

# HOUSE BILL REPORT

## HB 2436

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**As Passed House:**

February 12, 2008

**Title:** An act relating to allowing crime victims to submit input to the department of corrections regarding whether an offender should be placed into work release.

**Brief Description:** Allowing crime victims to submit input to the department of corrections regarding whether an offender should be placed into work release.

**Sponsors:** By Representatives Rolfes, O'Brien, Eddy, Sells, Goodman, VanDeWege, Morrell, Ormsby, Hurst, Dunn, Chase, Upthegrove, Simpson, Barlow, Ericks, Kelley and McDonald.

**Brief History:**

**Committee Activity:**

Human Services: 1/17/08, 1/23/08 [DP].

**Floor Activity:**

Passed House: 2/12/08, 95-0.

**Brief Summary of Bill**

- Allows a crime victim to provide input regarding an offender's work release placement.
- Allows the Department of Corrections to alter its work release placement decision based on victim input.

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### HOUSE COMMITTEE ON HUMAN SERVICES

**Majority Report:** Do pass. Signed by 8 members: Representatives Dickerson, Chair; Roberts, Vice Chair; Ahern, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Bailey, Darneille, McCoy and O'Brien.

**Staff:** Jim Morishima (786-7191).

**Background:**

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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.*

The Department of Corrections (DOC) is authorized to convert up to six months of an offender's sentence to work release. Work release is a form of partial confinement in which offenders are allowed into the community for employment purposes. The DOC is required, at least 30 days prior to an offender's placement in work release, to notify the victim of the offender's crime of the work release placement if: (a) the offender was convicted of a sex offense, a violent offense, or felony harassment, and (b) the victim has requested such notification in writing.

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**Summary of Bill:**

When the DOC notifies a crime victim about an offender's placement in work release, it must also instruct the victim on how to submit input regarding the offender's placement. The DOC must consider any input received at least seven days prior to the offender's work release placement. The DOC may consider input that is received less than seven days prior to the offender's work release placement. The DOC is authorized to alter its placement decision based on victim input.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) Victims often have information about an offender that the DOC does not. This bill allows victims to submit input to the DOC in an advisory capacity, but does not give victims veto power over a work release placement. Returning an offender to an area in which he or she committed his or her crime may impede the offender's rehabilitation and re-victimizes victims when they run into the offender in the community. Offenders on work release should be placed far away from family and friends. This bill will require the DOC to consider the victim's perspective. Victims currently have the opportunity to provide input in parole and other release decisions; this bill extends this ability to work release placement.

(Information only) The DOC has experience in this type of thing since it already informs victims when offenders are transferred into work release. The DOC would implement this legislation by inviting input from victims sooner than is required by the bill and again at the time of transfer (and perhaps even during re-entry planning). The sooner the DOC receives the information the better. The offender should not be aware that the victim has provided input to avoid retaliation.

**Persons Testifying:** (In support) Representative O'Brien; Nora Sizemore; Mary Mueller, Families and Friends of Violent Crime Victims; and Dave Johnson, Washington Coalition of Crime Victims Advocates.

(Information only) Steve Eckstrom, Department of Corrections, Victim Services.

**Persons Signed In To Testify But Not Testifying:** None.