

# SENATE BILL REPORT

## E2SHB 1143

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As Reported By Senate Committee On:  
Human Services & Corrections, April 1, 1999

**Title:** An act relating to deductions from inmate funds.

**Brief Description:** Authorizing deductions from inmate funds.

**Sponsors:** House Committee on Appropriations (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).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 4/1/99 [DPA].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Patterson, Sheahan, Stevens and Zarelli.

**Staff:** Fara Daun (786-7459)

**Background:** Current law subjects inmate funds, whether received as earnings or as gifts, to specific deductions. The amounts of the deductions vary, but funds received from outside the prison are subject to the maximum deduction which includes 5 percent to the Crime Victims' Compensation program, 20 percent to the cost of the inmate's incarceration, and 10 percent to the inmate's savings account.

Under current law, the mandatory deduction for the cost of incarceration is deposited to an account to support the correctional industries program. This statute expires on December 31, 2000.

**Summary of Amended Bill:** Money sent to an inmate and designated solely to pay for postage is exempt from mandatory deductions. These funds cannot be transferred to any other use and any unused postage funds at the time of the offender's release will be subject to the mandatory deductions.

DOC must deduct 5 percent for the Crime Victims' Compensation program and 20 percent for the cost of incarceration from funds, other than gratuities, received or earned by offenders sentenced to death or to life imprisonment without possibility of release.

DOC must deposit inmate savings account funds into an interest bearing account and inmates receive interest on the amount in savings at a rate not less than the passbook savings rate. The interest is exempt from deductions.

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

**Amended Bill Compared to Substitute Bill:** The amended bill does not include exemptions for funds sent to inmates for the purpose of fee-based education or elective medical care. The amended bill includes an exemption for money sent to inmates for postage and includes a provision requiring that inmates' savings accounts earn interest that is not subject to the deductions. The earnings of offenders sentenced to death are not subject to the inmate savings account deductions.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The exemptions will help to ensure that inmates leave prison with better skills that will help to reduce recidivism and move more smoothly into productive positions in society. Need to go farther with the exemptions from mandatory deductions for educational programs and elective medical care by removing the monthly limit.

**Testimony Against:** None.

**Testified:** Rep. Al O'Brien, sponsor (pro); Bill Jaquette, Washington Defenders Association (pro); Bill Jeske, Interaction/Transition (pro); Rev. Jonathan Nelson, Lutheran Office of Public Policy, Washington Association of Churches, Washington Catholic Conference (pro).