

SENATE BILL REPORT

SB 5409

As Reported by Senate Committee On:
Human Services, February 12, 2025

Title: An act relating to a pilot program creating a healthier environment for correctional officers, department of corrections staff, and individuals within a correctional facility.

Brief Description: Concerning a pilot program creating a healthier environment for correctional officers, department of corrections staff, and individuals within a correctional facility.

Sponsors: Senators Wilson, C., Boehnke, Hasegawa, Nobles, Saldaña and Trudeau.

Brief History:

Committee Activity: Human Services: 2/04/25, 2/12/25 [DP-WM, w/oRec].

Brief Summary of Bill

- Requires the Department of Corrections (DOC) to establish a four-year pilot program at the Washington State Penitentiary East Complex to improve communication between correctional officers, DOC staff, and incarcerated individuals and reduce recidivism.
- Requires the DOC to select contact officers, train correctional officers on dynamic security tactics, and initiate appropriate improvement efforts as part of the pilot program.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass and be referred to Committee on Ways & Means.
Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Orwall.

Minority Report: That it be referred without recommendation.
Signed by Senators Christian, Ranking Member; Warnick.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Kelsey-anne Fung (786-7479)

Background: Department of Corrections. The Department of Corrections (DOC) operates and manages 11 state correctional facilities. There are nine facilities serving males and two facilities serving females. DOC also operates 11 reentry centers, formerly known as work release facilities.

Washington Way. The Washington Way Program is a partnership between DOC and Amend at the University of California San Francisco to bring a health-focused approach to transforming correctional culture within Washington's prison facilities and reentry centers with an emphasis on increasing staff wellness while working to better support and prepare incarcerated individuals and residents for their return to society. Amend primarily partners with Norwegian Correctional System but also partners with prison services in Iceland, Sweden, Scotland, Ireland, and England to adapt global best practices aimed at reducing harm in United States prisons. Per DOC, research shows that United States prisons often negatively impact the physical and mental health of both incarcerated individuals and correctional staff, and the Washington Way aims to change this trend by fostering a positive and healthy organizational culture that supports rehabilitative and successful reintegration into society.

Dynamic Security. According to DOC, the Washington Way principles include three types of security, normalization, and progression. Static security consists of the physical aspects of a prison, like walls, doors, and uniforms. Organizational security involves routines, shift plans, and daily procedures that ensure consistency and predictability. Dynamic security is the frequent, respectful communication between correctional staff and residents, and involves building professional relationships with residents and being invested in their success, motivating positive behavior while maintaining professional boundaries.

Normalization. Normalization means that life inside prison should resemble life outside of prison as much as possible. A more normal daily environment helps a resident prepare for reentry and creates a healthier workplace for staff. Each incarcerated person serves their sentence at the lowest appropriate security level, with everyone working to foster a supportive and healthy environment, which can include improving living and working conditions or creating innovative programs that allow residents to practice being a positive, responsible member of their community.

Progression. Progression ensures that incarcerated individuals understand the steps needed to achieve success during their time in prison. Individuals can earn trust, privileges, and greater responsibilities, such as jobs, education, and mentorship, that contribute to the community. For staff, progression provides meaningful opportunities to engage with motivated incarcerated individuals who are working towards positive change.

Summary of Bill: DOC must establish a four-year pilot program at the Washington State Penitentiary East Complex with the goals of improved communication between correctional

officers, department staff, and incarcerated individuals, and reducing recidivism.

DOC must select contact officers to act as mentors and coaches to encourage prosocial behaviors and provide advice, direction, and support to incarcerated individuals. DOC must train correctional officers in the pilot on dynamic security tactics to improve the relationship between incarcerated individuals and correctional staff. Certain officers may also receive specialized competency-based, programmatic training in individual and team-based crisis de-escalation.

DOC must initiate appropriate improvement efforts so the work environment for correctional officers, including staff decompression rooms, and life while incarcerated resembles life in the community to the highest extent possible. Improvement efforts may include painting and planting programs.

The secretary of DOC must adopt rules and policies necessary to implement the requirements of the bill.

By December 1st each year, DOC must submit a report to the Governor and Legislature on:

- the number of correctional officers, department staff, and incarcerated individuals participating in the pilot and a summary of improvement projects undertaken;
- patterns and any effects on behaviors and participation by correctional officers, department staff, and incarcerated individuals;
- differential outcomes for pilot participants and individuals not participating in the pilot; and
- recidivism outcomes for incarcerated individuals who participated in the pilot, including arrests, charges, and convictions.

The act expires June 30, 2030.

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: PRO: The living environment of people who are incarcerated at DOC is also a working environment for people who are working at DOC. Programs that recognize that success for people incarcerated will also translate to a more positive environment for frontline staff. Programs that attempt to achieve both of these goals will improve outcomes for the incarcerated and provide support for correctional officers so they can live healthier, longer lives.

This bill will establish and make the state the first to formally adopt the contact officer model, which is transformative. It trains and empowers corrections staff to be meaningful coaches and mentors in their daily work. Contact officers receive training on dynamic security tactics to develop professional relationships with residents in their care, which improves prison safety and staff while helping successful reintegration. The Washington Way in restrictive housing units have helped dramatically increase meaningful out-of-cell time and transition individuals into less restrictive housing, but the contact officer model differs in that it proactively works in the general population to prevent issues before they arise.

The Washington Way incorporates best practices from Norway where the principle belief is that people go to court to be punished and people go to prison to become better neighbors. The Washington Way has trained over 2000 staff in eight prisons and 11 reentry centers. The United States used to lead the world in rehabilitation until the Sentencing Reform Act, and this bill will reinstate rehabilitation as an ideal to aspire to in the criminal legal system. It is important for people who are directly impacted to have a seat at the table for what rehabilitation looks like, including the Amend model.

Mentors and coaches encourage prosocial behaviors, provide advice and direction, and support residents to change their lives for the better. A contact officer works with a small number of individuals to support their success and prevent problems before they arise. They work with individuals who need additional support when first entering prison, when they are transitioning between custody levels, and when they are working towards progressing back to the community. The positive interactions and interventions of the contact officer model support progression of incarcerated individuals and promotes positive interactions for staff, allowing them to leave the day in a healthier mental state.

The east complex houses up to 550 minimum custody individuals who are within 6 years of release. When it was built in 1886, it was the site for the original high security facility, and when it switched to minimum custody in 2012, the physical layout did not change. There are concrete walls that show the design was focused on a punitive experience, creating a negative, depressing impact on officers and the incarcerated. Painting and hanging flower baskets, while a small change, had a positive impact. With more resources, it can begin to transform into a healthy and thriving prison community.

OTHER: This bill will not help address the acute and immediate needs of staff not being met by DOC. It is unclear how small pilots inside a broader institution will create the kind of cultural change envisioned. Given some of the challenges in the penitentiary, it is unclear whether this is the best place to start the next pilot. There is a facility age and a failure to invest in the infrastructure necessary to actually roll out programs in prisons. There are a lot of concerns about the Washington Way in that these are staff intensive programs that require relationship building, which means more people are needed per incarcerated individual than the state will ever be willing to fund. There are other policies that will contribute to the health of corrections staff and dollars should be prioritized there.

Persons Testifying: PRO: Senator Claire Wilson, Prime Sponsor; Jacob Schmitt, Just Us Solutions, LLC; Kelsey Engstrom, Amend at UCSF; Charles Anderson, Department of Corrections; Courtney Grubb, Department of Corrections; Raymond Williams, Just Us Solutions.

OTHER: Brenda Wiest, Teamsters Local 117.

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