

SENATE BILL REPORT

SSB 6548

As Amended by House, February 28, 2010

Title: An act relating to offenders on parole or probation.

Brief Description: Suspending the parole or probation of an offender who is charged with a new felony offense in certain conditions.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell, Stevens, Kauffman and Roach).

Brief History:

Committee Activity: Human Services & Corrections: 2/02/10, 2/03/10 [DPS].

Passed Senate: 2/11/10, 47-0.

Passed House: 2/28/10, 94-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6548 be substituted therefor, and the substitute bill do pass.

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

Staff: Shani Bauer (786-7468)

Background: The Interstate Compact for Adult Offender Supervision is an agreement entered into between the states permitting supervision of offenders across state lines. Each state is bound by the terms of the Compact, which requires a state to supervise an offender if the offender meets certain criteria. The state receiving the offender for supervision must supervise the individual consistent with the supervision of other similar offenders sentenced in the receiving state.

Many offenders received by Washington for supervision are on a parole or probation system. Washington does not have the jurisdiction to revoke an offender's parole or probation if warranted. Applying Washington's unique sentencing laws to an offender on parole or probation can be confusing.

Prior to 1984 Washington had a parole system. There are still offenders in Washington who are on parole or who are in prison and may get out on parole at some point in the future. The

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parole board (now designated as the Indeterminate Sentence Review Board-ISRB) may take a variety of actions when an offender violates the terms of his or her parole, including suspension of the person's parole pending the disposition of new criminal charges.

Summary of Substitute Bill: DOC may supervise an offender on supervision under the Interstate Compact who is on parole or probation consistent with the supervision of other offenders in Washington who are on parole. Specifically, if an offender is charged with a new felony offense, under the ISRB or DOC's sanction authority, the offender's parole or probation may be suspended pending disposition of the criminal charges.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: None.

Persons Testifying: No one.

House Amendment(s): DOC is required to identify the states from which it receives the highest number of offenders for supervision, determine the feasibility and cost of establishing memoranda of understanding with those states, and report back to the Legislature by December 1, 2010. Washington representatives, at the next meeting of the Interstate Commission, must seek a resolution regarding: any inequitable distribution of costs, benefits, and obligations; the scope of the mandatory acceptance policy; and the authority of the receiving state to determine when it can no longer supervise an offender. DOC must examine the feasibility and cost of withdrawal from the Interstate Compact and report back to the Legislature by December 1, 2010. An emergency clause applies to the above provisions. The Interstate Compact is repealed effective July 1, 2011.