

SB 5907 - S AMD 325

By Senators Kohl-Welles, Holmquist Newbry

ADOPTED 04/09/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
4 promote safe state correctional facilities. Following the tragic
5 murder of officer Jayme Biendl, the governor and department of
6 corrections requested the national institute of corrections to review
7 safety procedures at the Monroe reformatory. While the report found
8 the Monroe reformatory is a safe institution, it recommends changes
9 that would enhance safety. The legislature recognizes that operating
10 safe institutions requires ongoing efforts to address areas where
11 improvements can be made to enhance the safety of state correctional
12 facilities. This act addresses ways to increase safety at state
13 correctional facilities and implements changes recommended in the
14 report of the national institute of corrections.

15 NEW SECTION. **Sec. 2.** (1) The department shall establish a
16 statewide security advisory committee to conduct comprehensive reviews
17 of the department's total confinement security-related policies and
18 procedures.

19 (2) The statewide security advisory committee shall make
20 recommendations to the secretary regarding methods to provide
21 consistent application of the policies and procedures regarding
22 security issues in total confinement correctional facilities.

23 (3) The statewide security advisory committee shall include a
24 balance of institutional staff including, but not limited to, custody
25 staff. At a minimum, the statewide security advisory committee shall
26 include:

27 (a) The director of prisons or his or her designee;

28 (b) A nonsupervisory classified employee and/or sergeant from each

1 local advisory committee of a major facility and one nonsupervisory
2 classified employee and/or sergeant representative from a minimum
3 facility;

4 (c) A senior-ranking security custody staff member from each major
5 correctional facility and a senior-ranking custody staff member from a
6 minimum correctional facility;

7 (d) A senior-ranking community corrections officer; and

8 (e) A delegate from the union that represents department employees
9 located at correctional facilities.

10 (4) The statewide security advisory committee shall develop
11 guidelines to establish local security advisory committees for each
12 total confinement correctional facility within the department. The
13 chair of each local security advisory committee shall be the captain at
14 a major facility and the lieutenant at a minimum security facility.
15 The local security advisory committee should consist of a wide range of
16 nonsupervisory classified employees and/or sergeants from the facility,
17 such as medical staff, class counselors, program staff, and mental
18 health staff.

19 (5) The department shall report back to the governor and
20 appropriate committees of the legislature by November 1, 2011, and
21 annually thereafter. The report shall include:

22 (a) Recommendations raised by both the statewide and local security
23 advisory committees;

24 (b) Recommendations, if any, for improving the ability of
25 nonsupervisory classified employees to provide input on safety concerns
26 including labor and industries mandated safety committees and the
27 inclusion of safety issues in collective bargaining;

28 (c) Actions taken by the department as a result of recommendations
29 by the statewide and local security advisory committees; and

30 (d) Recommendations for additional resources or legislation to
31 address security concerns in total confinement correctional facilities.

32 (6) The department shall report back to the governor and the
33 appropriate committees of the legislature by November 1, 2011, on
34 issues related to safety within community corrections. The department
35 shall engage employees from all levels of the community corrections
36 division in preparing the report.

1 NEW SECTION. **Sec. 3.** (1) The department shall establish
2 multidisciplinary teams at each total confinement correctional facility
3 that will evaluate offenders' placements in inmate job assignments and
4 custody promotions. The teams at each facility shall determine
5 suitable placements based on the offender's risk, behavior, or other
6 factors considered by the team.

7 (2) At a minimum, each team shall have representation from a wide
8 range of nonsupervisory classified employees and/or sergeants from the
9 facility, such as medical staff, class counselors, program staff, and
10 mental health staff.

11 NEW SECTION. **Sec. 4.** (1) The department shall develop training
12 curriculum regarding staff safety issues at total confinement
13 correctional facilities. At a minimum, the training shall address the
14 following issues:

- 15 (a) Security routines;
- 16 (b) Physical plant layout;
- 17 (c) Offender movement and program area coverage; and
- 18 (d) Situational awareness and de-escalation techniques.

19 (2) The department shall seek the input of both the statewide
20 security and local advisory committees in developing the curriculum.

21 (3) The department shall deliver such training to applicable
22 correctional staff at in-service training by July 1, 2012.

23 NEW SECTION. **Sec. 5.** (1) The department may pilot the use of body
24 alarms and proximity cards within available resources.

25 (2) The department shall hire a consultant to study the feasibility
26 of implementing a statewide system for staff safety, utilizing body
27 alarms and proximity cards for staff within the department's total
28 confinement correctional facilities and report findings and
29 recommendations to the governor and appropriate committees of the
30 legislature by November 1, 2011. At a minimum, the report shall
31 include:

- 32 (a) Recommendations for the use of body alarms by security level;
- 33 (b) Recommendations for specific positions that should require the
34 use of body alarms;
- 35 (c) The information technological and infrastructure requirements
36 needed for body alarms and proximity cards;

1 (d) The training requirements for body alarms;

2 (e) Lessons learned from any pilot project the department may
3 implement in the interim;

4 (f) The estimated cost of the alarms and proximity cards and needed
5 supporting infrastructure, staffing, and training requirements.

6 (3) The consultant shall seek the input of both the statewide and
7 local security advisory committees in preparing his or her report.

8 NEW SECTION. **Sec. 6.** (1) The department shall hire a consultant
9 to study the deployment of video monitoring cameras within the
10 department to make recommendations regarding statewide standards for
11 the positioning and use of video monitoring cameras in total
12 confinement correctional facilities and report findings and
13 recommendations to the governor and appropriate committees of the
14 legislature by November 1, 2011. At a minimum, the report shall
15 include:

16 (a) Recommendations for the use of video monitoring cameras by
17 security level;

18 (b) Recommendations for specific locations within a total
19 confinement correctional facility which would benefit from the use of
20 video monitoring cameras;

21 (c) The information technological and infrastructure requirements
22 needed for effective use of video monitoring cameras;

23 (d) Recommendations for how video monitoring cameras would best be
24 deployed in current total confinement correctional facilities;

25 (e) Recommendations about how video monitoring cameras should be
26 incorporated into future prison construction to insure consistency in
27 camera use system-wide;

28 (f) The estimated cost of the video monitoring cameras, supporting
29 infrastructure needed, and staffing required by the total confinement
30 correctional facility.

31 (2) The consultant shall seek the input of both the statewide and
32 local security advisory committees in preparing his or her report.

33 NEW SECTION. **Sec. 7.** (1) The department shall develop a
34 comprehensive plan for the use of oleoresin capsicum aerosol products,
35 commonly referred to as pepper spray, as a security measure available
36 for staff at total confinement correctional facilities.

1 (2) The department may initiate a pilot project, within available
2 funds, to expand the deployment of oleoresin capsicum aerosol products
3 within total confinement correctional facilities.

4 (3) The department's plan for the deployment of oleoresin capsicum
5 aerosol products to staff shall include findings, if any, from the
6 pilot project, recommendations regarding which facility's use should be
7 limited to, what the training requirements should be, the estimated
8 costs, and an implementation schedule.

9 (4) The department shall seek the input of both the statewide and
10 local security advisory committees in developing its plan.

11 (5) The department shall report its plan, including costs, to the
12 governor and appropriate committees of the legislature by November 1,
13 2011.

14 NEW SECTION. **Sec. 8.** Sections 2 through 7 of this act are each
15 added to chapter 72.09 RCW."

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16 On page 1, line 3 of the title, after "safety;" strike the
17 remainder of the title and insert "adding new sections to chapter 72.09
18 RCW; and creating a new section."

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