

CHAPTER 214.

[S. B. 118.]

MALE CORRECTIONAL INSTITUTION—CLASSIFICATION CENTER.

AN ACT relating to the establishment of a correctional institution for the confinement of convicted male felons; providing for a reception and classification center in such institution for the commitment of all male offenders to such center; procedures for administration, transferees from other institutions, including incorrigible male juvenile delinquents; authorizing the director of institutions to select a site, prepare plans, specifications and contract for construction and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. There is hereby established under the supervision and control of the director of the department of institutions a correctional institution for the confinement and rehabilitation of male persons convicted of a felony and such other persons transferred to such institution as hereinafter provided. Such institution shall be situated upon lands within the state, to be selected by the director of institutions under conditions as herein provided. Such institution shall be designed to be of an expandable type, enabling complete construction of the institution over an extended period. The director shall cause preliminary plans, specifications and estimates of cost to be made and for this purpose may retain architectural and engineering services.

Correctional
institution
established.

SEC. 2. The director is hereby authorized to acquire by gift, purchase or condemnation a suitable tract or parcel of land of not more than four hundred acres as a site for a correctional institution, and for that purpose may enter into contracts to purchase and to take title to real property in the name of the state of Washington. Prior to entering into any contract for the purchase of land, or acquiring such land, by eminent domain, the director shall give

Site
acquisition.

preference to any and all offers to donate land by any person or persons, federal agencies, or any political subdivisions of the state. The director may accept or reject any and all offers for the donation of land when in his discretion such land is not suitable for the purposes and objects of such institution, or is remotely located in such degree as would be disadvantageous, in view of the needs and purposes of such institutions.

Construction
bids.

SEC. 3. When title to the land selected by the director, as provided in this act, has vested in the state the director shall, upon the completion of plans and specifications for such institution, publish a call for bids, as provided by law, and enter into a contract for the construction of such institution: *Provided*, That no contract shall be entered into for the construction of such institution until such time as an appropriation for that purpose has been made by the legislature.

Superinten-
dent. Appoint-
ment, qualifi-
cations.

SEC. 4. The superintendent of the correctional institution established by this act shall be appointed by the director. The superintendent shall have such administrative experience and possess such qualifications as shall be fixed by the personnel board, or such merit system board as shall be established by law having jurisdiction of personnel within the department of institutions, with the advice and approval of the director.

Associate
superinten-
dents.

SEC. 5. The superintendent, subject to the approval of the director, shall appoint such associate superintendents as shall be deemed necessary. In the event the superintendent shall be absent from the institution, or during periods of illness or other situations incapacitating the superintendent from properly performing his duties, he shall appoint one of the officers of the institution to act as superintendent

during such period of absence, illness or incapacity, subject to the approval of the director.

SEC. 6. The superintendent and all subordinate officers and employees of such institution shall be under the jurisdiction of the state personnel board or such merit system board as shall be hereafter established by law having jurisdiction within the department of institutions.

Personnel
under board.

SEC. 7. The supervisor of the division of children and youth services of the department of institutions, upon the approval of the director, shall have authority to transfer to the correctional institution male juvenile delinquents or male juveniles convicted of a crime, who may hereafter be committed to the division of children and youth services, or who are now confined at facilities under the division of children and youth services for the custody of juvenile delinquents: *Provided*, That such juveniles shall not be retained in such institution after eighteen years of age. *Provided further*, That the supervisor of the division of children and youth services shall retain custody of such juveniles for the purpose of returning, in his discretion, such juveniles to the transferring institution or such other facilities of the division as he shall deem appropriate.

Transfer of
male juveniles
to institution
authorized.

SEC. 8. The superintendent shall have the following powers, duties and responsibilities:

Superinten-
dent. Powers
and duties.

(1) Subject to the rules and regulations of the department, the superintendent shall have supervision and management of the institution, the grounds and buildings, subordinate officers and employees, and the prisoners committed or transferred to such institution and the custody of such persons until released as provided by law.

(2) Subject to the approval of the director, appoint all subordinate officers and employees, who shall be removable from employment by the super-

intendent, subject to the merit system rules of the state personnel board as may be established by law having jurisdiction of the officers and employees of the department of institutions.

(3) The superintendent shall be the custodian of the personal property of all inmates in the institution and shall make rules and regulations governing the accounting and disposition of all monies received and earned by the inmates, not inconsistent with law, and subject to the approval of the director.

Single cells—
Exception.

SEC. 9. Each prisoner in the correctional institution shall be provided with a single cell: *Provided, however,* That multiple type living arrangements may be provided in forestry or other labor camps maintained in conjunction with the institution.

Programs
authorized.

SEC. 10. The superintendent, subject to the approval of the director and the institutional industries commission, shall be authorized to establish such industrial, vocational and agricultural programs as will be most beneficial to the inmates of such institution.

Reception and
classification
center.

SEC. 11. There shall be a department in such institution known as the reception and classification center under the supervision of an associate superintendent which, subject to the rules and regulations of the department, shall be charged with the function of receiving and classifying all male persons committed or transferred to the institution, taking into consideration age, type of crime for which committed, physical condition, behavior, attitude and prospects for reformation for the purposes of confinement and treatment of male offenders convicted of offenses punishable by imprisonment in the state penitentiary or state reformatory, except offenders convicted of crime and sentenced to death.

Sec. 12. Any male offender convicted of an offense punishable by imprisonment in the state

penitentiary or the state reformatory, except an offender sentenced to death, shall, notwithstanding any inconsistent provision of law, be sentenced to imprisonment in a penal institution under the jurisdiction of the department of institutions without designating the name of such institution, and be committed to the reception center for classification, confinement and placement in such correctional facility under the supervision of the department of institutions as the director of institutions shall deem appropriate: *Provided*, That the provisions of this section shall become effective upon the certification of the director of institutions to the superior courts and prosecuting attorneys of each county and the chief justice of the supreme court that facilities and personnel for the implementation of commitments as above provided are ready to receive persons committed under the provisions of this section.

Prisoners
committed to
center—
Effective date.

Sec. 13. Nothing herein contained, however, shall be constructed to restrict or impair the power of any court or judge having jurisdiction to pronounce sentence upon a person to whom this act applies, to fix the term of imprisonment and to order his commitment, according to law nor to deny the right of any such court or judge to sentence to imprisonment; nor to deny the right of any such court or judge to suspend sentence or the execution of judgment thereon or to make any other disposition of the case pursuant to law; but in case the punishment imposed be imprisonment in the state penitentiary or the state reformatory, the warrant of commitment shall commit the person convicted to the reception center established by this act for classification, confinement and placement as provided by this act.

Judges' juris-
diction un-
impaired.

Sec. 14. The director shall appoint a staff for the reception center to interview, test, classify, and supervise offenders committed to the center. Such staff shall consist of such employees as the director

Classification
board—Coop-
eration of
other agencies.

shall determine to be adequate for prompt and effective classification. There shall be within the reception center a classification board, which should be composed of such members of the staff of the reception center as the director may require. After making a study and investigation of the facts of the cases of the persons committed to the reception center as the director may require, the board shall make and file in the department a certificate in writing, recommending the state correctional institution best suited to receive the offender during the term of his confinement, the type of program to be followed and the approximate length of such treatment. The state board of prison terms and paroles and other state agencies shall cooperate with the department in obtaining necessary investigative materials concerning offenders committed to the reception center and supply the reception center with necessary information regarding social histories and community background.

Prisoners
received.

Sec. 15. The superintendent of the correctional institution established by this act shall receive all male persons convicted of a felony by the superior court and committed by the superior court to the reception center for classification and placement in such facility as the director shall designate, and all persons transferred thereto by the director from the state reformatory and state penitentiary, and other correctional facilities of the department. The superintendent shall only receive prisoners for classification and study in the institution upon presentation of certified copies of a judgment, sentence and order of commitment of the superior court, along with other reports as may have been made in reference to each individual prisoner.

Confinement
determination.

SEC. 16. The director shall determine the state correctional institution in which the offender shall be confined during his term of imprisonment. The

confinement of any offender shall be governed by the laws applicable to the institution to which he is certified for confinement, but his parole and discharge shall be governed by the laws applicable to the sentence imposed by the court.

Jurisdiction
of institution.

SEC. 17. The director may make, amend and repeal rules consistent with and in furtherance of the provisions of this act.

Rules
authorized.

SEC. 18. This act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

Emergency.

Passed the Senate March 2, 1959.

Passed the House March 10, 1959.

Approved by the Governor March 20, 1959.

CHAPTER 215.

[S. B. 128.]

DISPOSITION OF PARENTAL SCHOOL FACILITIES.

An Act relating to the acquisition of parental school facilities by the state parks and recreation commission; and adding a new section to chapter 43.51 RCW.

Be it enacted by the Legislature of the State of Washington:

SEC. 1. There is added to chapter 43.51 RCW a new section to read as follows:

New section.

The commission may execute leases with options to purchase and then subsequently purchase but not before July 1, 1961, the parental school facilities now or hereafter owned or operated by school districts. Leases with options to purchase shall include such terms and conditions as the commission deems reasonable and necessary to acquire the facilities. Notwithstanding any provisions of law to the contrary, the board of directors of each school district now or hereafter owning or operating parental school facilities may, without submission for approval to the vot-

Acquisition
of parental
school facili-
ties author-
ized.