

# HOUSE BILL REPORT

## SB 5140

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**As Passed House**

April 9, 1997

**Title:** An act relating to community placement of offenders.

**Brief Description:** Revising provisions relating to community placement of offenders.

**Sponsors:** Senators Long, Zarelli, Schow, Kohl, Franklin, Hargrove and Winsley; by request of Department of Corrections.

**Brief History:**

**Committee Activity:**

Criminal Justice & Corrections: 3/26/97, 4/4/97 [DP].

**Floor Activity:**

Passed House: 4/9/97, 98-0.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 13 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Blalock; Cairnes; Delvin; Dickerson; Hickel; Mitchell; Robertson and Sullivan.

**Staff:** Yvonne Walker (786-7841).

**Background:** The 1996 Legislature changed the legal status of certain sex offenders under supervision in the community by the Department of Corrections (DOC).

Sex offenders given the Special Sex Offender Sentencing Alternative (SSOSA) do not accrue earned early release credits while serving their suspended sentences on community supervision. Under the terms of last year's legislation, SSOSA offenders are now required to serve their suspended sentences under community custody–status, rather than community supervision–status.

All other sex offenders sentenced to supervision after release from prison are required to serve their complete terms of supervision under community custody–status rather than as a combination of community custody– and post-release supervision–status.

The change in status was intended to accomplish two primary goals: (1) affording the DOC additional authority to impose supervision conditions beyond those ordered by

the court at the time of sentencing; and (2) allowing violations of conditions to be handled administratively rather than by the court.

**Summary of Bill:** Offenders participating in the Special Sex Offender Sentencing Alternative (SSOSA) are prohibited from accruing any earned early release time while serving their suspended SSOSA sentences.

The Department of Corrections (DOC) is authorized to impose additional conditions on all offenders, including non-sex offenders, sentenced to community custody for crimes committed on or after June 6, 1996. The department may impose appropriate conditions of supervision beyond those ordered by the court at the time of sentencing.

An additional condition of supervision is added for all offenders on community placement, prohibiting them from unlawfully possessing controlled substances.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Although there was a change in legal status last year for sex offenders participating in the Special Sex Offender Sentencing Alternative (SSOSA), all SSOSA participants are still prohibited from accruing any earned early release time while serving their suspended sentences. This bill does not change anything from last year and is basically a measure to clarify the continued early release time prohibition provision for SSOSA participants. This bill is also a good measure to mirror the Department of Corrections' authorization to impose additional conditions on all offenders, instead of just sex offenders, sentenced to community custody.

**Testimony Against:** None.

**Testified:** Marianne McNabb, Department of Corrections.