

SENATE BILL REPORT

SB 6402

As Reported By Senate Committee On:
Human Services & Corrections, February 1, 2002

Title: An act relating to legal financial obligation deductions from inmate funds and wages.

Brief Description: Providing for legal financial obligation deductions from inmate funds and wages.

Sponsors: Senators Costa, Long, Thibaudeau and Kline.

Brief History:

Committee Activity: Human Services & Corrections: 1/25/02, 2/1/02 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6402 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Kohl-Welles, Long and Stevens.

Staff: Edith Rice (786-7444)

Background: A court ordered legal financial obligation (LFO) is a sum of money that is ordered by a superior court for payment of restitution to a victim, crime victims compensation fee, court costs, a county or interlocal drug fund, court-appointed attorneys' fees and costs of defense, fines and any other legal financial obligation that is assessed as a result of a felony conviction. Taxes and LFOs must be deducted from inmate correctional industries wages.

The Secretary of the Department of Corrections is responsible for developing a formula for the distribution of offender wages and gratuities. The offender has deductions made from his or her wages which go to the following funds: public safety and education account (PSEA) for crime victims compensation, personal savings, and cost of incarceration. Depending upon the type of employment (class I -IV industries), a minimum is set for each account.

Class I correctional industries are those programs in which private sector companies set up their businesses within a state corrections facility. Class II correctional industries are businesses owned and operated by the state, producing goods and services for tax supported and nonprofit organizations.

Summary of Substitute Bill: Legal financial obligations must be deducted from an inmate's gross wages or gratuities in addition to those deductions for PSEA, personal savings, and cost of incarceration, without exception. Whether employed in class I or class II industries, a minimum of 20 percent of the inmate's gross wages is deducted for payment of an LFO in

any Washington State superior court. Inmates in state work release facilities must have 10 percent of their wages deducted for the same purpose.

Substitute Bill Compared to Original Bill: The original bill was not considered.

Appropriation: None.

Fiscal Note: Requested on January 21, 2002.

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

Testimony For: County clerks need to be able to collect LFO's regardless of the wording in a judgment and sentence.

Testimony Against: None.

Testified: PRO: Pam Daniels, Washington Assoc. of County Clerks; Melanie Smith, Department of Corrections.