

# HOUSE BILL REPORT

## HB 1704

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**As Passed House:**  
March 10, 2015

**Title:** An act relating to enhancing public safety and reducing recidivism through postsecondary education.

**Brief Description:** Enhancing public safety and reducing recidivism through postsecondary education.

**Sponsors:** Representatives Pettigrew, Haler, Reykdal, Zeiger, Tarleton, Sells, Pollet, Klippert, Appleton, Goodman, Santos, Fey and Hudgins.

**Brief History:**

**Committee Activity:**

Higher Education: 2/11/15, 2/13/15 [DP];  
Appropriations: 2/25/15, 2/26/15 [DP].

**Floor Activity:**

Passed House: 3/10/15, 70-27.

**Brief Summary of Bill**

- Eliminates the statutory provision that prohibits the Department of Corrections (DOC) from using state funds to pay for postsecondary education programs.
- Adjusts statutory provisions related to providing postsecondary degree programs to inmates.
- Adds technical college programs to the list of higher education institutions that may be considered for offering postsecondary education degree programs.
- Provides that an inmate may be selected to participate in a postsecondary education degree program based on priority determined by the DOC.
- Requires the DOC, in coordination with the State Board for Community and Technical Colleges, to submit an annual evaluation to the Office of Financial Management and the Legislature.

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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.*

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## HOUSE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** Do pass. Signed by 12 members: Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist, Gregory, Hargrove, Holy, Reykdal, Stambaugh, Tarleton and Van Werven.

**Staff:** Megan Mulvihill (786-7304).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 22 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle, Cody, Dunshee, Fagan, Hansen, Hudgins, S. Hunt, Jinkins, Kagi, Lytton, MacEwen, Magendanz, Pettigrew, Sawyer, Senn, Springer, Sullivan, Tharinger, Van Werven and Walkinshaw.

**Minority Report:** Do not pass. Signed by 10 members: Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Condotta, Dent, Haler, G. Hunt, Schmick and Taylor.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Stokesbary.

**Staff:** Catrina Lucero (786-7192).

### **Background:**

Legislation enacted in 1995 required that the Department of Corrections (DOC) prioritize resources for education. The DOC was required, to the extent possible and considering available funds, to prioritize its resources to meet certain goals for inmates. The agency was also required to prioritize its goals in the following order: (1) 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; (2) additional work and education programs based on assessments and placements; and (3) other work and education programs as appropriate.

In 2007 legislation was enacted that required the DOC to reprioritize its resources to meet the goals for inmates in the following order: (1) achievement of basic academic skills through obtaining a high school diploma or its equivalent; (2) achievement of vocational skills necessary for purposes of work programs and for an inmate to qualify for work upon release; (3) additional work and education programs necessary for compliance with an offender's individual re-entry plan; and (4) 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 that expressed interest in postsecondary courses was required to self-pay or receive funding from a third party to cover the costs of a postsecondary education degree program.

The DOC has developed a process for offenders interested in participating in self-paid postsecondary academic, vocational, and theology programs through correspondence education. Correspondence education is a method of providing educational courses, or a series of classes, necessary to obtain or achieve a proficiency standard by mailing lessons and exercises through the mail. Courses must be through an accredited educational institution, recognized by the U.S. Department of Education, the Council for Higher Education Accreditation, or one of the approved accrediting commissions or councils listed in the DOC's policy.

**Summary of Bill:**

The DOC is permitted to implement postsecondary education degree programs.

The DOC must consider any postsecondary education degree program from an accredited community or technical college, college, or university that is part of an associate of arts, baccalaureate, master of arts, or other graduate degree program.

An inmate may be selected to participate in a 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 the inmate elects to participate in the program. The inmate may pay for the program through self-pay or may receive funding from a third party.

By December 1, 2015, and by December 1 annually, the DOC, in coordination with the State Board for Community and Technical Colleges, must submit a report to the Office of Financial Management and the appropriate fiscal and policy committees of the Legislature that evaluate the DOC's postsecondary education program. The evaluation must include the criteria established by the DOC for offender participation in the postsecondary education program, progress made implementing the program, and outcome data measuring the impacts of the program.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony (Higher Education):**

(In support) There are a number of people who get out of prison and want to redeem themselves, contribute to society, and support their family. This bill allows the DOC to offer postsecondary education. It is a smart-on-crime type of legislation. Postsecondary education works to reduce recidivism and enhance public safety.

There is a clear connection to employment outcomes and postsecondary education. Ninety-seven percent of those in corrections will be rejoining their community. These people have a

large hurdle to overcome in terms of gaining employment. Fifty percent of those who are not successful at securing employment upon release were back in the system within five years. For those who were able to get employment, only 7 percent recidivated. The odds of obtaining work for those who completed postsecondary training was 13 percent higher.

Years ago a person could get away with a high school diploma and make a good living. Any job now that pays a living wage or is a trade requires some sort of additional training beyond high school. People who commit a crime need to pay, but when they have served their time and are released back into the community, they need to have a chance. Without any education, these people are set up for failure and are put on the same cycle of seeing crime as the only option.

Correctional facilities are allowed to offer some vocational training, but some inmates do not want to learn a trade. They want an associate's degree. Postsecondary education in prison can help spur a passion for education and put people on a new path. It can also change the culture of the prison. Prisons that offer postsecondary education have reduced incidents of violence.

This bill helps align with the state's educational attainment goals by increasing the number of people with postsecondary credentials. It is also good for the state's economy. Postsecondary education for inmates has a high rate of return, and it is cost-effective.

(Opposed) None.

**Staff Summary of Public Testimony (Appropriations):**

(In support) Having a postsecondary education is the first step to ensuring that returning offenders can positively reintegrate into their communities and support their families. It also reduces the likelihood that they will reoffend. This bill has no fiscal impact. Research indicates that correctional education reduces recidivism by 30 percent which leads to lower law enforcement and correctional costs. The need for an educated workforce is increasing. The postsecondary education authorized by this bill will help provide returning offenders with the skills they need to find gainful employment. Ninety-seven percent of prisoners are released at some point. Two-thirds of those will return because they do not have the skills necessary to reintegrate into their communities. The RAND Corporation conducted a study in which they found that education in prison decreased recidivism by 43 percent.

(Opposed) None.

**Persons Testifying (Higher Education):** Representative Pettigrew, prime sponsor; Reverend Lawrence Willis, United Black Christian Clergy; Luke Robins, Peninsula College; Loretta Taylor, Walla Walla Community College; Eric Flint; Keri Waterland, Department of Corrections; Maddy Thompson, Washington Student Achievement Council; Tanya Erzen, Freedom Education Project Puget Sound; Stacey Reeh, University Beyond Bars; Nova Gattman, Workforce Training and Education Coordinating Board; and Paul Benz, Faith Action Network.

**Persons Testifying** (Appropriations): Representative Pettigrew, prime sponsor; Brian Walsh, State Board for Community and Technical Colleges; and Steven Aldrich, Friends Committee on Washington Public Policy.

**Persons Signed In To Testify But Not Testifying** (Higher Education): None.

**Persons Signed In To Testify But Not Testifying** (Appropriations): None.