

HOUSE BILL REPORT

HB 1030

As Reported By House Committee On:
Criminal Justice & Corrections

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

Brief Description: Increasing offender scoring while under supervision.

Sponsors: Representatives Chandler, Mulliken, Schoesler and Mielke.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 1/24/97, 1/31/97 [DP].

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 11 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Blalock; Cairnes; Delvin; Hickel; Mitchell and Robertson.

Minority Report: Do not pass. Signed by 2 members: Representatives Dickerson and Sullivan.

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 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 percent.

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 percent if the offender commits a new crime while on community supervision.

Summary of Bill: 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– 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– will automatically be increased by a factor of 5 percent.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: In order to make punishment in the correctional system more equitable for both state released inmates and county released inmates, the standard sentencing range should be increased for repeat offenders. This in turn will deter

criminal acts of a released juvenile or adult offender by making the offender more conscious of the consequences of engaging in criminal acts while under community supervision. An offender released from a local jail or a county juvenile detention facility who commits a crime while under supervision will now receive a longer sentence similar to offenders released from state prison or state juvenile institutions.

Testimony Against: None.

Testified: Tom McBride, Washington Association of Prosecuting Attorneys (pro); Representative Gary Chandler (pro); and Larry Erickson, Washington Association of Sheriffs and Police Chiefs (pro).