
**Public Safety & Emergency Preparedness
Committee**

HB 1121

Brief Description: Prohibiting public funds from being used to provide purchases by offenders who are incarcerated.

Sponsors: Representatives Pearson, Hurst, Kristiansen and McCune.

Brief Summary of Bill

- Prohibits public funds from being used to purchase personal goods at a state correctional facility for or on behalf of an inmate.

Hearing Date: 1/18/11

Staff: Yvonne Walker (786-7841).

Background:

Under the Washington Administrative Code, all offenders incarcerated within a Department of Corrections (DOC) facility are responsible for the acquisition and replenishment of personal hygiene items after the initial issuance of those items at the reception center. "Personal hygiene items" consist of items directed towards a particular individual, which are used to promote or preserve that individual's health and to contribute to the prevention of disease or infection.

Initial issuance of personal hygiene items includes the DOC issuance of the following items to offenders: bath soap, toothbrush, toothpaste, razor, comb or hair pick, shampoo, deodorant, and state issued sanitary napkins (for female offenders on an as needed basis).

Non-indigent offenders who have sufficient money must purchase personal hygiene items through their facility commissary program. Those offenders meeting the definition of indigent offenders cannot be denied access to personal hygiene items in terms of both initial acquisition and later replenishment. An "indigent offender" is defined as an offender who has less than a

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\$10 balance of disposable income in his or her institutional account on the day the request is made to use funds or during the 30 days previous to the request.

The "replenishment" of offender personal hygiene items is in accordance with the DOC's established usage factors for personal hygiene items. Generally, the guideline usage for each personal hygiene item is as follows:

- bath soap - seven days per bar;
- toothbrush - 60 days;
- toothpaste - 30 days;
- razor - five days;
- comb - 60 days; and
- hair pick - 180 days.

The DOC's replenishment of personal hygiene items must be issued to those offenders meeting the definition of indigent and those offenders that do not have sufficient money available. If a non-indigent offender does not have sufficient money for a single item issue, any money available will be deducted and a debt established for the balance and collected in accordance with the offender financial debt collection procedure.

Summary of Bill:

Public funds may not be used for any purchases of personal goods at a store located within a state prison for or on behalf of an offender residing at that prison. This prohibition includes funds used as a subsidy, direct payment, extension of credit, or some other form of consideration for the purchase of such personal goods.

Appropriation: None.

Fiscal Note: Requested on January 12, 2011.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.