

FINAL BILL REPORT

HB 1361

C 227 L 09
Synopsis as Enacted

Brief Description: Regarding county supervised community options.

Sponsors: Representatives Goodman, Rodne, Williams, Dickerson, Walsh, Kagi, Roberts, Pettigrew, O'Brien, Armstrong, Appleton, Ericks, Warnick, Haigh, Moeller, Rolfes, Carlyle, Wallace, Seaquist and Morrell.

House Committee on Human Services
Senate Committee on Human Services & Corrections

Background:

Alternatives to Total Confinement.

The Sentencing Reform Act allows the court to impose alternatives to sentences of total confinement. These alternatives are available for offenders who have sentences of one year or less, and they may be ordered by the court at the time of sentencing. One day of partial confinement, such as work release or home detention, may be substituted for one day of total confinement.

Community Restitution: For offenders who are convicted of non-violent offenses only, eight hours of community restitution (formerly called community service) may be substituted for one day of total confinement. The conversion is limited to 30 days. Thus, 30 days can be converted to 240 hours of community service.

County Supervised Facility: For offenders who are convicted of non-violent and non-sex offenses, time spent post sentencing in a county supervised facility for substance abuse treatment, such as an in-patient facility, may be credited the same as total confinement. That is, one day spent in an in-patient facility may be credited the same as one day in jail.

Credit for Time Served/Earned Release Time.

If at the time of sentencing, an offender has been confined to jail before sentencing is imposed and the confinement was related to the offense that is before the court at the time of sentencing, the court must allow the defendant to receive credit for time served against the sentence imposed.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Offenders who are under total confinement may accrue "earned release time." This amount may vary from county to county. Generally, defendants accrue earned release time equal to one-third of their sentence. Earned release time may also accrue during time served in partial confinement if the form of partial confinement is work release or work crew. Earned release time does not accrue during time served on home detention.

Summary:

For offenders convicted of non-violent and non-sex offenses, the court may give the defendant credit for time served in a county-supervised community option for chemical dependency both prior to and after sentencing. The defendant may accrue earned release time while participating in a county-supervised option as if the defendant had served that time in total confinement or in partial confinement where earned early credit is allowed.

Votes on Final Passage:

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| House | 96 | 0 |
| Senate | 47 | 0 |

Effective: July 26, 2009