

5990-S

Sponsor(s): Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Hargrove, Stevens, McAuliffe, Carlson, Regala, Parlette, Rasmussen and Winsley)

Brief Description: Changing times and supervision standards for release of offenders.

**SB 5990-S.E - DIGEST**

(DIGEST AS ENACTED)

Revises times and supervision standards for release of offenders.

Declares that the changes to the maximum percentages of earned release time in this act do not create any expectation that the percentage of earned release time cannot be revised and offenders have no reason to conclude that the maximum percentage of earned release time is an entitlement or creates any liberty interest. The legislature retains full control over the right to revise the percentages of earned release time available to offenders at any time. This provision applies to persons convicted on or after the effective date of this act.

Directs the Washington state institute for public policy to study the results of the changes in earned release under this act. The study shall determine whether the changes in earned release affect the rate of recidivism or the type of offenses committed by persons whose release dates were affected by the changes in this act. The Washington state institute for public policy shall report its findings to the governor and the appropriate committees of the legislature no later than December 1, 2008.

Declares an intent to revise and improve the processes for billing and collecting legal financial obligations.

Provides that the Washington association of county officials, in consultation with county clerks, shall determine a funding formula for allocation of moneys to counties for purposes of collecting legal financial obligations, and report this formula to the legislature and the administrative office of the courts by September 1, 2003. The Washington association of county officials shall report on the amounts of legal financial obligations collected by the county clerks to the appropriate committees of the legislature no later than December 1, 2004, and annually thereafter.

Provides that, by October 1, 2003, and annually thereafter, the administrative office of the courts shall distribute such funds to counties for county clerk collection budgets as are appropriated by the legislature for this purpose, using the funding formula recommended by the Washington association of county officials. The administrative office of the courts shall not deduct any amount for indirect or direct costs, and shall distribute the entire amount appropriated by the legislature to the counties for county clerk collection budgets. The administrative office of the courts shall report on the amounts distributed to counties to the appropriate committees of the legislature no later than December 1, 2003, and

annually thereafter.

Authorizes the administrative office of the courts to expend for the purposes of billing for legal financial obligations, such funds as are appropriated for the legislature for this purpose.

Provides that, notwithstanding any other provision of state law, monthly payment or starting dates set by the court or the department before or after the effective date of this act shall not be construed as a limitation on the due date or amount of legal financial obligations, which may be immediately collected by civil means. Monthly payments and commencement dates are to be construed to be applicable solely as a limitation upon the deprivation of an offender's liberty for nonpayment.

Provides that if the department of labor and industries has received notice that an injured worker entitled to benefits payable under chapter 51.32 RCW is in the custody of the department of corrections pursuant to a conviction and sentence, the department shall send all such benefits to the worker in care of the department of corrections, except those benefits payable to a beneficiary as provided in RCW 51.32.040 (3)(c) and (4). Failure of the department to send such benefits to the department of corrections shall not result in liability to any party for either department.