
SENATE BILL 5673

State of Washington

58th Legislature

2003 Regular Session

By Senators Brandland, Benton, Stevens, Hargrove, Honeyford, Haugen, Mulliken and Winsley

Read first time 02/05/2003. Referred to Committee on Children & Family Services & Corrections.

1 AN ACT Relating to nonliability for a formerly confined person's
2 acts subsequent to release; and adding a new section to chapter 70.48
3 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.48 RCW
6 to read as follows:

7 (1) Under no circumstances shall the governing unit of an adult
8 jail or juvenile detention facility, or any past or present officer,
9 employee, independent contractor, or volunteer of the governing unit,
10 be civilly or criminally liable for any act committed by a person after
11 his or her release from total or partial confinement, provided that the
12 person's release from total or partial confinement was pursuant to the
13 terms of a court order, valid on its face, or other lawful authority.

14 (2) As used in this section:

15 (a) "Total confinement" means confinement inside the physical
16 boundaries of a facility or institution operated or utilized under
17 contract by the state or any other unit of government for twenty-four
18 hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

1 (b) "Partial confinement" means confinement under any conditions
2 constituting less than total confinement, imposed by sentence, other
3 court order, or other lawful authority, and for which an adult jail or
4 juvenile detention facility has some oversight. Partial confinement
5 includes, but is not limited to, work release, home detention, work
6 crew, day reporting, or any combination of the same.

7 (3) Nothing in this section may be construed as creating,
8 expanding, or, except as set forth in subsection (1) of this section,
9 otherwise limiting any duties or liabilities of the governing unit of
10 an adult jail or juvenile detention facility, or of any past or present
11 officer, employee, independent contractor, or volunteer of the
12 governing unit, for any act committed by a person before or after his
13 or her release.

--- END ---