

RCW 10.21.015 Pretrial release program. (1) Under this chapter, "pretrial release program" is any program in superior, district, or municipal court, either run directly by a county or city, or by a private or public entity through contract with a county or city, into whose custody an offender is released prior to trial and which agrees to supervise the offender. As used in this section, "supervision" includes, but is not limited to, work release, day monitoring, electronic monitoring, or participation in a 24/7 sobriety program.

(2) A pretrial release program may not agree to supervise, or accept into its custody, an offender who is currently awaiting trial for a violent offense or sex offense, as defined in RCW 9.94A.030, who has been convicted of one or more violent offenses or sex offenses in the ten years before the date of the current offense, unless the offender's release before trial was secured with a payment of bail. [2018 c 276 s 2; 2015 2nd sp.s. c 3 s 20; 2014 c 24 s 1.]

Findings—Intent—2018 c 276: "The legislature finds that bail and other pretrial release programs seek to alleviate the harsh consequences of pretrial detention. While the primary function of bail is to ensure an accused's appearance in court, courts are allowed to pursue other compelling interests through regulation of pretrial release. The legislature further finds that public safety is one such compelling interest and additional measures need to be taken to identify restrictions necessary to protect the public from harm through appropriate sanctions and compliance with court-ordered restrictions. The legislature further intends to require an individualized determination by a judicial officer of conditions of release for persons in custody. This requirement is consistent with constitutional requirements and court rules regarding the right of a detained person to a prompt determination of probable cause and judicial review of the conditions of release." [2018 c 276 s 1.]

Finding—Intent—2015 2nd sp.s. c 3: See note following RCW 10.21.055.