

HOUSE BILL REPORT

SB 6627

As Passed House:

March 6, 2002

Title: An act relating to community service.

Brief Description: Renaming, with regard to adult and juvenile offenders, "community service" as "community restitution."

Sponsors: By Senators Costa, Long, Hargrove, Kline, Kohl-Welles and Winsley.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/20/02 [DP].

Floor Activity:

Passed House: 3/6/02, 93-0.

Brief Summary of Bill

- Changes the term of court-ordered "community service" to "community restitution" throughout the Washington statute.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 7 members: Representatives O'Brien, Chair; Lovick, Vice Chair; Ballasiotes, Ranking Minority Member; Ahern, Kagi, Kirby and Morell.

Staff: Yvonne Walker (786-7841).

Background:

Community Restitution: Under the Sentencing Reform Act courts may impose restitution as part of sentencing whenever an offender is convicted of an offense. Generally, any restitution ordered by a court pursuant to a criminal conviction must be based on easily ascertainable damages for an injury or loss of property, actual expenses incurred for treatment for injury to persons, and lost wages resulting from injury. Although, restitution cannot include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses, it may include the costs of counseling reasonably

related to the offense. The amount of restitution may not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime.

Community Service: Community service is statutorily defined as, compulsory service without compensation, performed for the benefit of the community by an offender, as punishment for committing an offense. In addition, as an alternative to total confinement which is available for nonviolent offenders with sentences of one year or less, eight hours of community service may be substituted for one day of total confinement, with a maximum conversion limit of 240 hours or 30 days. Community service hours must be completed within the period of community supervision or a time period specified by the court, which may not exceed 24 months. Community service may be performed through public or private organizations or through work crews.

Community service, however, can also have a different meaning outside of the criminal statute. Community service can refer to an altruistic activity that an individual performs such as, a humanitarian activity for a charity. This type of volunteer community service is quite different from the type of service that is ordered to be served by a court because of an offense that was committed.

Summary of Bill:

The term "community service" is changed to "community restitution" throughout the entire Washington statute whenever the service is court-ordered as part of an offender's sentence.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect on July 1, 2002.

Testimony For: This bill just renames "community service" to "community restitution" whenever the service is court ordered. What people do out of the goodness of their hearts should be called "community service."

Testimony Against: None.

Testified: Senator Costa, prime sponsor.