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HOUSE BILL 2036

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State of Washington

62nd Legislature

2011 Regular Session

By Representatives Pearson, Hurst, McCune, Warnick, Haler, Angel, Kelley, Kristiansen, Chandler, Schmick, Alexander, and Johnson; by request of Governor Gregoire

Read first time 03/25/11. Referred to Committee on Public Safety & Emergency Preparedness.

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 to address areas where  
14 improvements can be made to enhance the safety of state correctional  
15 facilities. This act implements changes recommended in the report of  
16 the national institute of corrections.

17 NEW SECTION. **Sec. 2.** (1) The department shall establish a

1 statewide security advisory committee to conduct comprehensive reviews  
2 of the department's total confinement security-related policies and  
3 procedures.

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

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

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

13 (b) Two correctional officers: One from a minimum security  
14 facility and one from a major facility;

15 (c) The senior-ranking security custody staff member from each  
16 total confinement correctional facility.

17 (4) The statewide security advisory committee shall develop  
18 guidelines to establish local security advisory committees for each  
19 total confinement correctional facility within the department. The  
20 chair of each local security advisory committee shall be the captain at  
21 a major facility and the lieutenant at a minimum security facility.  
22 The local security advisory committee should consist of a wide range of  
23 staff from the facility, to include medical staff, class counselors,  
24 program staff, and mental health staff.

25 (5) The department shall report back to the governor and  
26 appropriate committees of the legislature by November 1, 2011:

27 (a) The issues raised by members of the statewide security advisory  
28 committee;

29 (b) Actions taken by the department as a result of recommendations  
30 by the statewide security advisory committee;

31 (c) Recommendations, if any, for additional resources or  
32 legislation to address security concerns in total confinement  
33 correctional facilities.

34 NEW SECTION. **Sec. 3.** (1) The department shall establish  
35 multidisciplinary teams at each total confinement correctional facility  
36 that will evaluate offenders' placements in inmate job assignments and

1 custody promotions. The teams at each facility shall determine  
2 suitable placements based on the offender's risk, behavior, or other  
3 factors considered by the team.

4 (2) At a minimum, each team shall have representation from mental  
5 health staff, program staff, correctional industries, if applicable to  
6 the individual facility, and custody staff.

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

- 11 (a) Security routines;
- 12 (b) Physical plant layout;
- 13 (c) Offender movement and program area coverage; and
- 14 (d) Situational awareness and de-escalation techniques.

15 (2) The department shall deliver such training to applicable  
16 correctional staff by July 1, 2012.

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

19 (2) The department shall hire a consultant to study the feasibility  
20 of implementing a statewide system for staff safety, utilizing body  
21 alarms and proximity cards for staff within the department's total  
22 confinement correctional facilities and report findings and  
23 recommendations to the governor and appropriate committees of the  
24 legislature by November 1, 2011. At a minimum, the report shall  
25 include:

- 26 (a) Recommendations for the use of body alarms by security level;
- 27 (b) Recommendations for specific positions that should require the  
28 use of body alarms;
- 29 (c) The information technological and infrastructure requirements  
30 needed for body alarms and proximity cards;
- 31 (d) The training requirements for body alarms;
- 32 (e) Lessons learned from any pilot project the department may  
33 implement in the interim;
- 34 (f) The estimated cost of the alarms and proximity cards and needed  
35 supporting infrastructure, staffing, and training requirements.

1 (3) The consultant shall seek the input of the statewide security  
2 advisory committee in preparing its report.

3 NEW SECTION. **Sec. 6.** (1) The department shall hire a consultant  
4 to study the deployment of video monitoring cameras within the  
5 department to make recommendations regarding statewide standards for  
6 the positioning and use of video monitoring cameras in total  
7 confinement correctional facilities and report findings and  
8 recommendations to the governor and appropriate committees of the  
9 legislature by November 1, 2011. At a minimum, the report shall  
10 include:

11 (a) Recommendations for the use of video monitoring cameras by  
12 security level;

13 (b) Recommendations for specific locations within a total  
14 confinement correctional facility which would benefit from the use of  
15 video monitoring cameras;

16 (c) The information technological and infrastructure requirements  
17 needed for effective use of video monitoring cameras;

18 (d) Recommendations for how video monitoring cameras would best be  
19 deployed in current total confinement correctional facilities;

20 (e) Recommendations about how video monitoring cameras should be  
21 incorporated into future prison construction to insure consistency in  
22 camera use system-wide;

23 (f) The estimated cost of the video monitoring cameras, supporting  
24 infrastructure needed, and staffing required by the total confinement  
25 correctional facility.

26 (2) The consultant shall seek the input of the statewide security  
27 advisory committee in preparing its report.

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

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

35 (3) The department's plan for the deployment of oleoresin capsicum  
36 aerosol products to staff shall include findings, if any, from the

1 pilot project, recommendations regarding which facility's use should be  
2 limited to, what the training requirements should be, the estimated  
3 costs, and an implementation schedule.

4 (4) The department shall seek the input of the statewide security  
5 advisory committee in developing its plan.

6 (5) The department shall report its plan, including costs, to the  
7 governor and appropriate committees of the legislature by November 1,  
8 2011.

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

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