

HOUSE BILL REPORT

SHB 1781

As Amended by the Senate

Title: An act relating to the monitoring of supervised offenders under the jurisdiction of the state department of corrections.

Brief Description: Expanding the supervision management and recidivist tracking program.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Lambert, Ballasiotes, Clements, McMorris, Talcott, Costa, Backlund, Cooke, Huff, Delvin and Thompson).

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/21/97, 2/26/97 [DP];

Appropriations: 3/7/97 [DPS].

Floor Activity:

Passed House: 3/13/97, 96-0;

Passed House: 1/16/98, 93-0.

Senate Amended.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 12 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; O'Brien, Assistant Ranking Minority Member; Blalock; Cairnes; Delvin; Dickerson; Hickel; Mitchell; Robertson and Sullivan.

Staff: Yvonne Walker (786-7841).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 25 members: Representatives Huff, Chairman; H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Chopp; Cody;

Cooke; Crouse; Dyer; Grant; Keiser; Kenney; Kessler; Linville; Lisk; Mastin; McMorris; Parlette; Regala; D. Schmidt; Sehlin; Talcott and Tokuda.

Staff: Dave Johnson (786-7154).

Background: The supervision management and recidivist tracking program (known in the city of Redmond as SMART) is a community monitoring program for released offenders.

Prior to an offender's release, the Department of Corrections identifies where the offender plans to reside and then notifies the local law enforcement agency within that community. The Department of Corrections provides the local law enforcement agency with pertinent background information on the offender's criminal history, sentence, and community placement requirements. Once the offender is released, local law enforcement officers begin to make regular visits to the offender in addition to the regular visits he or she may receive from his or her assigned community correction officer. This allows local officers to get to know the inmates through face-to-face contact and to operate as a 24-hour eye for community corrections officers. Every time a contact, whether suspicious or routine, is made between the local law officer and the offender, the local police departments inform the Department of Corrections, in writing, regarding the status of the released offender.

This program serves as a communication link between the Department of Corrections, the local community corrections offices and the participating local law enforcement agencies. Although cities outside of Redmond such as Aberdeen, Seattle, and Tacoma have similar programs with the same concept, the programs are not identical and are operated differently in each city.

Summary of Bill: The Attorney General (AG) may contract with the city of Redmond's police department, the Department of Corrections (DOC), and any other state, local or private agency interested in implementing a supervision management and recidivist tracking program. All programs must include a computer linkage between the AG's main data base for homicide investigative tracking (HITS), the DOC, and each local law enforcement department participating in the program.

Local law enforcement agencies will electronically transfer each contact report on offenders who are under DOC supervision directly into the HITS computer system data base. HITS then electronically sends the reports on to the DOC and the corrections officer who is responsible for supervising the subject. The information will also remain in the HITS data base, where it is accessible to the DOC or any other local participating police department.

EFFECT OF SENATE AMENDMENT(S): The provision in the underlying bill that authorized the attorney general (AG) to specifically contract with the city of

Redmond's police department for the implementation of the supervision management and recidivist tracking program is deleted. In addition, the provision that made the act null and void if funding is not provided in the budget to implement and expand the SMART program is deleted.

Alternatively, the striking amendment:

- Creates a new branch of the homicide investigative tracking system (HITS). This new branch of the HITS system will be the supervision management and recidivist tracking (SMART) program;
- Clarifies that the homicide investigative tracking system and the supervision management and recidivist tracking system are tools for the sole purpose of administering criminal justice and these systems may not be used for any other purpose;
- Authorizes the AG to contract with the Department of Corrections (DOC), and any other state, local or private agency interested in implementing or providing training for a supervision management and recidivist tracking program. All programs must include a computer linkage between the AG's main data base for HITS, the DOC, and each local law enforcement department participating in the program.

Local law enforcement agencies will electronically transfer each contact report on offenders who are under DOC supervision directly into the HITS computer system data base. HITS then electronically sends the reports on to the DOC and the corrections officer who is responsible for supervising the subject; and
- Requires that all dormant information in the SMART system to be automatically archived after seven years. The DOC must notify the AG when each person is no longer under its supervision. The term "dormant" means there have been no inquiries by the DOC or law enforcement with regard to an active supervision case or an active criminal investigation in the past seven years. The term "archived" means information which is not in the active data base and can only be retrieved for use in an active criminal investigation.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: (Criminal Justice & Corrections) The SMART program has helped in the sharing of information between local law enforcement agencies and the Department of Corrections. It has also helped to reduce serious crime through the detection and reporting of violations of release conditions, by prevention of new crimes by persons who are under supervision and provide a swift identification and apprehension mechanism if an offender chooses to engage in criminal behavior. In

addition, it is hoped that the SMART program will not overlap with the current Attorney General HITS (homicide investigative tracking) program.

(Appropriations) None.

Testimony Against: (Criminal Justice & Corrections) None.

(Appropriations) None.

Testified: (Criminal Justice & Corrections) Representative Kathy Lambert, prime sponsor (pro); Terry Morgan, Redmond Police Department (pro); Michael Bagley, Aberdeen Police Department (pro); Steve Marrs, Department of Corrections (pro); Robert LaMoria, Office of the Attorney General (pro); and Mike Gray, Department of Corrections (clarification).

(Appropriations) None.