

# SENATE BILL REPORT

## SB 5325

---

---

As of January 28, 2009

**Title:** An act relating to creating an evidence-based community custody system for adult felons.

**Brief Description:** Concerning evidence-based community custody.

**Sponsors:** Senators Hargrove, Regala and Kohl-Welles; by request of Sentencing Guidelines Commission.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/05/09.

---

### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

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

**Background:** When the Sentencing Reform Act (SRA) was passed by the Legislature in 1984, it contained very limited provisions for the supervision of offenders. Since that time, the Legislature has implemented a community custody system to supervise selected offenders after incarceration or in lieu of incarceration. Felons in community custody are monitored by the Department of Corrections (DOC) community corrections officers and required to comply with conditions that focus on public safety and activities that are intended to lower the risk of re-offense. An offender is subject to sanctions, including return to incarceration, if conditions are violated.

The current community custody system was passed incrementally, resulting in inconsistencies, confusion, and at times a lack of adherence to evidence-based principles. To address this confusion, in 2008, the Legislature reorganized and simplified community custody statutes and directed the Sentencing Guidelines Commission (SGC) to work with the courts to propose policy changes that will further simplify and improve the SRA relating to the supervision of offenders.

The SGC has met with members of the Superior Court Judges Association several times over the last year, laying the foundation for further proposed changes to the SRA.

**Summary of Bill:** The SGC must work in partnership with the court to examine options for community custody and develop a plan to implement an evidence-based community custody system for adult felons. The plan must include provisions for:

---

*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.*

- identifying offenders for whom rehabilitative programs are cost-effective;
- identifying cost-effective rehabilitative programs;
- monitoring the system to ensure that it operates in a cost-effective manner; and
- providing annual reports to the Legislature on the costs and benefits of the system.

In formulating a plan, the SGC must consult with the Washington State Institute for Public Policy, the Legislature, DOC, local governments, prosecutors, defense attorneys, victim advocate groups, law enforcement, and the Washington State Federation of State Employees.

The SGC must report its recommendations to the Governor and the Legislature by December 1, 2009.

**Appropriation:** None.

**Fiscal Note:** Requested on January 28, 2009.

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

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