

SENATE BILL REPORT

SB 5548

As Reported By Senate Committee On:
Human Services & Corrections, February 21, 2007

Title: An act relating to statewide standards for adult and juvenile probation officers.

Brief Description: Creating the probation services task force.

Sponsors: Senators Kline, Hargrove and Carrell.

Brief History:

Committee Activity: Human Services & Corrections: 2/02/07, 2/21/07 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5548 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Shani Bauer (786-7468)

Background: All corrections personnel of the state and all counties and municipal corporations are required to engage in basic corrections training that complies with standards adopted by the Criminal Justice Training Commission.

Regulations adopted by the Commission require all employees whose primary job function is the case management of offenders under county or city supervision (such as probation officers) to attend a misdemeanor probation/classification academy. Academy instruction includes assessment, case planning, counseling, supervision, and monitoring.

Summary of Bill: A task force is established to adopt statewide accreditation standards for adult and juvenile probation officers. Task force membership is prescribed, to include a representative from the District and Municipal Court Judges' Association, a representative of the Municipal Research and Services Center of Washington (MRSC), and a representative of the Association of Washington Cities.

The task force is required to review accreditation standards for probation officers in supervising adult and juvenile misdemeanants. Standards must address, but are not limited, to:

- 1) appropriate caseload levels for probation officers;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- 2) case management and probation services to offenders referred by Municipal or District Court;
- 3) the types of probation services to be covered, including alternative sentencing programs;
- 4) appropriate supervisory responsibilities; and
- 5) case management responsibilities for misdemeanor offenders.

Staff to the task force is required to be provided by the judiciary. The task force must report to the Governor and the Legislature by December 1, 2007.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Human Services & Corrections): The intent section of the bill is streamlined by removing citations and references to existing law and rules. The Probation Services Task Force is replaced with two workgroups to be convened by the Washington Administrative Office of the Courts. One workgroup is to address statewide standards or an accreditation program for probation officers who supervise adult misdemeanor offenders and the other workgroup is to address statewide standards or an accreditation program for probation officers who supervise juvenile offenders.

Workgroup membership is adjusted and the due date for the report is extended to December 1, 2008. A null and void clause is added.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There are 55 plus agencies that do misdemeanor probation; the overall concept of studying probation standards is a good idea, but it doesn't really get to the liability issue. The scope of the bill should be broadened to include accreditation and the membership of the task force should include cities and counties.

CON: This bill references both adult and juvenile probation and therefore it would be appropriate to include a juvenile court administrator on the task force. Juvenile probation staff have a clear legislative mandate and therefore recommendations or standards will need to take those mandates into account. If standards are added, those standards will need to be funded. The reference to juvenile probation officers could be removed from this bill altogether.

OTHER: Some amendments are needed. For example, the MRSC is not in the business of advising the counties and they don't have expertise on probation so they should be removed from the task force. Representatives of the Association of Washington Counties and the Association of Washington Cities would like to be appointed to the task force. It is also suggested that a representative of one of the local government risk pools be added to help address liability issues.

Persons Testifying: PRO: Tim Podhora, Misdemeanor Corrections Association.

CON: Robert Sauerlender, Washington Association of Juvenile Court Administrators.

OTHER: Tammy Fellin, Association of Washington Cities; Sophia Byrd McSherry, Washington State Association of Counties.