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HOUSE BILL 2497

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State of Washington

53rd Legislature

1994 Regular Session

By Representatives Morris, Mastin, Ogden, Long, Edmondson, G. Cole, Johanson and Springer; by request of Department of Corrections

Read first time 01/17/94. Referred to Committee on Corrections.

1 AN ACT Relating to discharge of offenders; and amending RCW  
2 9.94A.220.

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

4 **Sec. 1.** RCW 9.94A.220 and 1984 c 209 s 14 are each amended to read  
5 as follows:

6 (1) When an offender has completed the requirements of the  
7 sentence, the secretary of the department or ((his)) the secretary's  
8 designee shall notify the sentencing court, which shall discharge the  
9 offender and provide the offender with a certificate of discharge.

10 (2) An offender who is not convicted of a violent offense or a sex  
11 offense and is sentenced to a term involving community supervision may  
12 be considered for a discharge of sentence by the sentencing court prior  
13 to the completion of community supervision, provided that the offender  
14 has completed at least one-half of the term of community supervision  
15 and has met all other sentence requirements.

16 (3) The discharge shall have the effect of restoring all civil  
17 rights lost by operation of law upon conviction, and the certificate of  
18 discharge shall so state. Nothing in this section prohibits the use of  
19 an offender's prior record for purposes of determining sentences for

1 later offenses as provided in this chapter. Nothing in this section  
2 affects or prevents use of the offender's prior conviction in a later  
3 criminal prosecution either as an element of an offense or for  
4 impeachment purposes. A certificate of discharge is not based on a  
5 finding of rehabilitation.

6 (4) Upon release from custody, the offender may apply to the  
7 department for counseling and help in adjusting to the community. This  
8 voluntary help may be provided for up to one year following the release  
9 from custody.

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