

2SSB 6204 - S AMD 71

By Senators Hargrove, Carrell, Padden, Harper, Stevens

ADOPTED 02/11/2012

1 On page 8, line 34, after "(b)" insert "(i)"

2 On page 8, after line 37, insert the following:

3 "(ii) The state and its officers, agents, and employees may not be
4 held criminally or civilly liable for a decision to elevate or not to
5 elevate an offender's behavior to a high level violation process under
6 this subsection unless the state or its officers, agents, and employees
7 acted with reckless disregard."

EFFECT: Gives the Department of Corrections liability protection when exercising discretion to elevate or not elevate an offender's low level violation to a high level violation as a result of aggravating factors.

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