

SENATE BILL REPORT

HB 1297

As Reported By Senate Committee On:
Human Services & Corrections, March 18, 1999

Title: An act relating to earned early release time.

Brief Description: Clarifying the application of limitations on earned early release time to serious violent offenders.

Sponsors: Representatives O'Brien, Ballasiotes, Lovick, Cairnes, Kagi, Campbell and Benson.

Brief History:

Committee Activity: Human Services & Corrections: 3/18/99 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Sheahan and Stevens.

Staff: Aldo Melchiori (786-7439)

Background: Felony offenders receive sentences in which the length of confinement is determined and not generally subject to alteration based on events occurring after that time. Earned early release programs, however, allow inmates to shorten their sentence if they display good behavior.

Generally, felony offenders may only receive up to a 33 percent reduction in their term of confinement for earned early release. The 1990 Legislature further restricted the availability of earned early release to no more than 15 percent of the term of confinement for offenders convicted of serious violent offenses or for class A sex offenses.

The Court of Appeals of Washington, Division 3, found that the statute was ambiguous regarding whether the 15 percent cap on earned early release applies to serious violent offenses that are class B felonies.

Summary of Bill: The language providing for a 15 percent cap on earned early release for any serious violent offenses or class A sex offenses is clarified.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The correction is required to avoid the consequences of a drafting error.

Testimony Against: None.

Testified: PRO: Representative Al O'Brien, prime sponsor; Representative Ida Ballasiotes, sponsor; Peggy Smith, DOC.