
HOUSE BILL 2023

State of Washington

57th Legislature

2001 Regular Session

By Representatives Kagi and Tokuda

Read first time 02/12/2001. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to offender participation in correctional
2 industries programs; and amending RCW 72.09.111.

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

4 **Sec. 1.** RCW 72.09.111 and 1999 c 325 s 2 are each amended to read
5 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 percent to the public safety and education account for the
13 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 percent to the public safety and education account for the
2 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: Five percent to the department to
9 contribute to the cost of incarceration.

10 (d) The formula shall include the following minimum deductions from
11 class III gratuities: Five percent for the purpose of crime victims'
12 compensation.

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

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

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

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

37 (3) The department shall develop the necessary administrative
38 structure to recover inmates' wages and keep records of the amount
39 inmates pay for the costs of incarceration and amenities. All funds

1 deducted from inmate wages under subsection (1) of this section for the
2 purpose of contributions to the cost of incarceration shall be
3 deposited in a dedicated fund with the department and shall be used
4 only for the purpose of enhancing and maintaining correctional
5 industries work programs.

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

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

13 (b) Not later than June 30, 1996, the secretary shall achieve a net
14 increase of at least four 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 (c) Not later than June 30, 1997, the secretary shall achieve a net
18 increase of at least six 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 (d) Not later than June 30, 1998, the secretary shall achieve a net
22 increase of at least nine 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 (e) Not later than June 30, 1999, the secretary shall achieve a net
26 increase of at least one thousand two hundred in the number of inmates
27 employed in class I or class II correctional industries work programs
28 above the number so employed on June 30, 1994;

29 (f) Not later than June 30, 2000, the secretary shall achieve a net
30 increase of at least one thousand five 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; and

33 (g) For the period June 30, 2000, through June 30, 2005, no fewer
34 than two thousand six hundred inmates shall be employed in class I or
35 class II correctional industries work programs. The number of inmates
36 employed in class I or class II correctional industries work programs
37 may be increased to the extent of available funding.

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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