

SB 5760-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, notwithstanding the statutory maximum sentence or any other provision of chapter 9.94A RCW, a persistent offender, with a criminal history or current offense that does not include any completed or attempted class A felonies or sex offenses, shall be sentenced to a term of total confinement for life. Prior to serving a minimum twenty-year period of total confinement, no offender subject to this section may be eligible for community custody, earned release time, furlough, home detention, partial confinement, work crew, work release, or any other form of release as defined under RCW 9.94A.728 (1), (2), (3), (4), (6), (8), or (9), or any other form of authorized leave from a correctional facility while not in the direct custody of a corrections officer or officers, except in the case of an offender in need of emergency medical treatment.

Provides that, after serving the minimum fifteen-year term of total confinement, the offender may be eligible for community custody, earned release time, furlough, home detention, partial confinement, work crew, work release, or any other form of release as defined under RCW 9.94A.728 (1), (2), (3), (4), (6), (8), or (9), or any other form of authorized leave from a correctional facility.

Declares that the twenty-year term of total confinement imposed by the court under RCW 9.94A.570(2) constitutes the release eligibility review date at which time the court shall review the offender for conditional release to community custody.

Declares that, notwithstanding RCW 9.94A.345 and 10.01.040, this act applies to all offenders whose criminal history and current offense satisfy the requirements of RCW 9.94A.570(2).