
SENATE BILL 6511

State of Washington

65th Legislature

2018 Regular Session

By Senator Darneille; by request of Department of Corrections

1 AN ACT Relating to concerning responses to violations of
2 conditions of community custody related to in lieu of earned early
3 release time; amending RCW 9.94A.633; and creating a new section.

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

5 **Sec. 1.** RCW 9.94A.633 and 2012 1st sp.s. c 6 s 2 are each
6 amended to read as follows:

7 (1)(a) An offender who violates any condition or requirement of a
8 sentence may be sanctioned by the court with up to sixty days'
9 confinement for each violation or by the department with up to thirty
10 days' confinement as provided in RCW 9.94A.737.

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

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

18 (a) ~~((If the offender was transferred to community custody in
19 lieu of earned early release in accordance with RCW 9.94A.728, the
20 offender may be transferred to a more restrictive confinement status
21 to serve up to the remaining portion of the sentence, less credit for~~

1 ~~any period actually spent in community custody or in detention~~
2 ~~awaiting disposition of an alleged violation.~~

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

6 ~~((e))~~) (b) If the offender was sentenced under the parenting
7 sentencing alternative set out in RCW 9.94A.655, the offender may be
8 sanctioned in accordance with that section.

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

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

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

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

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

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

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

36 NEW SECTION. **Sec. 2.** Section 1 of this act applies to any
37 sanction imposed on or after the effective date of this section,
38 regardless of the date of the violation. Section 1 of this act does

1 not affect the validity of any sanction that was imposed prior to the
2 effective date of the section.

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