

# SENATE BILL REPORT

## SB 6075

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As of March 26, 1997

**Title:** An act relating to alien offenders.

**Brief Description:** Concerning alien offenders.

**Sponsors:** Senator West.

**Brief History:**

**Committee Activity:** Ways & Means: 3/27/97, 3/31/97.

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Bryon Moore (786-7726)

**Background:** Under current law, the Department of Corrections has the authority to recommend the conditional early release of alien offenders to the United States Immigration and Naturalization Service, provided that a deportation order exists and that the offender is not serving a sentence for a violent, sex or any other offense against a person. In order for this conditional release to occur, the sentencing court and the prosecuting attorney of the county of conviction must approve the release.

From the adoption of the provisions allowing the early release of alien offenders in the 1993 legislative session, through October of 1996, the Department of Corrections recommended early release on approximately 600 occasions. Fourteen offenders have been released.

**Summary of Bill:** The requirement that the sentencing court and the prosecuting attorney must agree to the conditional release of alien offenders is removed. The department has the authority to release alien offenders with active deportation orders at its own discretion.

The type of alien offenders ineligible for deportation is limited to offenders serving a sentence for a serious violent offense or sex offense.

**Appropriation:** None.

**Fiscal Note:** Available.

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