
HOUSE BILL 1615

State of Washington

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By Representatives Backlund, McMorris, Carrell, Sherstad, Lambert, L. Thomas, Blanton, Campbell, Benton, Cooke, Smith, Mulliken, Hargrove, Costa and Kessler

Read first time 02/01/95. Referred to Committee on Corrections.

1 AN ACT Relating to deductions from inmate wages; and amending RCW
2 72.09.111.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 72.09.111 and 1994 sp.s. c 7 s 534 are each amended to
5 read as follows:

6 (1) The secretary shall deduct from the gross wages or gratuities
7 of each inmate working in correctional industries work programs, taxes
8 and legal financial obligations. The secretary shall develop a formula
9 for the distribution of offender wages and gratuities.

10 (a) The formula shall include the following minimum deductions from
11 class I gross wages and from all others earning at least minimum wage:

12 (i) (~~Five~~) Ten percent to the public safety and education account
13 for the purpose of crime victims' compensation;

14 (ii) Ten percent to a department personal inmate savings account;
15 and

16 (iii) Twenty percent to the department to contribute to the cost of
17 incarceration.

18 (b) The formula shall include the following minimum deductions from
19 class II gross gratuities:

1 (i) (~~Five~~) Ten percent to the public safety and education account
2 for the purpose of crime victims' compensation;

3 (ii) Ten percent to a department personal inmate savings account;
4 and

5 (iii) Fifteen percent to the department to contribute to the cost
6 of incarceration.

7 (c) The formula shall include the following minimum deduction from
8 class IV gross gratuities:

9 (i) Ten percent to the public safety and education account for the
10 purpose of crime victims' compensation; and

11 (ii) Five percent to the department to contribute to the cost of
12 incarceration.

13 (d) The formula shall include the following minimum deductions from
14 class III gratuities: (~~Five~~) Ten percent to the public safety and
15 education account for the purpose of crime victims' compensation.

16 Any person sentenced to life imprisonment without possibility of
17 release or parole under chapter 10.95 RCW shall be exempt from the
18 requirement under (a)(ii) or (b)(ii) of this subsection.

19 The department personal inmate savings account, together with any
20 accrued interest, shall only be available to an inmate at the time of
21 his or her release from confinement, unless the secretary determines
22 that an emergency exists for the inmate, at which time the funds can be
23 made available to the inmate in an amount determined by the secretary.
24 The management of classes I, II, and IV correctional industries may
25 establish an incentive payment for offender workers based on
26 productivity criteria. This incentive shall be paid separately from
27 the hourly wage/gratuity rate and shall not be subject to the specified
28 deduction for cost of incarceration.

29 In the event that the offender worker's wages or gratuity is
30 subject to garnishment for support enforcement, the crime victims'
31 compensation, savings, and cost of incarceration deductions shall be
32 calculated on the net wages after taxes, legal financial obligations,
33 and garnishment.

34 (2) The department shall explore other methods of recovering a
35 portion of the cost of the inmate's incarceration and for encouraging
36 participation in work programs, including development of incentive
37 programs that offer inmates benefits and amenities paid for only from
38 wages earned while working in a correctional industries work program.

1 (3) The department shall develop the necessary administrative
2 structure to recover inmates' wages and keep records of the amount
3 inmates pay for the costs of incarceration and amenities. All funds
4 deducted from inmate wages under subsection (1) of this section for the
5 purpose of contributions to the cost of incarceration shall be
6 deposited in a dedicated fund with the department and shall be used
7 only for the purpose of enhancing and maintaining correctional
8 industries work programs until December 31, 2000, and thereafter all
9 such funds shall be deposited in the general fund.

10 (4) The expansion of inmate employment in class I and class II
11 correctional industries shall be implemented according to the following
12 schedule:

13 (a) Not later than June 30, 1995, the secretary shall achieve a net
14 increase of at least two hundred in the number of inmates employed in
15 class I or class II correctional industries work programs above the
16 number so employed on June 30, 1994;

17 (b) Not later than June 30, 1996, the secretary shall achieve a net
18 increase of at least four hundred in the number of inmates employed in
19 class I or class II correctional industries work programs above the
20 number so employed on June 30, 1994;

21 (c) Not later than June 30, 1997, the secretary shall achieve a net
22 increase of at least six hundred in the number of inmates employed in
23 class I or class II correctional industries work programs above the
24 number so employed on June 30, 1994;

25 (d) Not later than June 30, 1998, the secretary shall achieve a net
26 increase of at least nine hundred in the number of inmates employed in
27 class I or class II correctional industries work programs above the
28 number so employed on June 30, 1994;

29 (e) Not later than June 30, 1999, the secretary shall achieve a net
30 increase of at least one thousand two hundred in the number of inmates
31 employed in class I or class II correctional industries work programs
32 above the number so employed on June 30, 1994;

33 (f) Not later than June 30, 2000, the secretary shall achieve a net
34 increase of at least one thousand five hundred in the number of inmates
35 employed in class I or class II correctional industries work programs
36 above the number so employed on June 30, 1994.

1 (5) It shall be in the discretion of the secretary to apportion the
2 inmates between class I and class II depending on available contracts
3 and resources.

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