

# SENATE BILL REPORT

## HB 2436

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As Reported By Senate Committee On:  
Human Services & Corrections, February 22, 2008

**Title:** An act relating to allowing crime victims to submit input to the department of corrections regarding whether an offender should be placed into work release.

**Brief Description:** Allowing crime victims to submit input to the department of corrections regarding whether an offender should be placed into work release.

**Sponsors:** Representatives Rolfes, O'Brien, Eddy, Sells, Goodman, VanDeWege, Morrell, Ormsby, Hurst, Dunn, Chase, Upthegrove, Simpson, Barlow, Ericks, Kelley and McDonald.

**Brief History:** Passed House: 2/12/08, 95-0.

**Committee Activity:** Human Services & Corrections: 2/22/08 [DP].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland and Carrell.

**Staff:** Shani Bauer (786-7468)

**Background:** The Department of Corrections (DOC) is authorized to convert up to six months of an offender's sentence to work release. Work release is a form of partial confinement in which

offenders are allowed into the community under certain restrictions for employment or to attend school. DOC is required, at least 30 days prior to an offender's placement in work release, to notify the victim of the offender's crime of the work release placement if: (1) the offender was convicted of a sex offense, a violent offense, or felony harassment; and (2) the victim has requested such notification in writing.

When an offender is released to community custody, DOC may not approve a residence location that is not in the offender's county of origin unless the offender's return to his or her county of origin would be inappropriate considering any court-ordered condition of the offender's sentence, victim safety concerns, negative influences on the offender in the community, or the location of family or other sponsoring persons or organizations that will support the offender.

**Summary of Bill:** When DOC notifies a crime victim about an offender's placement in work release, it must also instruct the victim on how to submit input regarding the offender's

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placement. DOC must consider any input that is received at least seven days prior to the offender's work release placement. If input is received less than seven days prior to the offender's work release placement, DOC may consider the input. DOC is authorized to alter its placement decision based on victim input.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: This bill doesn't force DOC to change placement of work release, but allows the victim to have some input into the process. While DOC is currently required to give notice to a victim when an offender is released to work release (when requested), there is no mechanism for the victim to express concern as to the placement. The focus of the current law is on the safety of the victim when an offender is released to community custody. There is a glitch in the system in that the victim is not necessarily considered when an offender is placed in work release.

The Legislature has expressed its intent to ensure victims have a meaningful role in the criminal justice system. Victims should have a voice in where an offender is placed. Offenders should be placed in the community far from their victim when some space is needed to allow the victim to heal.

OTHER: If this bill passes, it is DOC's intent to seek input from victims much earlier in process prior to an offender's placement in work release. The earlier in the reentry process that DOC can learn of specific concerns of the victim, the better able they will be to incorporate those concerns into the reentry plan.

**Persons Testifying:** PRO: Representative Christine Rolfes, prime sponsor; Dave Johnson, Washington Coalition of Crime Victims Advocates; Nora Sizemore, mother of victim.

OTHER: Steve Eckstrom, DOC.