

# SENATE BILL REPORT

## SHB 2171

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As Reported By Senate Committee On:  
Law & Justice, February 22, 1996

**Title:** An act relating to no-contact restrictions on sentences.

**Brief Description:** Extending no-contact restrictions on sentences to time in confinement.

**Sponsors:** House Committee on Corrections (originally sponsored by Representatives McMahan, Sheahan, Delvin, Costa, Morris, Blanton, Quall, Dickerson, Thompson and Hargrove; by request of Department of Corrections).

**Brief History:**

**Committee Activity:** Law & Justice: 2/15/96, 2/22/96 [DP].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Quigley, Roach and Schow.

**Staff:** Susan Carlson (786-7418)

**Background:** Under the Sentencing Reform Act, the sentencing court may impose crime-related restrictions prohibiting the offender from having contact with specific individuals or with a specified class of individuals. This enables the court to restrict the offender's contact with persons who may be vulnerable to victimization by the offender. The prohibition must relate directly to the circumstances of the crime for which the offender was convicted and may continue to remain in effect up to the maximum allowable sentence for the crime.

Currently, the law does not state explicitly whether no-contact restrictions may also apply during incarceration.

**Summary of Bill:** Current law is clarified and revised to provide that any order that a sentencing court issues prohibiting an offender from having contact with specified individuals or classes of individuals takes effect as soon as the judgment and sentence is signed.

The Legislature's stated intention is that the act be given retroactive effect to the greatest extent consistent with the defendants' constitutional rights.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Offenders in prison should not be able to have visits with persons the judgment and sentence exclude them from contacting.

**Testimony Against:** None.

**Testified:** Rep. McMahan, prime sponsor; Janet Barbour, Dept. of Corrections; Terry Kohl, WA Defender Assn. and WA Assn. of Criminal Defense Lawyers.