

---

## Human Services Committee

---

### HB 3044

**Brief Description:** Modifying tolling provisions for term of confinement or supervision.

**Sponsors:** Representatives Williams and Darneille; by request of Department of Corrections.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Modifies the provisions regarding the tolling of time that an offender serves on partial confinement and during a term of community custody.</li></ul>
--



**Hearing Date:** 1/27/10

**Staff:** Linda Merelle (786-7092).

**Background:**

Tolling of Time for Total and Partial Confinement.

The terms of an offender's total confinement or partial confinement may be tolled under certain conditions. Tolling means that the clock has stopped running. If an offender escapes from custody, his or her term of total confinement will be tolled until the offender is returned to custody. A term of partial confinement, such as work release, is tolled during any time spend in total confinement or when an offender serves time for violation of sentence conditions on a separate felony.

Tolling of Community Custody.

A term of community custody is tolled when an offender has disappeared from supervision without prior approval from the community corrections officer and when an offender is in confinement for any reason. Where an offender has been confined for a violation of a sentence requirement or condition of community custody but is later found not to have violated the requirement or condition, community custody will not be tolled for the time spent in detention pending the outcome of the allegations of these violations.

---

*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.*

## **Summary of Bill:**

### Total and Partial Confinement.

The time for partial confinement is no longer tolled for time served for a violation of sentence conditions on a separate felony.

### Community Custody.

If an offender is held pending the outcome of allegations of violations of sentencing requirements or conditions of community custody, the term of community custody will not be tolled for the time that the offender was held in detention, regardless of whether the offender is determined to have committed the violations.

Sanctions that result in the imposition of the remaining sentence or the original sentence will continue to toll the period of community custody. Inpatient treatment ordered by the court, in lieu of jail time, will not toll the period of community custody.

**Appropriation:** None.

**Fiscal Note:** Available.

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