

# SENATE BILL REPORT

## HB 1334

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As of March 8, 2011

**Title:** An act relating to civil judgments for assault.

**Brief Description:** Authorizing civil judgments for assault.

**Sponsors:** Representatives Nealey, Hurst, Walsh, Johnson, Klippert, Haler, Rodne, Bailey, Short, Dammeier, Pearson, McCune, Warnick, Hinkle, Kelley, Orcutt, Chandler, Rivers, Ross, Schmick and Smith.

**Brief History:** Passed House: 2/22/11, 93-1.

**Committee Activity:** Human Services & Corrections: 3/08/11.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Kevin Black (786-7747)

**Background:** The Department of Corrections (DOC) deducts funds from amounts deposited in inmate accounts. Deposits are classified as Class I gross wages, or Class II through IV gross gratuities. Currently, only gross gratuities are available to offenders in Washington. The nature and amount of the deduction taken varies depending on the classification of the deposit. By way of illustration, the following deductions are taken from Class II gross gratuity deposits:

- 5 percent to the state general fund;
- 10 percent to an inmate personal savings account;
- 15 percent to DOC for cost of incarceration;
- 20 percent for legal financial obligations; and
- 15 percent for any child support owed pursuant to court order.

In addition, similar deductions are taken from all other types of deposits made to inmate accounts, which may total up to 75 percent of the deposit.

**Summary of Bill:** An additional deduction from deposits into a DOC inmate account is added for payment of monetary damages pursuant to a civil judgment of assault awarded to a DOC employee who has been assaulted by the offender associated with the inmate account. The deduction is 20 percent from gross wages, 15 percent from any gross gratuities, and 20 percent from all other deposits.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** None.

**Persons Testifying:** No one.