## Public Safety Committee

# SB 6370

**Brief Description**:  Concerning individuals under the department of corrections' jurisdiction.

**Sponsors**:  Senators Nguyen, Padden, Dhingra, Darneille, Stanford, Das, Lovelett and Wilson, C.

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### Brief Summary of Bill

- Requires terms of community custody to run concurrently when a person is serving consecutive terms of confinement for multiple sentences, unless a court specifically orders otherwise.

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**Hearing Date**:  2/24/20

**Staff**:  Kelly Leonard (786-7147).

**Background**:

Community Custody.

Community custody is the portion of a person's criminal sentence served in the community under the supervision of the Department of Corrections (DOC) following his or her release from confinement in a state correctional facility.  Courts are mandated to order community custody for persons convicted of certain crimes.  While on community custody, a person is subject to conditions imposed by the court and the DOC.  The DOC may establish and modify conditions based on the person's risk to community safety.

The DOC may issue warrants for the arrest of any person who violates a condition of community custody.  If a person violates the conditions, he or she may be subject to sanctions.  Sanctions vary depending on the type of violation, the underlying offense, and other conditions.  For many types of violations, a sanction can include being returned to confinement for a specified period.

Concurrent and Consecutive Sentences.

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*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.*

*General Requirements.*  When a person is convicted for multiple offenses in the same case, the court imposes separate sentences, including terms of confinement, for each offense.  In this context, state law generally requires the sentences to run concurrently, which means the person serves both sentences simultaneously, with the longest period of confinement controlling.

There are exceptions to the requirement for concurrent sentences.  Consecutive sentences may apply when the person:
- committed two or more serious violent offenses arising from separate and distinct criminal conduct;
- committed a new offense while still serving his or her sentence for a previous felony, including during a period of community custody; or
- receives multiple convictions for offenses committed in different jurisdictions.

In the case of consecutive sentences, all periods of confinement must be served before community custody.

**Summary of Bill**:

Requirements are established for terms of community custody imposed in cases with consecutive sentences, including circumstances involving multiple convictions in the same case, a conviction for a new offense while still serving a prior sentence, and convictions for multiple offenses in different jurisdictions.  In these circumstances, the terms of community custody for the multiple sentences run concurrently to each other, unless the court expressly requires those terms to run consecutively.

**Appropriation**:  None.

**Fiscal Note**:  Available.

**Effective Date**:  The bill contains an emergency clause and takes effect on June 1, 2020.