

SENATE BILL REPORT

HB 1076

As Reported by Senate Committee On:
Human Services & Corrections, March 17, 2009

Title: An act relating to allowing crime victims to submit input to the department of corrections regarding an offender's placement in work release.

Brief Description: Allowing crime victims to submit input to the department of corrections regarding an offender's placement in work release.

Sponsors: Representatives Rolfes, Eddy, Kelley, Pearson, Simpson, Moeller, Orcutt, Morrell and Upthegrove.

Brief History: Passed House: 2/23/09, 96-0.

Committee Activity: Human Services & Corrections: 3/13/09, 3/17/09 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

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

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.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: When a victim of a crime or the victim's next of kin requests notice regarding a specific inmate, DOC must advise the requester of the possibility that part of the sentence may be served in a work release facility and on how to submit input to DOC regarding the inmate's placement.

When DOC notifies a crime victim about an offender's placement in work release, it must again instruct the victim on how to submit input regarding the offender's 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: Available.

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: SB 6157 in 2006 required DOC to form a work release workgroup. The report for that group was released in January of this year and made several recommendations to take victim concerns into account when placing an offender into work release. This bill fits within the recommendations of that workgroup. As a family member of a victim, we would like to convey what it means to live in proximity to a perpetrator who committed a crime of violence. It is extremely unnerving to have that person, who may know where you live, living nearby. This bill honors victim input in the work release process and will assist community safety by taking victim concerns into account.

Persons Testifying: PRO: Nora Sizemore, victim/survivor; Terrie Noble, Washington Coalition of Crime Victim Advocates; Andrea Piper, Washington Coalition of Sexual Assault Programs.