
**Criminal Justice & Corrections
Committee**

HB 1771

Brief Description: Providing for financial restitution to victims of sexual assault from inmate funds and wages.

Sponsors: Representatives O'Brien, Berkey, Sump, Upthegrove, Hatfield, Kirby, Armstrong, Mielke, Bush, Woods, Kessler, Rockefeller, Campbell, Hudgins and Simpson.

Brief Summary of Bill

- Requires an additional 5 percent to be deducted from the paychecks of inmates that have been convicted of a sex offense.
- Requires the additional funds to be distributed to the offender's victim of sexual assault in the form of crime victims' compensation.

Hearing Date: 2/18/03

Staff: Yvonne Walker (786-7841).

Background:

The Department of Corrections (DOC) is currently responsible for deducting taxes from the gross wages and gratuities of each inmate working in a correctional industry program. Aside from taxes, the DOC is required to develop a formula to take other specific deductions from the wages and gratuities earned by inmates. The formula must include the following mandatory deductions:

- **55 percent from inmates working in Class I Industries:** (and others earning at least minimum wage): 5 percent for crime victims' compensation; 10 percent for an inmate savings account; 20 percent to the DOC for costs of incarceration; and 20 percent for any owed legal financial obligations (LFOs). (Class I Industries, also known as "free venture" industries, are generally operated and managed by for-profit or nonprofit organizations under contract with the DOC.)

- **50 percent from inmates working in Class II Industries:** 5 percent for crime victims' compensation; 10 percent for an inmate savings account; 15 percent to the DOC for costs of incarceration; and 20 percent for any owed LFOs. (Class II Industries, also known as "tax reduction" industries, are state-owned and operated industries that produce products and services that are only sold to public agencies and nonprofit organizations.)
- **5 percent from inmates working in Class III Industries:** 5 percent for crime victims' compensation.
- **5 percent from inmates working in Class IV Industries:** 5 percent to the DOC for costs of incarceration.

Also, when an inmate receives any funds in addition to his or her wages or gratuities (such as when a family member or friend sends a check to the inmate directly through the mail or the inmate wins a monetary lawsuit) then the additional funds are subject to the same 55 percent deduction as those inmates working in Class I Industries.

Summary of Bill:

The DOC is required to deduct an additional five percent from the gross wages or gratuities of each inmate working in a correctional industries work program if such inmate has been convicted of a sex offense. The funds collected must be deposited in the public safety and education account to be distributed to the offender's victim of sexual assault in the form of crime victims' compensation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.