

SENATE BILL REPORT

SB 5769

As of February 9, 1999

Title: An act relating to prisoner release.

Brief Description: Requiring released prisoners to return to the county of incarceration.

Sponsors: Senators Sheahan, McCaslin, Morton, West and Oke.

Brief History:

Committee Activity: Human Services & Corrections: 2/16/99.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Aldo Melchiori (786-7439)

Background: When prisoners are released, they are given clothing and "gate money" for subsistence and transportation to the place from which they were committed or designated in their parole plan. Gate money is at least \$40 and does not exceed \$100.

In most cases, prisoners are in contact with relatives or friends prior to release and they arrange for someone to come to the prison and pick them up. If the prisoner does not have any means of transportation, they may be taken to the nearest bus or train station and given assistance purchasing a ticket. If the prisoner intends to go to a local shelter, he or she may be given transportation.

Summary of Bill: When the Department of Corrections transfers an offender to community custody or postrelease supervision, the department orders the offender to reside in the county of original commitment for the duration of custody or supervision. Offenders transferred by the department to community custody status in lieu of earned early release time are also subject to the residence requirement.

The department, victim, or prosecutor may move for a waiver of the residency requirement. The department or court may waive the requirement if any one of the following conditions has been met: (1) the offender provides proof of employment with no ending date in another county; (2) presence of the offender in the original county would pose a significant danger to the victim; (3) the offender has an employed biological or adoptive family member in another county who has lived there for six months prior to the offender's release; (4) the offender has an employed spouse in another county who has lived there for six months prior to the offender's release; (5) the offender has an employed child, with whom the offender has continuously resided, in another county who has lived there for six months prior to the offender's release; (6) ordered treatment is not available in the county where the offender was originally committed; (7) the offender desires to live in another state; or (8) the court finds other good cause.

For persons under the supervision of the Indeterminate Sentence Review Board, the board orders the offender to reside in the county of original commitment as a condition of parole. A waiver can be granted for the same reasons specified above.

Upon release, the superintendent issues a nonnegotiable voucher payable to the utilized carrier for transportation to the appropriate county. An officer escorts the person to the embarkation site and remains there until the person has departed.

Appropriation: None.

Fiscal Note: Requested on February 8, 1999.

Effective Date: The bill contains an emergency clause and takes effect immediately.