

SENATE BILL REPORT

SB 5904

As of February 27, 1995

Title: An act relating to persistent prison misbehavior.

Brief Description: Penalizing persistent prison misbehavior.

Sponsors: Senators Long, Hargrove, Roach, Smith, Winsley, Schow, Swecker, Haugen, Quigley, Hale, Strannigan, Johnson, McCaslin, Palmer, Finkbeiner, Deccio, West, Bauer, Rasmussen and Oke.

Brief History:

Committee Activity: Law & Justice: 2/27/95.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Susan Carlson (786-7418)

Background: Prison inmates may be granted earned early release time for good conduct and participation in programs. A proposal pending before the Legislature this year would change this system to one of adding time to an inmate's sentence for bad behavior, or for failure to participate in programs the Department of Corrections deems beneficial for the inmate. The time added to the inmate's sentence is referred to as disciplinary confinement. Under this proposal, an inmate who committed multiple serious infractions could have the maximum amount of disciplinary confinement time added to their sentence. It has been suggested that, when an inmate has received the maximum amount of disciplinary confinement, commission of further serious infractions should result in criminal liability.

Summary of Bill: An inmate sentenced for an offense committed on or after January 1, 1996, may be charged with the crime of persistent prison misbehavior if written findings that the inmate committed multiple serious infractions are entered at a formal disciplinary proceeding, and the department previously imposed the maximum term of disciplinary confinement. Persistent prison misbehavior is a class C felony and is ranked at level V. Because all persons convicted of this offense have an offender score of at least one, the minimum standard range is 12+ - 14 months. The sentence imposed for this crime must be served consecutive to any sentence being served.

Appropriation: None.

Fiscal Note: Requested on February 22, 1995.

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