

# HOUSE BILL ANALYSIS

## HB 1388

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**Title:** An act relating to siting of work release programs.

**Brief Description:** Requiring that private organizations that contract with the department to operate work release facilities go through the siting process.

**Sponsors:** Representatives Conway and Ballasiotes.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

**Staff:** Yvonne Walker (786-7841)

**Background:** The Department of Corrections operates work release programs at various locations around the state. The Department also contracts with a number of private sector businesses to operate several of the programs.

Inmate Participation. These programs allow inmates to leave the prison facility for a specified amount of hours each day in order to work or otherwise re-establish themselves in the community. The inmates return to the facility for the rest of the day.

Prison inmates are limited to serving no more than their final six months of confinement in a work release program. Current law does not restrict which types of offenders the department may place in a work release program.

Facility Siting Process. The Department is required to provide sufficient notice to the public relating to the construction or relocation of a work release facility. The process includes:

- holding public meetings in the community where the work release site will be located in order to receive public comments on the proposed site,
- providing copies of site proposals and any alternatives,
- notifying the local media, schools, libraries, and government offices where the facility will be located,
- upon request, providing notices to local chambers of commerce, economic development agencies, and any other local organizations,
- providing written notification to all residents and property owners located within a half mile where the site is proposed,

- holding public hearings in the communities where the final three sites are being considered, and
- providing additional notification and public hearings in the community where the final site is being proposed.

It is unclear whether this provision applies to private businesses that contract with the Department of Corrections.

**Summary:** Facility Siting Process. An expressed provision is added to ensure private organizations contracting with the Department of Corrections for the operation of a work release program follows the same facility siting process as the department and any other state agencies. Private businesses planning to build or relocate a work release facility must provide sufficient notice to the entire community located within a half mile radius.

**NOTE:** The phrase private organizations that contract with the department– has only been added to subsections (1) and (2). A technical correction to the remaining subsections of this bill would clarify that the remaining subsections (3 through 7) also applies to private organizations contracting with the department.

**Require the Exercise of Rule- Making Powers:** No

**Fiscal Note:** Received January 30, 1997.

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