

# FINAL BILL REPORT

## SB 6459

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C 234 L 16  
Synopsis as Enacted

**Brief Description:** Authorizing peace officers to assist the department of corrections with the supervision of offenders.

**Sponsors:** Senators Rivers, Takko, Litzow, Ranker, Ericksen, Benton and Pearson.

**Senate Committee on Law & Justice**  
**House Committee on Public Safety**

**Background:** When a court sentences an offender to a term of community custody, the court imposes conditions prohibiting or requiring specified behaviors. The court must require the offender to comply with any additional conditions imposed by the Department of Corrections (DOC). The DOC determines additional conditions based on the risk to community safety and supervises the offender based on that risk in addition to the conditions imposed by the court.

If an offender violates any condition or requirement of a sentence, a community corrections officer (CCO) may arrest the offender without a warrant, pending a determination by the court or the DOC. If there is reasonable cause to believe that an offender has violated a condition or requirement, the CCO may require an offender to submit to a search and seizure of the offender's person, residence, automobile, or other personal property. A CCO may also arrest an offender for any crime committed in the CCO's presence. The facts and circumstances of the conduct of the offender are reported by the CCO - with recommendations - to the court, local law enforcement, or local prosecution for consideration of new charges.

The DOC may also issue a warrant for the arrest of any offender who violates a condition of community custody. The arrest warrant authorizes any law enforcement officer or CCO of this state or any other state where such offender may be located, to arrest the offender and place him or her in total confinement pending disposition of the alleged violation.

**Summary:** General and limited authority peace officers have the authority to assist the DOC with the supervision of offenders. If the officer has reasonable cause to believe an offender is in violation of the terms of supervision, the officer may conduct a search of the offender's person, automobile, or other personal property to search for evidence of the violation. The officer must notify the DOC upon substantiation that an offender has violated the offender's conditions of community supervision.

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*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.*

A peace officer may also assist a CCO with a search of the offender's residence if requested to do so. The peace officer may arrest an offender for any new crime found as a result of the offender's arrest or search.

**Votes on Final Passage:**

Senate	44	5	
House	95	2	(House amended)
Senate	45	2	(Senate concurred)

**Effective:** June 9, 2016