

SENATE BILL REPORT

SHB 2354

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 28, 1992

**Brief Description:** Authorizing additional community placement of violent offenders.

**SPONSORS:** House Committee on Judiciary (originally sponsored by 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)

HOUSE COMMITTEE ON JUDICIARY

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; M. Kreidler, Newhouse, Rasmussen, and A. Smith.

**Staff:** Jon Carlson (786-7459)

**Hearing Dates:** February 28, 1992

**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:**

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.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested January 21, 1992

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

The amendment limits the eligibility of certain sex offenders for the special sexual offender sentencing alternative (SSOSA). Sex offenders sentenced to less than eight years, but greater than one year and one day of confinement qualify for SSOSA.

**TESTIMONY FOR:** None

**TESTIMONY AGAINST:** None

**TESTIFIED:** No one