

HOUSE BILL REPORT

SHB 1934

As Passed House

March 15, 1997

Title: An act relating to deductions from inmate funds.

Brief Description: Specifying deductions from inmate funds.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Koster, Ballasiotes, Hickel, Robertson, Mitchell, Dickerson, Cairnes, Regala, Delvin, Dunn and Blalock).

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/25/97, 2/26/97 [DP];

Appropriations: 3/6/97, 3/8/97 [DPS].

Floor Activity:

Passed House: 3/15/97, 81-14.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 12 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; O'Brien, Assistant Ranking Minority Member; Blalock; Cairnes; Delvin; Dickerson; Hickel; Mitchell; Robertson and Sullivan.

Staff: Yvonne Walker (786-7841).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 31 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Chopp; Cody; Cooke; Crouse; Dyer; Grant; Keiser; Kenney; Kessler; Lambert; Linville; Lisk;

Mastin; McMorris; Parlette; Poulsen; Regala; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

Staff: Dave Johnson (786-7154).

Background: The Department of Corrections (DOC) is responsible for establishing deductions to be made from an inmate's wages to contribute to the cost of incarceration and the development of the Correctional Industries program. For example, a 35 percent deduction is withdrawn from the wages of inmates participating in a class I Correctional Industry program (private sector businesses operated in the DOC). The deduction is then distributed as follows:

- 5 percent to the Crime Victims' Compensation program;
- 10 percent to the inmate's savings account;
- 20 percent to the cost of the inmate's incarceration.

All money received by an inmate from outside of the prison is subject to the same mandatory deductions as class I industry wages.

Summary of Bill: The mandatory deduction on all money received by an inmate from outside of the prison, totaling \$100 or less, is reduced from 35 percent to 15 percent: 5 percent to the Crime Victims' Compensation program and 10 percent to the inmate's savings account.

When an inmate receives any funds in addition to his or her wages or gratuities, exceeding \$100 dollars, then the additional funds are subject to the current statutory deduction of 35 percent: 5 percent to the Crime Victims' Compensation program, 10 percent to the inmate's savings account, and 20 percent to the cost of the inmate's incarceration.

Appropriation: None.

Fiscal Note: Requested on February 19, 1997.

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

Testimony For: (Criminal Justice & Corrections) It does not seem fair to charge inmates for their incarceration since most of the jobs for inmates within the prisons are somewhat limited. In addition, since the average citizen is already paying for inmate incarceration through their public taxes, the charging of inmates for their incarceration is seen by some as a form of double taxation. Many of the inmates are also from impoverished families and as a result much of the funds that they do receive is used to pay for personal hygiene items which can cost an inmate an average of \$30 a month.

(Appropriations) Offenders receive contributions from their families when in prison. Often those families don't have a lot of resources. The families work, pay taxes and these deductions almost amount to double taxation. Most of the funds received by the inmate are used to pay for personal hygiene supplies.

Testimony Against: (Criminal Justice & Corrections) None.

(Appropriations) The amount subject to the lower deduction rate should be limited. Many offenders receive money from families but others receive money from unsavory sources such as drug dealers or pimps. The higher deduction should be imposed on offenders receiving larger amounts of money, which can come from persons who are negative influences.

Testified: (Criminal Justice & Corrections) Representative John Koster, prime sponsor (pro); Jack Roos, corrections volunteer (pro); Niko Colella, Catholic Detention Ministry (pro); Kathleen Russell, Washington Association of Churches (pro); and Kevin Glackin-Coley, Catholic Detention Ministry (pro).

(Appropriations) Representative John Koster, prime sponsor (pro); and Jerry Keen, Washington Public Employees Association (con).