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**SUBSTITUTE SENATE BILL 6790**

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**State of Washington**

**60th Legislature**

**2008 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens, Regala, Shin, Kline, and Kohl-Welles)

READ FIRST TIME 02/04/08.

1 AN ACT Relating to creating a pilot program for the education of  
2 inmates; amending RCW 72.09.465; adding new sections to chapter 72.09  
3 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** (1) The department shall establish a pilot  
6 program for the purpose of assessing the impact of inmate participation  
7 in two-year postsecondary education degree programs within state  
8 correctional institutions.

9 (2) The department shall select two state correctional institutions  
10 as sites for the pilot program no later than November 1, 2008. In  
11 selecting the pilot sites, priority shall be given to those state  
12 correctional institutions that have had contracts, within the previous  
13 two years, with an accredited community college to provide  
14 postsecondary educational services to inmates. The department shall  
15 consider for inclusion in the pilot program any two-year postsecondary  
16 education degree program from an accredited community college that is  
17 part of an associate of arts degree program or that is intended to  
18 provide the first two years of the equivalent of a baccalaureate degree  
19 program, provided that priority shall be given to those community

1 colleges that have demonstrated a history of contributing or  
2 demonstrates a future potential for contributing nonstate resources to  
3 the pilot program, such as volunteer staff.

4 (3) In selecting inmates to participate in the pilot program, the  
5 department shall select a representative sampling of inmates with  
6 varying risk levels and backgrounds in order to conduct a reliable and  
7 complete recidivism reduction analysis and shall further give priority  
8 to inmates:

9 (a) Whose individual reentry plan under RCW 72.09.270 includes  
10 postsecondary education degree program participation; and

11 (b) Whose remaining period of incarceration will be no less than  
12 two-years but no more than four years at the commencement of  
13 participation in the pilot program.

14 (4) The pilot program established by this section shall begin  
15 providing services by March 1, 2009, and shall extend for an additional  
16 period of four fiscal years, beginning July 1, 2009, and ending June  
17 30, 2012.

18 (5) Inmates shall not be required to pay the costs of participation  
19 in any two-year postsecondary education degree programs, including  
20 books, fees, tuition, or any other appropriate ancillary costs, if  
21 costs are incurred as a result of participating in the pilot program  
22 established under this section.

23 (6) The department may accept any and all donations and grants of  
24 money, equipment, supplies, materials, and services from any third  
25 party including, but not limited to, nonprofit entities, and may  
26 receive, utilize, and dispose of the same to provide postsecondary  
27 education to inmates participating in the pilot program established  
28 under this section. Any funds collected by the department under this  
29 subsection shall be used solely for the creation, maintenance, or  
30 expansion of inmate educational and vocational programs.

31 NEW SECTION. **Sec. 2.** (1) The Washington state institute for  
32 public policy shall evaluate the pilot program established under  
33 section 1 of this act and shall make a preliminary report to the  
34 governor and appropriate committees of the legislature by December 1,  
35 2015, and a final report by September 30, 2018.

36 (2) The evaluation of the pilot program shall include whether the  
37 pilot program:

- 1 (a) Is cost-effective;
- 2 (b) Results in better employment and income outcomes for inmates
- 3 participating in the program;
- 4 (c) Affects maintenance of stable housing in the community; and
- 5 (d) Impacts recidivism.

6 **Sec. 3.** RCW 72.09.465 and 2007 c 483 s 403 are each amended to  
7 read as follows:

8 (1) The department shall, if funds are appropriated for the  
9 specific purpose, implement postsecondary education degree programs  
10 within state correctional institutions, including the state  
11 correctional institution with the largest population of female inmates.  
12 The department shall consider for inclusion in any postsecondary  
13 education degree program, any postsecondary education degree program  
14 from an accredited community college, college, or university that is  
15 part of an associate of arts, baccalaureate, masters of arts, or other  
16 graduate degree program.

17 (2) Except as provided in subsection (3) of this section and  
18 section 1 of this act, inmates shall be required to pay the costs for  
19 participation in any postsecondary education degree programs  
20 established under this ((~~subsection~~—[~~section~~])) section, including  
21 books, fees, tuition, or any other appropriate ancillary costs, by one  
22 or more of the following means:

23 (a) The inmate who is participating in the postsecondary education  
24 degree program shall, during confinement, provide the required payment  
25 or payments to the department; or

26 (b) A third party shall provide the required payment or payments  
27 directly to the department on behalf of an inmate, and such payments  
28 shall not be subject to any of the deductions as provided in this  
29 chapter.

30 (3) The department may accept any and all donations and grants of  
31 money, equipment, supplies, materials, and services from any third  
32 party, including but not limited to nonprofit entities, and may  
33 receive, utilize, and dispose of same to provide postsecondary  
34 education to inmates.

35 (4) Any funds collected by the department under this section ((~~and~~  
36 ~~RCW 72.09.450(4)~~)) shall be used solely for the creation, maintenance,  
37 or expansion of inmate postsecondary education degree programs.

1        NEW SECTION.    **Sec. 4.**    Nothing in this act creates an entitlement  
2        for an inmate to receive services or funding under the pilot program  
3        established in this act, nor an obligation for the department to  
4        commence or maintain programs of higher education except as otherwise  
5        provided by law.

6        NEW SECTION.    **Sec. 5.**    If specific funding for the purposes of this  
7        act, referencing this act by bill or chapter number, is not provided by  
8        June 30, 2008, in the omnibus appropriations act, this act is null and  
9        void.

10       NEW SECTION.    **Sec. 6.**    Sections 1 and 2 of this act are each added  
11       to chapter 72.09 RCW.

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