

SENATE BILL REPORT

EHB 2707

As Reported By Senate Committee On:
Human Services & Corrections, February 26, 1998

Title: An act relating to sex offenders in inmate work programs.

Brief Description: Prohibiting sex offenders in inmate work programs from obtaining private individuals' names.

Sponsors: Representatives Backlund, Quall, Dickerson, Koster, O'Brien, Scott, Sullivan, Lambert, Cairnes, Wood, McDonald, Sherstad, Mulliken, Kessler, Ogden, Cooke, Conway, Anderson, Dunshee, Gardner, Ballasiotes and Dunn.

Brief History:

Committee Activity: Human Services & Corrections: 2/24/98, 2/26/98 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl, Schow and Stevens.

Staff: Fara Daun (786-7459)

Background: The Division of Correctional Industries (CI) operates five classes of inmate work programs. Class I programs are public-private partnerships in which private employers establish work sites within the institution and hire inmates at a competitive wage. Class II and IV industries are operated by CI to provide goods and services to governments and nonprofit organizations. Gratuities for Class II and IV jobs range from \$0.25 an hour to minimum wage. Class III industries provide services within the prisons that the Department of Corrections (DOC) would otherwise have pay other individuals to perform. Class III gratuities are \$30 to \$55 per month. Class V is a community service alternative to incarceration in which offenders perform services to a community without pay.

An inmate's gross earnings and gratuities are subject to mandatory deductions from 25 percent to 70 percent of the total. Mandatory deductions include: crime victim compensation, court-ordered legal financial obligations, incarceration costs, payroll taxes, and mandatory savings.

CI work programs serve several purposes. They reduce the costs of incarceration, provide inmates with basic work ethic and work habits, provide job training and skills, and permit inmates to meet their legal financial and victim compensation obligations. They also serve to minimize inmate unrest thereby increasing institution security. In 1994 the Legislature required that CI achieve a net increase of 1500 workers over 1994 levels prior to fiscal year 2000.

In December of 1997 two inmates who had been employed by the Department of Corrections in a Class II telemarketing work program used names and addresses they had taken from their positions to contact private citizens. The two offenders were sex offenders. This work program has been terminated and DOC does not plan to operate any further Class II telemarketing programs. There are currently no statutory restrictions on the type of offenders who can be placed in a particular kind of position.

Summary of Bill: The Department of Corrections must ensure that sex offender obtain no access to private individuals' names, addresses, or telephone numbers while working in an inmate work program.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: There is a substantial amount of information that telemarketers receive that could be used to groom a victim. This makes the programs inappropriate for sex offenders. DOC has removed sex offenders from all telemarketing positions, customer service positions, and other telephone positions. DOC has permanently closed all class II telemarketing programs.

Job placement in CI is a two-step process. In the first step, DOC establishes an eligible pool of inmate applicants. In the second step, CI hires from names forwarded from the pool. In the past, CI did not know the crime for which the inmate is confined. CI now asks for this information. DOC is developing a new risk assessment and job eligibility process that covers the risk level of all inmates. This will mean that the initial applicant pool will be more targeted to appropriate level of public contact.

Testimony Against: None.

Testified: Rep. William Backlund, prime sponsor (pro); Howard Yarborough, CI (pro); Dave Savage, DOL (pro); one member of victim/witness protection program (pro).