

SENATE BILL REPORT

SB 5065

As Passed Senate, March 10, 1995

Title: An act relating to sentences for additional crimes by felons.

Brief Description: Specifying sentencing conditions for felons who commit additional felonies.

Sponsors: Senators Smith, Winsley and Schow; by request of Department of Corrections.

Brief History:

Committee Activity: Human Services & Corrections: 2/7/95 [DP].
Passed Senate, 3/10/95, 43-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Fairley, Kohl, Long, Palmer, Prentice, Schow, Smith and Strannigan.

Staff: Andrea McNamara (786-7483)

Background: Under current law, when a felony offender commits a new felony offense while still under sentence for the prior offense, the term of confinement and the conditions of the new sentence do not take effect until completion of the first sentence. This often results in the delayed implementation of conditions that the Department of Corrections believes should be implemented immediately. Examples of the types of conditions the department believes should be immediately effective include protection orders prohibiting contact by the offender with the victim of the new crime, treatment, and restitution programs.

Summary of Bill: The court is authorized to require that the conditions of community supervision imposed with a second or later sentence begin immediately, and continue throughout the duration of the consecutive term. The violation of these conditions is treated as a violation of the sentence currently being served. As before, the new term of confinement does not begin until after expiration of all prior felony terms.

Appropriation: None.

Fiscal Note: Requested on January 16, 1995.

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

Testimony For: More than 4,000 of the 38,000 offenders currently on community custody supervision are felons who have committed a new felony while still serving time for an earlier felony. Many of these offenders' sentences include crime-related prohibitions such as no drug or alcohol use, mandatory drug testing, no-contact orders, or no-association

orders as part of the latter sentence. Current law does not allow enforcement of these conditions until after the offender's earlier sentence is completed. It is often difficult to explain to victims and family members why the conditions cannot be enforced immediately after sentencing. Judges need assistance to help hold offenders accountable for later crimes.

Testimony Against: None.

Testified: Dave Savage, Director, Department of Corrections Division of Community Custody (pro); Martha Harden, Superior Court Judge's Association (pro).