

# SENATE BILL REPORT

## HB 1704

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As of March 27, 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:** Passed House: 3/10/15, 70-27.  
**Committee Activity:** Law & Justice: 3/24/15.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Lindsay Erickson (786-7465)

**Background:** Under current law, the Department of Corrections (DOC) is required, to the extent possible and considering available funds, to prioritize its resources to meet educational goals for inmates in the following order: (1) achievement of basic academic skills through obtaining a high school diploma or its equivalent certificate; (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.

DOC is 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 pay by receiving funding from a third party.

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

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U.S. Department of Education and the Council for Higher Education Accreditation, or one of the approved accrediting commissions or councils listed in DOC's policy.

The Rand Corporation completed a meta-analysis, sponsored by the U.S. Department of Justice, on the effectiveness of correctional education in 2013. After examining the higher-quality research studies, they found that, on average, inmates who participated in correctional education programs had a 43 percent lower probability of recidivating than inmates who did not. They found notable effects across all levels of education, from adult basic education and General Education Development programs to postsecondary and vocational education programs. The Washington State Institute for Public Policy also analyzed the effectiveness of correctional education and determined that basic and postsecondary educational programming returns \$20.13 for every dollar spent and vocational education returns \$13.21 for every dollar spent. The studies are not specific enough to separate out the effect on recidivism and cost effectiveness of postsecondary education on its own.

**Summary of Bill:** DOC is permitted to implement postsecondary education degree programs.

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, masters 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 DOC. An inmate not meeting 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, 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 DOC's postsecondary education program. The evaluation must include the criteria established by 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.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill helps to repair the lives of the inmates and reduce recidivism. This is a good way for offenders to gain meaningful employment upon reentry into the community. Inmates currently have the opportunity to

pursue basic education and one year certificate programs, but we need to offer options that reflect real world opportunities. An AA degree is essential for jobs now. This would not cut back on basic education, such as GEDs. Currently, there are private funds being used in one of the state facilities in eastern Washington. The success rate has been high for those who have completed their AA degrees. There is no fiscal impact. The state and DOC has the funding already, they just need the ability to use a portion of it for the higher education programs for inmates. The colleges will work within the existing contract they maintain with DOC. The current DOC infrastructure can provide these additional educational services in a cost-effective manner. The inmates do not leave the correctional facility to participate in the courses. Higher education programs are already looking at ways to reduce their tuition so that more inmates may participate. The current program is partnered with nine community colleges. For every \$1 the state spends on education in correctional facilities, it receives a \$20 return. There is a high demand in Washington for a skilled workforce. This bill can help to fill in the gaps we have in the workforce and will help employees to have faith in themselves. This bill is not related to correctional industries and would not impact the drug and alcohol treatment that DOC currently provides. When determining which inmates can participate, DOC focuses on those who are closest to release. Ninety-seven percent of inmates will be joining the community again at some point.

**Persons Testifying:** PRO: Representative Pettigrew, prime sponsor; Bernie Warner, Secretary, DOC; Ari Kuhn, Gina McConnell, Joseph Jensen, Post-Prison Education Program; Peter Heymann, Alliance for Public Safety; Alex Hur, Statewide Poverty Action Network; Nova Gattman, Workforce Board; Luke Robins, Peninsula College; Sarah Sytsma, Tacoma Community College; John Carlisle, Allegiance Staffing; David Murley, Spokane Community College; Rev. Amy Hessel, Faith Action Network; Maddy Thompson, WA Student Achievement Council; Steven Aldrich, Friends Committee on WA Public Policy; Amy Anderson, Assn. of WA Business.

**Persons Signed in to Testify But Not Testifying:** PRO: Dan Pacholke, DOC.