

HOUSE BILL REPORT

HB 1081

As Reported By House Committee On:

Corrections

Title: An act relating to sentences for additional crimes by felons.

Brief Description: Specifying sentencing conditions for felons who commit additional felonies.

Sponsors: Representatives Radcliff, Blanton, Costa, Koster, Ballasiotes, Cole, Dickerson, Basich and Mitchell; by request of Department of Corrections.

Brief History:

Committee Activity:

Corrections: 1/27/95, 2/3/95 [DP].

HOUSE COMMITTEE ON CORRECTIONS

Majority Report: Do pass. Signed by 11 members: Representatives Ballasiotes, Chairman; Blanton, Vice Chairman; Sherstad, Vice Chairman; Quall, Ranking Minority Member; Tokuda, Assistant Ranking Minority Member; Cole; Dickerson; Koster; Radcliff; K. Schmidt and Schoesler.

Staff: Rick Neidhardt (786-7841).

Background: The sentencing of adult felons is governed by Washington's Sentencing Reform Act (SRA). Under the SRA, some offenders are eligible to be put on community supervision.

"Community supervision" means a period of time during which a convicted offender is in the community but is subject to conditions imposed by the sentencing judge. Some conditions that the judge can impose are that the offender have no contact with the victim or prohibitions against drug or alcohol use.

Sometimes a person who is serving a period of community supervision commits another offense. The person's sentence for that second offense might result in a second period of community supervision, and it might also result in the imposition of conditions that were not imposed in the first order of community supervision.

When this happens, current law does not allow the judge to have the restrictive conditions in the second sentence go into effect prior to the actual beginning of the second period of community supervision. If the judge orders the second period of community supervision to begin only after the first period is completed, then the new restrictive conditions cannot go into effect until that future date.

Summary of Bill: When a person who is already serving a period of community supervision is sentenced to a second period of community supervision, the judge may order any conditions imposed under the second sentence to go into effect immediately, even if the second period of community supervision itself does not begin until the first period is completed.

Violation of these conditions would constitute a violation of whichever community supervision order is then in effect.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill will make offenders more accountable for their actions and will lead to better administration of justice.

Testimony Against: None.

Testified: Dave Savage, Department of Corrections (pro); and Martha Harden, Superior Court Judges' Association (pro).