

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1669

Chapter 174, Laws of 2007

60th Legislature
2007 Regular Session

MUNICIPAL COURTS--PROBATION AND SUPERVISION SERVICES

EFFECTIVE DATE: 07/22/07

Passed by the House March 9, 2007
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 9, 2007
Yeas 47 Nays 0

BRAD OWEN

President of the Senate

Approved April 21, 2007, 10:52 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1669** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 23, 2007

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1669

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Strow, Ericks, O'Brien, Rodne, Kirby, Haler, Eddy, Hinkle and Lantz)

READ FIRST TIME 02/27/07.

1 AN ACT Relating to district and municipal court preconviction and
2 postconviction probation and supervision services for persons charged
3 with or convicted of misdemeanor crimes; and adding new sections to
4 chapter 4.24 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW
7 to read as follows:

8 The legislature finds that the provision of preconviction and
9 postconviction misdemeanor probation and supervision services, and the
10 monitoring of persons charged with or convicted of misdemeanors to
11 ensure their compliance with preconviction or postconviction orders of
12 the court, are essential to improving the safety of the public in
13 general. Furthermore, the legislature finds that decisions concerning
14 whether criminal offenders are released into the community pretrial or
15 postconviction, including the revocation of probation, rest with the
16 judiciary.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.24 RCW
18 to read as follows:

1 (1) A limited jurisdiction court that provides misdemeanor
2 supervision services is not liable for civil damages based on the
3 inadequate supervision or monitoring of a misdemeanor defendant or
4 probationer unless the inadequate supervision or monitoring constitutes
5 gross negligence.

6 (2) For the purposes of this section:

7 (a) "Limited jurisdiction court" means a district court or a
8 municipal court, and anyone acting or operating at the direction of
9 such court, including but not limited to its officers, employees,
10 agents, contractors, and volunteers.

11 (b) "Misdemeanant supervision services" means preconviction or
12 postconviction misdemeanor probation or supervision services, or the
13 monitoring of a misdemeanor defendant's compliance with a preconviction
14 or postconviction order of the court, including but not limited to
15 community corrections programs, probation supervision, pretrial
16 supervision, or pretrial release services.

17 (3) This section does not create any duty and shall not be
18 construed to create a duty where none exists. Nothing in this section
19 shall be construed to affect judicial immunity.

Passed by the House March 9, 2007.

Passed by the Senate April 9, 2007.

Approved by the Governor April 21, 2007.

Filed in Office of Secretary of State April 23, 2007.