

# HOUSE BILL ANALYSIS

## HB 1030

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**Title:** An act relating to offender scoring while under supervision.

**Brief Description:** Increasing offender scoring while under supervision.

**Sponsors:** Representatives Chandler and Mulliken.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

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

**Background:**

Adults. Under the Sentencing Reform Act (SRA) an offender convicted of a felony has a standard sentence range that is based on considering the seriousness of the offense and the offender's felony convictions. The number of points an offender receives for current and prior felonies varies according to certain rules.

If an offender is convicted of a felony the offender committed while on community placement– the offender is given one additional point. The effect of receiving an additional point means that the standard sentence range is longer.

Community placement– is a technical term in the Sentencing Reform Act, and essentially refers to a period of supervision over a prisoner after release from state prison. There are two types of two types of community placements: one is called community custody– and the other is post release supervision.–

Community custody– means that period of time the offender received for good time and good performance. Post release supervision is a period of court ordered supervision ordered regardless of any earned good time credits.

Community supervision– is a technical term in the Sentencing Reform Act and includes up to one year in the county jail and one year of supervision in the community. An offender who commits a felony while on community supervision does not receive added points.

Juveniles. Under the Juvenile Justice Act a juvenile offender also has a standard range for his or her crime. That range is developed in part by calculating offender points.– Points are based upon present and past crimes, age, type of offense, and recency. These factors are calculated and put into a juvenile sentencing grid. The results

determine a sentencing range for that particular youth. If an offender commits an offense while under parole following release from a state institution the calculation is increased by a factor of 5%.

Youth who are not committed to a state institution are usually placed on a type of probation known as community supervision.– In addition, all youth receiving a deferred adjudicated case are required to be placed in community supervision. An offender's point calculation is not increased by 5% if the offender commits a new crime while on community supervision.

**Summary:** Conviction scores/points are increased for adult and juvenile felony offenders who commit an offense while on community supervision or community placement status.

Adults. Adult offenders committing crimes while on community supervision– and community custody,– status will automatically be charged an additional point under the adult offender score grading mechanism.

Juveniles. The current offensive point calculation for a juvenile offender who commits a new offense while on community supervision– or deferred adjudication– will automatically be increased by a factor of five percent.

**Note:** \* Since the term community custody– is a type of community placement,– it is probably not necessary to include community custody in this amendment. However, if it is preferable to include the term community custody– then the term post release– supervision might also be included as a way to include both types of community placement.

\* Since a juvenile offender under deferred adjudication– status is also under community supervision– status it is probably not necessary to include both terms in this amendment.

**Require the Exercise of Rule- Making Powers:** No

**Fiscal Note:** Requested January 15, 1997.

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