

1227

Sponsor(s): Representatives Ballasiotes, Lovick and O'Brien

Brief Description: Changing provisions relating to escaping from custody.

HB 1227 - DIGEST

(DIGEST AS ENACTED)

Declares that it is an affirmative defense to a prosecution under this act that uncontrollable circumstances prevented the person from remaining in custody or in the detention facility or from returning to custody or to the detention facility, and that the person did not contribute to the creation of such circumstances in reckless disregard of the requirement to remain or return, and that the person returned to custody or the detention facility as soon as such circumstances ceased to exist.

Provides that a law enforcement agency shall deliver a person in custody to the accredited agent or agents of a demanding state without the governor's warrant provided that:

(1) Such person is alleged to have broken the terms of his or her probation, parole, bail, or any other release of the demanding state; and

(2) The law enforcement agency has received from the demanding state an authenticated copy of a prior waiver of extradition signed by such person as a term of his or her probation, parole, bail, or any other release of the demanding state and photographs or fingerprints or other evidence properly identifying the person as the person who signed the waiver.

Repeals RCW 72.65.070 and 72.66.060.