

# HOUSE BILL REPORT

## HB 1076

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### **As Passed House:**

February 23, 2009

**Title:** An act relating to allowing crime victims to submit input to the department of corrections regarding an offender's placement in work release.

**Brief Description:** Allowing crime victims to submit input to the department of corrections regarding an offender's placement in work release.

**Sponsors:** Representatives Rolfes, Eddy, Kelley, Pearson, Simpson, Moeller, Orcutt, Morrell and Upthegrove.

### **Brief History:**

#### **Committee Activity:**

Human Services: 1/19/09, 1/28/09 [DP].

#### **Floor Activity**

Passed House: 2/23/09, 96-0.

### **Brief Summary of Bill**

- Requires the Department of Corrections (DOC) to provide written notice to victims of certain crimes if the offender who committed the crime is placed in work release.
- Requires the DOC to provide instruction to victims on how to submit input to the DOC regarding the work release placement.
- Requires the DOC to consider any input received from a victim if received at least seven days before the work release placement.
- Authorizes the DOC to change a work release placement decision based upon input from a victim.

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## HOUSE COMMITTEE ON HUMAN SERVICES

**Majority Report:** Do pass. Signed by 8 members: Representatives Dickerson, Chair; Orwall, Vice Chair; Dammeier, Ranking Minority Member; Green, Klippert, Morrell, O'Brien and Walsh.

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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.*

**Staff:** Linda Merelle (786-7092)

**Background:**

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 in writing the victim of the offender's crime, or the victim's next of kin (if the crime was a homicide), of the work release placement if: (1) the offender was convicted of a sex offense, a violent offense, or felony harassment; and (2) the victim has made a written request for such notification.

**Summary of Bill:**

Upon receipt of a written request for notification of work release placement, and at the time that the DOC notifies the victim or the victim's next of kin of the offender's placement in work release within 30 days of the placement, the DOC must provide instructions on how to provide input to the DOC regarding the placement. The DOC is required to consider any input received from the victim or the victim's next of kin if received at least seven days prior to the offender's placement in work release. The DOC may consider such input if it is received less than seven days prior to placement in work release. The DOC may change its work release placement decision based upon input received from the victim or victim's next of kin.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on August 1, 2009.

**Staff Summary of Public Testimony:**

(In support) The victims of a crime need to feel that they are being treated fairly. The DOC should allow people who make the decisions regarding offender placement to have full access to input. Having no official way to provide input to whether an offender should be placed in work release is like pouring salt in the wounds of the victims. Offenders should not be placed in a situation where they come in contact with the victim through no fault of their own. The DOC should take into account where the victim lives and other circumstances relating to the offense. The earlier the DOC knows about concerns, the better job they can do in making placement decisions. Having the information before them when they make decisions is critical.

(Opposed) None.

**Persons Testifying:** Representative Rolfes, prime sponsor; Nora Sizemore; Dave Johnson, Washington Coalition of Crime Victim Advocates; Jim Adams; and Steve Eckstrom, Department of Corrections, Victim Services Program.

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