

FINAL BILL REPORT

E2SHB 1143

C 325 L 99

Synopsis as Enacted

Brief Description: Authorizing deductions from inmate funds.

Sponsors: By House Committee on Criminal Justice & Corrections (Originally sponsored by Representatives O'Brien, Ballasiotes, Tokuda, Cairnes, Lovick, Kagi, Koster, Constantine, K. Schmidt, Kastama, Fisher, Quall, Kenney, Veloria, Eickmeyer, Kessler, Lantz, Ogden, Murray, Lambert, Dunn, Rockefeller and Conway).

House Committee on Criminal Justice & Corrections
House Committee on Appropriations
Senate Committee on Human Services & Corrections

Background:

Local Jail Booking Fee. Although municipalities and counties are authorized to establish inmate fines and require reimbursement for the cost of incarceration, they are not authorized to require any person who is booked in a county or municipal jail to pay a booking fee to the sheriff's department or police chief's department.

Inmate Funds. 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 For example, a 35 percent deduction is withdrawn from the wages of inmates participating in a class I correctional industry program (private sector businesses operated in the DOC).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; and
- 20 percent to the cost of the inmate's incarceration.

All money received by an inmate from outside of the prison (regardless of the inmate's custody level), including money used solely for postage purposes, is subject to the same mandatory deductions as class I industry wages and is deposited into a non-interest bearing account.

Inmates' wages and outside contributions are subject to a mandatory deduction for costs of incarceration. These funds are deposited in an account to support correctional

industries but only until December 31, 2000. After that date they will be deposited in the general fund.

Summary:

Local Jail Booking Fee. Municipalities and counties are authorized to require any person who is booked in a county or municipal jail to pay a \$10 booking fee to the sheriff's department or police chief's department where the jail is located. The person may pay the booking fee from any money currently in the person's possession. If the person does not have any money in his or her current possession, then the sheriff must notify the court for assessment of the fee. If the defendant is acquitted, not charged, or if the charges are dismissed, then the sheriff or police chief must return the booking fee to the defendant at the last known address in the booking records.

Inmate Funds. Any funds received from outside the prison by an offender who is sentenced to life imprisonment without parole or the death penalty are subject to a 25 percent deduction. The deducted amount will be distributed as follows: 5 percent to the Crime Victims' Compensation program and 20 percent to the cost of the inmate's incarceration.

Any money sent to an inmate from outside sources and designated solely to pay for postage is exempt from the mandatory 35 percent deduction. These funds cannot be transferred for any other use and any unused postage funds at the time of the offender's release will be subject to the mandatory deductions.

The secretary of the Department of Corrections must prepare a plan for depositing inmate savings account funds into an interest bearing account. The plan must assume that the funds are to be deposited into a commingled account for all inmates and that the interest shall be paid in a manner pro rata to the inmate's share of the total deposits at a rate not less than the passbook savings rate. The plan must be presented to the Governor and the Legislature not later than December 1, 1999.

The deductions for the cost of incarceration continue to support correctional industries after December 31, 2000.

Votes on Final Passage:

House 94 1
Senate 43 0 (Senate Amended)
House 94 2 (House Concurred)

Effective: July 25, 1999