

5162

Sponsor(s): Senators Goings, McCaslin, Long, Kline, Rasmussen, Heavey and Winsley

Brief Description: Correcting DUI penalty provisions.

SB 5162 - DIGEST

Provides that a court may waive the electronic home monitoring requirements of chapter 46.61 RCW when: (1) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system;

(2) the offender does not reside in the state of Washington;
or

(3) the court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Requires that, whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences.