

# FINAL BILL REPORT

## ESB 5907

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Synopsis as Enacted

**Brief Description:** Implementing the policy recommendations resulting from the national institute of corrections review of prison safety.

**Sponsors:** Senators Kohl-Welles, Holmquist Newbry, Kline, Hewitt, Keiser, King, Regala, Conway, Carrell and Hargrove; by request of Governor Gregoire.

**Senate Committee on Labor, Commerce & Consumer Protection**

**Senate Committee on Ways & Means**

**House Committee on Ways & Means**

**Background:** The Washington Department of Corrections (Department) submitted a request for the national Institute of Corrections to conduct an independent review of Monroe Correctional Complex (MCC)/Washington State Reformatory (WSR) into pertinent systems, policies, and procedures relative to the death of Correctional Officer Jayme Biendl. The report contains 15 recommendations relating to changing systems, policies, practices, protocol, and technology within MCC/WRS.

**Summary:** Statewide and Local Security Advisory Committees. The Department must establish a statewide security advisory committee (Committee) to review the department's security-related policies and procedures. The Committee must be comprised of a wide range of institutional staff, some of who must be custody staff, including:

- the director of prisons;
- a nonsupervisory classified employee and/or sergeant from each local advisory committee of a major facility and one nonsupervisory classified employee and/or sergeant repetitive from a minimum facility;
- the senior-ranking security custody staff member from each security facility and a senior ranking custody staff member from a minimum correctional facility;
- a senior ranking community corrections officer; and
- a delegate from the union that represents department employees located at correctional facilities.

The Committee must:

1. Make recommendations to the Secretary of Corrections on the methods to provide consistent application of the security policies and procedures; and
2. Develop guidelines to establish local security advisory committees (local committee) for each correctional facility within the Department. The chair of each local committee must

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be the captain at a major facility and the lieutenant at a minimum security facility. The local committee should consist of a wide range of nonsupervisory classified employees and/or sergeants from the facility, such as medical staff; class counselors; program staff; and mental health staff.

The Department must report back to the Governor and the appropriate committees of the Legislature by November 1, 2011, and annually thereafter. The report must include:

- recommendations raised by both the statewide and local security advisory committees;
- recommendations for improving the ability of nonsupervisory classified employees to provide input on safety concerns including labor and industries mandated safety committees, and the inclusion of safety issues in collective bargaining;
- actions taken by the Department as a result of recommendations by the statewide security advisory committee; and
- recommendations for additional resources or legislation to address security concerns in total confinement correctional facilities.

The Department must also report to the Governor and the appropriate committees of the Legislature by November 1, 2011, on issues related to safety within community corrections. The Department is required to engage employees from all levels of the community corrections division in preparing the report.

Multidisciplinary Teams. The Department must establish multidisciplinary teams (Teams) at each correctional facility to evaluate offenders' placements in inmate job assignments and custody promotions. The Teams at each facility must determine suitable placement based on the offender's risk, behavior, or other factors considered by the team. The Teams must be comprised of representatives from a wide range of nonsupervisory classified employees and/or sergeants from the facility, such as medical staff, class counselors, program staff, and mental health staff.

Training Curriculum. The Department must develop training curriculum regarding staff safety issues at correctional facilities in consultation with both the statewide security and local advisory committees. The training must be delivered to applicable correctional staff in-service by July 1, 2012. The training curriculum must address the following issues:

- security routines;
- physical plant layout;
- offender movement and program areas coverage; and
- situational awareness and de-escalation techniques.

Body Alarms and Proximity Cards. The Department must hire a consultant to study the feasibility of implementing a statewide system for staff safety, utilizing body alarms and proximity alarms for staff within correctional facilities. The consultant must seek the input from both the statewide and local security advisory committees. The Department must report the consultant's findings and recommendations to the Governor and appropriate committees of the Legislature by November 1, 2011. The report must include:

- recommendations for the use of body alarms by security level personnel;
- recommendations for specific positions that should require the use of body alarms;

- the information technological and infrastructure requirements needed for body alarms and proximity cards;
- the training requirements for body alarms;
- lessons learned from any pilot project the Department may implement in the interim; and
- the estimated costs of the alarms and proximity cards and needed supporting infrastructure, staffing, and training requirements.

The Department may pilot the use of body alarms and proximity cards within available resources.

Video Monitoring Cameras. The Department must hire a consultant to study and make recommendations on the deployment of video monitoring cameras. The consultant must seek the input from both the statewide and local security advisory committees. The Department must report the findings and recommendations to the Governor and the appropriate committees of the Legislature by November 1, 2011. The report must include:

- recommendations for the use of video monitoring cameras by security level;
- recommendations for specific locations within a correctional facility which would benefit from the use of video monitoring cameras;
- the information technological and infrastructure requirements needed for effective use of video monitoring cameras;
- recommendations for how video monitoring cameras should be incorporated into future prison construction to insure consistency in camera use system-wide; and
- the estimated cost of the video monitoring cameras, supporting infrastructure needed, and staffing required by the correctional facility.

Oleoresin Capsicum Aerosol Products. The Department must develop a plan for the use of oleoresin capsicum aerosol products, also known as pepper spray, as a security measure available for staff at correctional facilities in consultation with the statewide and local security advisory committees. The plan must include recommendations regarding which facility's use should be limited to, what the training requirements should be, the estimated costs, and an implementation schedule. The Department must report its plan, including costs, to the Governor and appropriate committees of the Legislature by November 1, 2011.

The Department may initiate a pilot project, within available funds, to expand the deployment of oleoresin capsicum aerosol products within correctional facilities.

**Votes on Final Passage:**

Senate	49	0
House	97	0

**Effective:** July 22, 2011.