

FINAL BILL REPORT

SSB 6542

FULL VETO

As Passed Legislature

Brief Description: Deterring the unwarranted or abusive use of the offender grievance process.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Schow, Hargrove, Long and Oke).

Senate Committee on Human Services & Corrections

House Committee on Corrections

Background: The Department of Corrections Offender Grievance Program was established in 1980 as a forum through which offenders can seek administrative remedies to their complaints against the department. It is available to offenders in department facilities and offenders under supervision by the department in the community.

The program allows for investigations and hearings to be conducted in an offender's facility or field office, and affords them the opportunity to appeal unfavorable decisions to their superintendent or area manager and, ultimately, to the appropriate division directors at department headquarters. The program has been certified by the federal government, which allows the federal court to reject certain inmate lawsuits until the offender can show he or she has completed the administrative grievance process.

Offenders who abuse the grievance program are currently subject to administrative sanctions by the department, including restricted access to the grievance program and/or loss of earned early release time, depending on the nature of their misconduct.

Summary: The Department of Corrections (DOC) is required to apply to the United States Attorney General for changes to the department's inmate grievance procedure certified by the federal government.

The changes DOC must seek include the following: (1) A \$2 fee assessment for the third and any subsequent grievance filed by an offender determined by the department to not have been filed in good faith; (2) fee assessments are to be in addition to any other disciplinary action taken by the department in response to unwarranted or abusive use of the grievance system; (3) fees may be collected from institutional accounts or debts assessed against indigents.

If the changes are determined by the federal government to comply with the certification requirements, they are to be implemented and notice given to all current and incoming offenders. If not, DOC is to explore with the federal government possible alternatives to accomplish the intent of the act.

DOC must report to the Legislature on its application to and response from the federal government.

Votes on Final Passage:

Senate	49	0	
House	97	0	(House amended)
Senate			(Senate refused to concur)
House	93	1	(House receded)