsistence account. No  
17 maximum amount of mandatory saving may be established. The  
18 superintendent of the facility in which an inmate is confined may  
19 authorize the use of funds in the inmate's subsistence account for the  
20 support of the inmate's immediate family upon a showing of extreme  
21 financial need. Such use may not reduce the subsistence account to an  
22 amount below one hundred dollars.

23 (2) The department of corrections shall establish a separate  
24 subsistence account for each inmate within the existing institutional  
25 resident deposit account as established by the office of financial  
26 management pursuant to RCW 43.88.195.

27 (3) Those inmates who are unable to work due to medical reasons  
28 shall be entitled to and shall be supplied by the superintendent of the

1 state correctional facility with the sum of one hundred dollars upon  
2 release from confinement.

3 (4) For purposes of this section, "subsistence account" means an  
4 account established by the department of corrections on behalf of and  
5 for the use and benefit of each inmate upon the inmate's release from  
6 confinement.

7 **Sec. 3.** RCW 72.02.100 and 1988 c 143 s 5 are each amended to read  
8 as follows:

9 Any person serving a sentence for a term of confinement in a state  
10 correctional facility for convicted felons, pursuant to court  
11 commitment, who is thereafter released upon an order of parole of the  
12 indeterminate ~~((sentencing))~~ sentence review board, or who is  
13 discharged from custody upon expiration of sentence, or who is ordered  
14 discharged from custody by a court of appropriate jurisdiction, shall  
15 be entitled to retain his or her earnings from labor or employment  
16 while in confinement and ~~((shall))~~ may be supplied by the  
17 superintendent of the state correctional facility with suitable and  
18 presentable clothing~~((, the sum of forty dollars for subsistence,))~~ and  
19 transportation by the least expensive method of public transportation  
20 not to exceed the cost of one hundred dollars to his or her place of  
21 residence or the place designated in his or her parole plan, or to the  
22 place from which committed if such person is being discharged on  
23 expiration of sentence, or discharged from custody by a court of  
24 appropriate jurisdiction~~((:—PROVIDED, That up to sixty additional  
25 dollars may be made available to the parolee for necessary personal and  
26 living expenses upon application to and approval by such person's  
27 community corrections officer))~~. If in the opinion of the  
28 superintendent suitable arrangements have been made to provide the  
29 person to be released with suitable clothing and/or the expenses of

1 transportation, the superintendent may consent to such arrangement. If  
2 the superintendent has reasonable cause to believe that the person to  
3 be released has ample funds, (~~with the exception of~~) including  
4 earnings from labor or employment while in confinement, to assume the  
5 expenses of clothing(~~(7)~~) and transportation, (~~or the expenses for~~  
6 ~~which payments made pursuant to RCW 72.02.100 or 72.02.110 or any one~~  
7 ~~or more of such expenses,~~) the person released shall be required to  
8 assume such expenses.

9 NEW SECTION. Sec. 4. RCW 72.02.110 and 1988 c 143 s 6, 1981  
10 c 136 s 80, & 1971 ex.s. c 171 s 2 are each repealed.