

HOUSE BILL REPORT

HB 2200

As Reported by House Committee On:
Criminal Justice & Corrections

Title: An act relating to earned release credit.

Brief Description: Granting earned release credits for specified offenders.

Sponsors: Representatives O'Brien, Darneille, Kagi and Upthegrove.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 3/1/05 [DP].

Brief Summary of Bill

- Authorizes the Department of Corrections to grant up to an additional 30 days of earned early release credit to any offender participating on a Department of Natural Resources work crew program.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 4 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Kagi and Kirby.

Minority Report: Do not pass. Signed by 3 members: Representatives Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; and Strow.

Staff: Yvonne Walker (786-7841).

Background:

Work crew is a form of partial confinement. Participation is conditioned upon the offender's acceptance into the program as well as a showing of abstinence from alcohol and controlled substances. An offender sentenced for a sex offense is not eligible for a work crew program. Offender work crews generally perform civic improvement tasks that are for the benefit of the community.

Some inmates sentenced to the Department of Corrections are eligible to participate in offender work crews that are supervised by the Department of Natural Resources (DNR). These particular work crews have been trained to fight fires and are dispatched after all of the DNR crews have been dispatched. In addition to forest fire fighting and forest fire suppression and prevention, the DNR work crews are also used for reforestation, wood-

cutting, land clearing, stream clearance, watershed improvement, the development of parks and recreational areas, and other work to conserve the natural resources and protect and improve the public domain.

Earned Early Release. The Department of Corrections may reduce an offender's term of confinement through earned release time. Earned release time may be granted for good behavior and good performance and can be taken away for disciplinary reasons.

An offender convicted of a serious violent offense or a class A felony sex offense, on or after July 1, 2003, may obtain earned release time. Such an offender may not have his or her term reduced by more than 10 percent via earned release time. Certain other offenders can have their confinement reduced by up to 50 percent.

Summary of Bill:

The Department of Corrections may grant up to 30 days of additional earned early release credit, in addition to any other credit earned, to any offender participating on a DNR work crew.

Prior to an offender's release, he or she must: (1) be housed in a minimum security correctional facility; (2) have less than 12 months remaining on his or her sentence; and (3) have successfully completed all training, physical ability testing, and a minimum of six months of continuous employment in a work crew supervised by the Department of Natural Resources.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill contains an emergency clause and takes effect immediately, except for section 2, which reinstates prior law related to earned release credit for incarcerated inmates after a scheduled expiration, and takes effect July 1, 2005.

Testimony For: These are work crews that work in an outside environment where they are supervised in the community. These offenders do a lot of good work for the community. This is a good bill to help reduce the number of offenders in custody. This is good policy.

Testimony Against: None.

Persons Testifying: Larry Ericksen, Washington Association of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: None.