

HOUSE BILL REPORT

HB 1923

As Passed House:

March 16, 1999

Title: An act relating to post-secondary courses for inmates.

Brief Description: Establishing a post-secondary education program for inmates.

Sponsors: Representatives O'Brien, Koster, Anderson, Ogden, Lantz, Miloscia, Hankins and Ballasiotes.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/23/99, 3/2/99 [DP].

Floor Activity:

Passed House: 3/16/99, 95-0.

Brief Summary of Bill

- Requires the Department of Corrections to implement a one year pilot post-secondary educational program for inmates.
- Requires the Department of Corrections to offer, through a request for proposal process, an opportunity for community and four-year colleges to provide post-secondary educational courses to inmates on a self-pay system.
- Requires the Department of Corrections to prepare a report to the Legislature by January 1, 2001, evaluating the pilot post-secondary educational program.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 8 members: Representatives Ballasiotes, Republican Co-Chair; O'Brien, Democratic Co-Chair; Cairnes, Republican Vice Chair; Lovick, Democratic Vice Chair; B. Chandler; Constantine; Kagi and Koster.

Staff: Yvonne Walker (786-7841).

Background:

In 1995, the Legislature adopted a law requiring the Department of Corrections (DOC) to prioritize its available resources to meet the following educational goals, specified in order of priority (HB 2010):

- (1) Achievement of basic academic skills through obtaining a high school diploma or its equivalent, and achievement of vocational skills necessary for purposes of work programs and for an inmate to qualify for work upon release;
- (2) Additional work and education programs that are compatible with an offender's case management plan; and
- (3) Other work and education programs as appropriate.

The 1995 legislation required the DOC to develop a formula by which inmates would contribute to the cost of certain educational and vocational programs, based on their ability to pay. The formula requires offenders to pay a portion of the costs or tuition for any second or subsequent vocational program associated with their work programs and any A.A. or B.A. programs that are part of their case management plans. The formula also requires offenders to pay all costs and tuition of any post-secondary academic program and any second or subsequent vocational program that is not part of their case management plan.

As a result of these statutory priorities, which were implemented in the context of a 5 percent reduction in the department's education budget, most post-secondary academic programs have been eliminated from state correctional institutions. Many vocational programs were also reduced or eliminated that were determined to have insufficient linkages to correctional industries work programs or employment opportunities upon release.

Summary of Bill:

The DOC is required to implement a one year pilot post-secondary educational program for inmates. The department must ensure that the pilot program tries to address all modes of instruction that inmates are eligible to use, including distance learning and other technologies.

The department must offer, through a request for proposal (RFP) process, an opportunity for community and four-year colleges to provide post-secondary educational courses to inmates on a self-pay system. Although the department must provide any necessary space and administrative support to any college or university providing classes, each individual inmate is responsible for paying all costs and tuition associated with participating in the courses. Any funds saved in an inmate's personal inmate savings account may be used for paying for the courses.

The DOC must select one prison for females and one prison for males to implement the pilot program.

A report must be submitted to the Legislature by January 1, 2001, from the department and it must include recommendations regarding whether the pilot post-secondary educational program should be extended and stating the number of inmates who participated in the program.

Appropriation: None.

Fiscal Note: Requested on February 17, 1999.

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

Testimony For: The provision of post-secondary education is a good idea and one of which the DOC had planned to begin implementing in the near future.

Recidivism studies have shown that approximately 60 percent of inmates who never receive any type of post-secondary degree return to prison. However, only 13 percent of those inmates who receive an associate degree or 5.6 percent of those inmates that receive a bachelor's degree return to incarceration. Lastly, none of the inmates who were able to obtain a master's degree have ever returned to prison.

Although this is a good bill, the DOC may have a difficult time implementing the section of the bill that requires the department to not preclude any inmate from participating in a post-secondary program based upon his or her custody level. The problem is that the department may be required to also allow inmates in closed custody to participate in these educational programs. Some of these inmates have been segregated from the rest of the population due to their behavior and have already proven to be quite dangerous, violent, and some of the department's more serious offenders. By allowing these offenders to participate in college courses, the department may end up putting the college staff, as well as their own staff, in dangerous situations.

There is also concern that there is no incentive to entice colleges to participate in such a pilot project. The request for proposal is a good idea, but there is no guarantee that colleges or vocational schools will be willing to provide classes to just a few students. The tuition that they would receive from one or two students would not pay for the salary or other costs of their staff's time.

Overall, increased education does lower incarceration rates and is a proven piece of rehabilitation that inmates can receive while in prison.

Testimony Against: None.

Testified: (In support) Jack Roos, Washington State Reformatory Volunteer; and Ron Crossland, State Board Community and Technical College.

(In support with concerns) Jean Stewart, Department of Corrections.