

ESSB 5288 - H AMD TO H WAYS COMM AMD (H-3253.4/09) **855**

By Representative Pearson

FAILED 4/21/2009

1 On page 1, after line 2 of the striking amendment, insert the
2 following:

3
4 "NEW SECTION. **Sec. 1.** A new section is added to chapter 9.94A RCW
5 to read as follows:

6 The legislature finds that Washington state has one of the lowest
7 incarceration rates in the nation. Earned release time for felony
8 offenders of fifteen percent, thirty-three percent and fifty percent
9 are based on the promise of community supervision among other things
10 to ensure our communities remain safe. It is the intent of the
11 legislature to ensure by this act that high risk offenders and
12 offenders convicted of fourth degree assault, violation of a domestic
13 violence court order and who also have a prior conviction for a
14 previous violent offense; sex offense; crime against a person; fourth
15 degree assault; or violation of a domestic violence court order; and
16 offenders convicted of sexual misconduct with a minor second degree;
17 custodial sexual misconduct second degree; communication with a minor
18 for immoral purposes; or failure to register are adequately supervised
19 to maintain an adequate level of public safety."

20
21 Renumber remaining sections consecutively and correct any internal
22 references accordingly.

23
24 On page 46, after line 29, insert the following:

25
26 "NEW SECTION. **Sec. 16.** (1) In order to provide supervision of
27 misdemeanor offenders ordered to probation and felony offenders

1 sentenced to community custody whose risk assessment, conducted
2 pursuant to section 1(1)(5) and section 2(1)(5) of this act, places
3 the offender in one of the two highest risk categories, and offenders
4 sentenced for a misdemeanor or gross misdemeanor in superior court
5 pursuant to subsections (1)(b)(iii) and (iv) of sections 1 and 2, for
6 any budget adopted by the legislature for the 2009-11 biennium, the
7 number of full-time equivalent positions for the community corrections
8 program of the department of corrections shall be the same as or
9 greater than the number in the 2007-09 biennial budget as enacted by
10 the legislature in 2008.

11 (2) For any budget adopted by the legislature for the 2009-11
12 biennium, the number of full-time equivalent positions for the
13 community corrections program of the department of corrections shall
14 be the same as or greater than the number in the 2007-09 biennial
15 budget as enacted by the legislature in 2008."

16
17 Renumber remaining sections consecutively and correct any internal
18 references accordingly.

19
20 Correct the title.

21

EFFECT: (1) Adds an intent section to the bill regarding the supervision of high risk offenders.

(2) States that in order to provide supervision of high risk felony and misdemeanor offenders specified in this act, the number of corrections officers in the 2009-11 biennial budget must be at least the same as in the 2007-09 biennial budget.

(3) Requires the budget for the Department of Corrections to maintain at least 1593 full time equivalent positions in the community corrections program for the 2009-11 biennium.

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