
**Criminal Justice & Corrections
Committee**

HB 2363

Brief Description: Eliminating the supervision of certain probationers by the department of corrections.

Sponsors: Representatives Kagi, Dickerson, Sommers and Edwards.

Brief Summary of Bill

- Eliminates the Department of Corrections supervision of certain probationers convicted of misdemeanors and gross misdemeanors.

Hearing Date: 1/20/04

Staff: Jim Morishima (786-7191).

Background:

The Department of Corrections (DOC) supervises felony offenders sentenced to a term of community custody as well as offenders convicted of misdemeanors or gross misdemeanors who were sentenced to a term of probation in superior court (probationers).

In 2003 the Legislature passed ESSB 5990, which eliminated DOC supervision over certain felony offenders sentenced to a term of community custody. The legislation required the DOC only to supervise offenders who:

- Are classified in the two highest risk categories; or
- Have a current or prior offense (regardless of risk category) for a sex offense, a violent offense, a crime against persons, felony domestic violence, residential burglary, delivery or possession with intent to deliver methamphetamine (or an attempt, solicitation, or conspiracy to do so), or delivery of a controlled substance to a minor (or an attempt, solicitation, or conspiracy to do so); or
- Have conditions relating to chemical dependency treatment as part of their sentence (regardless of risk category).

The DOC may not supervise any other type of offender. Similar supervision requirements were not imposed on the DOC for probationers.

Summary of Bill:

The criteria imposed by ESSB 5990 regarding DOC supervision felony offenders are extended to cover probationers under the DOC supervision. The DOC may only supervise such probationers who:

- Are classified in the two highest risk categories; or
- Have a current or prior offense (regardless of risk category) for a sex offense, a violent offense, a crime against persons, felony domestic violence, residential burglary, delivery or possession with intent to deliver methamphetamine (or an attempt, solicitation, or conspiracy to do so), or delivery of a controlled substance to a minor (or an attempt, solicitation, or conspiracy to do so); or
- Have conditions relating to chemical dependency treatment as part of their sentence (regardless of risk category).

The DOC may not supervise any other type of probationer.

Appropriation: None.

Fiscal Note: Requested on January 14, 2004.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.