

HOUSE BILL REPORT

SHB 1632

As Passed House:
May 2, 2011

Title: An act relating to the cost of supervision.

Brief Description: Modifying cost of supervision provisions.

Sponsors: House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Hope, Hurst and Armstrong; by request of Department of Corrections).

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 2/9/11, 2/16/11 [DPS];

General Government Appropriations & Oversight: 2/18/11, 2/21/11 [DPS(PSEP)].

Floor Activity:

Passed House: 4/5/11, 96-0.

First Special Session

Floor Activity:

Passed House: 5/2/11, 94-0.

Brief Summary of Substitute Bill

- Permits the Department of Corrections (DOC) to collect a one-time supervision intake fee of \$400 to \$600 instead of a monthly assessment for offender supervision.
- Permits the DOC to collect a reasonable fee set by rule for processing applications for out-of-state transfer of supervision.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Hurst, Chair; Ladenburg, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Armstrong, Goodman, Hope, Kirby, Moscoso and Ross.

Staff: Alexa Silver (786-7190).

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.

HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS & OVERSIGHT

Majority Report: The substitute bill by Committee on Public Safety & Emergency Preparedness be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Hudgins, Chair; Miloscia, Vice Chair; McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Ahern, Armstrong, Blake, Fitzgibbon, Ladenburg, Moscoso, Pedersen, Van De Wege and Wilcox.

Staff: Alex MacBain (786-7288).

Background:

Assessments for Supervision of Felony Offenders: The Department of Corrections (DOC) may impose a monthly supervision assessment on a felony offender under supervision, which is considered payment toward providing supervision. The assessment is \$15 per month for routine parole and up to \$50 per month for intensive parole supervision. The assessment is imposed for the duration of supervision and is deposited in the Cost of Supervision Fund. Expenditures from the Cost of Supervision Fund are made for supporting the collection of legal financial obligations.

The DOC may exempt an offender from payment of all or part of the assessment if: the offender has diligently attempted but has been unable to obtain employment; the offender is a student; the offender has an employment handicap; the offender's age prevents employment; the assessment would create an undue hardship because the offender is responsible for supporting dependents; or other extenuating circumstances exist.

Assessments for Supervision of Misdemeanant Probationers: When an offender convicted of a misdemeanor or gross misdemeanor is placed on probation and supervised by either the DOC or a county probation department, the DOC or the probation department may collect a monthly assessment up to \$100 per month from the offender. The assessment is imposed for the duration of probation.

Application for Interstate Transfer: The DOC processes applications for transfer of offenders under the Interstate Compact for Adult Offender Supervision and may charge offenders a reasonable fee for processing the application.

Summary of Substitute Bill:

Intake Fee for Supervision of Offenders: Both felony and misdemeanor offenders under DOC supervision must pay a supervision intake fee, which is considered payment toward the cost of establishing supervision. The fee is imposed after the offender is determined to be eligible for supervision.

For an offender whose crime was committed on or after July 1, 2011, the fee is \$400 to \$600 and is assessed for each judgment and sentence imposed for which supervision is required. For an offender whose crime was committed before July 1, 2011, the monthly supervision

assessment is converted to a one-time fee. The fee is based on the monthly rate and the number of months of supervision left, but may not exceed \$600.

Application for Interstate Transfer: The DOC may charge a reasonable fee set by rule for processing an offender's application for out-of-state transfer of supervision under the Interstate Compact for Adult Offender Supervision. The fee is deposited in the Cost of Supervision Fund.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2011.

Staff Summary of Public Testimony (Public Safety & Emergency Preparedness):

(In support) This bill would convert the current monthly supervision fee to a one-time fee and simplify the payment process. The DOC can waive the fee or set up a payment plan. The revenue would help keep community corrections officers in the field. The bill also permits the DOC to charge an application fee for Washington offenders who want to leave the state under the Interstate Compact for Adult Offender Supervision. Many states charge such a fee.

(Opposed) None.

Staff Summary of Public Testimony (General Government Appropriations & Oversight):

(In support) The bill would convert the current monthly supervision fee to a flat one-time fee. The fee could be paid on a monthly basis so the impact to the offender would be negligible. This change would simplify the payment process. The increased fee would help sustain the account in future biennia. Without either a General Fund backfill or a fee increase, the Department of Corrections would have to reduce about 20 community corrections officers statewide.

(Opposed) None.

Persons Testifying (Public Safety & Emergency Preparedness): Representative Hope, prime sponsor; and Anna Aylward, Department of Corrections.

Persons Testifying (General Government Appropriations & Oversight): Anna Aylward, Department of Corrections.

Persons Signed In To Testify But Not Testifying (Public Safety & Emergency Preparedness): None.

Persons Signed In To Testify But Not Testifying (General Government Appropriations & Oversight): None.