
Human Services Committee

HB 1689

Brief Description: Concerning evidence-based community custody.

Sponsors: Representatives Goodman, Hurst, Seaquist, Roberts, Appleton, Kirby, O'Brien, Nelson, Ericks, Dickerson, Kagi and Darneille; by request of Sentencing Guidelines Commission.

Brief Summary of Bill

- Requires the Sentencing Guidelines Commission to examine options and develop an evidence-based plan for community custody for adult felons.
- Requires the Sentencing Guidelines Commission to report its recommendations to the Governor and the Legislature by December 1, 2009.

Hearing Date: 2/12/09

Staff: Linda Merelle (786-7092)

Background:

Sentencing Reform Act.

When the Sentencing Reform Act (SRA) was passed by the Legislature in 1984, it contained only limited provisions for the supervision of offenders. Over time, the Legislature enacted provisions that increased periods of supervision and incrementally applied supervision to various offenses.

Prior to 2000, an offender was sentenced to either "community supervision" or "community placement." Community supervision usually applied to non-felony or low-level felony offenders and community placement applied to more serious offenses. In 2007 the Sentencing Guidelines Commission (SGC) convened a subcommittee to redraft and reorganize the supervision provisions of the SRA. As a result, the SRA proposed that all forms of supervision should be called "community custody."

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.

Evidence-Based Practices.

According to the National Institute of Corrections (an agency within the United States Department of Justice which provides training, technical assistance, information services, and policy and program development to federal, state, and local corrections agencies), an evidence-based practice implies that as a result of that practice, there is: (1) a definable outcome; (2) that the outcome is measurable; and (3) the practice is defined according to practical realities such as recidivism and cost analyses.

In Washington, the Juvenile Rehabilitation Administration (JRA) has used evidence-based programs effectively, such as Functional Family Therapy, Aggression Replacement Training, and Family-Integrated Transitions.

Summary of Bill:

The Sentencing Guidelines Commission, in partnership with the courts, shall examine options for community custody and develop a plan to implement an evidence-based system of community custody for adult felons. This plan will include:

- consistent use of evidence-based risk and needs assessment tools;
- programs;
- supervision modalities; and
- monitoring program integrity.

The plan shall also include provisions for:

- identifying offenders for whom rehabilitative programs are cost effective;
- identifying cost-effective rehabilitative programs;
- monitoring the system to ensure that it operates in a cost-effective manner; and
- providing annual reports to the Legislature on the costs and benefits of the system.

When planning the evidence-based system, the SCG and the courts must consult:

- the Washington State Institute for Public Policy;
- the Legislature;
- the Department of Corrections;
- local governments;
- prosecutors;
- defense attorneys;
- victim advocate groups;
- law enforcement;
- the Washington Federation of State Employees; and
- any other persons or groups deemed appropriate.

The SGC is required to report its recommendations to the Governor and the Legislature by December 1, 2009.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.