

HOUSE BILL REPORT

HB 2354

*As Reported By House Committee on:
Judiciary
Appropriations*

Title: An act relating to community placement of violent offenders.

Brief Description: Authorizing additional community placement of violent offenders.

Sponsor(s): Representatives Riley, Ludwig, Fraser, H. Myers, Morton, Paris, Hochstatter, Wineberry, Inslee, Morris, Cooper, Belcher, Roland, Haugen, Scott, Tate, Vance, Winsley, Broback, Chandler, D. Sommers, Mitchell, Bowman, Wynne, McLean, Rasmussen and Sprenkle.

Brief History:

Reported by House Committee on:
Judiciary, February 4, 1992, DPS;
Appropriations, February 9, 1992, DPS(JUD).

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 17 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Bill Perry (786-7123).

Background: Under the Sentencing Reform Act (SRA), certain offenders are given "community placement" at the end of their prison terms. Community placement is a program under the Department of Corrections (DOC) that may consist of any combination of "community custody" and "postrelease supervision."

Community custody is that portion of an inmate's prison term that is served in the community in lieu of earned early release. Postrelease supervision is the remainder, if any, of the offender's community placement. An offender on

community placement is subject to a number of mandatory conditions. These include:

1. Reporting to a community corrections officer;
2. DOC-approved employment, schooling, or community service;
3. Abstinence from controlled substances; and,
4. Payment of supervision fees set by DOC.

A court that places an offender in community custody may impose additional conditions as well. These optional special conditions include:

1. Restrictions on travel;
2. Prohibitions on contact with victims or other individuals;
3. Participation in crime-related treatment or counselling;
4. Abstinence from alcohol; and,
5. In the case of a sex offender, restrictions on living arrangements.

If an offender on community custody violates any of these conditions, DOC may transfer the inmate to a more restrictive confinement status to serve the remaining portion of the sentence, less credit for any time spent on community custody.

One year of community placement is mandatory for offenders convicted of assault in the second degree, any crime against a person in which the offender was armed with a deadly weapon or any felony drug offense. Two years of community placement are mandatory for offenders convicted of a violent offense.

Summary of Substitute Bill: One year of community placement may be imposed on any offender not already subject to mandatory community placement, if the offender has a prior conviction for a violent offense.

Substitute Bill Compared to Original Bill: The substitute bill adds a technical amendment to insure offender eligibility for transfer to community custody.

Fiscal Note: Requested January 21, 1992.

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

Testimony For: The bill will add a measure of public protection against offenders who have already demonstrated violent behavior.

Testimony Against: None.

Witnesses: Dave Savage, Department of Corrections.

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by 25 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Carlson; Dorn; Ebersole; Hine; Lisk; May; Mielke; Nealey; Peery; Pruitt; Rust; D. Sommers; H. Sommers; Valle; Vance; and Wang.

Staff: John Woolley (786-7154).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Judiciary: No new changes were recommended.

Fiscal Note: Requested January 21, 1992.

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

Testimony For: None.

Testimony Against: None.

Witnesses: None.