

SENATE BILL REPORT

SHB 2533

As Reported By Senate Committee On:
Human Services & Corrections, February 20, 1996

Title: An act relating to misdemeanor probation services.

Brief Description: Revising misdemeanor probation programs.

Sponsors: House Committee on Law & Justice (originally sponsored by Representatives Hickel, Sheahan, Cody, Sterk, Smith, Morris and Dellwo).

Brief History:

Committee Activity: Human Services & Corrections: 2/20/96 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Kohl, Long, Moyer, Prentice, Schow, Strannigan, Thibaudeau and Zarelli.

Staff: Andrea McNamara (786-7483)

Background: Offenders convicted of misdemeanors and gross misdemeanors may be sentenced to a term of probation by a municipal, district, or superior court. Misdemeanants sentenced to probation in municipal or district court are supervised by local probation departments. Misdemeanants sentenced in superior court are under the supervision of the Department of Corrections (DOC) during their probation.

Current law authorizes the court to impose a monthly assessment of up to \$50 for probation services. In 1995, the Legislature authorized the DOC to collect a monthly assessment of up to \$100 from those misdemeanor probationers under its jurisdiction.

It has been suggested that some counties need the ability to collect additional supervision fees in order for their probation departments to remain fee-supported.

Summary of Amended Bill: The supervision fee that may be charged offenders convicted of misdemeanors in municipal, district, or superior courts is increased from \$50 to \$100 per month.

A definition of probation department and qualifications for probation officers are to be adopted in rule by the Office of the Administrator for the Courts based on recommendations by an oversight committee. The composition and duties of the oversight committee are specified.

A process is created whereby counties can contract with the Department of Corrections (DOC) to supervise misdemeanants sentenced in superior court. Several provisions that must

be included in the contracts are specified, as are other requirements that apply to counties who elect to supervise superior court misdemeanants.

Any county that contracts with DOC to supervise superior court misdemeanants must establish and maintain classification and supervision standards that meet the minimum requirements outlined. In no case may a county's standards be less stringent than those required of DOC. The standards are to be met, and may be adjusted, within resources appropriated by the Legislature and supplemented by fee collections.

Other technical and clarifying changes are made.

Amended Bill Compared to Substitute Bill: The amendment adds the process, terms, and conditions for counties to contract with the Department of Corrections to supervise superior court misdemeanants.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Witnesses expressed support for the Senate striking amendment (which is identical to ESSB 6208) by referencing their testimony given at the hearing on SB 6208.

Testimony Against: None.

Testified: Kurt Sharar, Washington Association of Counties (pro); Melanie Stewart, Washington Municipal and District Court Judges (pro); Dave Savage, Department of Corrections (pro).