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HOUSE BILL 2252

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State of Washington

55th Legislature

1997 Regular Session

By Representatives Huff, Clements and Carlson

Read first time 03/13/97. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to offender employment goals; and amending RCW  
2 72.09.111.

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

4 **Sec. 1.** RCW 72.09.111 and 1994 sp.s. c 7 s 534 are each amended to  
5 read as follows:

6 (1) The secretary shall deduct from the gross wages or gratuities  
7 of each inmate working in correctional industries work programs, taxes  
8 and legal financial obligations. The secretary shall develop a formula  
9 for the distribution of offender wages and gratuities.

10 (a) The formula shall include the following minimum deductions from  
11 class I gross wages and from all others earning at least minimum wage:

12 (i) Five percent to the public safety and education account for the  
13 purpose of crime victims' compensation;

14 (ii) Ten percent to a department personal inmate savings account;  
15 and

16 (iii) Twenty percent to the department to contribute to the cost of  
17 incarceration.

18 (b) The formula shall include the following minimum deductions from  
19 class II gross gratuities:

1 (i) Five percent to the public safety and education account for the  
2 purpose of crime victims' compensation;

3 (ii) Ten percent to a department personal inmate savings account;  
4 and

5 (iii) Fifteen percent to the department to contribute to the cost  
6 of incarceration.

7 (c) The formula shall include the following minimum deduction from  
8 class IV gross gratuities: Five percent to the department to  
9 contribute to the cost of incarceration.

10 (d) The formula shall include the following minimum deductions from  
11 class III gratuities: Five percent for the purpose of crime victims'  
12 compensation.

13 Any person sentenced to life imprisonment without possibility of  
14 release or parole under chapter 10.95 RCW shall be exempt from the  
15 requirement under (a)(ii) or (b)(ii) of this subsection.

16 The department personal inmate savings account, together with any  
17 accrued interest, shall only be available to an inmate at the time of  
18 his or her release from confinement, unless the secretary determines  
19 that an emergency exists for the inmate, at which time the funds can be  
20 made available to the inmate in an amount determined by the secretary.  
21 The management of classes I, II, and IV correctional industries may  
22 establish an incentive payment for offender workers based on  
23 productivity criteria. This incentive shall be paid separately from  
24 the hourly wage/gratuity rate and shall not be subject to the specified  
25 deduction for cost of incarceration.

26 In the event that the offender worker's wages or gratuity is  
27 subject to garnishment for support enforcement, the crime victims'  
28 compensation, savings, and cost of incarceration deductions shall be  
29 calculated on the net wages after taxes, legal financial obligations,  
30 and garnishment.

31 (2) The department shall explore other methods of recovering a  
32 portion of the cost of the inmate's incarceration and for encouraging  
33 participation in work programs, including development of incentive  
34 programs that offer inmates benefits and amenities paid for only from  
35 wages earned while working in a correctional industries work program.

36 (3) The department shall develop the necessary administrative  
37 structure to recover inmates' wages and keep records of the amount  
38 inmates pay for the costs of incarceration and amenities. All funds  
39 deducted from inmate wages under subsection (1) of this section for the

1 purpose of contributions to the cost of incarceration shall be  
2 deposited in a dedicated fund with the department and shall be used  
3 only for the purpose of enhancing and maintaining correctional  
4 industries work programs until December 31, 2000, and thereafter all  
5 such funds shall be deposited in the general fund.

6 (4) The expansion of inmate employment in class I and class II  
7 correctional industries shall be implemented according to the following  
8 schedule:

9 (a) Not later than June 30, 1995, the secretary shall achieve a net  
10 increase of at least two hundred in the number of inmates employed in  
11 class I or class II correctional industries work programs above the  
12 number so employed on June 30, 1994;

13 (b) Not later than June 30, 1996, the secretary shall achieve a net  
14 increase of at least four hundred in the number of inmates employed in  
15 class I or class II correctional industries work programs above the  
16 number so employed on June 30, 1994; and

17 (c) Not later than June 30, 1997, the secretary shall achieve a net  
18 increase of at least six hundred in the number of inmates employed in  
19 class I or class II correctional industries work programs above the  
20 number so employed on June 30, 1994( (;

21 ~~(d) Not later than June 30, 1998, the secretary shall achieve a net~~  
22 ~~increase of at least nine hundred in the number of inmates employed in~~  
23 ~~class I or class II correctional industries work programs above the~~  
24 ~~number so employed on June 30, 1994;~~

25 ~~(e) Not later than June 30, 1999, the secretary shall achieve a net~~  
26 ~~increase of at least one thousand two hundred in the number of inmates~~  
27 ~~employed in class I or class II correctional industries work programs~~  
28 ~~above the number so employed on June 30, 1994;~~

29 ~~(f) Not later than June 30, 2000, the secretary shall achieve a net~~  
30 ~~increase of at least one thousand five hundred in the number of inmates~~  
31 ~~employed in class I or class II correctional industries work programs~~  
32 ~~above the number so employed on June 30, 1994)).~~

33 (5) It shall be in the discretion of the secretary to apportion the  
34 inmates between class I and class II depending on available contracts  
35 and resources.

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