

SENATE BILL REPORT

SB 6208

As Reported By Senate Committee On:
Human Services & Corrections, February 1, 1996
Ways & Means, February 6, 1996

Title: An act relating to misdemeanor probation services.

Brief Description: Revising misdemeanor probation programs.

Sponsors: Senators Haugen, Johnson, Bauer, Winsley and Schow.

Brief History:

Committee Activity: Human Services & Corrections: 1/25/96, 2/1/96 [DPS-WM].
Ways & Means: 2/5/96, 2/6/96 [DPS (HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6208 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

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

Staff: Andrea McNamara (786-7483)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6208 as recommended by Committee on Human Services & Corrections be substituted therefor, and the substitute bill do pass.

Signed by Senators Rinehart, Chair; Loveland, Vice Chair; Bauer, Cantu, Drew, Finkbeiner, Fraser, Hargrove, Hochstatter, Johnson, Kohl, Long, McDonald, Moyer, Pelz, Quigley, Roach, Sheldon, Snyder, Spanel, Strannigan, Sutherland, Winsley and Wojahn.

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.

Summary of Substitute 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 probations 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. The standards are to be met, and may be adjusted, within resources levels appropriated by the Legislature and supplemented by fee collections. In no case may a county's standards fall below those of the minimum required of DOC.

Other technical and clarifying changes are made.

Substitute Bill Compared to Original Bill: The minimum qualifications for probation officers are removed by the substitute, and the responsibility to establish the qualifications in rule is given to the Office of the Administrator for the Courts.

The process, terms, and conditions for counties to contract with the Department of Corrections to supervise superior court misdemeanants is added.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For (Human Services & Corrections): County probation departments have been primarily fee supported for several years. Many counties have reached a need for increased resources to accomplish necessary supervision services, and the increased fee assessment will allow them to keep up with the need.

Testimony Against (Human Services & Corrections): None.

Testified (Human Services & Corrections): Tom Ball, Thurston County Representative, Misdemeanant Corrections Association (pro); Melanie Stewart, Municipal & District Court Judges' Association (pro).

Testimony For (Ways & Means): Counties support the opportunity this bill creates to contract with the Department of Corrections for supervising superior court misdemeanants

within their local probation departments. District and municipal courts support the increased fee assessments as a way to maintain their self-supporting operations.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): Kurt Sharar, Washington Association of Counties (pro); Melanie Stewart, Municipal and District Court Judges' Association (pro).