

SENATE BILL REPORT

SB 5140

As Passed Senate, March 6, 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: Human Services & Corrections: 1/23/97, 1/28/97 [DP].
Passed Senate, 3/6/97, 48-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl, Schow and Stevens.

Staff: Andrea McNamara (786-7483)

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 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.

The department is requesting this legislation to clarify that the change in status does not allow SSOSA offenders to accrue earned early release credits.

The department is further requesting an expansion of its authority to impose supervision conditions on nonsex offenders.

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 nonsex 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: This proposal will provide community corrections officers with important tools to improve public safety.

Testimony Against: None.

Testified: Marianne McNabb, Assistant Director, Division of Community Corrections, Department of Corrections (pro).