

SENATE BILL REPORT

SB 5226

As of January 30, 2023

Title: An act relating to the Department of Corrections' highest duty to ensure public safety through the prioritization of open active warrants of persons who have violated the terms of their supervision.

Brief Description: Concerning the Department of Corrections' highest duty to ensure public safety through the prioritization of open active warrants of persons who have violated the terms of their supervision.

Sponsors: Senators Padden and Wilson, L..

Brief History:

Committee Activity: Human Services: 1/30/23.

Brief Summary of Bill

- Provides that the highest duty of the Department of Corrections (DOC) and the DOC secretary is to ensure public safety.
- Requires DOC to make every reasonable effort and prioritize staffing to pursue active warrants for community custody violators.

SENATE COMMITTEE ON HUMAN SERVICES

Staff: Kelsey-anne Fung (786-7479)

Background: Corrections System. A comprehensive system of corrections for convicted law violators within the state has been established since 1981. Objectives of the system include:

- ensuring public safety;
- punishing the offender for violating the laws of the state;
- positively impacting offenders by stressing personal responsibility and accountability,

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- and by discouraging recidivism;
- treating all offenders fairly and equitably without regard to race, religion, sex, national origin, residence, or social condition;
- reflecting the values of the community;
- providing prudent management of resources;
- providing restitution;
- accountability to the citizens of the state; and
- meeting national standards which the state determines to be appropriate.

Community Custody. Community custody is the portion of a person's sentence served in the community under DOC supervision after their release from confinement. Community custody is required to be imposed by the court for persons convicted of certain crimes. While on community custody, a person is subject to conditions imposed by the court and DOC. DOC may establish and modify conditions based on risks to community safety. DOC may issue warrants for the arrest of any person who violates a condition of community custody. Sanctions vary depending on the type of violation, the underlying offense, and other conditions.

If the person was sentenced under a special sentencing alternative and violates a condition of community custody, the court may modify conditions of community custody, impose sanctions, or order the person be returned to confinement to complete the entire sentence.

Summary of Bill: The bill provides that the highest duty of DOC and the DOC secretary is to ensure public safety.

DOC must make every reasonable effort and prioritize staffing to pursue active warrants for offenders who have violated the terms of their supervision.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill will refocus DOC to its basic mission of public safety and reprioritize pursuing warrants for community custody violators. These individuals often have a history of criminal activity and are more prone than others to reoffend, creating more victims of crime. This bill will make an overt positive statement about DOC's role in public safety and will hold individuals who violate their supervision accountable. This bill gives DOC and corrections staff the mandate to use their resources to proactively find community custody violators and bring them back into custody.

Persons Testifying: PRO: Senator Mike Padden, Prime Sponsor; Craig Meidl, Spokane PD; John Nowels, Spokane County Sheriff; Larry Haskell.

Persons Signed In To Testify But Not Testifying: No one.