

SENATE BILL REPORT

SB 5069

As Reported by Senate Committee On:
Law & Justice, February 8, 2017

Title: An act relating to providing associate degree education to enhance education opportunities and public safety.

Brief Description: Providing associate degree education to enhance education opportunities and public safety.

Sponsors: Senators Walsh, Frockt, O'Ban, Zeiger, Chase, Hasegawa, Conway and Palumbo; by request of State Board for Community and Technical Colleges.

Brief History:

Committee Activity: Law & Justice: 1/31/17, 2/08/17 [DPS].

Brief Summary of Substitute Bill

- Authorizes the Department of Corrections to implement associate degree education programs at state correctional institutions to provide inmates with an associate workforce degree designed to prepare the inmate to enter the workforce.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5069 be substituted therefor, and the substitute bill do pass.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Angel, Darneille, Frockt and Wilson.

Staff: Shani Bauer (786-7468)

Background: Under current law, the Department of Corrections (DOC) is required, to the extent possible and considering all 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

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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 has historically been prohibited from paying for postsecondary education. Any inmate expressing interest in postsecondary courses was required to self-pay for the costs of a postsecondary education degree program or pay by receiving funding from a third party. The Legislature authorized inmates to participate in a state-funded postsecondary education degree program during the 2015-2017 fiscal biennium based on the following conditions:

- priority should be given to inmates within five years of release;
- the inmate does not already have a postsecondary degree;
- the inmate's individual re-entry plan includes participation in a postsecondary education degree program that is offered at the inmate's state correctional institutions and approved by DOC.

DOC contracts with community colleges to provide basic education and job training at each of the state's 12 adult prisons. According to the Washington State Board for Community and Technical Colleges, the average Washington offender scores at an eighth-grade level or lower in basic literacy skills such as reading and math. Sixty percent are unemployed and seventy-five percent lack job skills and vocational training.

In 2014–15, there were 9194 offenders who participated in community college programs in Washington. These students earned:

- 240 GED certificates;
- 2043 vocational certificates; and
- 36 associate degrees—no state funding was used.

Community colleges offer a variety of associate degrees. Some degrees are specifically targeted to prepare a person for employment in a particular segment of the workforce. These degrees may have a variety of designations, including an associate of applied science, associate of technology, or associate of technical arts.

A 2015 update by the Washington State Institute for Public Policy found that for every dollar invested in correctional education programs, \$18.40 is saved from fewer crimes and incarcerations. 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: The bill as referred to committee not considered.

Summary of Bill (First Substitute): The college board may authorize any board of trustees to promote and conduct associate degree education and training of incarcerated adults through new or expanded partnerships between the community and technical colleges and DOC.

DOC is authorized to implement associate degree education programs at state correctional institutions to provide inmates with an associate workforce degree designed to prepare the inmate to enter the workforce. Inmates shall be selected to participate in the program based on priority criteria and the following conditions:

- priority should be given to inmates within five years of release;
- the inmate does not already have a postsecondary degree;
- the inmate's individual re-entry plan includes participation in an associate degree program that is offered at the inmate's state correctional institution, approved by DOC, and limited to an associate workforce degree.

Inmates not meeting the priority criteria shall be required to pay the costs for participation in a postsecondary education degree program. Inmates sentenced to life without the possibility of release, or sentenced to death may not participate in the state-funded associate degree education program.

EFFECT OF CHANGES MADE BY LAW & JUSTICE COMMITTEE (First Substitute):

- Adds language to the intent section to clarify that no additional funding will be provided to DOC for associate degree education and DOC must incorporate associate degree education into its available educational and vocational opportunities for offenders within existing funds set aside for that purpose.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Proposed Substitute: *The committee recommended a different version of the bill than what was heard.* PRO: This bill recognizes the importance of making sure that persons returning to society have marketable skills and can obtain employment in order to prevent them from recidivating. It further works toward the notable goal of reducing recidivism by arming inmates with education and marketable skills for when they get out. People who are incarcerated generally have a very high ACE score (Adverse Childhood Experience) and had a rough time growing up. Education gives people a second chance. This is the right thing to do. Education is the key to success and hope for people in prison. DOC has a lot of programs to help people reentering society with their basic needs, but we should be helping people attain their goals.

WA has become one of the finest education programs for offenders in the United States and awards over twice the national average for GED's per 1000 inmates. Programs in Washington are made possible through the partnership with SBCTC and faculty that provide education. In partnership with the SBCTC, DOC has done unique things in getting donations from third parties and inmates paying for education themselves. The goal of corrections education is to improve literacy and skills of inmates so that when they are released they can obtain employment and become law abiding citizens. Education also engages inmates and reduces violence in prison. This bill allows DOC to move forward in offering a statewide system of education.

The changes in the proposed substitute hopefully take into account the concerns from last year. Funding for the program is within existing funds. DOC currently has two buckets—vocational training and basic education. Because the bill focuses on workforce degrees, DOC can use vocational funds. Due to the success of the GED program and the reduced need for basic education, some basic education funds can be transferred to the associate degree program. This bill will allow the program to transition from one year certificates to associate workforce degrees. Earning and employment prospects increase with more training. Research also indicates students are unlikely to earn a certificate and then come back to college later on. Once we have students enrolled, we want to keep them as long as possible because they are not likely to come back. Only 10 percent of inmates leaving prison enroll in college within four years after release.

Walla Walla Community College offers nine different vocational education programs. These are very valuable, but some students could exceed far better with an option to have an applied associate degree. In many circumstances, a student would only need to complete two additional quarters of coursework in order to attain a degree. The college already has the infrastructure, equipment, and curriculum. Currently, the program has been operating with grant funding. 141 inmates have graduated with a postsecondary degree. Only 11 of those have returned to prison after four years. This is a significant reduction in recidivism. Passage of the bill would allow the use of existing resources to expand vocational pathways for students, including vocations such as welding, aerospace, HVAC, business management, carpentry, and auto mechanics.

A student who obtained his certificate in auto mechanics while incarcerated was rejected at over 50 jobs at automotive shops after release. A lack of training was cited as the reason for not hiring and direct competition with Green River Community College graduates who have a two year degree. He was finally able to obtain a job with a Chevrolet dealership and take GM classes offered through the dealership. He is now the highest trained technician with the dealership and a master certified technician. He is a tax paying citizen and has been able to pay his debt from his crimes. This would not have been possible without the education he received while in prison. Few men and women getting out of prison have the hope and determination to get turned down 50 times. This bill would allow others to achieve the same result with less struggle.

Persons Testifying: PRO: Senator Maureen Walsh, Prime Sponsor; Michael Clarke, Clover Park Technical College; Mike Paris, DOC; Brian Walsh, State Board of Community and Technical Colleges; Loretta Taylor, Walla Walla Community College; Erik Harestad, former student; Paul Benz, Faith Action Network.

Persons Signed In To Testify But Not Testifying: No one.