
SUBSTITUTE HOUSE BILL 2036

State of Washington

62nd Legislature

2011 Regular Session

By House Public Safety & Emergency Preparedness (originally sponsored by Representatives Pearson, Hurst, McCune, Warnick, Haler, Angel, Kelley, Kristiansen, Chandler, Schmick, Alexander, and Johnson; by request of Governor Gregoire)

READ FIRST TIME 04/01/11.

1 AN ACT Relating to implementing the policy recommendations
2 resulting from the national institute of corrections review of prison
3 safety; adding new sections to chapter 72.09 RCW; and creating a new
4 section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 promote safe state correctional facilities. Following the tragic
8 murder of officer Jayme Biendl, the governor and department of
9 corrections requested the national institute of corrections to review
10 safety procedures at the Monroe reformatory. While the report found
11 the Monroe reformatory is a safe institution, it recommends changes
12 that would enhance safety. The legislature recognizes that operating
13 safe institutions requires ongoing efforts including collective
14 bargaining to address areas where improvements can be made to enhance
15 the safety of state correctional facilities. This act addresses ways
16 to increase safety at state correctional facilities and implements
17 changes recommended in the report of the national institute of
18 corrections.

1 NEW SECTION. **Sec. 2.** (1) The department shall establish a
2 statewide security advisory committee to conduct comprehensive reviews
3 of the department's total confinement security-related policies and
4 procedures.

5 (2) The statewide security advisory committee shall make
6 recommendations to the secretary regarding methods to provide
7 consistent application of the policies and procedures regarding
8 security issues in total confinement correctional facilities.

9 (3) The statewide security advisory committee shall include a
10 balance of institutional staff including, but not limited to, custody
11 staff. At a minimum, the statewide security advisory committee shall
12 include:

13 (a) The director of prisons or his or her designee;

14 (b) A nonsupervisory classified employee and/or sergeant from each
15 local advisory committee of a major facility and one nonsupervisory
16 classified employee and/or sergeant representative from a minimum
17 facility;

18 (c) A senior-ranking security custody staff member from each major
19 correctional facility and a senior-ranking custody staff member from a
20 minimum correctional facility;

21 (d) A senior ranking community corrections officer; and

22 (e) A delegate from the union that represents department employees
23 located at correctional facilities.

24 (4) The statewide security advisory committee shall develop
25 guidelines to establish local security advisory committees for each
26 total confinement correctional facility within the department. The
27 chair of each local security advisory committee shall be the captain at
28 a major facility and the lieutenant at a minimum security facility.
29 The local security advisory committee should consist of a wide range of
30 nonsupervisory classified employees and/or sergeants from the facility,
31 such as medical staff, class counselors, program staff, and mental
32 health staff.

33 (5) The department shall report back to the governor and
34 appropriate committees of the legislature by November 1, 2011, and
35 annually thereafter. The report shall include:

36 (a) Recommendations raised by either the statewide or local
37 security advisory committees;

1 (b) Actions taken by the department as a result of recommendations
2 by the statewide security advisory committee; and

3 (c) Recommendations for additional resources or legislation to
4 address security concerns in total confinement correctional facilities.

5 NEW SECTION. **Sec. 3.** (1) The department shall establish
6 multidisciplinary teams at each total confinement correctional facility
7 that will evaluate offenders' placements in inmate job assignments and
8 custody promotions. The teams at each facility shall determine
9 suitable placements based on the offender's risk, behavior, or other
10 factors considered by the team.

11 (2) At a minimum, each team shall have representation from a wide
12 range of nonsupervisory classified employees and sergeants from the
13 facility, such as medical staff, class counselors, program staff, and
14 mental health staff.

15 NEW SECTION. **Sec. 4.** (1) The department shall develop training
16 curriculum regarding staff safety issues at total confinement
17 correctional facilities. At a minimum, the training shall address the
18 following issues:

- 19 (a) Security routines;
- 20 (b) Physical plant layout;
- 21 (c) Offender movement and program area coverage; and
- 22 (d) Situational awareness and de-escalation techniques.

23 (2) The department shall seek the input of both the statewide
24 security and local advisory committees in developing the curriculum.

25 (3) The department shall deliver such training to applicable
26 correctional staff at in-service training by July 1, 2012.

27 NEW SECTION. **Sec. 5.** (1) The department may pilot the use of body
28 alarms and proximity cards within available resources.

29 (2) The department shall hire a consultant to study the feasibility
30 of implementing a statewide system for staff safety, utilizing body
31 alarms and proximity cards for staff within the department's total
32 confinement correctional facilities and report findings and
33 recommendations to the governor and appropriate committees of the
34 legislature by November 1, 2011. At a minimum, the report shall
35 include:

- 1 (a) Recommendations for the use of body alarms by security level;
2 (b) Recommendations for specific positions that should require the
3 use of body alarms;
4 (c) The information technological and infrastructure requirements
5 needed for body alarms and proximity cards;
6 (d) The training requirements for body alarms;
7 (e) Lessons learned from any pilot project the department may
8 implement in the interim;
9 (f) The estimated cost of the alarms and proximity cards and needed
10 supporting infrastructure, staffing, and training requirements.
11 (3) The consultant shall seek the input of both the statewide and
12 local security advisory committees in preparing his or her report.

13 NEW SECTION. **Sec. 6.** (1) The department shall hire a consultant
14 to study the deployment of video monitoring cameras within the
15 department to make recommendations regarding statewide standards for
16 the positioning and use of video monitoring cameras in total
17 confinement correctional facilities and report findings and
18 recommendations to the governor and appropriate committees of the
19 legislature by November 1, 2011. At a minimum, the report shall
20 include:

- 21 (a) Recommendations for the use of video monitoring cameras by
22 security level;
23 (b) Recommendations for specific locations within a total
24 confinement correctional facility which would benefit from the use of
25 video monitoring cameras;
26 (c) The information technological and infrastructure requirements
27 needed for effective use of video monitoring cameras;
28 (d) Recommendations for how video monitoring cameras would best be
29 deployed in current total confinement correctional facilities;
30 (e) Recommendations about how video monitoring cameras should be
31 incorporated into future prison construction to insure consistency in
32 camera use system-wide;
33 (f) The estimated cost of the video monitoring cameras, supporting
34 infrastructure needed, and staffing required by the total confinement
35 correctional facility.
36 (2) The consultant shall seek the input of both the statewide and
37 local security advisory committees in preparing his or her report.

1 NEW SECTION. **Sec. 7.** (1) The department shall develop a
2 comprehensive plan for the use of oleoresin capsicum aerosol products,
3 commonly referred to as pepper spray, as a security measure available
4 for staff at total confinement correctional facilities.

5 (2) The department may initiate a pilot project, within available
6 funds, to expand the deployment of oleoresin capsicum aerosol products
7 within total confinement correctional facilities.

8 (3) The department's plan for the deployment of oleoresin capsicum
9 aerosol products to staff shall include findings, if any, from the
10 pilot project, recommendations regarding which facility's use should be
11 limited to, what the training requirements should be, the estimated
12 costs, and an implementation schedule.

13 (4) The department shall seek the input of both the statewide and
14 local security advisory committees in developing its plan.

15 (5) The department shall report its plan, including costs, to the
16 governor and appropriate committees of the legislature by November 1,
17 2011.

18 NEW SECTION. **Sec. 8.** Sections 2 through 7 of this act are each
19 added to chapter 72.09 RCW.

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