



FAMILY COUNCIL MEETING MINUTES

Location: Correctional Industries, Tumwater, WA Date: January 11, 2020 Time: 10:00 – 3:00

Teleconference details: None

Meeting Attendees

Department/facility co-chair: Jeneva Cotton Family co-chair: Suzanne Cook

Facility/council secretary: Rhonda Roberts Family secretary, if applicable: Loretta Pedersen

Members present: Jason Rice WCCW, Leslie Redic CCCC, Susan Cooksey SCCC, Kehaulani Walker CRCC, Felix D'Allesandro MCC, Duaa-Rahemaah Williams WCC/AHCC, Wendy Dubinsky WSP, Susan Cooksey SCCC; MCCCW not in attendance; LCC not in attendance; CBCC not in attendance, OCC not in attendance

Non-council member attendees: Verna Westman SCCC, Cheryl Irvin OCC, Diane Sifres SCCC, Miriam Fry SCCC, Ron Haynes Superintendent SCCC, Julie Triggs SCCC, Sharon Babcock SCCC, Michelle Foxx WSR, Joanne Pfeifer WSR, Carolina Landa Statewide Reentry Council, William Copland DOC Family Services Unit, Jaycie Grisso WCC, Janet Floyd WSR, Heather Dockery SCCC, Kaszuko Fowler CRCC, Andy Laico CBCC, Hazel Heard SCCC, Warren Johnson Inmates, Carol Welch MCC/WSR, Cory Smith SCCC, Melody Simle GRE/MCCCW

Agenda

Old business

Topic	Discussion/Key Points	Next Steps
10:30AM - Meeting Minutes Review	<p>Minutes were sent out via email.</p> <p>Corrections: pg. 6, Keefe as possible vendor for tech. Keefe is a subset of Century Link and would be a subcontractor.</p> <p>SFC minutes are only posted in visiting rooms, need to be posted in living units. Also, there is no way for prisoners to submit ideas to us. Hopefully getting tier reps at the LFC meetings will help with this.</p> <p>Need for a way to live stream SFC meetings, need microphones and tech setup.</p> <p>Minutes are approved with change.</p>	<p>Jeneva will see if IT can make a Family Council listserv subscription, will also look at improving minutes template for more efficient use of paper when printed.</p> <p>Jeneva will talk to superintendents about a way to make meeting minutes and action items lists accessible to living units. Could we have suggestions boxes for prisoners to submit? Might be possible to have a distribution via JPay.</p> <p>Jeneva will talk to IT.</p>

<p>10:45 - Soliciting questions from SFC - Suzanne Cook</p>	<p>Request is for families to respond to emails from SFC and DOC Co-Chair so we can enhance dialogue. Is especially a problem when we invite a guest speaker but aren't getting families to submit questions in advance.</p>	<p>Jeneva says DOC can add vote buttons to emails they send out to give people a faster way to provide feedback (but don't always work with external email providers). Families also want to hear a summary of feedback that was solicited via surveys. We like the way the OCO emails out a summary of survey responses. Surveys should also be concise so they don't overwhelm people.</p>
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New business

Topic	Discussion/Key Points	Next Steps
<p>9AM - Pre-Meeting SFC Reps Updates</p>	<p>MCC- TRU overcrowding in visiting, talking about going to rotating schedule or asking visitors to leave, but email complaints got them to change their mind for now. Vending issue as always at both WSRU and TRU. Healthy foods disappearing, machines not being restocked. Complaints only result in temporary fixes. Elected Mariah Wafford as co-chair, Josephine Johnson elected secretary, with Carol Welch as alternate. Food Services and yard closures discussed. Deaths in medical care, broader concerns about medical and dental care.</p> <p>SCCC-new rep elected, LFC asked staff to discuss how new DOC core values will be implemented. January will have mattress testing event for prisoners. New EFV process (linens, in-take bag for incarcerated with toiletries, toothpaste insufficient). Visitors now only have access to restrooms on the half hour. Had a great open discussion at LFC meeting.</p> <p>CCCC-Visiting check-in process is problematic, causes problems among visiting. Rec closures due to problems with staffing and lighting, new lighting is supposed to be installed. JPay issues, mail room delays. (Staffing cited as problem.) EFV scheduling slow. (Staffing.) Unit yards and gyms close at dusk, so guys who work all day can't go out to yard. PSE grant is supposed to provide funding for lighting to address much of these issues. Trying to get process for deciding which tier rep will come to LFC meetings. Most prisoners have a gate card at this facility and could go past security checkpoints.</p> <p>OCC- LFC meeting cancelled due to only one family member being able to attend. Families working with</p>	<p>-Jeneva, Scott, and Lisa will attend April Superintendents' meetings and will emphasize importance of having tier reps at LFC meetings. Will recommend moving LFC meetings to inside security check points. Will become an expectation. Will give directive to move religious meetings in areas other than visiting if that is conflicting with LFC schedule. Will use Stafford Creek's protocols as a model. Will have a process for prisoners in units to vote for a rep to LFC, won't necessarily have to be a tier rep who serves as the prisoner LFC rep. A restriction is that if prisoner rep has a family member attending the LFC meeting, both cannot attend.</p> <p>Lisa Flynn is rolling out plan for consistent set of four family events that are more inclusive for every CPPC at every facility. Figuring out plan for</p>

	<p>Mike Eby to get a hotel voucher program going for OCC visitors. Have to identify local facility staff person who will administrate. \$10 additional voucher credit for those who participate in LFC. Prisoners no longer allowed to use vending machines at visiting.</p> <p>CRCC - CPM went over policy for behavioral observations. Prisoners have 48 hours to appeal an observation. Families asked staff to include positive BOEs. Visiting staff have improved, problem of massive retaliation against visitors has ended.</p> <p>WCCW- Gender informed practices assessment was discussed, will be happening soon. New body scanner report just came out, will be talked about at their next LFC meeting. How it's affecting visiting, addressing problem of it shutting down or delaying facility operations when scanning new intakes from county jails. Overall, has improved contraband detection and provided process of dignity for women, has reduced quantity of strip searches by thousands. 2018 had 1,989 strip searches per months, now down to 152. 166 staff hours reduced down to 13 hours.</p> <p>https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=2019%20Legislative%20Report%20-%20Body%20Scanner%20Pilot%20-%20ESSB%206032_00fd3ade-dc5b-4c78-aebc-d16c9a989dee.pdf Met new interim Associate Superintendent, Paula Chandler, formerly captain at MCC.</p> <p>WSP-Same things every meeting: Vending, JPay down, aren't getting OCL minutes/newsletters, lockdowns still closing down Victor/William dayroom access. OBF family events: almost no families have access and is shutting down visiting so that some units only have one or two visits for the entire month. Big yard schedule has been dramatically reduced.</p> <p>AHCC - Shift in LFC meeting times, alternating morning and afternoon to improve families' ability to attend. Women's event planned for next year to improve access for families with no children to attend events. Camp has no place for visitors to wait after checking in, having to stand outside, have to park far, walk five minutes, inclement weather, local facility is trying to find solution. Outdoor heat lamps one possibility. Still lacks co-chair and secretary, will have special election. Recruitment challenging for LFC. Need hand sanitizer in visiting room. (Must be non-alcohol based, and non-alcohol based is very expensive.) Mainline meals being delayed when guys have to shovel snow.</p> <p>WCC - Co-chair and secretary now elected, family council has grown. Bathroom breaks discussed. Two</p>	<p>logistics of having FSU staff at all of them.</p>
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	<p>person tables are forced to sit across from each other, trying to get to allow 90-degree angle seating.</p> <p>Other: New policy is being created for cultural events, and will have language for family involvement. In past, has been a facility level decision, but goal is to centralize policy and make it consistent. Right now, cultural groups have been included in religious programs policies, but that is not working. Attendance at CLO and BPC summits will be a different matter, but family involvement at these needs to be addressed as well. Currently families are typically excluded.</p> <p>Lisa Flynn is having discussions about the Western Van contract. It is not being utilized enough to continue, so what would benefit families more, van service or motel vouchers? Discussion on how to allocate limited funds.</p>	
<p>11:00 - OCO Joanna Carns</p>	<p>Workgroups with stakeholders and DOC have brought about some positive change. Grievance procedure. In future will address OBF, Food Services, etc.</p> <p>Anna, Felix, and Melody are family members currently working with DOC and OCO on OBF name, how funds are distributed/managed, etc.</p> <p>Families have some concerns about how DOC is deciding to spend OBF funds. Goal of working group is to establish more transparency and a process for DOC including families in decision-making and reporting of expenditures.</p> <p>LBA - Local Business Advisor, each facility has one, needs to be participating in our LFC meetings. DOC agreed to have a quarterly Skype meeting for including stakeholders in budget review. DOC will now be posting these reports on both facility and DOC websites. Working group is working with DOC to get 20 staff positions moved from OBF to general budget.</p> <p>An audit has not been done of the OBF in quite some time. Working group is getting a quote for what a regular external audit would cost.</p> <p>Reports should have more detail so families know precisely how funds for specific staff positions are being used, for example. What do those staff do? We request that reports make a clear statement of justification for the spending.</p> <p>Melody talks about how policy has changed over the years. DOC was not given guidelines when they were made the stewards of this fund. DOC was given cart blanche, no oversight. Fund is governed by broadly worded RCW. Policy language is where the protocols are presented. RCW says that fund is to reduce</p>	

idleness and to improve family connections, also has to go to crime victims' fund.

Family member asks how prisoners will give input to how the funds are spent. Should be possible if we can get tier reps at the LFC meetings. Need to also have some formal way of getting input from tier reps on this issue.

OBF pays for staff (such as recreation staff) who often get pulled to carry out prison duties outside of their official job position, means OBF is paying for custody operations. Because rec is an idleness-reduction activity, is paid from OBF.

Families would like more information on crime victims' fund, which Felix D. says goes to L&I and they decide how to use it. Anecdotally, victims are reported to not receive help from these funds. Where is this money going? Can we audit L&I? This is 25% of the OBF. (See <https://www.lni.wa.gov/claims/crime-victim-claims/who-can-file-and-what-is-covered> .)

Note that money budgeted does not indicate all money was spent. Look at budget actual.

Why is OBF paying for CI store security? Why is CI not paying for that out of their own self-funded revenue? Since DOC contracts with CI on this, DOC has to provide the security. So the problem here is wording of that contract. Lisa Flynn cites legislative budget need.

Prisoners also pay into crime victims' fund via LFOs. And what about breakdown of Cost of Incarceration expenditures?

OCO survey found that eliminating CI store security staff salaries was top area of concern, followed by transparency.

IITS update - Incarcerated Individual Tech Services working group. Was narrowed down to choice between Securus (JPay) and CenturyLink. DOC has now toured some other states' facilities that use these two vendors. Prisoners in those facilities can use JPay tablets' phone function, have been using this function for a year with no problem. Vendors will be visiting our facilities to give a proper price quote. No choice has been made between these vendors yet. Century Link bid will be higher because will include willingness to make infrastructure investment. JPay will not make infrastructure investment. DOC has made commitment that rates will not go up.

Concerns about one vendor doing both phones and electronic media/mail: Recently JPay's entire system went down. What if that happens again? Will we have any contact with loved ones?

	<p>This is why Dean Dubinsky emphasized importance of vendor providing redundancy.</p> <p>Contract needs to explicitly address service outages.</p> <p>Attachment 1</p>	
Matthew Parascand - DSHS/DCS	<p>Bill pertaining to incarcerated who owe child support- Goal is to reduce child support debt incurred during incarceration. Currently it is challenging for them to modify child support order. Currently, there is an administrative and a judicial avenue. Add to other legal issues incarcerated are dealing with. Goal is to have the act of incarcerating someone automatically result in a modification of child support. Challenging: Federal laws can't be violated in creating such a process. Draft bill proposed for Abatement of Child Support for Incarcerated Obligors, child support would automatically go down to \$10 per month.</p> <p>Unincarcerated parent would be able to appeal through courts if the incarcerated parent has lots of assets. Bill number is HB 2302, sponsored by Rep. Kilduff. House Civil Rights & Judiciary committee will hear. She wants to also include formerly incarcerated in the bill. TANF steps in to pay the remaining amount owed to the non-incarcerated parent. Average incarcerated parent currently owes over \$10,000 in child support debt, affects credit score, will result in post-release wages being garnished, etc. Affects recidivism because it affects economic stability. DCS is now having one-on-one meetings with parents upon incarceration to go through existing options to modify. Currently, no matter how many kids an incarcerated parent has, 15–20% of prisoner's money can be taken as child support. (Amount goes up to 100% for an inheritance) See DOC 200.000 Attachment II deductions matrix for more details: https://www.doc.wa.gov/information/policies/files/200000a2.pdf A participant recommends that DCS give the incarcerated a contact number for their case when they leave the department to keep themselves above board with DCS instead of dodging the process in the future. If child is conceived during incarceration, and if the non-incarcerated parent is on TANF, child support under current policies would be a percent of ZERO income. Attachment 2</p>	
	<p>Since we have some extra time before this section starts, we watch a video by Simon Sinek "The Key to Success", presented to use by Anna Ivanov.</p> <p>https://www.youtube.com/watch?v=HtBwEetB-oU&feature=youtu.be</p>	
1PM Budget Explanation	Attachment 3	

<p>- Mike Steenhout & Jeremy Barclay</p>	<p>For info on DOC Legislative efforts, see here: https://www.doc.wa.gov/about/agency/executive-policy/default.htm#leg-session</p> <p>\$92million dollars proposed by Governor for DOC Budget framed in terms of new addition to DOC mission, which added "by positively changing lives" to "To improve public safety". See objectives laid out in DOC 2019–2023 Strategic Plan https://www.doc.wa.gov/docs/publications/100-SP001.pdf</p> <p>Goal of measurable results in line with objectives, Governor Inslee's Results WA framework: https://results.wa.gov/</p> <p>Clarification: What does it mean to decrease rate of violence from 0.93 to 0.90. Less than one person per 100. Negligible difference is the appearance. Jeremy and Mike cannot say for sure if this is a statistically significant difference. See DOC Strategic Plan Dashboard for how this number was arrived at: "This statistic describes the number of violence related disciplinary hearings with "guilty" findings in a given month per 100 incarcerated individuals expressed in a 6 month running average." https://www.doc.wa.gov/about/agency/strategic-plan-g2o1.htm</p> <p>We need clarification from RDA (DOC's research and data analytics department) on "statistical significance" of the provided rate</p> <p>Budget Highlights: Health Services, Prison Safety, Supervision Reform & Reentry, Accurate Application of Sentences, Investing in Aging Facilities and Infrastructure (see handout)</p> <p>Medical is understaffed (see independent CGL staffing model review at: https://d3n8a8pro7vhmx.cloudfront.net/teamsters117/pages/4431/attachments/original/1567807636/Washington_DOC_Staffing_Model_Review.pdf?1567807636=), is a problem both for service provision and staff safety. Also affects programs when programming staff are pulled to help staff off-site medical transport. (Lisa Flynn explains.) Overburdened staff, morale problem, results in high staff turnover rates. Food and staff safety - funding requested to prevent future food strikes, expand hot breakfasts statewide. Funding to enhance gender responsiveness policies/training. Diversity, equity, inclusion, and respect - funding for values-based staff training.</p> <p>Funding to upgrade OMNI system, software is outdated. Funding for accurate tolling, 187,000 entries</p>	
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	<p>in OMNI system, and 19,408 sentences to calculate and manage. SED = Sentence End Date.</p> <p>Superintendents, plant managers, and facilities managers are the ones who propose capital projects to DOC HQ based on their understanding/perspective of what is urgent to fix/improve about their facilities.</p> <p>Infrastructure projects (are additional supplemental budget requests on top of standing \$60 million capital budget fund, which is on a two-year cycle): Replace WCC infirmary, MCC clinic roof, MCC SOU/TRU water and HVAC systems, CBCC boiler replacement.</p> <p>Problems with people at WCC sleeping on the floor: Was in part due to people getting custody demotion from camp or community corrections. Now doing direct transport to facility of assignment instead of temporary processing at WCC, has reduced overcrowding.</p> <p>Mike says DOC is constantly looking for ways to improve efficiency and reduce costs to do more with the budget they have.</p> <p>New women's prison proposed and requires funding to be remodeled, Maple Lane in Centralia. Families want to know how current facilities can be funded for infrastructure improvement needs when additional facilities are being opened.</p> <p>Supervision reform and reentry, studies show that long-term supervision doesn't translate to reduced recidivism. Funding to shift model to providing wrap-around services (housing vouchers, etc.) instead, people could be rewarded credits to reduce length of supervision, would give CCO's more flexibility in deterring swift and certain sanctioning. Reducing CCO caseload, enhancing coaching and mentorship for those who are supervised.</p> <p>William Rucklhaus Center is working with sentencing task force on some of these issues, Suzanne Cook recommends that DOC communicate with them on this stuff. See here, Criminal Sentencing Legislative Task Force: https://ruckelshauscenter.wsu.edu/projects/current-projects/</p> <p>More details on how DOC spends its budget can be found at: http://leap.leg.wa.gov/</p> <p>Also see https://www.doc.wa.gov/about/agency/mission.htm#budgets</p>	
<p>1:50 Lisa Flynn - DOC Programs & Services</p>	<p>Attachment 4 Lisa Flynn provided her background with the department for past 28 years.</p>	

	<p>Is working on grievance program, mail, legal access, library, rec, visiting, volunteer programs, Family Services</p> <p>Grievance program: having a lot of staff retirements, working to expand training for grievance coordinators and implement OCO recommendations, will have site visits and audits</p> <p>Have created online staff refresher grievance training, goal is to improve tracking and response times. Each facility only has one grievance hearings officer. Carbon copies of grievances are being reinstated.</p> <p>LEP - Expand Yoga Behind Bars, Full WSL staffing for libraries, full-time law librarian at SCCC and WCC, train mailroom staff.</p> <p>Lisa will be having a meeting with all visiting sergeants statewide in March. Ensuring sergeants are communicating strategic plan values to visiting staff. Will include how visiting staff are logging in CePrison. Will be training staff to inform visitors of CePrison observations in the future, program is not yet set up to print out. Will also train them on what kind of details are appropriate to put in an entry. Will eventually make requirement to document visitor response as well, not just staff observation. We ask that since DOC cannot and will not delete BOEs and CePrisons entries made before best practices standards were in place, that DOC train staff to not make decisions about programming placement, visiting rights termination, etc. based on BOEs and CePrisons entries made before the time DOC implements best practices protocols.</p> <p>DOC is also trying to address "corrections fatigue" (staff morale concerns) to ensure staff are supported in a way that enables them to carry out operations in a positive manner.</p> <p>2015 was the last time visiting sergeants were all trained in a room together. Lisa will do the same to get mail sergeants in a room together for a training.</p> <p>EFV decisions are still being made at facility level, but DOC HQ is prepping the packets. DOC HQ EFV Committee (meets once per month) handles the appeals when applications are denied, also handles applications for prisoners with certain kinds of convictions. Role of the prisoner's counselor is reviewing the packet to make sure it meets criteria, and taking the packet through the FRMT process. Policy revision will reduce forms and will allow families to apply directly through the website.</p> <p>Working on pathways to restore visitation after serious termination of visitation rights. (Ex. after contraband</p>	
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	<p>introduction.) Determining possible wait times and/or options for no-contact or video visit access. They are not currently working on the need to make it possible to visit more than one person.</p> <p>Lisa encourages us to use policy input form: https://www.surveymonkey.com/r/DOCPolicy</p> <p>Goal is to have new EFV policy by March 1, 2020. Lisa Flynn is the policy holder.</p> <p>Lisa plans to shift video visiting oversight to HQ, away from local facilities. Right now local visiting staff oversight is resulting in excessively subjective application of policies, terminations, etc. This will help facilities and provide consistencies.</p> <p>Is going to cross-train visitation staff with DCYF (Department of Children/Families)</p> <p>Working on cultural awareness policies, LFC engagement with OBF proposals, etc.</p> <p>August 1st - Family Services Unit was shifted from Reentry division to Prisons division, as families had requested, since Prisons is the division that has the most control over our loved ones' and our lives.</p> <p>OCC currently has no CPPC.</p> <p>Parenting Inside Out (PIO) Want to provide consistent delivery of parenting program across the state. Family Specialists will be working with CPPCs to plan family friendly events. Dawn Taylor and Carrie Kendig, FSU Manager is going to conference for incarcerated parents in Arizona to get ideas.</p> <p>Will have four types of events guaranteed for family friendly events, two with children and two with significant persons (romantic partner, siblings, parents, etc.).</p> <p>Will be rescheduling LFC meetings to ensure that FSU staff can attend everyone's LFC meetings, currently there are conflicting schedules.</p> <p>OBF event proposals will need to be done by April for next fiscal year.</p> <p>Will be expanding recruitment efforts for LFC.</p>	
	<p>Final notes from Scott Russell. Still trying to engage the Teamsters 117 Correctional Officers on visiting staff values based on the MOU in the most recent teamsters' Collective Bargaining agreement. (See here: https://www.teamsters117.org/your_2019_2021_doc_contract_is_now_online)</p>	

<p>March Agenda</p>	<ul style="list-style-type: none"> • Standing items from November meeting (maybe move things like WSL to March). • Steve Sinclair will present on work with Vera on Solitary Confinement and other topics, such as certain monetary amounts established by RCWs, and such as update on hot breakfasts (legislative lady could also be the one to present this). • Lisa Flynn - Update from meeting with visiting sergeants • Medical (to include \$4 copay), Mary Jo Currey (we will need to submit questions) • Families also request a Town Hall meeting separate from SFC, one in western WA and one in Eastern WA, with Lisa Flynn, on visiting • Jeneva asks us to think about what role we would like JMarie to play going forward since we renewed her contract. 	
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Roundtable open discussion

Next meeting location: Tumwater, CI HQ Date: March 21, 2020 Time: 10AM–3PM

Comments: _____

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14. Upon completion, the data classification category may change.

Distribution: **ORIGINAL** - Family council co-chairs

Attachment 1

January 11, 2020

**Department of Corrections
Offender Betterment Fund Budget
YTD Budget - Actual Comparison as of FM24/25 June 2019**

	FY19 Total Budget	YTD Budget	YTD Actual	YTD Actual / YTD Budget	YTD Variance	Remaining Budget
Projected Revenue						
Gross Phone Commission Revenues	3,942,548	3,942,548	3,959,186	100%	16,638	16,638
Interest	8,600	8,600	10,595	123%	1,995	1,995
J Pay Commissions	267,700	267,700	344,005	129%	76,305	76,305
Laundry	26,149	26,149	30,273	116%	4,124	4,124
Recycling	9,435	9,435	2,574	27%	-6,861	-6,861
Miscellaneous Revenue- From Onetime Prior Period GL Reconciliation. CVC Will Be Reduced From 1st Qtr of FY20	0	0	778,656		778,656	778,656
Vending Commission	187,476	187,476	224,615	120%	37,139	37,139
Contraband	0	0	33,824		33,824	33,824
Subtotal	4,441,908	4,441,908	5,383,728	121%	941,820	941,820
Less 25% to Crime Victims'	(1,110,477)	-1,110,477	-1,345,932		-235,455	-235,455
Total Projected Revenue	3,331,431	3,331,431	4,037,796	121%	706,365	706,365

	Budgeted FTE	Actual FTE	Variance	FY19 Total Budget	YTD Budget	YTD Actual	YTD Actual / YTD Budget	YTD Variance	Remaining Budget
Budgeted Expenditures (Restricted)									
HQ staff (OBF Admin&IT) 88145	2.0	2.00	0.0	209,327	209,327	208,887	100%	440	440
Prison Recreation staff (no overtime) 88160	7.0	7.30	-0.30	553,166	553,166	526,489	95%	26,677	26,677
Prison Recreation staff over time 88160	0.0			6,180	6,180	11,346		-5,166	-5,166
Prison Stores-Security Staff 88145	2.6	2.60	0.0	202,635	202,635	202,883	100%	-248	-248
Prison Visiting Staff 88160	1.0	1.00	0.0	106,313	106,313	104,758	99%	1,555	1,555
Prison WA State Library contract staff-WSP	1.0	0.00	1.0	67,984	67,984	0	0%	67,984	67,984
Prison Law Library Staff 89150	9.0	9.02	-0.02	659,236	659,236	652,569	99%	6,667	6,667
Family Service staff 89130	3.0	3.00	0.00	297,783	297,783	313,665	105%	-15,882	-15,882
Family Services One Year Project Position D Taylor	1.0	1.00	0.00	85,101	85,101	77,833	91%	7,268	7,268
HQ Prisons Wave 3 Approved Project Positions	3.0	1.00	2.00	88,573	88,573	49,572	56%	39,001	

Family Friendly Facilities and WR 89130				163,140	163,140	142,136	87%	21,004	21,004
Family Friendly Transportation Contract-Western Van 89130				197,820	197,820	182,290	92%	15,530	15,530
Family Friendly -Matthew House Hospitality Services 89130				19,968	19,968	19,968	100%	0	0
Family Friendly KUBI Camp 89130	-			20,000	20,000	13,451	67%	6,549	6,549
Family Friendly Statewide Council Travel Reimburse & Meeting Supplies 89130	-			10,000	10,000	8,968	90%	1,032	1,032
Family Friendly Parenting Inside Out 89130	-			8,000	8,000	5,507	69%	2,493	2,493
Motion Picture License 89110				2,882	2,882	2,745	95%	137	137
TV Systems 89170	-			658,257	658,257	649,359	99%	8,898	8,898
Law Library Subscriptions, Books, & PC Lease 89150				252,236	252,236	251,459	100%	777	777
Law Library Additional Publication Through Thomson Reuters 89150				9,300	9,300	9,600	103%	-300	-300
Onetime Capital/Special Projects & Wave 2 3 89110				1,493,145	1,493,145	1,434,591	96%	58,554	58,554
Onetime ADP for Yakima County Jail (Over Populated from WCCW)				1,000	1,000	1,736	174%		1,000
Subtotal-Restricted Spending	29.6	27	2.68	5,112,046	5,112,046	4,869,812	95%	242,234	242,234

	FY19 Total Budget	YTD Budget	YTD Actual	YTD Variance	Remaining Budget
Budgeted Expenditures (Non-Restricted)					
Per Offender Allocation	179,420	179,420	143,547	80%	35,873
Unrestricted Program Index Breakdown (Expenditures)					
Barber Shop - 88110			12,820.00		
Cultural - 88115			25,888.00		
Dog Program- 88120					
EFV - 88125			42,046.00		
EFV (RECOVERIES) - 88125			-51,531.00		
Family Friendly - 88130			1,755.00		
Gardening - 88135					
Hobby - 88140			3,108.00		
Hobby (RECOVERIES) - 88140			-2,178.00		
Law Library - 88150					
Evidence Based Incentives - 88155					
Recreation - 88160			159,198.00		
Recreation (RECOVERIES) - 88160			-118,428.00		
Television - 88170			124,480.00		
TV(RECOVERIES) -88170			-132,529.00		
Unit Activities - 88180			52,370.00		
Visiting - 88190			22,192.00		
Workshops - 88195			4,356.00		
Subtotal - UNRESTRICTED	179,420	179,420	143,547	35,873	35,873
Total Budgeted Expenditures	5,291,466	5,291,466	5,013,359	278,107	278,107
Total Variance (Revenue - Expenditures)	-1,960,035	-1,960,035	-975,563		278,355

Washington State DOC Alf2
 Encumbrance Budget
 From 7/1/2019 Through 6/30/2020

Account Code	Account Title	Total Budget - Revised
2022	Prisons Program Administration	
NR11	Family Friendly	700.00
Total 2022	Prisons Program Administration	(700.00)
2028	Reentry	
FF73	Matthew House	19,968.00
FF76	KUBI Camp E WA (staff, meal, facilit...	20,000.00
FF78	FOSA Children Books	2,000.00
FF81	Western Vans	197,820.00
NR11	Family Friendly	10,000.00
SP17	Parenting Inside/Out Pgm	11,250.00
Total 2028	Reentry	(261,038.00)
2101	AHCC	
FF03	Birthdays Celebration	300.00
FF04	Book Fairs	1,000.00
FF10	Day w/Dad	1,600.00
FF58	Seasonal Activity	6,099.00
Total 2101	AHCC	(8,999.00)
2205	WCCW	
FF01	Back to School	1,000.00
FF41	Mother/Child Events	500.00
FF42	Mother's Day	700.00
FF58	Seasonal Activity	2,611.00
FF70	Women-Trauma in Life	1,000.00
Total 2205	WCCW	(5,811.00)
2306	SCCC	
FF01	Back to School	1,600.00
FF09	DADS	1,500.00
FF14	Family Crafts/Games	1,650.00
FF15	Family Focus Events	3,000.00
FF58	Seasonal Activity	5,583.00
FF60	Special Women's Event	4,000.00
FF64	Summer Event	2,000.00
Total 2306	SCCC	(19,333.00)
2307	WCC	
FF01	Back to School	1,200.00
FF14	Family Crafts/Games	800.00
FF46	Parent Appreciation	1,000.00
FF52	Read to Me Daddy	775.00
FF58	Seasonal Activity	5,652.00
FF87	Significant Support Circle Event	1,400.00
Total 2307	WCC	(10,827.00)

Washington State DOC Aif2
 Encumbrance Budget
 From 7/1/2019 Through 6/30/2020

Account Code	Account Title	Total Budget - Revised
2311	CCCC	
FF01	Back to School	750.00
FF10	Day w/Dad	1,750.00
FF12	Fall Family Event	1,800.00
FF38	Math/Science Event	1,000.00
FF52	Read to Me Daddy	200.00
FF58	Seasonal Activity	1,331.00
FF60	Special Women's Event	<u>1,000.00</u>
Total 2311	CCCC	(7,831.00)
2312	LCC	
FF01	Back to School	1,000.00
FF20	Father/Daughter Event	1,000.00
FF21	Father's Day	900.00
FF35	Life Casting	500.00
FF38	Math/Science Event	900.00
FF42	Mother's Day	1,000.00
FF52	Read to Me Daddy	500.00
FF53	Relationship Enrichment	1,000.00
FF58	Seasonal Activity	1,340.00
FF84	Connecting Fathers and Sons	<u>1,000.00</u>
Total 2312	LCC	(9,140.00)
2313	MCCCW	
FF01	Back to School	600.00
FF14	Family Crafts/Games	500.00
FF15	Family Focus Events	500.00
FF42	Mother's Day	750.00
FF58	Seasonal Activity	721.00
FF85	Relay for Life Family Walk	<u>1,000.00</u>
Total 2313	MCCCW	(4,071.00)
2401	MCC	
FF01	Back to School	600.00
FF04	Book Fairs	500.00
FF13	Family & Art	800.00
FF15	Family Focus Events	1,200.00
FF28	Holiday Greeting	800.00
FF37	Marriage Encounter/Class	600.00
FF58	Seasonal Activity	7,259.00
FF73	Matthew House	<u>16,500.00</u>
Total 2401	MCC	(28,259.00)
2402	CBCC	
FF01	Back to School	1,000.00
FF10	Day w/Dad	700.00
FF15	Family Focus Events	1,000.00
FF20	Father/Daughter Event	400.00
FF28	Holiday Greeting	800.00

Washington State DOC Alf2
 Encumbrance Budget
 From 7/1/2019 Through 6/30/2020

Account Code	Account Title	Total Budget - Revised
FF37	Marriage Encounter/Class	500.00
FF42	Mother's Day	500.00
FF58	Seasonal Activity	<u>2,314.00</u>
Total 2402	CBCC	(7,214.00)
2411	OCC	
FF13	Family & Art	200.00
FF21	Father's Day	700.00
FF42	Mother's Day	500.00
FF52	Read to Me Daddy	400.00
FF58	Seasonal Activity	<u>1,094.00</u>
Total 2411	OCC	(2,894.00)
2501	WSP	
FF40	Motel Vouchers	20,000.00
FF52	Read to Me Daddy	200.00
FF58	Seasonal Activity	<u>6,851.00</u>
Total 2501	WSP	(27,051.00)
2512	CRCC	
FF01	Back to School	600.00
FF32	Inside Out Dads	800.00
FF52	Read to Me Daddy	800.00
FF58	Seasonal Activity	7,176.00
FF60	Special Women's Event	<u>1,100.00</u>
Total 2512	CRCC	(10,476.00)
3610	CCD Section 1	
FF01	Back to School	1,000.00
FF61	Spring Family Event	1,000.00
FF69	Winter Family Event	<u>1,200.00</u>
Total 3610	CCD Section 1	(3,200.00)
3620	CCD Section 205	
FF01	Back to School	<u>1,000.00</u>
Total 3620	CCD Section 205	(1,000.00)
3630	CCD Section 3	
FF01	Back to School	700.00
FF69	Winter Family Event	<u>700.00</u>
Total 3630	CCD Section 3	(1,400.00)
3650	CCD Section 5	
FF69	Winter Family Event	<u>1,000.00</u>
Total 3650	CCD Section 5	(1,000.00)

Washington State DOC Alf2
 Encumbrance Budget
 From 7/1/2019 Through 6/30/2020

Account Code	Account Title	Total Budget - Revised
3660	CCD Section 6	
FF64	Summer Event	500.00
FF69	Winter Family Event	<u>700.00</u>
Total 3660	CCD Section 6	(1,200.00)
3705	Work Release/Ahtanum View	
FF01	Back to School	650.00
FF58	Seasonal Activity	<u>1,458.00</u>
Total 3705	Work Release/Ahtanum View	(2,108.00)
3710	Work Release/Bellingham	
FF25	Garden Project	500.00
FF58	Seasonal Activity	<u>1,215.00</u>
Total 3710	Work Release/Bellingham	(1,715.00)
3715	Work Release/Bishop Lewis	
FF58	Seasonal Activity	<u>1,296.00</u>
Total 3715	Work Release/Bishop Lewis	(1,296.00)
3720	Work Release/Brownstone	
FF01	Back to School	800.00
FF58	Seasonal Activity	<u>2,187.00</u>
Total 3720	Work Release/Brownstone	(2,987.00)
3730	Work Release/Eleanor Chase House	
FF01	Back to School	600.00
FF13	Family & Art	500.00
FF15	Family Focus Events	720.00
FF58	Seasonal Activity	<u>1,026.00</u>
Total 3730	Work Release/Eleanor Chase House	(2,846.00)
3735	Work Release/Helen B Ratcliff	
FF05	Celebrations	350.00
FF12	Fall Family Event	300.00
FF46	Parent Appreciation	200.00
FF58	Seasonal Activity	<u>1,053.00</u>
Total 3735	Work Release/Helen B Ratcliff	(1,903.00)
3740	Work Release/Longview	
FF01	Back to School	600.00
FF12	Fall Family Event	400.00
FF14	Family Crafts/Games	550.00
FF46	Parent Appreciation	400.00
FF58	Seasonal Activity	1,620.00
FF89	Pro Social Staff Escorted Activities	<u>3,000.00</u>
Total 3740	Work Release/Longview	(6,570.00)

Washington State DOC Alf2
 Encumbrance Budget
 From 7/1/2019 Through 6/30/2020

Account Code	Account Title	Total Budget - Revised
3750	Work Release/Olympia	
FF15	Family Focus Events	900.00
FF58	Seasonal Activity	<u>621.00</u>
Total 3750	Work Release/Olympia	(1,521.00)
3755	Work Release/Peninsula	
FF15	Family Focus Events	1,200.00
FF58	Seasonal Activity	<u>1,512.00</u>
Total 3755	Work Release/Peninsula	(2,712.00)
3760	Work Release/Progress House	
FF05	Celebrations	500.00
FF58	Seasonal Activity	<u>2,322.00</u>
Total 3760	Work Release/Progress House	(2,822.00)
3770	Work Release/Reynolds	
FF01	Back to School	250.00
FF05	Celebrations	300.00
FF58	Seasonal Activity	<u>2,430.00</u>
Total 3770	Work Release/Reynolds	(2,980.00)
3780	Work Release/Tri-Cities	
FF15	Family Focus Events	500.00
FF58	Seasonal Activity	729.00
FF63	Strengthening Families	<u>200.00</u>
Total 3780	Work Release/Tri-Cities	(1,429.00)
Report Total		<u><u>(442,333.00)</u></u>

Attachment 2

January 11, 2020

Request Legislation

Abatement of child support orders of incarcerated parents

Key benefits:

Reduces uncollectible child support debt, which contributes to the numerous and significant barriers incarcerated parents face when reentering communities such as obtaining housing and sustaining employment.

Helps parents reentering the community to seek employment without fear of a large withholding order for child support.

Increases the likelihood of consistent monthly child support being paid by parents upon release.

Children get the financial support they need and families get help to reach their full potential.

Contact:

Sharon Redmond
Director
Division of Child Support
(360) 664-5225
redmosj@dshs.wa.gov

Why is this legislation necessary?

When a parent enters prison, each member of their family is impacted including their children. Incarceration creates emotional and financial stress for the whole family and a parent's child support accrues each month regardless of circumstances until an order is modified.

Many parents do not have access to the legal resources necessary to achieve the needed modification. This results in the accumulation of significant child support debt upon release. This debt is a barrier to reentry and negatively impacts all members of the family as parents with large child support debt are less likely to pay their child support. Paying parents are more likely to have relationships with their children.

This proposal benefits families with an incarcerated parent by limiting the accumulation of child support debt during incarceration. Incarcerated parents owe more than \$52,000,000 in child support debt, averaging \$14,500 per individual. These parents pay on average 5% of their orders each month when they are incarcerated. DCS is often never able to collect this debt due to the barriers formerly incarcerated persons face. By decreasing the amount of uncollectible debt, formerly incarcerated parents will have an increased likelihood of successful reentry and sustained and consistent child support payments upon release. This proposal is in line with Governor Inslee's Executive Order 16-05, [Building Safe and Strong Communities Through Successful Reentry](#).

What will the bill do?

The Department of Social and Health Services' Economic Services Administration's Division of Child Support (DCS) proposes to modify RCW 26.09 and 26.23 to allow abatement (reduction) of child support to \$10 per month when parents are incarcerated for six months or more if the parent has no income or assets available.

This proposal includes rights for a parent or DCS to request a hearing on whether abatement should be allowed because some incarcerated parents may have income or assets that would be available to pay child support.

How much will this cost?

This proposal should not result in the loss of retained support collections for the state or increased costs for the state.

September 2019

DCS PROPOSED BILL RE ABATEMENT OF
CHILD SUPPORT FOR INCARCERATED OBLIGORS

NEW SECTION. **Sec. 1.** (1) The legislature finds that a large number of justice-involved individuals owe significant child support debts when they are released from incarceration.

(2) The legislature finds that these child support debts are often uncollectible and unduly burdensome on a recently released justice-involved individual, and that such debts severely impact the ability of the person required to pay support to have a successful reentry and reintegration into society.

(3) The legislature finds that there is case law in Washington, *In re Marriage of Blickenstaff*, 71 Wn. App. 489, 859 P.2d 646 (1993), providing that incarceration does not equate to voluntary unemployment or voluntary underemployment.

(4) The legislature finds that there is a statewide movement to assist justice-involved individuals reenter and reintegrate into society, and to reduce state-caused pressures which tend to lead to recidivism and a return to jail or prison.

(5) The legislature finds that, although there is currently a statutory process for modification of child support orders, it is in the best interests of the children of the state of Washington to create an automatic process of abatement instead of making it the sole responsibility of the justice-involved person to take action to deal with his or her child support obligation while incarcerated.

(6) The legislature intends, therefore, to create a remedy whereby court or administrative orders for child support entered in Washington state may be automatically abated when the person required to pay support is incarcerated for at least six months and has no income or assets available to pay support.

NEW SECTION. **Sec. 2.** A new section is added to chapter 26.09 RCW to read as follows:

(1) When a child support order contains language providing for automatic abatement based on incarceration of the person required to pay child support, there is a rebuttable presumption that an incarcerated person is unable to pay the child support obligation. Unless the presumption is rebutted, the provisions of subsection (3) of this section apply.

(2) (a) If the child support order does not contain language providing for automatic abatement based on incarceration, the department, the person required to pay support, the payee under the order, or the person entitled to receive support may commence an action in the appropriate forum to:

- (i) Modify the support order to contain abatement language; and
- (ii) Abate the person's child support obligation due to current incarceration for at least six months.

(b) In a proceeding brought under this subsection, there is a rebuttable presumption that an incarcerated person is unable to pay the child support obligation. The department, the payee under the order, or the person entitled to receive support, may rebut the presumption by demonstrating that the person required to pay support has possession of, or access to, income or assets available to provide support while incarcerated.

(c) Unless the presumption is rebutted, the provisions of subsection (3) of this section apply.

(3) If the court or administrative forum determines that abatement of support is appropriate:

(a) The child support obligation under that order will be automatically abated to ten dollars per month, without regard to the number of children covered by that order, while the person required to pay support is confined in a jail, prison, or correctional

facility for at least six months or is serving a sentence greater than six months in a jail, prison, or correctional facility. Either the department, the payee under the order, or the person entitled to receive support may rebut the presumption by demonstrating the person required to pay support has possession of, or access to, income or assets available to provide support while incarcerated.

(b) If the incarcerated person's support obligation under the order is abated as provided in (a) of this subsection, the obligation will remain abated to ten dollars per month through the last day of the third month after the person is released from confinement.

(c) After abatement, the support obligation of the person required to pay support under the order is automatically reinstated at fifty percent of the support amount provided in the underlying order, but may not be less than the presumptive minimum obligation of fifty dollars per month per child, effective the first day of the fourth month after the person's release from confinement.

(i) Upon a showing of good cause by a party that the circumstances of the case allow it, the court or administrative forum may add specific provisions to the order abating the child support obligation regarding when and how the abatement may terminate.

(ii) During the period of abatement, the department, the person required to pay support, the payee under the order, or the person entitled to receive support may commence an action to modify the child support order under RCW 26.09.170 or 74.20A.059, in which case the provision regarding reinstatement of the support amount at fifty percent does not apply.

NEW SECTION. **Sec. 3.** A new section is added to chapter 26.09 RCW to read as follows:

Either the department, the person required to pay support, the payee under the order, or the person entitled to receive support may make a request for abatement of child support to ten dollars per month under an order for child support when the person required to pay support is currently confined in a jail, prison, or correctional facility for at least six months, or is serving a sentence greater than six months in a jail, prison, or correctional facility.

(1) A request for the abatement of child support owed under one child support order does not automatically qualify as a request for abatement of support owed under every order that may exist requiring that person to pay support. However, the request applies to any support order which is being enforced by the department at the time of the request.

(2) If there are multiple orders requiring the incarcerated person to pay child support, the issue of whether abatement of support due to incarceration is appropriate must be considered for each order.

(a) The payee or person entitled to receive support under each support order is entitled to notice and an opportunity to be heard regarding the potential abatement of support under that order.

(b) If the child or children covered by a support order are not residing with the payee under the order, any other person entitled to receive support for the child or children must be provided notice and an opportunity to be heard regarding the potential abatement of support under that order.

NEW SECTION. **Sec. 4.** A new section is added to chapter 26.09 RCW to read as follows:

(1) When a child support order contains language regarding abatement to ten dollars per month per order based on incarceration of the person required to pay support, and that person is currently

confined in a jail, prison, or correctional facility for at least six months, or is serving a sentence greater than six months in a jail, prison, or correctional facility, the department must:

(a) Review the support order for abatement once the department receives notice from the person required to pay support or someone acting on his or her behalf that the person may qualify for automatic abatement of support;

(b) Review its records and other available information to determine if the person required to pay support has possession of, or access to, income or assets available to provide support while incarcerated; and

(c) Decide whether abatement of the person's support obligation is appropriate.

(2) If the department decides that abatement of the person's support obligation is appropriate, the department must notify the person required to pay support, and the payee under the order or the person entitled to receive support, that the incarcerated person's support obligation has been abated and that the abatement will continue until the first day of the fourth month after the person is released from confinement. The notification must include the following information:

(a) The payee under the order or the person entitled to receive support may object to the abatement of support due to incarceration;

(i) An objection must be received within twenty days of the notification of abatement;

(ii) Any objection will be forwarded to the office of administrative hearings for an adjudicative proceeding under chapter 34.05 RCW;

(iii) The department, the person required to pay support, and the payee under the order or the person entitled to receive support,

all have the right to participate in the administrative hearing as parties; and

(iv) The burden of proof is on the party objecting to the abatement of support to show that the person required to pay support has possession of, or access to, income or assets available to provide support while incarcerated;

(b) The effective date of the abatement of support;

(c) The estimated date of release;

(d) The estimated date that the abatement will end; and

(e) That, if the abated obligation was established by a court order, the department will file a copy of the notification in the court file.

(3) If the department decides that abatement of the incarcerated person's support obligation is not appropriate, the department must notify the person required to pay support and the payee under the order or the person entitled to receive support, that the department does not believe that abatement of the support obligation should occur. The notification must include the following information:

(a) The reasons why the department decided that abatement of the support obligation is not appropriate;

(b) The person required to pay support and the payee under the order or the person entitled to receive support may object to the department's decision not to abate the support obligation;

(i) An objection must be received within twenty days of the notification of abatement;

(ii) Any objection will be forwarded to the office of administrative hearings for an adjudicative proceeding under chapter 34.05 RCW; and

(iii) The department, the incarcerated person, and the payee under the order or the person entitled to receive support all have the right to participate in the administrative hearing as parties;

(c) That, if the administrative law judge enters an order providing that abatement is appropriate, the department will take appropriate steps to document the abatement and will advise the parties of:

- (i) The effective date of the abatement of support;
- (ii) The estimated date of release;
- (iii) The estimated date that the abatement will end; and
- (iv) That, if the abated obligation was established by a court order, the department will file a copy of the notification in the court file.

NEW SECTION. **Sec. 5.** A new section is added to chapter 26.09 RCW to read as follows:

(1) When a court or administrative order does not contain language regarding automatic abatement based on incarceration of the person required to pay support and the department receives notice that the person is currently confined in a jail, prison, or correctional facility for at least six months or is serving a sentence greater than six months in a jail, prison, or correctional facility, the department must refer the case to the appropriate forum for a determination of whether the order should be modified to:

- (a) Contain abatement language as provided in this act; and
- (b) Abate the person's child support obligation due to current incarceration.

(2) In a proceeding brought under this section, there is a rebuttable presumption that an incarcerated person is unable to pay the child support obligation. The department, the payee under the order, or the person entitled to receive support may rebut the presumption by demonstrating that the incarcerated person has

possession of, or access to, income or assets available to provide support while incarcerated.

(3) Unless the presumption is rebutted, the court or administrative forum must enter an order providing that the child support obligation under the order is abated to ten dollars per month, without regard to the number of children covered by the order, if the person required to pay support is confined in a jail, prison, or correctional facility for at least six months, or is serving a sentence greater than six months in a jail, prison, or correctional facility.

(4) The order must:

(a) Include the appropriate language required by this act in order to provide for a rebuttable presumption of automatic abatement to ten dollars per month per order; and

(b) Provide that the order must be reinstated at fifty percent of the previously ordered support amount but not less than the presumptive minimum obligation of fifty dollars per month per child, effective on the first day of the fourth month after the person's release from confinement.

NEW SECTION. **Sec. 6.** A new section is added to chapter 26.09 RCW to read as follows:

The effective date of abatement of a child support obligation based on incarceration to ten dollars per month per order under this act is the date on which the person required to pay support is confined in a jail, prison, or correctional facility for at least six months or begins serving a sentence greater than six months in a jail, prison, or correctional facility, regardless of when the department is notified of the incarceration. However:

(1) The person required to pay support is not entitled to a refund of any support collections or payments that were received by

the department prior to the date on which the department is notified of the incarceration; and

(2) The department, the payee under the order, or the person entitled to receive support is not required to refund any support collections or payments that were received by the department prior to the date on which the department is notified of the incarceration.

NEW SECTION. **Sec. 7.** A new section is added to chapter 26.09 RCW to read as follows:

(1) At any time during the period of incarceration, the department, the payee under the order, or the person entitled to receive support may file a request to reverse or terminate the abatement of support by demonstrating that the incarcerated person has possession of, or access to, income or assets available to provide support while incarcerated.

(a) A request for reversal or termination of the abatement may be filed with the department or with the office of administrative hearings.

(b) The request must include documents or other evidence showing that the incarcerated person has possession of, or access to, income or assets available to provide support while incarcerated.

(c) If the request for a hearing does not include documents or evidence showing that the incarcerated person has possession of, or access to, income or assets, the department may file a motion asking that the request for a hearing be dismissed before a hearing is scheduled or held.

(d) The party seeking to reverse or terminate the abatement may seek to vacate the dismissal order by filing a motion which includes the required proof.

(e) Depending on the type of evidence provided at the hearing, the administrative law judge may order that the abatement of the support obligation be:

(i) Reversed, meaning that the determination that support should be abated is vacated and all amounts owed under the support order are reinstated; or

(ii) Terminated, meaning that the abatement of support ends as of the date specified in the order.

(2) At any time during the period of incarceration, the person required to pay support may file a request to reverse or terminate the abatement of support.

(a) The request for reversal or termination of the abatement may be filed with the department or with the office of administrative hearings.

(b) The person required to pay support is not required to provide any documents or other evidence to support the request.

(3) Abatement of a support obligation under this act does not constitute modification or adjustment of the order.

Sec. 8. RCW 26.23.050 and 2019 c 46 s 5026 are each amended to read as follows:

(1) If the division of child support is providing support enforcement services under RCW 26.23.045, or if a party is applying for support enforcement services by signing the application form on the bottom of the support order, the superior court shall include in all court orders that establish or modify a support obligation:

(a) A provision that orders and directs the (~~responsible parent~~) person required to pay support to make all support payments to the Washington state support registry;

(b) A statement that withholding action may be taken against wages, earnings, assets, or benefits, and liens enforced against

real and personal property under the child support statutes of this or any other state, without further notice to the (~~responsible parent~~) person required to pay support at any time after entry of the court order, unless:

(i) One of the parties demonstrates, and the court finds, that there is good cause not to require immediate income withholding and that withholding should be delayed until a payment is past due; or

(ii) The parties reach a written agreement that is approved by the court that provides for an alternate arrangement;

(c) A statement that the (~~receiving parent~~) payee under the order or the person entitled to receive support might be required to submit an accounting of how the support, including any cash medical support, is being spent to benefit the child;

(d) A statement that any (~~parent~~) person required to provide health care coverage for the child or children covered by the order must notify the division of child support and the other (~~parent~~) party to the support order when the coverage terminates; (~~and~~)

(e) A statement that (~~the responsible parent's privileges~~) any privilege of the person required to pay support to obtain and maintain a license, as defined in RCW 74.20A.320, may not be renewed, or may be suspended if the (~~parent~~) person is not in compliance with a support order as provided in RCW 74.20A.320; and

(f) A statement that the support obligation under the order may be automatically abated as provided in section 2 of this act if the person required to pay support is confined in a jail, prison, or correctional facility for at least six months, or is serving a sentence greater than six months in a jail, prison, or correctional facility.

As used in this subsection and subsection (3) of this section, "good cause not to require immediate income withholding" means a written determination of why implementing immediate wage withholding

would not be in the child's best interests and, in modification cases, proof of timely payment of previously ordered support.

(2) In all other cases not under subsection (1) of this section, the court may order the (~~responsible parent~~) person required to pay support to make payments directly to the person entitled to receive the payments, to the Washington state support registry, or may order that payments be made in accordance with an alternate arrangement agreed upon by the parties.

(a) The superior court shall include in all orders under this subsection that establish or modify a support obligation:

(i) A statement that withholding action may be taken against wages, earnings, assets, or benefits, and liens enforced against real and personal property under the child support statutes of this or any other state, without further notice to the (~~responsible parent~~) person required to pay support at any time after entry of the court order, unless:

(A) One of the parties demonstrates, and the court finds, that there is good cause not to require immediate income withholding and that withholding should be delayed until a payment is past due; or

(B) The parties reach a written agreement that is approved by the court that provides for an alternate arrangement;

(ii) A statement that the (~~receiving parent~~) payee under the order or the person entitled to receive support may be required to submit an accounting of how the support is being spent to benefit the child;

(iii) A statement that any (~~parent~~) person required to provide health care coverage for the child or children covered by the order must notify the division of child support and the other (~~parent~~) party when the coverage terminates; and

(iv) A statement that a (~~parent~~) person seeking to enforce the obligation to provide health care coverage may:

- (A) File a motion in the underlying superior court action; or
- (B) If there is not already an underlying superior court action, initiate an action in the superior court.

As used in this subsection, "good cause not to require immediate income withholding" is any reason that the court finds appropriate.

(b) The superior court may order immediate or delayed income withholding as follows:

(i) Immediate income withholding may be ordered if the ~~((responsible parent))~~ person required to pay support has earnings. If immediate income withholding is ordered under this subsection, all support payments shall be paid to the Washington state support registry. The superior court shall issue a mandatory wage assignment order as set forth in chapter 26.18 RCW when the support order is signed by the court. The ~~((parent))~~ payee under the order or the person entitled to receive the transfer payment is responsible for serving the employer with the order and for its enforcement as set forth in chapter 26.18 RCW.

(ii) If immediate income withholding is not ordered, the court shall require that income withholding be delayed until a payment is past due. The support order shall contain a statement that withholding action may be taken against wages, earnings, assets, or benefits, and liens enforced against real and personal property under the child support statutes of this or any other state, without further notice to the ~~((responsible parent))~~ person required to pay support, after a payment is past due.

(c) If a mandatory wage withholding order under chapter 26.18 RCW is issued under this subsection and the division of child support provides support enforcement services under RCW 26.23.045, the existing wage withholding assignment is prospectively superseded upon the division of child support's subsequent service of an income withholding notice.

(3) The office of administrative hearings and the department of social and health services shall require that all support obligations established as administrative orders include a provision which orders and directs that the (~~responsible parent~~) person required to pay support shall make all support payments to the Washington state support registry. All administrative orders shall also state that (~~the responsible parent's privileges~~) any privilege of the person required to pay support to obtain and maintain a license, as defined in RCW 74.20A.320, may not be renewed, or may be suspended if the (~~parent~~) person is not in compliance with a support order as provided in RCW 74.20A.320. All administrative orders shall also state that withholding action may be taken against wages, earnings, assets, or benefits, and liens enforced against real and personal property under the child support statutes of this or any other state without further notice to the (~~responsible parent~~) person required to pay support at any time after entry of the order, unless:

(a) One of the parties demonstrates, and the presiding officer finds, that there is good cause not to require immediate income withholding; or

(b) The parties reach a written agreement that is approved by the presiding officer that provides for an alternate agreement.

(4) If the support order does not include the provision ordering and directing that all payments be made to the Washington state support registry and a statement that withholding action may be taken against wages, earnings, assets, or benefits if a support payment is past due or at any time after the entry of the order, or that (~~a parent's~~) licensing privileges of the person required to pay support may not be renewed, or may be suspended, the division of child support may serve a notice on the (~~responsible parent~~)

person stating such requirements and authorizations. Service may be by personal service or any form of mail requiring a return receipt.

(5) Every support order shall state:

(a) The address where the support payment is to be sent;

(b) That withholding action may be taken against wages, earnings, assets, or benefits, and liens enforced against real and personal property under the child support statutes of this or any other state, without further notice to the ~~((responsible parent))~~ person required to pay support at any time after entry of a support order, unless:

(i) One of the parties demonstrates, and the court finds, that there is good cause not to require immediate income withholding; or

(ii) The parties reach a written agreement that is approved by the court that provides for an alternate arrangement;

(c) The income of the parties, if known, or that their income is unknown and the income upon which the support award is based;

(d) The support award as a sum certain amount;

(e) The specific day or date on which the support payment is due;

(f) The names and ages of the dependent children;

(g) A provision requiring both the ~~((responsible parent))~~ person required to pay support and the ~~((custodial parent))~~ payee under the order or the person entitled to receive support to keep the Washington state support registry informed of whether he or she has access to health care coverage at reasonable cost and, if so, the health care coverage information;

(h) That either or both the ~~((responsible parent))~~ person required to pay support and the ~~((custodial parent))~~ payee under the order or the person entitled to receive support shall be obligated to provide medical support for ~~((his or her))~~ a child or children covered by the order through health care coverage if:

(i) The obligated (~~(parent)~~) person provides accessible coverage for the child or children through private or public health care coverage; or

(ii) Coverage that can be extended to cover the child or children is or becomes available to the (~~(parent)~~) person through employment or is union-related; or

(iii) In the absence of such coverage, through an additional sum certain amount, as that (~~(parent's)~~) obligated person's monthly payment toward the premium as provided under RCW 26.09.105;

(i) That a (~~(parent)~~) person providing health care coverage must notify both the division of child support and the other (~~(parent)~~) party to the order when coverage terminates;

(j) That if proof of health care coverage or proof that the coverage is unavailable is not provided within twenty days, the (~~(parent)~~) person seeking enforcement or the department may seek direct enforcement of the coverage through the employer or union of the (~~(parent)~~) person required to provide medical support without further notice to the (~~(parent)~~) person as provided under chapter 26.18 RCW;

(k) The reasons for not ordering health care coverage if the order fails to require such coverage;

(l) That (~~(the responsible parent's privileges)~~) any privilege of the person required to pay support to obtain and maintain a license, as defined in RCW 74.20A.320, may not be renewed, or may be suspended if the (~~(parent)~~) person is not in compliance with a support order as provided in RCW 74.20A.320;

(m) That each (~~(parent)~~) party to the support order must:

(i) Promptly file with the court and update as necessary the confidential information form required by subsection (7) of this section; and

(ii) Provide the state case registry and update as necessary the information required by subsection (7) of this section; and

(n) That parties to administrative support orders shall provide to the state case registry and update as necessary their residential addresses and the address of the (~~responsible parent's~~) employer of the person required to pay support. The division of child support may adopt rules that govern the collection of parties' current residence and mailing addresses, telephone numbers, dates of birth, social security numbers, the names of the children, social security numbers of the children, dates of birth of the children, driver's license numbers, and the names, addresses, and telephone numbers of the parties' employers to enforce an administrative support order. The division of child support shall not release this information if the division of child support determines that there is reason to believe that release of the information may result in physical or emotional harm to the party or to the child, or a restraining order or protective order is in effect to protect one party from the other party.

(6) After the (~~responsible parent~~) person required to pay support has been ordered or notified to make payments to the Washington state support registry under this section, (~~the responsible parent~~) that person shall be fully responsible for making all payments to the Washington state support registry and shall be subject to payroll deduction or other income-withholding action. The (~~responsible parent~~) person required to pay support shall not be entitled to credit against a support obligation for any payments made to a person or agency other than to the Washington state support registry except as provided under RCW 74.20.101. A civil action may be brought by the (~~payer~~) person required to pay support to recover payments made to persons or agencies who have

received and retained support moneys paid contrary to the provisions of this section.

(7) All petitioners and parties to all court actions under chapters 26.09, 26.10, 26.12, 26.18, 26.21A, 26.23, 26.26A, 26.26B, and 26.27 RCW shall complete to the best of their knowledge a verified and signed confidential information form or equivalent that provides the parties' current residence and mailing addresses, telephone numbers, dates of birth, social security numbers, driver's license numbers, and the names, addresses, and telephone numbers of the parties' employers. The clerk of the court shall not accept petitions, except in parentage actions initiated by the state, orders of child support, decrees of dissolution, or parentage orders for filing in such actions unless accompanied by the confidential information form or equivalent, or unless the confidential information form or equivalent is already on file with the court clerk. In lieu of or in addition to requiring the parties to complete a separate confidential information form, the clerk may collect the information in electronic form. The clerk of the court shall transmit the confidential information form or its data to the division of child support with a copy of the order of child support or parentage order, and may provide copies of the confidential information form or its data and any related findings, decrees, parenting plans, orders, or other documents to the state administrative agency that administers Title IV-A, IV-D, IV-E, or XIX of the federal social security act. In state initiated parentage actions, the parties adjudicated the parents of the child or children shall complete the confidential information form or equivalent or the state's attorney of record may complete that form to the best of the attorney's knowledge.

(8) The department has rule-making authority to enact rules consistent with 42 U.S.C. Sec. 652(f) and 42 U.S.C. Sec. 666(a)(19)

as amended by section 7307 of the deficit reduction act of 2005. Additionally, the department has rule-making authority to implement regulations required under 45 C.F.R. Parts 302, 303, 304, 305, and 308.

Sec. 9. RCW 74.20A.055 and 2019 c 46 s 5052 are each amended to read as follows:

(1) The secretary may, if there is no order that establishes ~~((the responsible parent's))~~ a person's support obligation or specifically relieves the ~~((responsible parent))~~ person required to pay support of a support obligation or pursuant to an establishment of parentage under chapter 26.26A or 26.26B RCW, serve on the ~~((responsible parent or parents))~~ person or persons required to pay support and ~~((custodial parent))~~ the person entitled to receive support a notice and finding of financial responsibility requiring ~~((the parents))~~ those persons to appear and show cause in an adjudicative proceeding why the finding of responsibility and/or the amount thereof is incorrect, should not be finally ordered, but should be rescinded or modified. This notice and finding shall relate to the support debt accrued and/or accruing under this chapter and/or RCW 26.16.205, including periodic payments to be made in the future. The hearing shall be held pursuant to this section, chapter 34.05 RCW, the Administrative Procedure Act, and the rules of the department. A ~~((custodian))~~ person who has physical custody of a child has the same rights ~~((that a custodial parent has))~~ under this section as a parent with whom the child resides.

(2) The notice and finding of financial responsibility shall be served in the same manner prescribed for the service of a summons in a civil action or may be served on the ~~((responsible parent))~~ person required to pay support by certified mail, return receipt requested. The receipt shall be prima facie evidence of service. The notice

shall be served upon the (~~debtor~~) person required to pay support within sixty days from the date the state assumes responsibility for the support of the dependent child or children on whose behalf support is sought. If the notice is not served within sixty days from such date, the department shall lose the right to reimbursement of payments made after the sixty-day period and before the date of notification: PROVIDED, That if the department exercises reasonable efforts to locate the (~~debtor~~) person required to pay support and is unable to do so the entire sixty-day period is tolled until such time as the (~~debtor~~) person can be located. The notice may be served upon the (~~custodial parent~~) person entitled to receive support who is the nonassistance applicant or public assistance recipient by first-class mail to the last known address. If the (~~custodial parent~~) person entitled to receive support is not the nonassistance applicant or public assistance recipient, service shall be in the same manner as for the (~~responsible parent~~) person required to pay support.

(3) The notice and finding of financial responsibility shall set forth the amount the department has determined the (~~responsible parent~~) person required to pay support owes, the support debt accrued and/or accruing, and periodic payments to be made in the future. The notice and finding shall also include:

(a) A statement of the name of the (~~custodial parent~~) person entitled to receive support and the name of the child or children for whom support is sought;

(b) A statement of the amount of periodic future support payments as to which financial responsibility is alleged;

(c) A statement that the (~~responsible parent~~) person required to pay support or (~~custodial parent~~) the person entitled to receive support may object to all or any part of the notice and finding, and file an application for an adjudicative proceeding to

show cause why the terms set forth in the notice should not be ordered;

(d) A statement that, if neither the (~~responsible parent~~) person required to pay support nor the (~~custodial parent~~) person entitled to receive support files in a timely fashion an application for an adjudicative proceeding, the support debt and payments stated in the notice and finding, including periodic support payments in the future, shall be assessed and determined and ordered by the department and that this debt and amounts due under the notice shall be subject to collection action;

(e) A statement that the property of the (~~debtor~~) person required to pay support, without further advance notice or hearing, will be subject to lien and foreclosure, distraint, seizure and sale, order to withhold and deliver, notice of payroll deduction or other collection action to satisfy the debt and enforce the support obligation established under the notice;

(f) A statement that one or both (~~parents~~) parties to the support order are responsible for either:

(i) Providing health care coverage for the child if accessible coverage that can cover the child:

(A) Is available through health insurance or public health care coverage; or

(B) Is or becomes available to the (~~parent~~) person through that (~~parent's~~) person's employment or union; or

(ii) Paying a monthly payment toward the premium if no such coverage is available, as provided under RCW 26.09.105; and

(g) A statement that the support obligation under the order may be automatically abated to ten dollars per month per order as provided in section 2 of this act if the person required to pay support is confined in a jail, prison, or correctional facility for

at least six months, or is serving a sentence greater than six months in a jail, prison, or correctional facility.

(4) A (~~(responsible parent)~~) person required to pay support or (~~(custodial parent)~~) a person entitled to receive support who objects to the notice and finding of financial responsibility may file an application for an adjudicative proceeding within twenty days of the date of service of the notice or thereafter as provided under this subsection.

(a) If the (~~(responsible parent)~~) person required to pay support or (~~(custodial parent)~~) the person entitled to receive support files the application within twenty days, the office of administrative hearings shall schedule an adjudicative proceeding to hear the (~~(parent's)~~) party's or (~~(parents')~~) parties' objection and determine the support obligation for the entire period covered by the notice and finding of financial responsibility. The filing of the application stays collection action pending the entry of a final administrative order;

(b) If both the (~~(responsible parent)~~) person required to pay support and the (~~(custodial parent)~~) person entitled to receive support fail to file an application within twenty days, the notice and finding shall become a final administrative order. The amounts for current and future support and the support debt stated in the notice are final and subject to collection, except as provided under (c) and (d) of this subsection;

(c) If the (~~(responsible parent)~~) person required to pay support or (~~(custodial parent)~~) the person entitled to receive support files the application more than twenty days after, but within one year of the date of service, the office of administrative hearings shall schedule an adjudicative proceeding to hear the (~~(parent's)~~) party's or (~~(parents')~~) parties' objection and determine the support obligation for the entire period covered by the notice and finding

of financial responsibility. The filing of the application does not stay further collection action, pending the entry of a final administrative order, and does not affect any prior collection action;

(d) If the (~~responsible parent~~) person required to pay support or (~~custodial parent~~) the person entitled to receive support files the application more than one year after the date of service, the office of administrative hearings shall schedule an adjudicative proceeding at which the (~~parent~~) party who requested the late hearing must show good cause for failure to file a timely application. The filing of the application does not stay future collection action and does not affect prior collection action:

(i) If the presiding officer finds that good cause exists, the presiding officer shall proceed to hear the (~~parent's~~) party's objection to the notice and determine the support obligation;

(ii) If the presiding officer finds that good cause does not exist, the presiding officer shall treat the application as a petition for prospective modification of the amount for current and future support established under the notice and finding. In the modification proceeding, the presiding officer shall set current and future support under chapter 26.19 RCW. The petitioning (~~parent~~) party need show neither good cause nor a substantial change of circumstances to justify modification of current and future support;

(e) If the (~~responsible parent's~~) support obligation was based upon imputed median net income, the grant standard, or the family need standard, the division of child support may file an application for adjudicative proceeding more than twenty days after the date of service of the notice. The office of administrative hearings shall schedule an adjudicative proceeding and provide notice of the hearing to the (~~responsible parent~~) person required to pay support and the (~~custodial parent~~) person entitled to receive support. The

presiding officer shall determine the support obligation for the entire period covered by the notice, based upon credible evidence presented by the division of child support, the ~~((responsible parent))~~ person required to pay support, or the ~~((custodial parent))~~ person entitled to receive support, or may determine that the support obligation set forth in the notice is correct. The division of child support demonstrates good cause by showing that the ~~((responsible parent's))~~ support obligation was based upon imputed median net income, the grant standard, or the family need standard. The filing of the application by the division of child support does not stay further collection action, pending the entry of a final administrative order, and does not affect any prior collection action.

(f) The department shall retain and/or shall not refund support money collected more than twenty days after the date of service of the notice. Money withheld as the result of collection action shall be delivered to the department. The department shall distribute such money, as provided in published rules.

(5) If an application for an adjudicative proceeding is filed, the presiding or reviewing officer shall determine the past liability and responsibility, if any, of the ~~((alleged responsible parent))~~ person required to pay support and shall also determine the amount of periodic payments to be made in the future, which amount is not limited by the amount of any public assistance payment made to or for the benefit of the child. If deviating from the child support schedule in making these determinations, the presiding or reviewing officer shall apply the standards contained in the child support schedule and enter written findings of fact supporting the deviation.

(6) If either the ~~((responsible parent))~~ person required to pay support or the ~~((custodial parent))~~ person entitled to receive

support fails to attend or participate in the hearing or other stage of an adjudicative proceeding, upon a showing of valid service, the presiding officer shall enter an order of default against each party who did not appear and may enter an administrative order declaring the support debt and payment provisions stated in the notice and finding of financial responsibility to be assessed and determined and subject to collection action. The parties who appear may enter an agreed settlement or consent order, which may be different than the terms of the department's notice. Any party who appears may choose to proceed to the hearing, after the conclusion of which the presiding officer or reviewing officer may enter an order that is different than the terms stated in the notice, if the obligation is supported by credible evidence presented by any party at the hearing.

(7) The final administrative order establishing liability and/or future periodic support payments shall be superseded upon entry of a superior court order for support to the extent the superior court order is inconsistent with the administrative order.

(8) Debts determined pursuant to this section, accrued and not paid, are subject to collection action under this chapter without further necessity of action by a presiding or reviewing officer.

(9) The department has rule-making authority to enact rules consistent with 42 U.S.C. Sec. 652(f) and 42 U.S.C. Sec. 666(a)(19) as amended by section 7307 of the deficit reduction act of 2005. Additionally, the department has rule-making authority to implement regulations required under 45 C.F.R. Parts 302, 303, 304, 305, and 308.

Sec. 10. RCW 74.20A.056 and 2019 c 46 s 5053 are each amended to read as follows:

(1) (a) If an acknowledged parent has signed an acknowledgment of parentage that has been filed with the state registrar of vital statistics:

(i) The division of child support may serve a notice and finding of financial responsibility under RCW 74.20A.055 based on the acknowledgment. The division of child support shall attach a copy of the acknowledgment or certification of the birth record information advising of the existence of a filed acknowledgment of parentage to the notice;

(ii) The notice shall include a statement that the acknowledged parent or any other signatory may commence a proceeding in court to rescind or challenge the acknowledgment or denial of parentage under RCW 26.26A.235 and 26.26A.240;

(iii) A statement that either ~~((or both parents))~~ the person required to pay support or the person entitled to receive support are responsible for providing health care coverage for the child if accessible coverage that can be extended to cover the child is or becomes available to the ~~((parent))~~ person through employment or is union-related as provided under RCW 26.09.105; ~~((and))~~

(iv) The party commencing the action to rescind or challenge the acknowledgment or denial must serve notice on the division of child support and the office of the prosecuting attorney in the county in which the proceeding is commenced. Commencement of a proceeding to rescind or challenge the acknowledgment or denial stays the establishment of the notice and finding of financial responsibility, if the notice has not yet become a final order; and

(v) A statement that the support obligation under the order may be automatically abated to ten dollars per month per order as provided in section 2 of this act if the person required to pay support is confined in a jail, prison, or correctional facility for

at least six months, or is serving a sentence greater than six months in a jail, prison, or correctional facility.

(b) If neither (~~the acknowledged parent nor the other~~) party to the notice files an application for an adjudicative proceeding or the signatories to the acknowledgment or denial do not commence a proceeding to rescind or challenge the acknowledgment of parentage, the amount of support stated in the notice and finding of financial responsibility becomes final, subject only to a subsequent determination under RCW 26.26A.400 through 26.26A.515 that the parent-child relationship does not exist. The division of child support does not refund nor return any amounts collected under a notice that becomes final under this section or RCW 74.20A.055, even if a court later determines that the acknowledgment is void.

(c) An acknowledged parent or other party to the notice who objects to the amount of support requested in the notice may file an application for an adjudicative proceeding up to twenty days after the date the notice was served. An application for an adjudicative proceeding may be filed within one year of service of the notice and finding of parental responsibility without the necessity for a showing of good cause or upon a showing of good cause thereafter. An adjudicative proceeding under this section shall be pursuant to RCW 74.20A.055. The only issues shall be the amount of the accrued debt and the amount of the current and future support obligation.

(i) If the application for an adjudicative proceeding is filed within twenty days of service of the notice, collection action shall be stayed pending a final decision by the department.

(ii) If the application for an adjudicative proceeding is not filed within twenty days of the service of the notice, any amounts collected under the notice shall be neither refunded nor returned if the (~~alleged genetic parent~~) person required to pay support under

the notice is later found not to be ((~~a responsible parent~~))
required to pay support.

(d) If neither ((~~the acknowledged parent nor the custodial parent~~)) party to the notice requests an adjudicative proceeding, or if no timely action is brought to rescind or challenge the acknowledgment or denial after service of the notice, the notice of financial responsibility becomes final for all intents and purposes and may be overturned only by a subsequent superior court order entered under RCW 26.26A.400 through 26.26A.515.

(2) Acknowledgments of parentage are subject to requirements of chapters 26.26A, 26.26B, and 70.58 RCW.

(3) The department and the department of health may adopt rules to implement the requirements under this section.

(4) The department has rule-making authority to enact rules consistent with 42 U.S.C. Sec. 652(f) and 42 U.S.C. Sec. 666(a)(19) as amended by section 7307 of the deficit reduction act of 2005. Additionally, the department has rule-making authority to implement regulations required under 45 C.F.R. Parts 302, 303, 304, 305, and 308.

Sec. 11. RCW 74.20A.056 and 2019 c 148 s 38 and 2019 c 46 s 5053 are each reenacted and amended to read as follows:

(1) (a) If an acknowledged parent has signed an acknowledgment of parentage that has been filed with the state registrar of vital statistics:

(i) The division of child support may serve a notice and finding of financial responsibility under RCW 74.20A.055 based on the acknowledgment. The division of child support shall attach a copy of the acknowledgment or certification of the birth record information advising of the existence of a filed acknowledgment of parentage to the notice;

(ii) The notice shall include a statement that the acknowledged parent or any other signatory may commence a proceeding in court to rescind or challenge the acknowledgment or denial of parentage under RCW 26.26A.235 and 26.26A.240;

(iii) A statement that either or both (~~parents~~) the person required to pay support or the person entitled to receive support are responsible for providing health care coverage for the child if accessible coverage that can be extended to cover the child is or becomes available to the (~~parent~~) person through employment or is union-related as provided under RCW 26.09.105; (~~and~~)

(iv) The party commencing the action to rescind or challenge the acknowledgment or denial must serve notice on the division of child support and the office of the prosecuting attorney in the county in which the proceeding is commenced. Commencement of a proceeding to rescind or challenge the acknowledgment or denial stays the establishment of the notice and finding of financial responsibility, if the notice has not yet become a final order; and

(v) A statement that the support obligation under the order may be automatically abated to ten dollars per month per order as provided in section 2 of this act if the person required to pay support is confined in a jail, prison, or correctional facility for at least six months, or is serving a sentence greater than six months in a jail, prison, or correctional facility.

(b) If neither (~~the acknowledged parent nor the other~~) party to the notice files an application for an adjudicative proceeding or the signatories to the acknowledgment or denial do not commence a proceeding to rescind or challenge the acknowledgment of parentage, the amount of support stated in the notice and finding of financial responsibility becomes final, subject only to a subsequent determination under RCW 26.26A.400 through 26.26A.515 that the parent-child relationship does not exist. The division of child

support does not refund nor return any amounts collected under a notice that becomes final under this section or RCW 74.20A.055, even if a court later determines that the acknowledgment is void.

(c) An acknowledged parent or other party to the notice who objects to the amount of support requested in the notice may file an application for an adjudicative proceeding up to twenty days after the date the notice was served. An application for an adjudicative proceeding may be filed within one year of service of the notice and finding of parental responsibility without the necessity for a showing of good cause or upon a showing of good cause thereafter. An adjudicative proceeding under this section shall be pursuant to RCW 74.20A.055. The only issues shall be the amount of the accrued debt and the amount of the current and future support obligation.

(i) If the application for an adjudicative proceeding is filed within twenty days of service of the notice, collection action shall be stayed pending a final decision by the department.

(ii) If the application for an adjudicative proceeding is not filed within twenty days of the service of the notice, any amounts collected under the notice shall be neither refunded nor returned if the ~~((alleged genetic parent))~~ person required to pay support under the notice is later found not to be ~~((a responsible parent))~~ required to pay support.

(d) If neither the acknowledged parent nor the ~~((custodial parent))~~ person entitled to receive support requests an adjudicative proceeding, or if no timely action is brought to rescind or challenge the acknowledgment or denial after service of the notice, the notice of financial responsibility becomes final for all intents and purposes and may be overturned only by a subsequent superior court order entered under RCW 26.26A.400 through 26.26A.515.

(2) Acknowledgments of parentage are subject to requirements of chapters 26.26A, 26.26B, and 70.58A RCW.

(3) The department and the department of health may adopt rules to implement the requirements under this section.

(4) The department has rule-making authority to enact rules consistent with 42 U.S.C. Sec. 652(f) and 42 U.S.C. Sec. 666(a)(19) as amended by section 7307 of the deficit reduction act of 2005. Additionally, the department has rule-making authority to implement regulations required under 45 C.F.R. Parts 302, 303, 304, 305, and 308.

Sec. 12. RCW 74.20A.059 and 2019 c 275 s 3 are each amended to read as follows:

(1) The department, the ~~((physical custodian))~~ payee under the order or the person entitled to receive support, or the ~~((responsible parent))~~ person required to pay support may petition for a prospective modification of a final administrative order if:

- (a) The administrative order has not been superseded by a superior court order; and
- (b) There has been a substantial change of circumstances, except as provided under RCW 74.20A.055(4)(d) or subsection (2) of this section.

(2) The department, the person entitled to receive support, the payee under the order, or the person required to pay support may petition for a prospective modification of a final administrative order if the person required to pay support is currently confined in a jail, prison, or correctional facility for at least six months or is serving a sentence greater than six months in a jail, prison, or correctional facility, and the support order does not contain language regarding automatic abatement due to incarceration.

(a) The petition may be filed at any time after the administrative support order became a final order, as long as the person required to pay support is currently incarcerated.

(b) As part of the petition for modification, the petitioner may also request that the support obligation be abated to ten dollars per month per order due to incarceration, as provided in section 2 of this act.

(3) An order of child support may be modified at any time without a showing of substantially changed circumstances if incarceration of the ~~((parent who is obligated))~~ person required to pay support is the basis for the inconsistency between the existing child support order amount and the amount of support determined as a result of a review.

~~((+3))~~ (4) An order of child support may be modified one year or more after it has been entered without showing a substantial change of circumstances:

(a) If the order in practice works a severe economic hardship on either party or the child; or

(b) If a child is a full-time student and reasonably expected to complete secondary school or the equivalent level of vocational or technical training before the child becomes nineteen years of age upon a finding that there is a need to extend support beyond the eighteenth birthday.

~~((+4))~~ (5) An order may be modified without showing a substantial change of circumstances if the requested modification is to:

(a) Require medical support under RCW 26.09.105 for a child covered by the order; or

(b) Modify an existing order for health care coverage.

~~((+5))~~ (6) Support orders may be adjusted once every twenty-four months based upon changes in the income of the ~~((parents))~~ parties to the order without a showing of substantially changed circumstances.

~~((6))~~ (7) (a) All administrative orders entered on, before, or after September 1, 1991, may be modified based upon changes in the child support schedule established in chapter 26.19 RCW without a substantial change of circumstances. The petition may be filed based on changes in the child support schedule after twelve months has expired from the entry of the administrative order or the most recent modification order setting child support, whichever is later. However, if a party is granted relief under this provision, twenty-four months must pass before another petition for modification may be filed pursuant to subsection ~~((5))~~ (6) of this section.

(b) If, pursuant to subsection ~~((5))~~ (6) of this section or (a) of this subsection, the order modifies a child support obligation by more than thirty percent and the change would cause significant hardship, the change may be implemented in two equal increments, one at the time of the entry of the order and the second six months from the entry of the order. Twenty-four months must pass following the second change before a petition for modification under subsection ~~((5))~~ (6) of this section may be filed.

~~((7))~~ (8) An increase in the wage or salary of the ~~((parent or custodian who is receiving))~~ person entitled to receive the support transfer payments is not a substantial change in circumstances for purposes of modification under subsection (1)(b) of this section. ~~((An obligor's))~~ The voluntary unemployment or voluntary underemployment of the person required to pay support, by itself, is not a substantial change of circumstances.

~~((8))~~ (9) The department shall file the petition and a supporting affidavit with the secretary or the secretary's designee when the department petitions for modification.

~~((9))~~ (10) The ~~((responsible parent))~~ person required to pay support or the ~~((physical custodian))~~ payee under the order or the person entitled to receive support shall follow the procedures in

this chapter for filing an application for an adjudicative proceeding to petition for modification.

~~((10))~~ (11) Upon the filing of a proper petition or application, the secretary or the secretary's designee shall issue an order directing each party to appear and show cause why the order should not be modified.

~~((11))~~ (12) If the presiding or reviewing officer finds a modification is appropriate, the officer shall modify the order and set current and future support under chapter 26.19 RCW.

Sec. 13. RCW 26.09.170 and 2019 c 275 s 2 are each amended to read as follows:

(1) Except as otherwise provided in RCW 26.09.070(7), the provisions of any decree respecting maintenance or support may be modified: (a) Only as to installments accruing subsequent to the petition for modification or motion for adjustment except motions to compel court-ordered adjustments, which shall be effective as of the first date specified in the decree for implementing the adjustment; and, (b) except as otherwise provided in this section, only upon a showing of a substantial change of circumstances. The provisions as to property disposition may not be revoked or modified, unless the court finds the existence of conditions that justify the reopening of a judgment under the laws of this state.

(2) Unless otherwise agreed in writing or expressly provided in the decree the obligation to pay future maintenance is terminated upon the death of either party or the remarriage of the party receiving maintenance or registration of a new domestic partnership of the party receiving maintenance.

(3) Unless otherwise agreed in writing or expressly provided in the decree, provisions for the support of a child are terminated by

emancipation of the child or by the death of the (~~parent obligated to~~) person required to pay support for the child.

(4) Unless expressly provided by an order of the superior court or a court of comparable jurisdiction, provisions for the support of a child are terminated upon the marriage or registration of a domestic partnership to each other of parties to a paternity or parentage order, or upon the remarriage or registration of a domestic partnership to each other of parties to a decree of dissolution. The remaining provisions of the order, including provisions establishing (~~paternity~~) parentage, remain in effect.

(5) (a) A party to an order of child support may petition for a modification based upon a showing of substantially changed circumstances at any time.

(b) (~~An obligor's~~) The voluntary unemployment or voluntary underemployment of the person required to pay support, by itself, is not a substantial change of circumstances.

(6) An order of child support may be modified at any time to add language regarding automatic abatement to ten dollars per month per order due to the incarceration of the person required to pay support, as provided in section 2 of this act.

(a) The department of social and health services, the person entitled to receive support or the payee under the order, or the person required to pay support may petition for a prospective modification of a child support order if the person required to pay support is currently confined in a jail, prison, or correctional facility for at least six months or is serving a sentence greater than six months in a jail, prison, or correctional facility, and the support order does not contain language regarding automatic abatement due to incarceration.

(b) The petition may only be filed if the person required to pay support is currently incarcerated.

(c) As part of the petition for modification, the petitioner may also request that the support obligation be abated to ten dollars per month per order due to incarceration, as provided in section 2 of this act.

(7) An order of child support may be modified one year or more after it has been entered without a showing of substantially changed circumstances:

(a) If the order in practice works a severe economic hardship on either party or the child;

(b) If a child is still in high school, upon a finding that there is a need to extend support beyond the eighteenth birthday to complete high school; or

(c) To add an automatic adjustment of support provision consistent with RCW 26.09.100.

~~((7))~~ (8) (a) If twenty-four months have passed from the date of the entry of the order or the last adjustment or modification, whichever is later, the order may be adjusted without a showing of substantially changed circumstances based upon:

(i) Changes in the income of the ~~((parents))~~ parties to the order; or

(ii) Changes in the economic table or standards in chapter 26.19 RCW.

(b) Either party may initiate the adjustment by filing a motion and child support worksheets.

(c) If the court adjusts or modifies a child support obligation pursuant to this subsection by more than thirty percent and the change would cause significant hardship, the court may implement the change in two equal increments, one at the time of the entry of the order and the second six months from the entry of the order. Twenty-four months must pass following the second change before a motion for another adjustment under this subsection may be filed.

~~((8))~~ (9) (a) The department of social and health services may file an action to modify or adjust an order of child support if public assistance money is being paid to or for the benefit of the child and the department has determined that the child support order is at least fifteen percent above or below the appropriate child support amount set forth in the standard calculation as defined in RCW 26.19.011.

(b) The department of social and health services may file an action to modify or adjust an order of child support in a nonassistance case if:

(i) The department has determined that the child support order is at least fifteen percent above or below the appropriate child support amount set forth in the standard calculation as defined in RCW 26.19.011;

(ii) The department has determined the case meets the department's review criteria; and

(iii) A party to the order or another state or jurisdiction has requested a review.

(c) If incarceration of the ~~((parent who is obligated))~~ person required to pay support is the basis for the difference between the existing child support order amount and the proposed amount of support determined as a result of a review, the department may file an action to modify or adjust an order of child support even if:

(i) There is no other change of circumstances; and

(ii) The change in support does not meet the fifteen percent threshold.

(d) The determination of whether the child support order is at least fifteen percent above or below the appropriate child support amount must be based on the current income of the parties.

~~((9))~~ (10) The department of social and health services may file an action to modify or adjust an order of child support under subsections (5) through ~~((7))~~ (8) of this section if:

(a) Public assistance money is being paid to or for the benefit of the child;

(b) A party to the order in a nonassistance case has requested a review; or

(c) Another state or jurisdiction has requested a modification of the order.

~~((10))~~ (11) If testimony other than affidavit is required in any proceeding under this section, a court of this state shall permit a party or witness to be deposed or to testify under penalty of perjury by telephone, audiovisual means, or other electronic means, unless good cause is shown.

NEW SECTION. **Sec. 14.** A new section is added to chapter 26.09 RCW to read as follows:

The department is granted rule-making authority to adopt rules necessary for the implementation of this act.

NEW SECTION. **Sec. 15.** Section 10 of this act expires January 1, 2021.

NEW SECTION. **Sec. 16.** Section 11 of this act takes effect January 1, 2021.

--- END ---

Attachment 3

January 11, 2020

Prefiled Bills with Impact to DOC as of January 7, 2020

Bills Most Likely to Impact DOC Operations	
2223 - Firearm prohibit. liability	HB 2223
2226 - Immigration enforcement	HB 2226
2277 - Youth solitary confinement	HB 2277
2292 - Restoration of voter rights	HB 2292
2299 - Prison to postsecondary ed.	HB 2299
2302 - Incarcerated parents/child support	HB 2302
6030 - Immigration enforcement	SB 6030
6061 - Telemedicine training	SB 6061
6063 - DOC health care admin.	SB 6063
6064 - DOC full body scanners	SB 6064
6086 - Opioid use/medications	SB 6086
6112 - Youth solitary confinement	SB 6112

Sentencing Impact Bills	
2231 - Bail jumping	HB 2231
2240 - High capacity magazines	HB 2240
2241 - Assault weapons	HB 2241
2268 - Election violation penalties	HB 2268
2294 - Assault 3 health care providers	HB 2294

Other Bills of Interest	
2187 - Women veterans license plate	HB 2187
2190 - Legislative transparency	HB 2190
2191 - Family & med. leave/coverage	HB 2191
2225 - Legislative budget office	HB 2225
2228 - State fire service deploy.	HB 2228
2264 - Accrued vacation leave cap	HB 2264
2266 - Expression of breast milk	HB 2266
2304 - Shared leave and industrial insurance benefits	HB 2304

Note: In addition to prefiled bills for the 2020 Session, bills that did not pass last session are still alive and may be reintroduced.

Corrections Budget Briefing

MIKE STEENHOUT, BUDGET DIRECTOR

STATEWIDE FAMILY COUNCIL MEETING

JANUARY 11, 2020 | CORRECTIONAL INDUSTRIES HEADQUARTERS - TUMWATER



Mission

To improve public safety by positively changing lives

Commitment

To operate a safe and humane corrections system and partner with others to transform lives for a better Washington

Vision

Working together for safer communities



Values

How we will perform our work moving forward



- **Cultivate an environment of integrity and trust:** Corrections values partnership and trust. We foster openness and support courageous conversations. We are committed to doing what we say we are going to do by being accountable and taking personal ownership in our actions.
- **Respectful and inclusive interactions:** Corrections appreciates and values individuals by promoting an inclusive and diverse environment, which encourages safety. We respect, value, and listen to the thoughts, feelings, and perspectives of our stakeholders and consider the impact on those we serve as well as each other.
- **People's safety:** Corrections believes in creating an environment that values physical, mental, and emotional security and well-being. We honor those who advance safety for all.
- **Positivity in words and actions:** At Corrections, we assume positive intentions and believe there is a shared desire for the best outcome. We consistently demonstrate positive behavior and always put forth our best effort.
- **Supporting people's success:** Corrections is committed to our community – understanding individuals, instilling hope, embracing change, and providing opportunities

Washington State Department of Corrections

Measurable results

Building an outcome-based management system that engages staff at all levels to deliver on our goals



Improve Lives

- Decrease the first-year rate of return to institutions from 12% to 10% by 2023
- Establish continuity of care plans for 40% of releasing incarcerated individuals with a substance use disorder, mental health and/or chronic care condition by 2023

Keep People Safe

- Decrease the rate of violence from 0.93 to 0.90 per 100 incarcerated individuals at prison facilities by 2022
- Increase the rate of supervised individuals reporting from 64% to 70% by 2023

Engage and Respect Employees

- Increase the Equity, Diversity, Inclusion, and Respect Index from 59% to 63% by 2023

Achieve Organizational Excellence

- Provide full and partial confinement options within 100% of capacity by 2023
- Establish Integrated Outcome Based Management in 100% of Divisions by 2020

Washington State Department of Corrections

Budget highlights

Health Services

- Critical nursing relief
- Health Care Accreditation and Advocacy
- Treatment expansion

Prison Safety

- Custody relief and Health Care delivery staffing
- Hot breakfasts
- Gender responsiveness
- Diversity, Equity, Inclusion and Respect – Core Values

Supervision Reform and Reentry

- Consecutive/Concurrent
- Positive Achievement Time
- Swift and Certain Reform
- Expand evidence-based supervision and reentry practices

Accurate application of sentences

- OMNI
- Tolling

Investing in Aging Facilities & Infrastructure



Statewide Family Council

Health care services

Critical Nursing Relief, Supervisors and Medical Assistants

- Increased funding for roughly 26 more on-call nursing staff, nursing supervisors and medical assistants.

Health Care Accreditation and Advocacy

- Improving patient care, patient safety reporting and clinical oversight, including developing a plan to achieve accreditation with National Commission on Correctional Health Care (NCCHC).
- Piloting two new patient advocacy programs at the Monroe Correctional Complex and the Washington Corrections Center for Women to help elevate and address patient concerns more quickly.



Statewide Family Council

<p>Prison safety</p> 	<p>Custody Staff: Health Care Delivery</p> <ul style="list-style-type: none">• Funding relief and staff for additional off-site medical transportation, community hospital watches and one-on-one watches. <p>Food and staff safety concerns</p> <ul style="list-style-type: none">• Funding to provide traditional hot breakfast service at all five facilities to avert future food strikes. <p>Enhancing Gender Responsive Policy and Practices</p> <ul style="list-style-type: none">• Funds to evaluate and improve gender-informed policies and practices. <p>Diversity, Equity, Inclusion and Respect</p> <ul style="list-style-type: none">• Funding to implement a values-focused training curriculum to improve DOC's culture, focused on equity, understanding implicit bias, inclusion, embracing diversity, courage, treating others with respect and operational norms for all DOC staff. <p>Statewide Family Council</p>
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<p>Accurate application of sentences</p> 	<p>Stabilize critical Offender Management Network Information (OMNI) System</p> <ul style="list-style-type: none">• Funding to upgrade the system in a three-phase approach, addressing business need gaps for OMNI that are both urgent and critical to improve public safety. <p>Accurate tolling</p> <ul style="list-style-type: none">• Funding to review the 187,000 entries made to DOC's Offender Management Network Information (OMNI) for tolling and 19,408 sentences for individuals released from supervision to ensure accurate sentence end dates (SEDs). <p>Statewide Family Council</p>
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Investing in Aging Facilities & Infrastructure



Washington Corrections Center: Replace Infirmary and Intake Building

- Pre-design study to determine alternatives for replacing the current space to meet current and future capacity needs

Monroe Correctional Complex: Health Services Clinic Roof Replacement

- Pre-design and design studies for replacing the roof and HVAC equipment.

Monroe Correctional Complex: Special Offenders Unit and Twin Rivers Unit: Domestic Water and HVAC Piping System Replacement

- Pre-design studies are required to prepare for replacement of the failing domestic hot and cold water piping and HVAC systems at the units.

Clallam Bay Corrections Center: Boiler Replacement

- Add a propane co-generation unit to project, which will be more reliable and will operate more efficiently resulting in lower operating costs over time. This would also provide partial power to the remote facility in the event of an outage.

Statewide Family Council

Supervision reform and reentry



Sentencing changes to reduce

- Concurrent supervision
- Positive achievement time
- Swift and certain sanctioning reforms

Evidence-based supervision and reentry practices

- Support accountability and successful reintegration into the community, as recommended by the Sentencing Guidelines Commission and the Criminal Sentencing Task Force.
- Includes developing and implementing a formalized motivational and coaching focused supervision model, front-loading reentry services and providing a wrap-around supervision model for all individuals being released from confinement.

Statewide Family Council

More information and Questions

For more information: <https://www.ofm.wa.gov/budget>

The Governor's proposed Fiscal Year 2020 Supplemental Budget:

- Budget Highlights
- DOC recommended summary details
- Appropriation bills

QUESTIONS?



Improve Public Safety by Positively Changing Lives

Governor's proposed budget highlights

Statewide Family Council Meeting | January 11, 2020



The Department of Corrections' (DOC) mission is to improve public safety by positively changing lives. We are committed to operating a safe and humane corrections system and partnering with others to transform lives. This work affects individuals in every legislative district and helps create safer communities.

Health Care Services

- **Critical Nursing Relief, Supervisors and Medical Assistants** - 25.8 FTEs, \$5.1M - Currently, the agency is severely underfunded for current relief needs and holiday overtime, as well as nursing supervision and medical practitioner support staffing.
- **Health Care Accreditation and Advocacy** - 2.8 FTEs, \$1.4M - Piloting patient advocacy programs at the Monroe Correctional Complex and the Washington Corrections Center for Women. Seeking recommendations from the American Correctional Association (ACA) and beginning accreditation assessment from the National Commission on Correctional Health Care (NCCCHC).

Prison Safety

- **Custody Staff: Health Care Delivery** - 48.4 FTEs, \$8.6M – Funding staff for additional off-site medical transportation, community hospital watches and one-on-one watches.
- **Food and staff safety concerns** - \$900K - Funding to provide traditional hot breakfast service at all five facilities under the CI program to help avert future food strikes.
- **Enhancing Gender Responsive Policy and Practices** - \$136K - Funds to evaluate and improve gender-informed policies and practices.
- **Diversity, Equity, Inclusion and Respect** - .7 FTEs, \$154K - Funding to implement a values-focused training curriculum to improve DOC's culture, focused on equity, understanding implicit bias, inclusion, embracing diversity, courage, treating others with respect and operational norms for all DOC staff.

Accurate application of sentences

Stabilize critical Offender Management Network Information (OMNI) System

- 0.5 FTE, \$2.2M - Funding to upgrade the system in a three-phase approach, addressing business need gaps for OMNI that are both urgent and critical to improve public safety.

Accurate tolling

- 55.5 FTEs, \$9.4M – Funding to review the 187,000 entries made to DOC's Offender Management Network Information (OMNI) for tolling and 19,408 sentences for individuals released from supervision to ensure accurate sentence end dates (SEDs).

Supervision reform and reentry

- **Sentencing reforms**
 - Concurrent supervision
 - Positive achievement time
 - Swift and certain sanctioning reforms
- **Evidence-based supervision and reentry practices**
 - Support accountability and successful reintegration into the community, as recommended by the Sentencing Guidelines Commission and the Criminal Sentencing Task Force.

Investing in Aging Facilities & Infrastructure

- **Washington Corrections Center: Replace Infirmary and Intake Building** - \$1.5M - Pre-design study to determine alternatives for replacing the current space, improve safety and provide necessary space for essential services that meet current and future capacity needs, assuring compliance with the standard-of-care.

Improve Public Safety by Positively Changing Lives Health Care Services - Improve Lives – Continuity of Care

Fiscal Year 2020 Supplemental



The Department of Corrections (DOC) is dedicated to improving patient care and quality treatment for incarcerated individuals. Addressing medical and mental health needs and assuring appropriate continuity of care when an incarcerated individual is later released to the community are essential.

Components of Adequate Health Care for Incarcerated Individuals: (36.3 FTEs, \$17M)

Nursing Relief (25.8 FTEs, \$5.1M)	Hep C Treatment Expansion (\$6.56M)	Health Care Accreditation and Advocacy (2.8 FTEs, \$1.4M)
Pharmacy Staffing (7.7 FTEs, \$1.7M)	Chemical Dependency Bed Expansion (\$2.2M)	

Health Care Staffing (Critical Nursing Relief, Supervisors and Medical Assistants)

DOC health care facilities operate 24/7 and require nursing staff in the facilities at all times. Currently, the agency is severely underfunded for current relief needs and holiday overtime, as well as nursing supervision and medical practitioner support staffing. Nursing relief needs are attributed to authorized, legitimate absences of nursing staff from their designated work areas, which require 24/7 coverage, and require backfill (relief) to cover duties and provide services. Additional relief funding, nurse supervision, and medical assistants will improve service for incarcerated individuals, boost staff morale, help assure safety and quality of care, and mitigate risk to the agency. This crucial request aligns with the recommendations outlined in the legislatively mandated staffing report produced by CGL Management Group. (25.8 FTEs, \$5.1M).

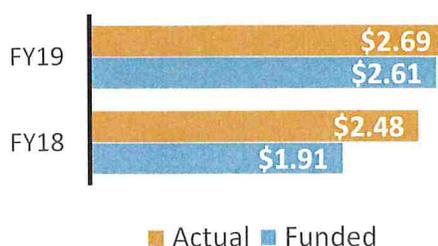
Achieving Improved Patient Delivery (Health Care Accreditation and Advocacy)

The State is constitutionally mandated to provide adequate health care treatment to incarcerated individuals, and DOC is experiencing a significant increase in medical grievances. In addition to seeking recommendations from the American Correctional Association (ACA) and beginning accreditation assessment from the National Commission on Correctional Health Care (NCCHC), Corrections will begin to pilot patient advocacy programs at the Monroe Correctional Complex and the Washington Corrections Center for Women. (2.8 FTEs, \$1.4M).

Direct Patient Care

Medically necessary and non-discretionary direct patient care costs have increased due to the changing health care needs of the incarcerated population as well as general cost increases of outpatient and specialty care. The agency's base budget has not been adjusted accordingly and currently does not have a mechanism to receive funding for the increases in the direct patient healthcare rate for the total confined population. This funding true-up is in the male and female caseload decision packages for direct variable costs (the daily costs of providing medical care) and prescription medication costs. (\$6.6M).

Daily Direct Patient Care Rate (FY18-FY19)



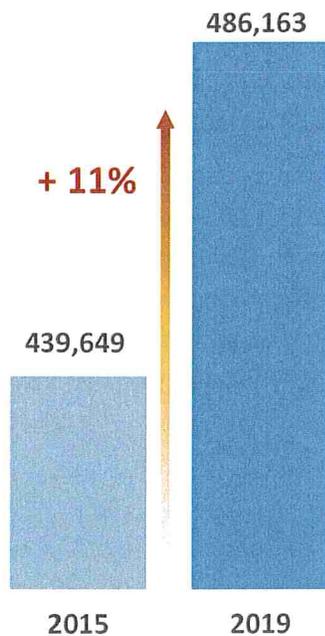
Treatment Expansion (Hep C and Additional Chemical Dependency Beds)

Hep C Treatments: An estimated 1,500, or 11%, of individuals in the state's correctional system suffer from chronic Hepatitis C infection. Treating and monitoring every patient is clinically impossible with current staffing levels. Nationally, there have been several court cases requiring the treatment of all individuals that test positive for Hep C. The agency is not able to test and treat every patient with a positive blood test for Hep C and all those in the current resident population already needing treatment. As an interim step, Corrections seeks funding for medications to increase the number of treated patients by 251 patients, for a total treatment count of 520. This would increase the total percentage of being treated from 18% to 35%. (0.0 FTEs, \$6.6M).

Chemical Dependency Bed Expansion: The need for increased funding of Residential Drug Offender Sentencing Alternative (DOSA) and Intensive In-Patient (IIP) Chemical Dependency (CD) beds in the community are crucial to meet the needs for justice-involved individuals. Funding beds at levels needed as indicated by usage will eliminate waiting lists, increase judicial use of the sentencing alternative, decrease community supervision violations and decrease the likelihood of recidivism. Delaying access to a bed puts both patient and public safety at risk. (0.0 FTEs, \$2.2M).

Meeting the Demands of Pharmacy Workload (Centralized Pharmacy Staffing)

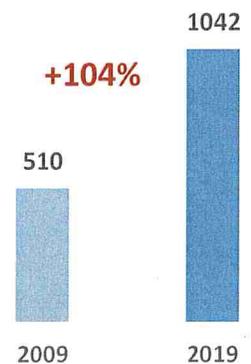
Prescription Fill Comparison



Insufficient funding negatively impacts the agency's ability to safely manage current levels of prescription medications for the population. Medication demands of the population cannot be met without overworking staff, using overtime, on-call, or contract staffing, all of which is unfunded.

The changing health care needs of the state's incarcerated population, combined with general cost increases for outpatient and specialty care services have increased medically necessary costs and created a critical need for staffing. Without additional staffing, Corrections is at risk of increased health care costs, patients not receiving their medications on time, and fatigued overworked staff that can lead to prescription fill mistakes and late orders. (7.7 FTEs, \$1.7M).

Population Increase for Patients Over 60



Improve Public Safety by Positively Changing Lives

Prison Safety

Fiscal Year 2020 Supplemental



The mission of the Department of Corrections (DOC) is to improve public safety by positively changing lives. The DOC is committed to operating a safe and humane corrections system. However, a combination of chronic underfunding and steadily rising costs is eroding the ability to deliver on this vital public expectation. Additionally, DOC is experiencing a significant increase in the flow of drug contraband into prison facilities, which can cause erratic and dangerous behavior, disrupt operations, and endanger health and safety of staff and incarcerated individuals. The decreasing access to jail beds due to low reimbursement rates requires DOC to house more violators in prisons, which further strains capacity and increases the introduction of contraband.

Responsible Budgeting for Public Safety

Stabilizing Staffing Levels	Increasing Staff Safety	Enhancing Cultural Competence
Custody Staff: Health Care Delivery (48.4 FTEs, \$8.6M)	Contraband Management (10.9 FTEs, \$2.7M)	Gender Responsivity (\$136K)
Custody Relief Factor (53.9 FTEs, \$14.5M)	Food and Staff Safety (\$900K)	Core Values EDIR Training (0.7 FTEs, \$154K)

Stabilizing Staffing Levels

DOC requests additional staffing to address unfunded costs of custody staffing related to non-discretionary relief costs and the growing medical and mental health needs of the incarcerated population. These costs are non-discretionary and are already occurring. These requests align with the recommendations outlined in the legislatively mandated staffing report produced by CGL Management Group.

Funding additional custody positions will mitigate unfunded overtime costs and reduce the need for mandatory overtime. The Fiscal Year (FY) 2019 over-expenditure in custody overtime salaries and benefits totaled nearly \$19.8 million, resulting in deferral of critical repairs and maintenance, hiring delays in non-custody positions, and the need to create savings within other areas of DOC to avoid overspending at the agency-level. Excessive mandatory overtime contributes to correctional staff fatigue, jeopardizes staff safety and security and decreases morale, leading to increased turnover.

Custody Staff: Health Care Delivery. The DOC’s prisons have been impacted by aging populations, hospital closures and reductions in services, an increased need for specialty care providers, and an increased need for on-site mental health observation and supervision. Additional staff are needed to provide off-site medical transportation, community hospital watches and one-on-one watches. (48.4 FTEs, \$8.6M).

Custody Relief Factor. Custody staff require relief for regular days off and vacations, sick time, and mandatory training days. Shift relief factors identify the number of Full Time Equivalent (FTEs) required to fill a single custody post. The Custody Staffing Model’s relief factor of 1.67 for authorized leave, sick leave, and training does not provide adequate FTEs and funds necessary to meet the demands created by mandatory leave and training requirements of staff. DOC requests an increase from 1.67 to 1.83 to fund current costs. (53.9 FTEs, \$14.5M).

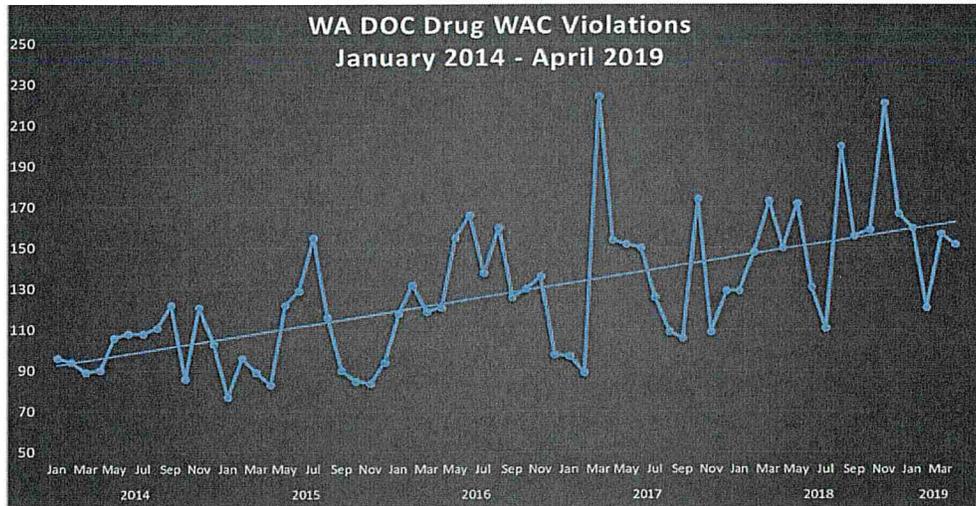
Increasing Staff Safety

To address the safety and security of staff and incarcerated individuals within our prison facilities, DOC requests additional resources to meet identified safety and security needs for contraband management and food quality.

Contraband Management. The DOC requests funding to continue operating the body scanner at the Washington State Corrections Center for Women (WCCW), mitigating the introduction of contraband to the

facility and reducing the need for invasive strip searches. The DOC experiences a high volume of drug-related violence, and WCCW has a large number of incarcerated individuals presenting with contraband hidden in body cavities. See graph below, illustrating the increase in drug related infractions over the last five years.

When a person with contraband is identified, DOC must place the incarcerated individual under a dry cell watch to monitor the health of the person, to safely recover the contraband as it is released from the person's body, and to prevent contraband from reaching the incarcerated population. The additional funding will fund staff increased dry cell watch posts that have resulted from the pilot. (10.9 FTEs, \$2.7M).



Food and Staff Safety Improvements. Reinstating hot breakfast as part of the CI Food Service program is critical to the safety of staff and incarcerated individuals. In FY 2018, a hunger strike at the Washington State Penitentiary (WSP) jeopardized the safety of staff and incarcerated individuals. The strike stemmed from incarcerated individuals protesting the low-quality, unhealthy food options provided in cold breakfast trays. To mitigate the strike, DOC increased custody staffing and made emergency purchases to avoid further escalation. Without funding to provide traditional hot breakfast service at all five facilities under the CI program, DOC faces the real possibility of these strikes happening again and putting more individuals at risk. (0.0 FTEs, \$900K).

Enhancing Gender Responsive Policy and Practices

The DOC requests funds to evaluate and improve gender-informed policies and practices. Identifying and addressing critical differences between male and female incarcerated individuals improves correctional management and services for incarcerated women, to include appropriate trauma-related services, and improves the life circumstances of their children, thereby mitigating intergenerational cycles of criminality. The DOC has consolidated its women's facilities under one Deputy Director and has hired a permanent Gender Responsive Manager to focus solely on this work. However, the agency does not yet have a fully integrated gender responsive culture or framework. Improperly applying assessment and classification guidelines to female incarcerated individuals affects not just their custody classification levels. It also affects housing, access to certain programs, such as work release, and opportunities to receive skills to both reduce their risk of recidivism and address causal factors that led to their incarceration in the first place, which differ greatly from their male counterparts. (0.0 FTEs, \$136K).

New Employee and One-Time Values Training

DOC requests funding to implement a values-focused training curriculum to improve DOC's culture, focused on equity, understanding implicit bias, inclusion, embracing diversity, courage, treating others with respect and operational norms for all DOC staff. Planned training programs can support organizational change to ensure DOC employees are guided in a manner that aligns with our strategic plan, focusing on people and achieving results. (0.7 FTEs, \$154K).

Improve Public Safety by Positively Changing Lives

Accurate application of sentences

Fiscal Year 2020 Supplemental



The Department of Corrections' (DOC) mission is to improve public safety by positively changing lives. We are committed to operating a safe and humane corrections system and partnering with others to transform lives. This work affects individuals in every legislative district and helps create safer communities.

Ensuring accurate prison and community supervision release dates

Accurate tolling

The release of people too early or confining them too long creates significant public safety and financial liability for the state. Tolling is when time served toward a community supervision sentence is paused due to an individual not being available for supervision or confinement, such as when time is served in a local jail for a new sentence.

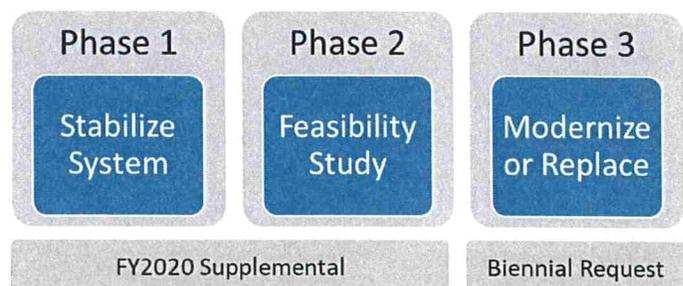
In 2018 there were 187,000 entries made to DOC's Offender Management Network Information (OMNI) for tolling and 19,408 sentences for individuals released from supervision.

Without additional funding, DOC is not adequately resourced to review all tolling entries and scheduled end dates (SEDs) to ensure the accuracy of the information entered. This investment will help mitigate inaccuracies identified in the OMNI tolling response in January 2019. (55.5 FTEs, \$9.4M).

Stabilize critical Offender Management Network Information (OMNI) System

DOC requests funding to continue stabilization efforts of our mission critical OMNI system. The 2016 Gartner Information Technology (IT) assessment found OMNI, the largest and most critical platform that enables DOC to meet its mission, to be constrained by its complexity, usability, and instability.

DOC has identified concerns with business process, system documentation, system code, and data irregularities. Understanding of and confidence of the system has degraded to the point that the agency is now manually reconciling all sentence calculations.



This funding would upgrade the system in a three-phase approach, addressing business need gaps for OMNI that are both urgent and critical to improve public safety. (0.5 FTE, \$2.2M).

Improve Public Safety by Positively Changing Lives Investing in Aging Facilities & Infrastructure

Fiscal Year 2020 Supplemental



Mission and Vision

The mission of Corrections is to improve public safety by positively changing lives.

Corrections' vision is working together for safer communities.

The Capital Approach

To preserve existing facilities and infrastructure

To respond to emergent issues that arise due to failing infrastructure, unforeseen conditions, or natural disasters

To advocate for sustainable solutions to address both current needs as well as future obligations

To comply with government health and safety regulations and strive to meet national standards for corrections

To keep the safety and security of staff and incarcerated individuals as our highest priority

To be good stewards of state assets, the environment, and the taxpayer dollars

The Benefits

Ensuring safe and healthy work environment

Improved facility security

Reduced infrastructure failures

Increased compliance with safety, health, and environmental regulations

Risks are mitigated

FY2020 Supplemental Capital Budget Request

The Department of Corrections (DOC) maintains and preserves more than \$3 billion in state assets, including facilities as old as the more than 130-year-old Washington State Penitentiary to buildings constructed in the last 10 years.

The 2019 Legislature provided over \$60 million in the 2019-21 biennium for the agency's highest priority capital programmatic and preservation projects. Even with the new funding, the list of deferred maintenance projects is long and there is more than \$650 million needed to repair and replace aging facility equipment and infrastructure systems, which are required to support the growing population of incarcerated individuals in Washington State correctional facilities. Additionally, there are several large programmatic projects on the horizon, designed to replace existing old and failing buildings that provide critical support services for the incarcerated population.

The DOC submitted a FY2020 Supplemental Capital Budget request designed to address several of the highest priority needs not currently funded. The approach taken is to seek funding for pre-design studies for several of the most critical future projects to better understand the risks, identify alternatives to best meet the needs, and clarify the costs of future design and construction requirements. This strategic approach will put the State in a position to make informed decisions on priorities for the next biennial budget request and provide decision makers with the best information possible to evaluate the needs and make sound decisions on how to invest the limited capital resources.

Programmatic Projects

Washington Corrections Center: Replace Infirmary and Intake Building (\$1.5M) | The Health Services and Intake buildings, built in the early 1960s, lack capacity for current needs. To provide the constitutionally mandated health services (medical, dental, mental health, pharmacy and records) required to support the approximately 600 men that process through the reception center each month and the resident population at the facility, we need to add capacity so all patients can be seen timely. The proposed facility would address these basic needs by providing needed isolation beds, infirmary beds, close-observation beds, medical exam rooms, mental health testing and treatment spaces, dental operations, pharmacy, records and support functions. The DOC is requesting \$1.5M to begin a pre-design study that will determine alternatives for replacing the current space, improve safety and provide necessary space for essential services that meet current and future capacity needs, assuring compliance with the standard-of-care.

Preservation Projects

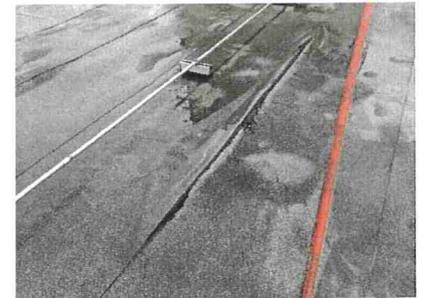
Monroe Correctional Complex: Reformatory Unit Perimeter Wall Renovation (\$1.0M) |

The perimeter wall and observation towers were constructed by incarcerated individuals in the early 1900's with bricks manufactured on-site and without structural reinforcement. The wall serves as the secure perimeter at the facility and the attached

elevated catwalk provides the only means of reaching multiple security guard towers. This unreinforced masonry wall could collapse during an earthquake, or the catwalk and hand rail fail at any time, which creates life safety concerns for staff and incarcerated individuals (the top portion of the wall partially collapsed during an earthquake in 1997). Based on institutional records, the wall has never been renovated or retrofitted (other than cleaning and painting) over the years. The benefit of doing pre-design is that it will determine the true condition of the wall, clarify the risk of failure, and identify options for mitigating the risks and provide an estimate of costs for moving forward so we can make a well-informed request for design and construction funds in 2021-23.



Monroe Correctional Complex: Reformatory Unit Clinic Roof Replacement (\$1.0M | The Health Services Building was built in 1954 and the roofs and HVAC equipment were last replaced in 1989. The rooftop has failed causing water infiltration and damage to the infrastructure of the building beneath the roof, saturating the insulation and causing the structure below to rust and deteriorate, creating an unsafe and unhealthy environment for staff and incarcerated individuals served at the clinic. This request will conduct pre-design and design studies for replacing the roof and HVAC equipment.



Monroe Correctional Complex: Special Offenders Unit and Twin Rivers Unit Domestic Water and HVAC Piping System Replacement (\$400K) | Pre-design studies are required to prepare for replacement of the failing domestic hot and cold water piping and HVAC systems at the units. The project will replace the deteriorated and leaking domestic (drinking) hot and cold water galvanized steel pipes, and heating and cooling water lines in the core building and living units. Once this project is completed, the new water lines will provide a dependable sources of clean domestic water, as well as clean water for the mechanical systems. These repairs are necessary to provide safe and humane conditions for staff and incarcerated individuals that work and reside in the living units.



Clallam Bay Corrections Center: Boiler Replacement (\$0.49M) | The 2019 Legislature provided funds for the least expensive alternative identified in the pre-design to replace the facility's boiler systems. The agency requests additional funds to complete the preferred alternative, which incorporates a combined heat and power unit into the heating plant replacement project. The hot water and heating systems project, combined with co-generation, will be more reliable and will operate more efficiently resulting in lower operating costs over time. This is a priority for the DOC because it will not only increase energy efficiency, but it will be able to provide partial power to the remote facility in the event of an outage. The CBCC is at the end of the electrical transmission lines where there is no additional power available. Maintaining hot water, heat, and power at the facility is integral to providing a safe and healthy work and living environment for incarcerated individuals and staff at the facility.

Attachment 4

January 11, 2020

DOC Programs & Services

2020

Our Unit “Under Construction”

- Statewide Grievance Program
- Statewide Mail/Legal Access/State Library/Recreation/LEP
- Statewide Visiting
- Statewide Volunteer/Community Partnership/Religious Programs
- Family Services Unit

Statewide Grievance Program

Now

- Leadership First!
- SGM interviews on 1/15/2020
- CS3 recruitment & interviews
- Reviewing Action Plan items from Grievance Workshop

2020 goals

- Focusing on Grievance Workgroup resolutions and improvements
- Concentration on training & development of facility grievance personnel
- Schedule site visits, workshops and audits

Statewide Mail/Legal Access/State Library/Recreation/LEP

Now

- Acting Corrections Manager
- Recruiting for non-perm CS3
- Shifted communications position to Outreach Unit
- WSL collaboration to improve library access
- Updating Legal Resource contracts and upgrading equipment for ADA provisions

2020 goals

- Expanding Yoga Behind Bars
- Full WSL staffing for libraries
- Full-time legal librarian for SCCC & WCC
- Mailroom staff training & site visits

Statewide Visiting

Now

- Working towards full staffing
- EFV packet processing for staffing review
- DOC Visit Summit
- Collaborating with DCYF for professional escort process for child dependency visits
- Pathway possibilities for visitation after denial, suspension, or termination
- EFV policy due back from Legislative review 2/2020

2020 goals

- Moving video visiting into unit
- Cross train for unit efficiencies during absences or heavy workload periods
- Cross training with DCYF personnel
- Statewide VR staff training

Statewide Volunteer/Community Partnership/Religious Programs

Now

- Recruitment for CS4 over unit
- Building new “Cultural Education & Awareness” policy with external stakeholders
- LFC engagement with Betterment Fund proposals
- Teaming with FSU and facility CPPCs for new approach to FF activities

2020 goals

- Improve online training for volunteers
- Complete cultural policy by April 1st
- Religious Coordinator meeting with RAC for external networking and advisory roles

Family Services Unit

Now

- Moved to Prisons Division, 8/1/19
- PD's updated to reflect new duties
- Finalizing new outreach process for first-time admit to WADOC
- Planning meeting with CPPCs & FSU for 2020 FF events
- PIO delivery by FSS at CRCC, WCCW, AHCC by March 1st
- Rotational attendance at SFC
- LFC Coordination role for FSS by March 1st
- Creating structured process for DCYF involved child dependency cases

2020 goals

- 2021 FF event schedule to establish 4 events held at every facility
- CPPC/FSS collaborative planning of additional FF events
- Launch plan for PIO structure at all DOC facilities
- Nat'l CIP conference attendance of FSU Manager and CS4 for new program opportunities

FSU & Local Family Councils

- Reschedule LFCs to allow the Family Specialists to attend at the facilities they represent
- Act as coordinators to work with both co-chairs to set agendas, ensure guest speakers, SME's on topics, etc.
- Focus on Family Friendly Betterment Fund proposals for FY21. Work must be accomplished by April 15th.
- Ensure meeting minutes are completed and approved by the chairs
- Submitted for posting at facility and web site within 15 business days of meeting
- Initiate recruitment for new LFC members



Questions???