CIVIL SURVIVAL

2023 Legislative Report

This is what **WE accomplished** *together.*

Dear Friends,

Another legislative session has wrapped and while there were losses, there were also wins and progress for our community. We will continue to work on the bills that did not pass this session, but it's important to highlight the bills that did pass as a result of the hard work by so many members of our community. Those bills are detailed here, as are elements of the budget that also impact the work that we do and that moves the issues near and dear to our hearts, **forward.**

It takes an engaged community to raise their voices and impact legislative change. Thank you to all who joined us in the fight this year.

With gratitude,

— Civil Survival Policy Team

HIGHLIGHTS

HB 1169 - LEGAL FINANCIAL OBLIGATIONS PASSED

SB 5134 - REENTRY SERVICES AND SUPPORTS PASSED

SB 5046 - POSTCONVICTION ACCESS TO COUNSEL PASSED

$180K ALLOCATED FOR VOTING IN JAILS

$7 MILLION ALLOCATED FOR PRISON WAGES

Legislative Accomplishments

HB 1169 - Legal Financial Obligations

HB 1169 eliminates the state's last remaining mandatory LFOs and requires courts to waive the Victim Penalty Assessment (VPA) for indigent individuals and eliminates the DNA collection fee and replaces those fees with alternative, reliable state funding sources. For youth, HB 1169 eliminates the mandatory VPA and DNA collection fee, as well as the remaining few, discretionary non-restitution fees, and makes past fees uncollectable.

SB 5134 - Reentry services and supports

SB 5134 changed the language for gate money allowance from a set $40 to "no less than $40", which allows for the gate money amount to be determined during the budget process each biennium, versus being a set dollar amount in the statute that cannot be increased without new legislation. The gate money upon release was increased in the budget to $300. In future years this amount can be adjusted in the budget without requiring new legislation.

SB 5046 - Postconviction access to counsel

SB 5046 expands the circumstances in which counsel may be appointed at state expense to include a first, timely personal restraint petition for indigent people incarcerated in a juvenile rehabilitation or adult correctional facility. Counsel may be appointed where the legislature has created an ability to petition a sentencing court, or when a final decision by an appellate court creates the ability to challenge a conviction or sentence. It further requires the Office of Public Defense to study the barriers to providing post conviction counsel to indigent people.

SB 5131 - Commissary funds

Any money sent to a person incarcerated in DOC from family or other outside sources for the purchase of commissary items is no longer subject to any deductions and may only be used for the purchase of commissary items.

HB 1324 - Juvenile points

A juvenile court adjudication may not be included in a defendant's offender score for the purpose of adult felony sentencing except for adjudications for murder in the first or second degree or a class A felony sex offense. Unfortunately, this bill was passed without retroactivity, which means those individuals currently serving sentences will not be eligible for relief under this bill. Advocates are committed to ensuring that the policy changes in 1324 apply to people who are currently incarcerated and will continue fighting for retroactivity during the next legislative session. People who are currently being harmed by this, now outdated, policy should not be left behind.

HB 1394 - Youth sex offenses

HB 1394 changes the registration requirements for youth who commit sex offenses to align with current scientific knowledge about youth and their development. The bill limits the requirement of registration for juveniles to a subset of crimes, it reduces the criminal classification of failure to register to a gross misdemeanor (rather than a felony), and reduces the length of time for which registration is required to two years, unless the person was 15 to 17 years of age who are required to register for a class A offense, in which case they are required to register for three years. The registration requirement extinguishes after the relevant time period without the need for a petition from the person.

Budget Accomplishments

$150k for LFO study

Funding is provided to study the types of legal financial obligations (LFO), total amount of LFOs collected, total amount of outstanding LFO debt, amount of LFOs that are uncollectible and to conduct LFO reviews required by HB 1169.

$600k for Partnership Council on Juvenile Justice

Funding is provided for the partnership council for juvenile justice to consider and provide recommendations regarding retention, dissemination, confidentiality, sealing, consequences, and general treatment of juvenile court records.

$180k for voting in jails

Funding in the amount of $180,000 over the years 2024 and 2025 is provided for the Secretary of State's office to contract with the University of Washington Evans school of public policy and governance to examine processes for providing voting registration, voting materials, and voting assistance for people held in Washington jails.

$800k for Pathways from Prison at University of Washington Tacoma

Funding is provided for the development and implementation of a program to support pathways from prison to UW's Tacoma campus.

$7 million for prison wages

Funding is provided to pay incarcerated individuals participating in correctional industries Class III work programs wages or gratuities of no less than $1 an hour.

$250 for equity dashboard

Funding is provided for the Administrative Office of the Courts to contract with an equity and justice nonprofit organization to expand the capacity of an existing equity dashboard program to review and organize criminal case data.

$50k for correctional industries study

Funding is provided for WSIPP to study the contracting practices goods and services, and manufactured products, made or offered by correctional industries to state agencies and various political subdivisions within the state. The report is due June 30, 2025.

$200k for study of DOC costs for incarcerated individuals and families

Funding is provided for Washington State Institute for Public Policy (WSIPP) to study costs to incarcerated individuals and their families, including commissary, education, and phone calls. A report is due June 30, 2025.

$500k for at-risk youth

Funding is provided for an organization that provides gang intervention, drug diversion activities, and other intervention services that assist to build relationships and mentorships (through the use of credible messenger mentorships in Kitsap County) with youth and families who are at high risk to perpetrate violence and who reside in areas with high rates of violence.

$206k re-entry student support staff

Funding is provided for re-entry student support staff to provide a direct link between The Evergreen State College's educational programs and transitioning of formerly incarcerated students.

$338k adult and youth programming

Funding is provided for re-entry student support staff to provide a direct link between The Evergreen State College's educational programs and transitioning of formerly incarcerated students.

$282k for adult corrections: inventory of programs

Funding is provided for WSIPP to update its Adult Corrections Inventory of evidence-based, research-based, and promising programs and expand the Inventory to include new programs that were not included in the last published WSIPP inventory in 2018. A preliminary report is due by December 31, 2023, and a final report is due by December 31, 2024.

$5 million for re-entry grants to community organizations

Funding is provided for grants to community organizations to provide reentry services and supports.

$41 million for victim services

Funding is provided for OCVA to provide funding to crime victim service providers consistent with OCVA's state plan for federal Victims of Crime Act funding. Of this amount, $4 million is provided for culturally specific services for crime victims from historically marginalized populations, and $4 million is provided to enhance and develop additional services for tribal members.

$500k for legal advocacy for justice-involved individuals who have experienced domestic violence

Funding is provided for a grant to a nonprofit organization serving King and Snohomish counties to provide legal advocacy and other services for criminal justice-involved individuals who have previously experienced domestic, sexual, or gender-based violence.

$300k for solitary confinement

Funding in the amount of $175k is provided to prepare a mental and physical health evaluation of incarcerated persons who are in solitary confinement for a specified period of time. The report is due June 30, 2024. The remaining amount of $125k is provided for the Office of the Corrections Ombuds to prepare a report on incarcerated persons who have been in solitary confinement or restrictive housing for more than 120 days.

Thank you for your support.

We couldn't have done it without YOU.