

HOUSE BILL REPORT

HB 1429

As Reported by House Committee On:

Public Safety
Appropriations

Title: An act relating to inmate postsecondary education degree programs to reduce recidivism.

Brief Description: Addressing the implementation of inmate postsecondary education degree programs to reduce recidivism.

Sponsors: Representatives Seaquist, Roberts, Pollet, Goodman, Takko, Walsh, Maxwell, Hunter, Appleton, Kagi, Bergquist, Santos, Freeman and Jinkins.

Brief History:

Committee Activity:

Public Safety: 2/20/13, 2/21/13 [DPS];

Appropriations: 2/28/13 [DPS(PS)].

Brief Summary of Substitute Bill

- Eliminates the statutory provision that prohibits the Department of Corrections (DOC) from paying for postsecondary education.
- Authorizes the DOC to implement postsecondary education degree programs within available resources.
- Provides that an inmate may be selected to participate in a state-funded postsecondary education degree program, based on priority determined by the DOC.

HOUSE COMMITTEE ON PUBLIC SAFETY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Appleton, Moscoso, Pettigrew and Takko.

Minority Report: Do not pass. Signed by 4 members: Representatives Hayes, Assistant Ranking Minority Member; Holy, Hope and Ross.

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.

Staff: Yvonne Walker (786-7841).

Background:

In 1995 the Legislature enacted Second Engrossed Second Substitute House Bill 2010, requiring the Department of Corrections (DOC) to prioritize resources for education. Under statute, the DOC was required, to the extent possible and considering available funds, to prioritize its resources to meet the goals for incarcerated inmates. The agency had to prioritize its goals in the following order:

- achievement of basic academic skills through obtaining a high school diploma or its equivalent and achievement of vocational skills necessary for purposes of work programs and for an inmate to qualify for work upon release;
- additional work and education programs based on assessments and placements; and
- other work and education programs as appropriate.

Many years later, pursuant to the enactment of Engrossed Substitute Senate Bill 6157 in 2007, the Legislature required the DOC to reprioritize its resources to meet the following goals for inmates in the following specific order:

- achievement of basic academic skills through obtaining a high school diploma or its equivalent;
- achievement of vocational skills necessary for purposes of work programs and for an inmate to qualify for work upon release;
- additional work and education programs necessary for compliance with an offender's individual re-entry plan; and
- any other appropriate vocational, work, or education programs that are not necessary for compliance with an offender's individual re-entry plan.

The DOC was explicitly prohibited from paying for postsecondary education. Any inmate expressing interest in postsecondary courses must self-pay for the costs of a postsecondary education degree program or by receiving funding from a third party.

The DOC has developed a process for offenders interested in participating in self-paid postsecondary academic, vocational, and theology programs through correspondence education involving an educational course or series of classes necessary to obtain or achieve a proficiency standard. Courses are completed through the mail with an accredited educational institution that meets all criteria necessary to gain accreditation recognized by the U.S. Department of Education and the Council for Higher Education Accreditation, or one of the approved accrediting commissions or councils listed in the DOCs policy.

Summary of Substitute Bill:

Recognizing that there is a positive correlation between education opportunities and reduced recidivism, it is the intent of the Legislature to offer appropriate postsecondary opportunities to inmates.

The statutory provision that explicitly prohibits the DOC from paying for postsecondary education is eliminated.

The DOC may implement postsecondary education degree programs within available resources. An inmate may be selected to participate in a state-funded postsecondary education degree program, based on priority criteria determined by the DOC. An inmate not meeting the DOC's priority criteria for the state-funded postsecondary education degree program must pay the costs for participation in a postsecondary education degree program if he or she elects to participate in the program. The inmate may pay through self-pay by paying for the program himself or herself or may receive funding from a third party.

Substitute Bill Compared to Original Bill:

The substitute bill restores the original language to current law that requires (instead of authorizes) the DOC to pay for the cost of programming, including but not limited to books, materials, supplies, and postage costs for correspondence courses, as it relates to basic education skills, vocation, and work and education programs that are necessary for compliance with an offender's re-entry plan.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Current law prohibits the DOC from providing college education. Some ask why prisoners should receive a college education. The primary reason is because Washington has committed to evidence-based practices. Research shows that higher education is the single most effective means of reducing recidivism. The Washington Institute for Public Policy's study has shown that education provides the best return for taxpayers. The second reason is because associate's and bachelor's degrees are the new high school diplomas. Statistics show having a bachelor's degree is the first time a person will exceed the median income. The third reason is that college courses can be provided to offenders with almost no cost to taxpayers. The University Behind Bars program uses volunteer faculty members from area colleges and universities to teach classes and inmates receive credit.

We know that education for incarcerated offenders interrupts generational poverty, reduces recidivism, and increases wage progression. Statistics show that of those that start at the bottom of the income ladder, 45 percent remain there if they do not have a college degree.

Re-entry starts the day a person enters prison. The opportunities that a person is afforded, possibly through the poor choices that a person may have made, has a great deal with a

person's ability to plan for the future. By allowing offenders to enter an education program at the beginning of his or her incarceration, it helps to occupy their time, helps them to explore some opportunities that they probably would not have otherwise had, and helps to expand their knowledge and how they think.

For many offenders, education provides a way out of the criminal life. The postsecondary educational programs at the women's prison in Purdy are limited, but some of the women that participate in the program are able to participate in Toastmasters, improve their writing skills, and learn how to take care of their basic needs. When an offender is released from prison, walking onto a college campus can be intimidating but having the opportunity to participate in postsecondary education courses during incarceration can help offenders transition to the next level of matriculating to a university or college once they are released. Education can change one's life, gives a person a purpose, and helps an ex-offender want to give back to the community.

The Associates of Arts degree at the Washington penitentiary started with a grant in 2008. They started with 45 students the first year and today it has increased to 360 offenders. They have had 123 graduates, 22 of them are now released, and 12 of those are continuing their education and are currently enrolled in college. Postsecondary degree programs give these offenders hope and self-confidence knowing that they can take care of themselves and their families. Education is a strong part of the DOCs program for offenders.

(Opposed) None.

Persons Testifying: Representative Seaquist, prime sponsor; Carol Estes, University Beyond Bars; Jacquie Armstrong, State Board for Community & Technical Colleges; Kevin Miller, Washington State University of Vancouver; Gina McConnell, Seattle Community College; Joe Small, Walla Walla Community College; and Bernie Warner, Department of Corrections.

Persons Signed In To Testify But Not Testifying: Felix D'Allesandro; Gary Idleburg, University Behind Bars; and Tanya Erzen, University of Puget Sound Tacoma.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle, Dunshee, Green, Haigh, Hudgins, Hunt, Jinkins, Kagi, Maxwell, Morrell, Pedersen, Pettigrew, Seaquist, Springer and Sullivan.

Minority Report: Do not pass. Signed by 14 members: Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Cody, Dahlquist, Fagan, Haler, Harris, Parker, Pike, Ross, Schmick and Taylor.

Staff: Alex MacBain (786-7288).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Public Safety:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The Department of Corrections (DOC) is not requesting any new funds for this policy change. The DOC will re-examine the funding spent on adult basic education and vocational education and may, on a limited basis, provide funds for postsecondary education programs. Education programs are an investment in public safety. Studies by the Washington State Institute for Public Policy have shown that for every dollar spent on education there is a benefit of \$19 in terms of reductions to recidivism and victimization. Ninety-five percent of offenders incarcerated will be released and a third of those released will recidivate. Providing additional educational opportunities will help offenders successfully re-integrate into their communities once released.

(Opposed) None.

Persons Testifying: Bernie Warner, Department of Corrections; and Steven Aldrich, Friends Committee on Washington Public Policy.

Persons Signed In To Testify But Not Testifying: None.