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**Criminal Justice & Corrections  
Committee**

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**HB 1402**

**Brief Description:** Allowing arrest of parole violators by law enforcement officers.

**Sponsors:** Representatives Campbell, O'Brien and Benson.

**Brief Summary of Bill**

- Grants law enforcement officers the same powers with respect to searching and arresting offenders under the supervision of the Department of Corrections as community corrections officers.

**Hearing Date:** 2/7/03

**Staff:** Jim Morishima (786-7191).

**Background:**

Depending on when an offender committed his or her crime, an offender's sentence can contain a period of community custody, community placement, or community supervision. Offenders sentenced to community custody, community placement, or community supervision are supervised by the Department of Corrections.

A community corrections officer (CCO) may arrest an offender without a warrant if the offender has violated any condition or requirement of a sentence. If there is reasonable cause to believe that an offender has violated a condition or requirement of his or her sentence, the offender may be required to submit to a search and seizure of his or her person, residence, automobile, or other personal property. A CCO may also arrest an offender for any crime committed in his or her presence. The facts and circumstances of the conduct of the offender must be reported by the CCO, with recommendations, to the court.

**Summary of Bill:**

A law enforcement officer may arrest an offender on community custody without a warrant if the offender has violated any condition or requirement of a sentence. If there is reasonable cause to believe that an offender has violated a condition or requirement of his or her

sentence, a law enforcement officer may require the offender to submit to a search and seizure of his or her person, residence, automobile, or other personal property. A law enforcement officer may also arrest an offender for any crime committed in his or her presence. The facts and circumstances of the conduct of the offender must be reported by the assigned CCO, with recommendations, to the court.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect ninety days after adjournment of session in which bill is passed.