

#FreeThemAll Washington State Research Packet

1) Decarcerate WA by 50%

#FreeThemAllWA Narrative	NNWP Research Team Findings & Citations
<p>There are too many people in prison.</p>	<p>Washington has an incarceration rate of 480 per 100,000 people (including prisons, jails, immigration detention, and juvenile justice facilities).¹ “In Washington State, too, the imprisonment rate and the total incarceration rate (which also includes jail inmates) have more than doubled since 1978. As of 2016, Washington’s incarceration rate was more than three times higher than the average rate of the more than 30 Organization for Economic Co-operation and Development (OECD) countries. Washington’s prison population grew, even as crime rates fell precipitously, and the state’s prisons are now operating at capacity.¹ Moreover, Washington is one of only eight U.S. states in which the prison population grew throughout most of the 2010s.”²</p>
<p>And the pandemic shows how dangerous mass incarceration is. Decarceration is the fiscally and medically</p>	<p>The cost of incarcerating an individual in Washington DOC is \$42,000 a year**. With a prison population of 18,000</p>

¹ Prison Policy Initiative

² ACLU Washington, “About Time: How Long and Life Sentences Fuel Mass Incarceration in Washington State” (February 2020)

<p>responsible option in this economic and public health crisis.</p>	<p>across all facilities, this amounts to a yearly budget of \$756 million simply to incarcerate individuals, excluding cost of facilities, equipment and administrative labor. <i>**\$112/person per day in WA DOC³</i> <i>\$42,000: Average cost per inmate in WA State in 2015⁴</i></p>																																																	
<p>The governor should immediately commute the sentences of individuals who fall in the following categories:</p>																																																		
<p>1. Medically vulnerable adults, especially people over the age of 50. The Indeterminate Sentence Review Board (ISRB) should expedite release—consistent with public safety—of all immuno-suppressed, chronically ill, elderly, and/or pregnant incarcerated people.</p>	<p>From a recent report⁵:</p> <table border="1" data-bbox="1066 656 1696 860"> <thead> <tr> <th rowspan="2">Health condition</th> <th colspan="4">Prevalence of health condition by population</th> </tr> <tr> <th>Jails</th> <th>State prisons</th> <th>Federal prisons</th> <th>United States</th> </tr> </thead> <tbody> <tr> <td>Ever tested positive for Tuberculosis</td> <td>2.5%</td> <td></td> <td>6.0%</td> <td>0.5%</td> </tr> <tr> <td>Asthma</td> <td>20.1%</td> <td></td> <td>14.9%</td> <td>10.2%</td> </tr> <tr> <td>Cigarette smoking</td> <td>n/a</td> <td>64.7%</td> <td>45.2%</td> <td>21.2%</td> </tr> <tr> <td>HIV positive</td> <td>1.3%</td> <td></td> <td>1.3%</td> <td>0.4%</td> </tr> <tr> <td>High blood pressure/hypertension</td> <td>30.2%</td> <td></td> <td>26.3%</td> <td>18.1%</td> </tr> <tr> <td>Diabetes/high blood sugar</td> <td>7.2%</td> <td></td> <td>9.0%</td> <td>6.5%</td> </tr> <tr> <td>Heart-related problems</td> <td>10.4%</td> <td></td> <td>9.8%</td> <td>2.9%</td> </tr> <tr> <td>Pregnancy</td> <td>5.0%</td> <td>4.0%</td> <td>3.0%</td> <td>3.9%</td> </tr> </tbody> </table> <p>Also: “While the movement against mass incarceration has resulted in rethinking the nation’s treatment of people convicted of nonviolent offenses, and has even produced a perceptible dip in the overall number of people in prison, the number of aging people behind bars has skyrocketed.”⁶ Many of the older prison population are stuck in their sentences due to modern reforms reinforcing their deservingness of imprisonment based on the year they were charged and not based on the new mentality.</p>	Health condition	Prevalence of health condition by population				Jails	State prisons	Federal prisons	United States	Ever tested positive for Tuberculosis	2.5%		6.0%	0.5%	Asthma	20.1%		14.9%	10.2%	Cigarette smoking	n/a	64.7%	45.2%	21.2%	HIV positive	1.3%		1.3%	0.4%	High blood pressure/hypertension	30.2%		26.3%	18.1%	Diabetes/high blood sugar	7.2%		9.0%	6.5%	Heart-related problems	10.4%		9.8%	2.9%	Pregnancy	5.0%	4.0%	3.0%	3.9%
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³ <https://www.doc.wa.gov/docs/publications/reports/200-AR001.pdf>

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⁵ <https://www.prisonpolicy.org/blog/2020/03/27/slowpandemic/>

⁶ Quote from Mujahid Farid director of Release Aging People in Prison/RAPP and author of An Unnecessary Crisis: How Resolving the Problem of Aging in Prison Will Help Dismantle Mass Incarceration in the United States.

	<p>Another study suggests that those who have been charged with ‘violent’ crimes are less likely to recidivate than those who are stuck in cycles of crimes of survival often considered ‘non-violent’. The large majority of aging people in prison are violent crime offenders who aren’t being let out for fear of recidivism, even though it’s statistically unlikely that they’ll recommit.⁷</p>
<p>2. People who do not pose a risk to public safety.</p>	<p>This can include categories⁸ such as people charged with misdemeanors or “low level offenses⁹,” people charged with non-violent felonies, people who are serving sentences for things that did not cause physical harm to another individual, or people incarcerated for technical parole/probation violations¹⁰. This could also include people in jail that are being held due to an inability to pay cash bail.¹¹</p>
<p>3. Given that ICE and the Northwest Detention Center have repeatedly failed to respond to mumps and other outbreaks in the recent past, <i>we ask that you order DOC not to transfer any person released into ICE custody.</i></p>	<p>“The U.S. Centers for Disease Control and Prevention (CDC) has confirmed nearly 900 cases of mumps among people at adult migration detention facilities across the United States in the last year. The virus swept across 57 detention centers in 19 states, sickening 898 migrants between Sept. 1, 2018, and Aug. 22 [2019].”¹²</p>

⁷ <http://rappcampaign.com/wp-content/uploads/Understanding-Violent-Crime-Recidivism.pdf>

⁸ This is a FLAG to note that the articles and research related to this are varied and include perspectives that reinforce deserving/undeserving narratives around imprisonment that are not supported by abolitionists. Inclusion of this data is meant to show the low impact on public safety as a result of the immediate release of prisoners.

⁹ <https://www.prisonpolicy.org/blog/2020/08/05/jails-vs-prisons-update-2/>

¹⁰ <https://www.businessinsider.com/failure-to-release-prisoners-is-condemning-thousands-to-death-2020-4>

¹¹ <https://www.inquirer.com/jobs/labor/coronavirus-philadelphia-prisons-reduce-jail-population-unions-20200422.html> and <https://www.prisonpolicy.org/virus/virusresponse.html>

¹² <https://www.voanews.com/usa/cdc-mumps-spread-us-migrant-detention-centers>

<p>4. People with anticipated release dates in 2020 and 2021.</p>	<p>¹³Other states are releasing people with less than a certain amount of time left (California releasing large groups of individuals in June, March, July, and August - other states have released more in this list.)</p>
<p>5. People whose release has been ordered by the Indeterminate Sentence Review Board (ISRB) but who remain confined pending approval of their release plans.</p>	<p>“The Indeterminate Sentence Review Board (ISRB or Board) was created in 1986. Before that, the Board had been the Board of Prison Terms and Paroles. The Board is a quasi-judicial board located in the Department of Corrections (DOC). The Board retains independent decision making, and has jurisdiction over the following three types of cases:</p> <ul style="list-style-type: none"> ● Persons who committed crimes prior to July 1, 1984 and were sentenced to prison. ● Persons who committed certain sex offenses on or after September 1, 2001. ● Persons who committed crimes prior to their 18th birthday and were sentenced as adults. <p>The ISRB reviews cases, conducts hearings, oversees supervision violation hearings, and provides services to victims of inmates under the Board's jurisdiction.”¹⁴</p>
<p>6. People who have served at least 15 years of their sentence, are over 50, and/or are incarcerated for offenses they committed as juveniles.</p>	

¹³ <https://www.prisonpolicy.org/virus/virusresponse.html#state>

¹⁴ <https://www.doc.wa.gov/corrections/isrb/default.htm>

<p>7. People incarcerated for poverty violations, including those sentenced under the Three Strikes Law.</p>	<p>”One factor in the rate’s [incarceration] growth is the state’s ‘three strikes’ law. The statute dictates that people convicted of three high-level felonies will spend the rest of their life warehoused, away from the outside world, with no possibility of parole. Washington state was the first in the nation to enact such a policy, in 1993, outpacing even the federal government, when 76% of Washington voters approved the measure. It followed the Sentencing Reform Act of 1984, which deprioritized rehabilitation as a goal in Washington and cleared the way for a more punitive response to crime.”</p> <p>“There are currently 1,329 people in Washington, a state with a population just shy of 8 million, effectively serving life without the possibility of parole. This sentence is prohibited in 80% of countries in the world, including our northern neighbor, Canada. Four countries in the minority still imposing these sentences — Australia, England, Wales and the Netherlands, with a combined population of 101 million people — have a total of 146 people serving life without parole.” (ACLU, Crosscut)</p>
<p>Expedite Clemency. We call on the Governor to expedite clemency reviews that have been approved by the Clemency and Reviews Board.</p>	<p>Current list of people with pending commutations or clemency¹⁵.</p>
<p>Expedite 6164. We call on Prosecutors across Washington State to expedite review of 6164 cases/petitions.</p>	<p>“SB 6164, provides prosecutors with discretion to seek resentencing in felony cases. The law took effect on June 11, 2020, and will be a path to release for some people previously convicted and serving sentences on felonies.”</p>

¹⁵ <https://www.governor.wa.gov/sites/default/files/CPB%20Status%20Table%20June.pdf>

Legislative Changes that would allow for more releases. Incarcerated individuals are organizing the following legislative bills in 2021:	
Emerging Adults Bill expansion to age 25	See packet of info
Juvenile Points: Prohibiting juvenile points as consideration for adult sentencing	See packet of info
Restore Good Time: Enable people to earn good time for serious violent crimes for up to 1/3 of their sentence	See packet of info

2) Defund DOC by at least \$300 million

#FreeThemAllWA Narrative	NNWP Research Team Findings & Citations
There are 12 facilities statewide incarcerating more than 16,000 individuals with the average cost of \$42.3 million dollars per facility. The highest being Monroe Correctional Complex at \$92 million.	DOC releases annual budget reports that include price per incarcerated person and individual facility budgets. ¹⁶
Current proposed cuts for 2021's budget shortfall is targeted primarily at programs that are supportive of	Without legislative consent, DOC can only cut the approximately 50% of the budget that is not connected to prisoner population numbers which includes some salary allocations, programming,

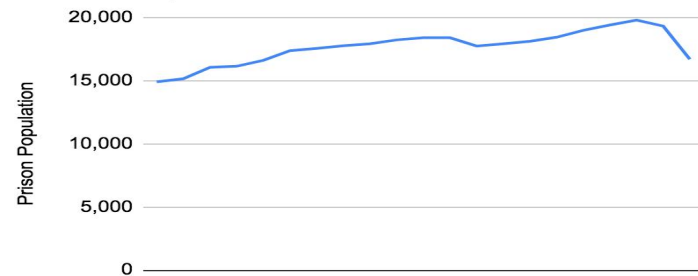
¹⁶ <https://web.archive.org/web/20200910233427/https://www.doc.wa.gov/docs/publications/reports/200-AR001.pdf>

incarcerated individuals. That DOC chooses these programs to cut is telling of its mission:
 Graduated Re-entry program: \$540,000
 Housing Vouchers program expansion: \$674,000
 Community Chemical Dependency Program: \$1.5 Million
 Sentencing reforms (Good time credits, etc.): \$167 Million

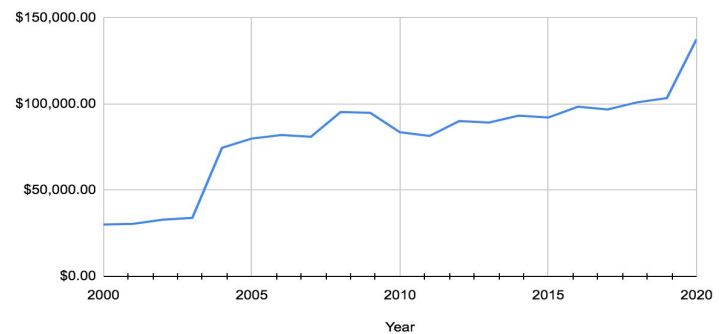
and expansion plans. Thus, the proposed cuts do not include any significant prisoner population reduction measures or reductions that would result from a lower population.¹⁷

In the last biennium, DOC budget has expanded \$335 million, by 15.7% despite low fluctuations in the prison population.

Prison Population



DOC Budget - Dollars per person



1819

¹⁷ <https://web.archive.org/web/20200910234700/https://www.ofm.wa.gov/sites/default/files/public/budget/statebudget/savings/310DOC.pdf>

¹⁸ Prison Populations found here: (2000-2009) https://www.prisonpolicy.org/reports/jailovertime_table_5.html and (2010-2018)

<https://web.archive.org/web/20200911004543/https://www.doc.wa.gov/docs/publications/reports/400-RE002.pdf>

¹⁹ WA State DOC budgets found here: http://leap.leg.wa.gov/leap/budget/index_lbns.asp and <http://fiscal.wa.gov/BudgetACurrSW.aspx>

<p>This year the costs of ineffective measures aimed at preventing the spread at COVID 19 have further increased the DOC's budget, making it more unsustainable.</p>	<p>While no COVID-19 budget has been publicly released, these reports from the ombudsman and the MCC family council call on June 19, 2020 show that DOC is failing at responding to the spread of COVID-19 and the new measures are having immediate increases on DOC's budget, including opening a new regional care facility at MCC.²⁰²¹</p>
<p>We call on the Governor's office to defund the DOC budget by \$300 million, approximately the cost of incarceration for half of the prison's population. We demand these cuts come from:</p>	<p style="background-color: #cccccc;"></p>
<p>Immediate closure of facilities that are outdated and dehumanizing to the incarcerated individuals. Walla Walla and Monroe Correctional Complex are two of the oldest prisons incarcerating more than 25 percent of the prison population.²² The costs of incarceration of Monroe and Walla Walla amount to \$146.94 and \$134 per person a day. The cost of incarceration is steep in these facilities compared to Stafford Creek at \$89/day. The archaic infrastructures in both facilities lead to expanded staffing budgets and dehumanizing quality of life for incarcerated individuals.</p>	<p>"According to the Vera survey, 20 out of 45 responding states managed to decrease their spending, and 13 of these 20 states achieved the hoped-for result of twin reductions in population and spending—many because they were able to close facilities and reduce the number of employees. In these 13 states, spending declined by a total of \$1.6 billion, and the prison population declined by a total of 31,090 people between 2010 and 2015 (see Table 3 on page 14). There is often concern that reducing a state's prison population will result in increasing crime. Yet the crime rate in these 13 states also declined—with most states experiencing a double-digit drop over the same period."²³</p>

²⁰ <https://web.archive.org/web/20200911000548/https://oco.wa.gov/sites/default/files/COVID-19%20Workgroup%20Report%20Final.pdf>

²¹ June 19, 2020 family council mtg notes re:COVID-19 practices at MCC:

<https://web.archive.org/web/20200911000807/https://www.doc.wa.gov/family/docs/meetings/mcc-minutes-2020-0619.pdf>

²² <https://web.archive.org/web/20200418223238/https://www.doc.wa.gov/docs/publications/reports/400-RE002.pdf>

²³

<https://web.archive.org/web/20200911002447/https://www.vera.org/publications/price-of-prisons-2015-state-spending-trends/price-of-prisons-2015-state-spending-trends/price-of-prisons-2015-state-spending-trends-population-and-spending>

Closure of IMU units statewide	
Ending long term solitary confinement	
Closure of closed custody facilities	
Elimination of non-essential overtime for staff	
The commutation and release of incarcerated individuals, rather than programs and services that improve the quality of lives of incarcerated individuals	

3) Improve the Quality of Life for Currently Incarcerated Individuals.

#FreeThemAllWA Narrative	NNWP Research Team Findings & Citations
We demand the immediate reduction of prison population by at least 50% through the means discussed above. We call for DOC to use remaining funds to support the quality of life of individuals inside.	
Expand access to programs that facilitate early release, including Work Release expansion, Graduated Reentry Programs expansion, FOSA, DOSA, Good Time and Sentencing Reforms.	<p>Work Release:</p> <ul style="list-style-type: none"> • Work Release established in Washington 1967 by RCW 72.65: available here (applies only to ppl sentenced for “crimes committed before July 1,

1984”)²⁴ Sentencing Review Act (SRA) 1984 overhauled WA criminal code.

- The WA work release program entails living at a work release facility.
 - As of July 2, 2019 there were 12 work release facilities housing 647 people²⁵ List of facilities [here](#)
 - “As of June 2019, there were 1,188 male and 216 female incarcerated individuals who have been screened and approved for the Work/Training Release Program”--but not admitted to the program bc there isn’t space at the facilities²⁶
- “Work Release expansion” approved July 2019
 - “The newly approved expansion will add 200 bed spaces in underserved counties.”²⁷ *[are we in favor of “Work Release expansion” that involves the construction of new facilities/extension of existing facilities?? If not, what are we pushing for in terms of expanded access to work release?-Helen]*
- This project is **paused** until further notice as of 6/17/2020, pending “more fiscal information” vis-a-vis the pandemic²⁸
- Info abt this paused expansion project can be found [here](#) *[happy to add more here if we want to know more about their project/involved parties/their*

²⁴ Per [RCW 72.65](#)

²⁵ Per [DOC press release July 2019](#)

²⁶ Per [DOC Work Release Expansion Presentation](#) (page 20)

²⁷ Per [DOC press release July 2019](#)

²⁸ Per [DOC Work Release Expansion webpage](#)

framing-Helen]

- *[What are we interested in positioning as a “good”--savings for the state? So called reduced recidivism? Leery about presenting these as desirable although I can/will find evidence for them if we want it.-Helen]*
- Work Release Overview (drawing from most recent version of SRA)
 - Eligibility requirements include:
 - Referral to work release available at 12 months from earned work release date
 - 'Minimum 1' custody level (lowest besides work release itself)²⁹ *[This is covered more extensively in the SRA itself. -Helen]*

Graduated Reentry Program:

- Established by [SHB 2638](#) “This legislation allows incarcerated individuals an opportunity to serve the last portion of their sentence in work release (up to twelve months) and in the community on electronic monitoring (up to six months) on the Graduated Reentry Program.”³⁰ *[Note the surveillance aspect. -Helen]*
- Rapid Reentry program launched in response to COVID-19 is a modified version of Graduated Reentry.³¹

²⁹ Per [DOC About Work Release](#) page

³⁰ [DOC pamphlet on Graduated Reentry](#)

³¹ Per this [document](#) linked from an [April 2016 DOC Press Release](#)

<p>Increase access and autonomy of Cultural Group and prisoner-led programming, including the Black Prisoners' Caucus, Asian and Pacific Islander Cultural Awareness Group, Nuestro Grupo Culturale, TEACH, and others.</p>	
<p>Increase access to healthy, hot food: In 2019, incarcerated individuals at Walla Walla, Coyote Ridge and Clallam Bay went on strike due to the poor quality of food that contributed to malnourishment. Create programs that allow incarcerated individuals to cook hot food on site for the population rather than packaged, mass-produced, preservative filled food from Correctional Industry</p>	<ul style="list-style-type: none"> i. Some Context (i-x): The current unhealthy status of the food in Washington State correctional facilities “violates Executive Order 13-06 [signed by Governor Inslee in 2013] and the DOH Healthy Nutrition Guidelines, which apply to all state agencies and institutions.”³² ii. “In 1995 ... DOC Food Services began to deteriorate after the state decided to turn to Correctional Industries (CI), the state-run prison-industrial conglomerate.” iii. “Today [report published in 2016] over 95% of the foods served in DOC institutions are from CI, and CI has opened a second food factory at the Coyote Ridge Correctional Center.” iv. According to former Dietary Services Manager, Brent Carney, “all 15 prisons in the state were preparing and cooking meals in their kitchens [as early as 2009].” But the DOC changed the paradigm so that CI would take near-complete control over food production.

³² Source for i-xvi: [“Correcting Food Policy in Washington Prisons: How the DOC Makes Healthy Food Choices Impossible for Incarcerated People & What Can Be Done”](#) Report by Prison Voice Washington

	<ul style="list-style-type: none"> v. Carney responded to DOC’s decision to move food production from in-house kitchens to off-premises factories: “I wasn’t happy about this paradigm shift because I was concerned that the quality of the food would not be as nutritious as the foods being prepared fresh in each prison’s kitchen.” vi. DOC has gotten rid of the dietician staff position, which provided nutritional guidance to Food Services. vii. The DOH Guidelines, which DOC is supposed to follow, say to use less processed foods “that do not contain added sugar or sodium” and to use “healthy cooking techniques such as baking, roasting, broiling, grilling, poaching, steaming, and stir frying.” Most if not all of the food is processed off-site and has added sugar and sodium. viii. “Incarcerated people now receive <i>half</i> of the minimum quantity of fruit required by the [DOH] Guidelines.” ix. “Food Services does not meet DGA vegetable requirements in any category. Incarcerated people do not receive even the lower minimum in any category other than starchy vegetables.” x. “Ultimately, incarcerated people are mostly served either 100% refined grain products or receive grain products that do not meet, or barely meet, the Guidelines requirements at every meal. The result
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	<p>is that incarcerated people never receive the minimum 50% whole grains required by the Guidelines.”</p> <p>xi. Positive Outcomes of Healthy Food (xi-xvi): Healthcare accounts for 19 percent of the total cost for incarcerating an individual [at the time of this report]. Since diabetes and hypertension are, respectively, 2nd and 4th on the list of top chronic illnesses, and since poor nutrition is a leading cause for these preventable diseases, healthier food could go a long way toward reducing these costs. “An estimated additional \$25,675 is spent annually on diabetes-related health care per incarcerated person with diabetes.” This is an issue that disproportionately affects POC.</p> <p>xii. Though the DOC has outsourced its Food Services to CI in order to save money, a 2014 report found “no significant relationship between total [agency] costs and level of scratch-cooking.”³³</p> <p>xiii. 90 percent of the food-items in the commissary are “very unhealthy, and are categorized as ‘Avoid’ in the [State’s] Healthy Nutrition Guidelines for Vending Machines.” It would cost nothing to replace these with healthier options, since incarcerated people are covering these costs.</p>
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³³ <https://web.archive.org/web/20200910233500/https://pubmed.ncbi.nlm.nih.gov/25043447/>

	<p>xiv. Environmental impact (maybe good vis a vis Inslee’s ‘green new deal’): The breakfast boat, which contains a number of individually packaged food-items, goes against “the Environmental Protection Agency (EPA) recommendations for reducing food packaging waste and human health risks from repeated exposure to certain types of plastic packaging.”</p> <p>1. “...food packaging accounts for almost two-thirds of total American packaging waste by volume.”</p> <p>xv. Tim Thielman, president of the Association of Correctional Food Service Affiliates, says in the Guardian: “spending a little more money on food can have a huge impact in improving prisoners’ mental and physical health and bringing down reoffending rates... A lot of people don’t understand the importance of taking care of inmates and giving them proper nutrition.”³⁴</p> <p>xvi. Whereas the Department of Social and Human Services (DSHS) spends \$5.45 per meal, the DOC spends \$1.32 per meal -- “25% less per <i>day</i> on food for incarcerated people than DSHS spends on a single meal.” Even if DOC doubled the amount of spending on food -- which according to the report, they wouldn’t need to do -- there would only be a 4</p>
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³⁴<https://web.archive.org/web/20200331120640/https://www.theguardian.com/us-news/2016/sep/30/prison-food-spending-budget-cuts-minnesota>

	<p>percent difference in “the overall costs of incarcerating a person in Washington State.” Moreover, these costs are “made up by the savings from decreased health care expenditures.”</p>
<p>Reduce the financial burden of communication between incarcerated individuals and their loved ones by revisiting the contracts with JPAY and SECURUS. Poor, working class Black Indigenous People of Color families bear the heavy financial burden of communicating with their loved ones.</p>	<p>Some precedent set for this³⁵ by DOC in March to reduce some communication costs through JPay, but these costs could be reduced further to increase communication with family members/loved ones.</p>
<p>Fair wages for Correctional Industry workers. Correctional Industry (CI) is a DOC department that is revenue-generating. It pays incarcerated workers a meager sum for working in CI factories. Acknowledge and recognize CI workers as workers and pay them wages that reflect the value of their labor and skills. Gratuities are not wages.</p>	<p>“Washington Correctional Industries (CI) generates up to \$70 million in sales a year, ranking as the nation’s fourth-largest prison labor program.</p> <p>But behind CI’s glossy brochures and polished YouTube videos is a broken program that has cost taxpayers millions of dollars, charged exorbitant markups to state agencies to make up for losses, and taken jobs from private businesses that can’t compete with cheap prison labor, a Seattle Times investigation has found³⁶.</p>

³⁵ <https://www.doc.wa.gov/news/2020/03202020p.htm>

³⁶

<https://twitter.com/intent/tweet?text=Prison%20labor%20program%20costs%20millions.%20charges%20exorbitant%20markups%20and%20harm%20businesses&url=http://projects.seattletimes.com/2014/prison-labor/1/&via=seattletimes>

	Far from being self-sufficient, CI has cost taxpayers at least \$20 million since 2007, including \$750,000 spent over three years on a fish farm to raise tilapia that has yet to yield a single meal.” ³⁷
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4) #CareNotCages: Support Community Reentry & Reduce Post-Release Surveillance

Divert the funds currently allocated for community supervision in the form of probation and parole officers and repurpose them toward safe and accessible reentry opportunities for incarcerated individuals.

³⁷ <http://projects.seattletimes.com/2014/prison-labor/1/>