
SENATE BILL 6548

State of Washington

61st Legislature

2010 Regular Session

By Senators Hargrove, Carrell, Stevens, Kauffman, and Roach

Read first time 01/18/10. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to offenders on parole or probation; amending RCW
2 9.94A.716; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.94A.716 and 2008 c 231 s 21 are each amended to read
5 as follows:

6 (1) The secretary may issue warrants for the arrest of any offender
7 who violates a condition of community custody. The arrest warrants
8 shall authorize any law enforcement or peace officer or community
9 corrections officer of this state or any other state where such
10 offender may be located, to arrest the offender and place him or her in
11 total confinement pending disposition of the alleged violation.

12 (2) A community corrections officer, if he or she has reasonable
13 cause to believe an offender has violated a condition of community
14 custody, may suspend the person's community custody status and arrest
15 or cause the arrest and detention in total confinement of the offender,
16 pending the determination of the secretary as to whether the violation
17 has occurred. The community corrections officer shall report to the
18 secretary all facts and circumstances and the reasons for the action of
19 suspending community custody status.

1 (3) Except as provided in subsection (4) of this section, if an
2 offender has been arrested for a new felony offense while under
3 community custody the department shall hold the offender in total
4 confinement until a hearing before the department as provided in this
5 section or until the offender has been formally charged for the new
6 felony offense, whichever is earlier. Nothing in this subsection shall
7 be construed as to permit the department to hold an offender past his
8 or her maximum term of total confinement if the offender has not
9 completed the maximum term of total confinement or to permit the
10 department to hold an offender past the offender's term of community
11 custody.

12 (4) The parole or probation of an offender who is charged with a
13 new felony offense may be suspended and the offender placed in total
14 confinement pending disposition of the new criminal charges if:

15 (a) The offender is on parole pursuant to RCW 9.95.110(1); or

16 (b) The offender is being supervised pursuant to RCW 9.94A.745 and
17 is on parole or probation pursuant to the laws of another state.

18 (5) A violation of a condition of community custody shall be deemed
19 a violation of the sentence for purposes of RCW 9.94A.631. The
20 authority granted to community corrections officers under this section
21 shall be in addition to that set forth in RCW 9.94A.631.

22 NEW SECTION. **Sec. 2.** This act applies to all offenders who
23 committed their crimes before, on, or after the effective date of this
24 act.

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