

2105

Sponsor(s): Representatives Kagi and Darneille

Brief Description: Ensuring that offender populations do not exceed prison capacity. Revised for 1st Substitute: Ordering a study of the effect of sentencing structure on prison overcrowding.

HB 2105 - DIGEST

(SEE ALSO PROPOSED 1ST SUB)

Declares an intent to: (1) Promote the primary purposes of the criminal justice system and focus resources on sex offenders and violent offenders who pose the greatest risk to our communities by reducing offender populations when such populations exceed the maximum operational capacity of facilities operated by the department of corrections; and

(2) Accomplish the reduction by concentrating solely on offenders convicted of certain nonviolent offenses who are close to the end of their sentences.

Requires the caseload forecast council, in consultation with the department of corrections, the sentencing guidelines commission, and the indeterminate sentence review board, to, by rule, establish a methodology for determining the maximum statewide operating capacity for correctional facilities operated by the department of corrections. The methodology must take into account methods for increasing facility capacity without making improvements or additions to infrastructure.

Provides that an offender may be released by the department under this act. An offender released under this provision shall be on community custody status for the difference between the date of release and the expiration of the offender's term of confinement imposed by the court, subject to conditions imposed by the department. For an offender released from custody imposed because of a conviction for an offense under chapter 69.50 or 69.52 RCW, the community custody must include affirmative conditions relating to drug treatment.