

---

**SUBSTITUTE SENATE BILL 6548**

---

**State of Washington                      61st Legislature                      2010 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell, Stevens, Kauffman, and Roach)

READ FIRST TIME 02/05/10.

1            AN ACT Relating to offenders on parole or probation; amending RCW  
2 9.94A.633; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 9.94A.633 and 2009 c 375 s 12 are each amended to read  
5 as follows:

6            (1)(a) An offender who violates any condition or requirement of a  
7 sentence may be sanctioned with up to sixty days' confinement for each  
8 violation.

9            (b) In lieu of confinement, an offender may be sanctioned with work  
10 release, home detention with electronic monitoring, work crew,  
11 community restitution, inpatient treatment, daily reporting, curfew,  
12 educational or counseling sessions, supervision enhanced through  
13 electronic monitoring, or any other sanctions available in the  
14 community.

15            (2) If an offender was under community custody pursuant to one of  
16 the following statutes, the offender may be sanctioned as follows:

17            (a) If the offender was transferred to community custody in lieu of  
18 earned early release in accordance with RCW 9.94A.728(~~(+2)~~), the  
19 offender may be transferred to a more restrictive confinement status to

1 serve up to the remaining portion of the sentence, less credit for any  
2 period actually spent in community custody or in detention awaiting  
3 disposition of an alleged violation.

4 (b) If the offender was sentenced under the drug offender  
5 sentencing alternative set out in RCW 9.94A.660, the offender may be  
6 sanctioned in accordance with that section.

7 (c) If the offender was sentenced under the special sexual [sex]  
8 offender sentencing alternative set out in RCW 9.94A.670, the suspended  
9 sentence may be revoked and the offender committed to serve the  
10 original sentence of confinement.

11 (d) If the offender was sentenced to a work ethic camp pursuant to  
12 RCW 9.94A.690, the offender may be reclassified to serve the unexpired  
13 term of his or her sentence in total confinement.

14 (e) If a sex offender was sentenced pursuant to RCW 9.94A.507, the  
15 offender may be transferred to a more restrictive confinement status to  
16 serve up to the remaining portion of the sentence, less credit for any  
17 period actually spent in community custody or in detention awaiting  
18 disposition of an alleged violation.

19 (3) If a probationer is being supervised by the department pursuant  
20 to RCW 9.92.060, 9.95.204, or 9.95.210, the probationer may be  
21 sanctioned pursuant to subsection (1) of this section. The department  
22 shall have authority to issue a warrant for the arrest of an offender  
23 who violates a condition of community custody, as provided in RCW  
24 9.94A.716. Any sanctions shall be imposed by the department pursuant  
25 to RCW 9.94A.737. The department shall provide a copy of the violation  
26 hearing report to the sentencing court in a timely manner. Nothing in  
27 this subsection is intended to limit the power of the sentencing court  
28 to respond to a probationer's violation of conditions.

29 (4) The parole or probation of an offender who is charged with a  
30 new felony offense may be suspended and the offender placed in total  
31 confinement pending disposition of the new criminal charges if:

32 (a) The offender is on parole pursuant to RCW 9.95.110(1); or

33 (b) The offender is being supervised pursuant to RCW 9.94A.745 and  
34 is on parole or probation pursuant to the laws of another state.

35 NEW SECTION. Sec. 2. This act applies to all offenders who

1 committed their crimes before, on, or after the effective date of this  
2 act.

--- END ---