

# SENATE BILL REPORT

## SB 5650

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As Passed Senate, March 4, 2015

**Title:** An act relating to inmate funds subject to deductions.

**Brief Description:** Modifying provisions governing inmate funds subject to deductions.

**Sponsors:** Senators Padden, Darneille, Pearson and Kohl-Welles; by request of Department of Corrections.

**Brief History:**

**Committee Activity:** Law & Justice: 2/05/15, 2/17/15, 2/18/15 [DP].

Passed Senate: 3/04/15, 46-2.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille, Kohl-Welles, Pearson and Roach.

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

**Background:** When an inmate receives any funds in addition to the inmate's wages or gratuities, those funds are subject to the following deductions:

- 5 percent to the crime victims' compensation account;
- 10 percent to a Department of Corrections personal inmate savings account;
- 20 percent for payment of legal financial obligations for all inmates who have legal financial obligations owing in any Washington State superior court;
- 20 percent for any child support owed under a support order;
- 20 percent to the Department of Corrections to contribute to the cost of incarceration;
- and
- 20 percent for payment of any civil judgment for assault for all inmates who are subject to a civil judgment for assault in any Washington State court or federal court.

When an inmate receives any funds from a settlement or award resulting from a legal action, those additional funds are also subject to deductions. Money received for postage expenses and money received for educational programs are not subject to deductions.

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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.*

**Summary of Bill:** Any money received by the Department of Corrections on behalf of an inmate from family or other outside sources for the payment of certain medical expenses is not subject to deductions. This money may only be used for the payment of medical expenses associated with the purchase of over-the-counter medications and offender copayments. Funds received specifically for these purposes may not be transferred to any other account or purpose. Money that remains unused in the inmate's medical fund at the time of release is subject to deductions.

**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: When families send money to loved ones who are incarcerated, a dollar is not always worth a dollar. Deduction rates for incoming funds may be as high as 95 percent. Medical copays of \$4 are a new expense to inmates and they are currently subject to deductions. The existing Department of Corrections medical subaccount should be expanded to allow for this money to be received for inmates and not subject to deductions.

**Persons Testifying:** PRO: Julie Tackett, Dept. of Corrections Family Council.