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**ENGROSSED SUBSTITUTE HOUSE BILL 1922**

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**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; adding new  
2 sections to chapter 72.09 RCW; providing an effective date; and  
3 declaring an emergency.

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

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

15       The legislature finds that many offenders lack basic life skills  
16 and have been largely unaffected by traditional correctional  
17 philosophies and programs. In addition, many first-time offenders who  
18 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 through 6 of this act to  
22 implement a regimented work ethic camp that is designed to directly  
23 address the high rate of recidivism, reduce upwardly spiraling prison  
24 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 NEW SECTION. **Sec. 2.** Unless the context clearly requires  
29 otherwise, the definitions in this section apply throughout sections 1  
30 through 6 of this act.

31 (1) "Department" means the department of corrections.

32 (2) "Secretary" means the secretary of corrections.

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

1 (4) "First-time drug offender" means any person who is convicted of  
2 a felony for the first time in violation of chapter 69.50 RCW, or of  
3 any offense defined as a felony under federal law that relates to the  
4 possession, manufacture, or delivery of a controlled substance, or any  
5 out-of-state conviction for an offense that under the laws of this  
6 state would be a felony classified as a drug offense under current  
7 statute.

8 (5) "Work ethic camp" means an alternative incarceration program  
9 designed to reduce recidivism and lower the cost of corrections by  
10 requiring offenders to complete a comprehensive array of real-world job  
11 and vocational experiences, character-building work ethics training,  
12 life management skills development, substance abuse rehabilitation,  
13 counseling, literacy training, and basic adult education. The  
14 objectives of the program are to deter offenders from committing  
15 additional crimes by requiring them to experience the sobering  
16 realities of prison life and simultaneously complete an intense range  
17 of character and skill building challenges.

18 (6) "Incarceration program" means the work ethic camp.

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

1 participation, and performance as defined by the secretary. The work  
2 ethic camp shall be designed and implemented so that offenders are  
3 continually engaged in meaningful activities and unstructured time is  
4 kept to a minimum. In addition, the department is encouraged to  
5 explore the integration and overlay of a military style approach to the  
6 work ethic camp.

7 NEW SECTION. **Sec. 4.** (1) Offenders shall be recommended for  
8 consideration to participate in the incarceration program at the time  
9 of their sentencing by the sentencing judge. Upon sentencing an  
10 offender to work ethic camp, the sentencing judge shall convert the  
11 period of work ethic camp confinement at a rate of one day of work  
12 ethic camp confinement to three days of total standard confinement.  
13 Only those offenders who successfully complete their sentence in work  
14 ethic camp, as defined by the department, shall be eligible to convert  
15 their sentence at this ratio. The court shall, as a component of any  
16 sentence regarding work ethic camp, also impose a term of community  
17 placement postrelease supervision. The total time spent in the work  
18 ethic program and postrelease supervision shall not exceed the initial  
19 sentence imposed. During the last two weeks prior to release from work  
20 ethic camp the department shall provide the offender with comprehensive  
21 transition training. The court shall send a copy of the offender's  
22 sentence to the department within five working days of sentencing. The  
23 department shall arrange to take custody of the offender within its  
24 established customary time frame after the documents have been provided  
25 to the department by the court. The department shall then be  
26 responsible for determining if the offender is eligible for the  
27 incarceration program based on the following criteria:

28 (a) The offender is between the ages of eighteen and twenty-eight  
29 years.

30 (b) The offender has no known physical or mental impairments that  
31 would prevent his or her ability to perform the challenging physical  
32 and mental activities associated with this program.

33 (c) The offender is a first-time drug offender or an offender who  
34 is sentenced for not more than thirty-six months or less than twenty-  
35 two months.

36 (d) The offender has not been convicted of any sex offenses or  
37 violent offenses.

1 (e) The offender agrees to and signs the terms and conditions of  
2 the program designated by the secretary.

3 The department shall develop written incarceration program offender  
4 eligibility criteria and make the information available to the  
5 appropriate sentencing courts.

6 (2) The secretary shall prescribe the form and content of the  
7 agreement to be signed by the eligible offender before entering the  
8 incarceration program.

9 (3) The department may place inmates eligible for the work ethic  
10 camp incarceration program in program beds that have not been utilized  
11 by the court. The secretary shall ensure that court-referred inmates  
12 receive priority placement in the program.

13 (4) An inmate who fails to complete the incarceration program, who  
14 is administratively terminated from the incarceration program, or who  
15 otherwise violates any conditions of supervision, as defined by the  
16 department, shall be reclassified to serve the unexpired term of his or  
17 her sentence as ordered by the sentencing court and subject to all  
18 rules relating to earned early release time.

19 (5) An inmate who is sentenced or transferred to the incarceration  
20 program shall serve no less than one hundred twenty or more than one  
21 hundred eighty days as defined by the department to be considered a  
22 successful graduate of the incarceration program. Because of the  
23 conversion ratio, earned early release time shall not accrue to  
24 offenders sentenced to the work ethic camp.

25 NEW SECTION. **Sec. 5.** The department work ethic program facility  
26 shall employ one hundred percent of all inmates. The employment  
27 options available for inmates shall include meaningful work  
28 opportunities that provide the offender with real-world skills that  
29 help the offender find employment when he or she successfully completes  
30 the incarceration program. The department shall include in the  
31 incarceration program, without limitation, class I, class II, and class  
32 IV correctional programs. No more than thirty-five percent of the  
33 total inmate population in the facility shall be employed in class III  
34 correctional industries programs in the first year and thereafter ten  
35 percent less per year until a maximum of ten percent of the inmates are  
36 working in this employment class. In addition, work options shall also  
37 include department-supervised work crews as defined by the department.  
38 These work crews shall have the ability to work on public roads

1 conducting litter control, minor emergency repair or other minor tasks  
2 that do not negatively impact employment opportunities for people with  
3 developmental disabilities contracted through the operation of  
4 sheltered workshops as defined in RCW 82.04.385, or have a negative  
5 impact on the local labor market or local business community as  
6 assessed by the department correctional industries advisory board of  
7 directors. The department shall establish, to the extent possible,  
8 programs that will positively impact our natural environment such as,  
9 but not limited to, recycling programs and minor environmental cleanup  
10 programs. If the department is directed by the legislature to increase  
11 the percentage of inmates employed in correctional industries programs,  
12 inmates employed through work ethic camps shall not be counted towards  
13 this total percentage.

14 NEW SECTION. **Sec. 6.** The incarceration program established in  
15 sections 1 through 6 of this act shall be considered a pilot  
16 alternative incarceration program and remain in effect until July 1,  
17 1998. The department and the office of financial management shall  
18 monitor and analyze the effectiveness of the incarceration program and  
19 complete a final outcome evaluation study by January 15, 1998. Based  
20 on the findings of this final outcome evaluation study, the legislature  
21 may extend the program. The study shall include: The recidivism rates  
22 of successful program graduates, analysis of the overall program costs,  
23 the ability to maintain public safety, and any other pertinent data  
24 established by the department. The department may encourage interested  
25 universities to participate in studies that will enhance the  
26 effectiveness of the program.

27 The department of corrections shall seek the availability of  
28 federal funds for the planning, implementation, evaluation, and  
29 training of staff for work ethic camp programs, substance abuse  
30 programs, and offender education programs.

31 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act are each  
32 added to chapter 72.09 RCW.

33 NEW SECTION. **Sec. 8.** If any provision of this act or its  
34 application to any person or circumstance is held invalid, the  
35 remainder of the act or the application of the provision to other  
36 persons or circumstances is not affected.

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

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