

SENATE BILL REPORT

HB 1372

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, APRIL 5, 1991

Brief Description: Repealing the interstate parole and probation hearing procedures act.

SPONSORS: Representatives Hargrove, Winsley, Prentice, Morris, Tate, Riley, Leonard and H. Myers; by request of Department of Corrections.

HOUSE COMMITTEE ON HUMAN SERVICES

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, L. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Dick Armstrong (786-7460)

Hearing Dates: April 3, 1991; April 5, 1991

BACKGROUND:

The state of Washington is a signatory to the Interstate Compact of the supervision for probationers and parolees. The compact agreement allows states to mutually supervise offenders permitted to travel out of state. In addition to the compact, Washington State law requires the Department of Corrections to conduct a reasonable cause hearing, any time it detains an offender from any other state who the Washington State Department of Corrections is supervising. Currently, if an out-of-state person under the department's supervision violates a condition of his or her sentence, the department must conduct an administrative due process hearing to determine if there is reasonable belief that the violation has occurred.

Washington State is the only waiver state that requires, by law, a hearing process of this type. Other states rely on the "Waiver of Extradition" document that an offender signs before he or she can travel to a neighboring state. A signed waiver document allows the sending state to regain custody of the offender for any breach of the travel privilege. Persons who abscond, or otherwise violate the conditions of their parole or probation, utilize current state law to interfere with the sending state's attempt to extradite and reconfine them.

SUMMARY:

The reasonable cause hearing and other procedural requirements used by the Department of Corrections for detaining out of state offenders under their supervision are eliminated.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

This measure eliminates unnecessary and time consuming technical, procedural, and legal requirements. The court system and the state benefit from a more streamlined extradition process.

TESTIMONY AGAINST: None

TESTIFIED: Representative Jim Hargrove, prime sponsor; Dave Savage, Jack Jones, Department of Corrections