
Community Safety Committee

HB 1119

Brief Description: Concerning supervision compliance credit.

Sponsors: Representative Goodman; by request of Department of Corrections.

Brief Summary of Bill

- Modifies how compliance with supervision terms is determined for purposes of awarding credit and reducing a term of community custody under the supervision of the Department of Corrections and changes who qualifies for supervision compliance credit.

Hearing Date: 1/14/25

Staff: Michelle Rusk (786-7153).

Background:

Community Custody.

Community custody is the portion of a person's criminal sentence served in the community under the supervision of the Department of Corrections (DOC) following release from confinement. Courts are mandated to order community custody for persons convicted of certain crimes and the term of community custody varies depending on the underlying offense.

Conditions and Sanctions. While on community custody, a person is subject to conditions imposed by the court and the DOC. The DOC may establish and modify conditions based on risks to community safety, and may issue a warrant for the arrest of any person who violates a condition of community custody. If a person violates a condition, he or she may be subject to sanctions. Sanctions vary depending on the type of violation, the underlying offense, and other conditions. For many types of violations, a sanction can include being returned to confinement

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

for a specified period.

Supervision Credit. A person may earn supervision compliance credit to reduce the period of time he or she is required to serve in community custody. Credit accrues monthly and may not be applied before being earned. A person may earn 10 days of credit for each month of community custody served.

Supervision compliance credit is awarded for complying with supervision terms and making progress towards the goals of an individualized supervision case plan, including: participating in specific targeted interventions, risk-related programming, or treatment; or completing steps towards specific, targeted goals that enhance protective factors and stability, as determined by the DOC.

Eligibility. Certain persons do not qualify for supervision compliance credit, including individuals sentenced under a parenting sentencing alternative, drug offender sentencing alternative, special sex offender sentencing alternative, or first time offender waiver. Sentencing alternatives generally allow an individual to receive a reduced or waived term of confinement and serve a longer term of community custody. Violations may result in the sentencing alternative being revoked and the person being required to return to confinement to complete the entire sentence.

Commutations and Pardons.

The Washington State Constitution provides the Governor with the authority to grant a reprieve or pardon, or commute a sentence, subject to such regulations and restrictions as may be prescribed by law. A commutation is a reduction of criminal penalties and does not nullify the conviction. State law contains a number of statutory provisions related to the Governor's authority to grant pardons and commutations, including, for example:

- The Governor, upon recommendation from the Clemency and Pardons Board, may grant a person serving a sentence in DOC custody an extraordinary release for reasons of serious health problems, senility, advanced age, extraordinary meritorious acts, or other extraordinary circumstances.
- When a prisoner has been sentenced to death, the Governor may commute such sentence to imprisonment for life, and in all cases in which the Governor is authorized to grant pardons or commute sentence of death, the Governor may, upon the petition of the person convicted, commute a sentence or grant a pardon upon such conditions, restrictions, and limitations as the Governor may think proper.

Summary of Bill:

Supervision Credit. The manner in which supervision compliance credit can be awarded is modified. Supervision compliance credit is awarded for complying with supervision terms as determined by the DOC.

Eligibility. Individuals subject to a governor's conditional commutation, or completing any sentencing alternative under the Sentencing Reform Act, instead of specified sentencing alternatives, are added to the categories of individuals who do not qualify for supervision compliance credit.

Appropriation: None.

Fiscal Note: Requested on 1/9/2025.

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