

SB 5783 - H COMM AMD

By Committee on Public Safety

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 9.94A
4 RCW to read as follows:

5 (1) To the extent that funds are specifically appropriated for
6 this purpose, the department must establish a pilot program in a
7 county with four hundred thousand or more residents that borders the
8 Columbia river to increase communication and cooperation among
9 department of corrections' community supervision staff and general
10 authority peace officers in order to promote and increase
11 accountability of supervised offenders and the safety of the public.

12 (2) The pilot program must provide that a sufficient number of
13 department duty officers be available outside of normal business
14 hours for the purpose of responding to the inquiries of general
15 authority peace officers regarding supervised offenders believed to
16 have violated a condition or requirement of community supervision.

17 (3) The duty officers referred to in subsection (2) of this
18 section must have the ability to determine whether a person is a
19 supervised offender and the conditions and requirements of the
20 offender's community supervision, and must be able to determine
21 whether a possible violation of community supervision has occurred.
22 If a general authority peace officer believes a violation has
23 occurred, the duty officer must also be able to respond in a timely
24 manner to the location of the inquiring general authority peace
25 officer when the duty officer determines that there is reasonable
26 cause to believe that the offender is in violation of one or more
27 conditions or requirements of supervision and that the violation
28 merits either a warrantless arrest or search of the supervised
29 offender. If requested, the general authority peace officer may
30 assist a duty officer in the arrest or search of the offender.

31 (4) If a duty officer determines under subsection (3) of this
32 section that it is appropriate to arrest or search an offender for a
33 supervision violation, a general authority peace officer may detain

1 an offender for the length of time necessary to allow the duty
2 officer to timely respond to the location of the peace officer.

3 (5) Nothing in this section prevents a peace officer from
4 arresting an offender pursuant to a warrant or pursuant to RCW
5 10.31.100.

6 (6) The pilot program must be operational by October 1, 2015.

7 (7) This section expires October 1, 2017."

8 Correct the title.

EFFECT: Requires the DOC to establish a pilot program, if funds are specifically appropriated for that purpose, to do the following:

(1) Make sufficient numbers of duty officers available outside of normal business hours to respond to inquiries by general authority peace officers regarding supervised offenders believed to have violated the conditions of their supervision;

(2) Require the duty officers to be able to determine if an offender is a supervised offender and the conditions of the offender's supervision;

(3) Require the duty officers to be able to determine if a supervised offender has violated a condition of supervision;

(4) Require a duty officer to respond to the location of a general authority peace officer when the duty officer determines that there is reasonable cause to believe that an offender is in violation of a condition of supervision and that the violation merits either a warrantless arrest or search of the supervised offender; and

(5) Permit a general authority peace officer to detain a supervised offender pending the arrival of the duty officer.

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