

SENATE BILL REPORT

HB 1361

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

Title: An act relating to county supervised community options.

Brief Description: Regarding county supervised community options.

Sponsors: Representatives Goodman, Rodne, Williams, Dickerson, Walsh, Kagi, Roberts, Pettigrew, O'Brien, Armstrong, Appleton, Ericks, Warnick, Haigh, Moeller, Rolfes, Carlyle, Wallace, Seaquist and Morrell.

Brief History: Passed House: 3/03/09, 96-0.

Committee Activity: Human Services & Corrections: 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: Alternatives to total confinement are available for offenders with sentences of one year or less. Current law authorizes one day of partial confinement, such as work release or home detention, to be substituted for one day of total confinement. For nonviolent offenders, eight hours of community restitution may be substituted for one day of total confinement, up to a maximum of 30 days.

For offenders convicted of nonviolent and nonsex offenses, the court may also authorize county jails to convert confinement time to an available county supervised community option. As part of this alternative, the court may order an offender to participate in other affirmative conduct, such as participation in treatment.

Offenders who are under total confinement may accrue "earned release credit." This amount may vary from county to county. Generally, defendants accrue earned release credit equal to one-third of their sentence. Earned release credit may also accrue during time served in partial confinement if the form of partial confinement is work release or work crew. Earned release credit does not accrue during time served in a community-based alternative.

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: For offenders convicted of nonviolent and nonsex offenses, the court may give the defendant credit for time served in a county-supervised community option both prior to and after sentencing. The defendant may accrue earned release time while participating in a county-supervised option as if the defendant had served that time in total confinement or in partial confinement where earned release credit is allowed.

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: This is a good bill that removes disincentives for individuals to participate in alternative programs, including treatment. It is sometimes easier for a person to sit in jail than participate in a program that requires affirmative conduct. This bill will remove some of the barriers to getting people to participate. These are good programs that produce better results than simply having someone sit in jail.

Persons Testifying: PRO: Representative Goodman, prime sponsor; Mike West, King County Department of Adult and Juvenile Detention; Tom McBride, Washington Association of Prosecuting Attorneys.