

SENATE BILL REPORT

SB 5140

As of February 1, 2013

Title: An act relating to limiting alternatives to confinement for certain offenders who violate terms of community custody.

Brief Description: Limiting alternatives to confinement for certain offenders who violate terms of community custody.

Sponsors: Senators Pearson and Carrell.

Brief History:

Committee Activity: Human Services & Corrections: 1/31/13.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Shani Bauer (786-7468)

Background: An offender who violates any condition or requirement of the offender's sentence may be sanctioned by the court with up to 60 days confinement for each violation, or by the Department of Corrections (DOC) with up to 30 days confinement. Instead of confinement, the offender may be sanctioned with the following:

- work release;
- home detention with electronic monitoring;
- work crew;
- community restitution;
- inpatient treatment;
- daily reporting;
- curfew;
- educational or counseling sessions; or
- supervision enhanced through electronic monitoring.

Summary of Bill: The non-confinement sanctions for an offender who violates any condition or requirement of the offender's sentence are not available to the following offenders:

- those being supervised for a domestic violence offense; and
- those who commit the violation while armed with a deadly weapon.

Appropriation: None.

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.

Fiscal Note: Requested on January 24, 2013.

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: There is uncertainty as to whether the bill does what the drafter intended because the persons affected by the bill would not receive nonconfinement sanctions under current DOC policy.

Persons Testifying: PRO: Anmarie Aylward, DOC.