

SENATE BILL REPORT

SB 5433

As of March 1, 2019

Title: An act relating to providing postsecondary education opportunities to enhance public safety.

Brief Description: Providing postsecondary education opportunities to enhance public safety.

Sponsors: Senators Wilson, C., Nguyen, Das, Darneille, Dhingra, Hasegawa, Kuderer and Saldaña.

Brief History:

Committee Activity: Human Services, Reentry & Rehabilitation: 1/22/19, 1/29/19 [DPS-WM].

Ways & Means: 2/14/19.

Brief Summary of First Substitute Bill

- Clarifies the Legislature's intent to support the use of secure Internet connections expressly for the purposes of furthering postsecondary education degree opportunities and training of incarcerated adults.
- Allows the Department of Corrections (DOC) and the State Board of Community and Technical Colleges (SBCTC) to conduct and offer appropriate postsecondary education degree programs.
- Clarifies that all incarcerated adults are eligible to receive a postsecondary education degree, regardless of sentence type or length of incarceration.
- Requires DOC, the SBCTC, and the Office of the Chief Information Officer to submit a report to the Governor and the appropriate committees of the Legislature by December 1, 2019, outlining the barriers and costs associated with, as well as a plan for implementing secure Internet connections for the purpose of postsecondary education and training of incarcerated individuals.
- Prohibits implementation of a secure internet connection for postsecondary educational opportunities until after the report is received and reviewed by the Legislature.

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.

SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

Majority Report: That Substitute Senate Bill No. 5433 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland, O'Ban, Wilson, C. and Zeiger.

Staff: Keri Waterland (786-7490)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Travis Sugarman (786-7446)

Background: DOC contracts with the SBCTC to provide basic education and job training within each of the state's 12 adult prisons. Each adult prison offers adult basic education programs, which provide foundational education in reading, writing, math, and the English language, including general education development preparation programs. Several of these adult prisons also offer High School 21+, a competency-based high school diploma program. With High School 21+, students can earn high school credits by proving they have mastered required subjects through past education or life experience. Students then take classes to fill in the gaps and earn a high school diploma. Job-search and anger management courses are also available at every prison.

In 2017, the Legislature expanded educational opportunities in the state prison system to include associate degree programs. Under this law, education opportunities in the state prison system are limited to basic adult education, associate degree programs, and vocational training. Incarcerated adults sentenced to life without parole, the death penalty, or who are deportable aliens are excluded from earning an associate degree. DOC must prioritize its resources to meet goals for inmates that relate to obtaining basic adult educational skills, vocational skills, and programs that are in compliance with an offender's individual reentry plan. DOC is prohibited from using its base appropriation for any postsecondary education degree program other than an associate degree or vocational training.

Summary of Bill (First Substitute): The SBCTC may authorize any community or technical college to promote and conduct postsecondary education degree opportunities and training for incarcerated adults through new or expanded partnerships between the SBCTC and DOC. Statutes are amended to allow postsecondary education degree programs for inmates in the state prison system within existing appropriations. DOC may implement postsecondary education degree programs at any state correctional institution. Incarcerated adults sentenced to life without parole, the death penalty, or who are deportable aliens are allowed to receive a postsecondary degree in an education program offered by DOC.

Inmates that do not meet DOC's priority criteria for the state-funded postsecondary degree program are required to pay the costs for participation in a postsecondary degree program. DOC may select inmates to participate in the state-funded postsecondary education degree programs, based on priority criteria in which the following conditions may be considered:

- have less than five years before release;
- do not already have a postsecondary education degree; and

- the offender's individual reentry plan includes participation in a postsecondary education degree program.

DOC, the SBCTC, and the Office of the Chief Information Officer must submit a report to the Governor and the Legislature by December 1, 2019, outlining a plan for implementing secure Internet connections inside of correctional institutions. The report must contain the barriers and costs associated with implementing secure Internet connections. DOC may not implement a secure internet connection for post-secondary educational opportunities until after the report is received and reviewed by the Legislature.

EFFECT OF CHANGES MADE BY HUMAN SERVICES, REENTRY & REHABILITATION COMMITTEE (First Substitute):

- Prohibits implementation of a secure internet connection for post-secondary educational opportunities until after the report is received and reviewed by the Legislature.

Appropriation: None.

Fiscal Note: Requested on January 14, 2019.

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 Original Bill (Human Services, Reentry & Rehabilitation): *The committee recommended a different version of the bill than what was heard.* PRO: The school to prison pipeline gets a lot of attention, but we do not talk about those incarcerated already. Education is the great equalizer and this bill would allow for this opportunity. I have a family member who did not have access to education and this has led to many issues and decreased opportunities to become a contributing member of society. Education made me who I am today and now I have a high paying job and am providing for my family. This bill helps support a program that has been shown to reduce recidivism. Supportive of the secure internet connections which allows for students to finish their testing and certifications prior to release from the institution.

OTHER: Concern is that additional funding is needed without negatively impacting other students.

Persons Testifying (Human Services, Reentry & Rehabilitation): PRO: Senator Claire Wilson, Prime Sponsor; Patricia Seibert-Love, State Board for Community and Technical Colleges; Erik Harestad, citizen.

OTHER: Sarah Sytsma, Education Services Administrator, Department of Corrections.

Persons Signed In To Testify But Not Testifying (Human Services, Reentry & Rehabilitation): No one.

Staff Summary of Public Testimony on First Substitute (Ways & Means): PRO: We know post-secondary opportunities during incarceration reduces risk of recidivism and provides greater opportunity for employment. DOC is concerned if this bill is enacted without additional funding it will be very difficult to add additional post-secondary education opportunities and difficult to implement a secured Internet system. Secure Internet is a critical need for current students, current vocational courses, and certifications as they are no longer accessible by pencil and paper. Prior to release, students need to test for industry certifications and start applying for work. This year placement testing to determine student levels for competency in math and reading will only be done through the Internet. The Internet is already needed today and we are doing the workarounds. Offenders involved in some kind of programming is critical. Idleness issues increase tension and opportunities for programming help manage the population.

Persons Testifying (Ways & Means): PRO: Paul Benz, Faith Action Network; Loretta Taylor, DOC; Pat Love, State Board for Community and Technical Colleges; Luke Robbins, Peninsula College.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.