

SENATE BILL REPORT

SB 5089

As Reported By Senate Committee On:
Law & Justice, January 27, 1997

Title: An act relating to failure to appear at a court proceeding.

Brief Description: Requiring previous bail jumpers to post bail.

Sponsors: Senators Roach, Zarelli, Swecker and Hochstatter.

Brief History:

Committee Activity: Law & Justice: 1/20/97, 1/27/97 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5089 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Haugen, Kline, Long, McCaslin, Stevens and Zarelli.

Staff: Dick Armstrong (786-7460)

Background: Any person charged with a crime other than a capital offense must be released, pending trial, on the person's own recognizance, with or without attached conditions. However, if the court finds that such recognizance will not assure the accused's appearance or will otherwise unlawfully interfere with the administration of justice, the court must deny release without bail.

Summary of Substitute Bill: A person who, during the previous 10 years, has been convicted of the crime of bail jumping may not be released on his or her own personal recognizance where the judge is authorized to require posting of bail or bond.

Substitute Bill Compared to Original Bill: The substitute bill narrows the focus of the bill to only the crime of bail jumping. The original bill applied to all crimes involving a failure to appear.

Appropriation: None.

Fiscal Note: Requested on January 17, 1997.

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

Testimony For: None.

Testimony Against: Court rules now cover risk of flight and dangerousness, so the bill is not necessary. Judges should have discretion to decide. There is a substantial cost to local government. The bill should be narrowed to defined crimes.

Testified: Jennifer Shaw, Washington Defender Association (con).