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**Public Safety & Emergency Preparedness  
Committee**

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**HB 2036**

**Brief Description:** Implementing the policy recommendations resulting from the national institute of corrections review of prison safety.

**Sponsors:** Representatives Pearson, Hurst, McCune, Warnick, Haler, Angel, Kelley, Kristiansen, Chandler, Schmick, Alexander and Johnson; by request of Governor Gregoire.

**Brief Summary of Bill**

- Requires the Department of Corrections (DOC) to establish a Statewide Security Advisory Committee to provide a comprehensive review of the DOC's security policies and procedures within its prisons.
- Requires a Statewide Security Advisory Committee to develop guidelines for establishing a Local Security Advisory Committee for each DOC prison.
- Requires the DOC to establish a Multidisciplinary Team at each prison to evaluate offenders' placement in job assignments and custody promotions.
- Requires the DOC to develop a training curriculum relating to staff safety issues in prisons.
- Requires the DOC to study the feasibility of implementing a statewide system for utilizing body alarms and proximity cards for prison staff, deploying the use of video monitoring cameras in prisons, and using oleoresin capsicum aerosol products (pepper spray) as a security measure for prison staff.

**Hearing Date:** 3/30/11

**Staff:** Yvonne Walker (786-7841).

**Background:**

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*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.*

The Department of Corrections (DOC) submitted a request for the National Institute of Corrections to conduct an independent review of the Monroe Correctional Complex/Washington State Reformatory's policies and procedures relative to the death of a correctional officer (Correctional Officer Jayme Biendl) that occurred on January 29, 2011. The report was completed in March 2011 and identifies systems, policies, practices, protocols, and technology within the correctional facility that relates to the safety and security for staff and others within that facility.

A correctional officer is generally a person charged with the responsibility of the supervision, safety, and security of inmates in a prison, jail, or other form of a secure custody.

#### Body Alarms and Proximity Cards.

A body alarm is a personal alarm that may generally clip to one's waistband, belt, or can be carried inside a pocket or purse. When activated, the alarm sets off a loud sound to summon emergency assistance.

A proximity card includes a built-in reader element. When one of these cards is placed within several inches of a proximity reader, identifying information is read from the card and sent to a controller which will grant or deny access to the area or will provide the last known location of a person.

#### Pepper Spray.

Pepper spray, also known as OC spray ("Oleoresin Capsicum"), OC gas, and capsicum spray, is a lachrymatory agent (a chemical compound that irritates the eyes to cause tears, pain, and even temporary blindness) that is used in riot control, crowd control, and personal self-defense.

#### **Summary of Bill:**

##### Statewide Security Advisory Committee.

The DOC must establish a Statewide Security Advisory Committee (committee) to review the DOC's security policies and procedures within its prisons. The committee must include a wide range of institutional staff including but not limited to, custody staff. At a minimum, the committee must include:

- the director of prisons;
- two correctional officers, one from a minimum security facility and one from a major facility; and
- the senior-ranking security custody staff member from each prison.

The committee must: (1) develop guidelines for establishing a Local Security Advisory Committee for each DOC prison; and (2) make recommendations to the Secretary of the DOC regarding the ways to provide a consistent application of the security policies and procedures in the prison facilities.

The committee must report to the appropriate committees of the Legislature and the Governor by November 1, 2011, with the issues raised by the committee and the recommendations, if any, for additional resources or legislation needed to address security concerns in the prisons.

#### Local Security Advisory Committee.

Each Local Security Advisory Committee must consist of a wide range of staff from the facility, including medical staff, class counselors, program staff, and mental health staff. The captain at each major facility and the lieutenant at each minimum security facility must be the chair of its Local Security Advisory Committee.

#### Multidisciplinary Teams.

The DOC must establish a Multidisciplinary Team, consisting of mental health staff, program staff, applicable correctional industry staff, and custody staff, at each prison to evaluate offenders' placement in job assignments and custody promotions. Each team will be charged with determining suitable placements for offenders based on each offender's risk level, behavior, or other factors considered by the team.

#### Staff Training Curriculum.

The DOC must develop a training curriculum relating to staff safety issues at prisons. The training must address security routines, physical plant layouts, offender movement and program area coverage, and situational awareness and de-escalation techniques. The DOC must deliver the training to applicable correctional staff by July 1, 2012.

#### Body Alarms and Proximity Cards.

The DOC may, within available resources, pilot the use of body alarms and proximity cards. The DOC must hire a consultant to study the feasibility of implementing a statewide system for staff safety using body alarms and proximity cards for prison staff. At a minimum, the report must include: recommendations for the use of body alarms by security level; recommendations for specific positions that should require the use of body alarms; the technological and infrastructure requirements needed for body alarms and proximity cards; the training requirements for body alarms; lessons learned from any pilot project the DOC may implement; and the estimated cost for the alarms, proximity cards, and needed supporting infrastructure, staffing, and training requirements.

The consultant must seek the input of the committee in preparing its report. The consultant must report his or her findings to the appropriate committees of the Legislature and the Governor by November 1, 2011.

#### Video Monitoring Cameras.

The DOC must hire a consultant to study and make recommendations regarding the deployment of video monitoring cameras. In addition to studying the positioning and use of video monitoring cameras in prisons, the report must include recommendations regarding:

- the use of video monitoring cameras by security level;

- specific locations within a total confinement correctional facility which would benefit from the use of video monitoring cameras;
- the information technological and infrastructure requirements needed for effective use of video monitoring cameras;
- how video monitoring cameras would best be deployed in current total confinement correctional facilities;
- about how video monitoring cameras should be incorporated into future prison construction to insure consistency in camera use system-wide; and
- the estimated cost of the video monitoring cameras, supporting infrastructure needed, and staffing required by the total confinement correctional facility.

The consultant must seek the input of the committee in preparing its report. The report consisting of the committee's findings and recommendations must be submitted to the appropriate committees of the Legislature and the Governor by November 1, 2011.

#### Pepper Spray.

The DOC must develop a plan, in consultation with the committee, for the use of pepper spray (also known as oleoresin capsicum) as a security measure available to prison staff. The DOC may initiative a pilot project, within available resources, to expand the deployment of oleoresin capsicum aerosol products within prisons. The plan must include any findings from the pilot project, recommendations regarding limitations for the use of pepper spray, any necessary training, estimated costs, and an implementation schedule.

The DOC must report its recommendations, including costs, to the Legislature and the Governor by November 1, 2011.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.