

HOUSE BILL ANALYSIS

SB 5664

Title: An act relating to community service.

Brief Description: Renaming, with regard to adult and juvenile offenders, "community service" as "community restitution."

Sponsors: Senators Costa, Long, Kline, Hargrove, Thibaudeau, Wojahn, Franklin and Jacobsen.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Staff: Dianne Ramerman (786-7172).

Background:

Under the Sentencing Reform Act (SRA) of 1981, community service– means compulsory service, without compensation, performed for the benefit of the community by the offender.

Under current statutory law dealing with juvenile offenders, community service– means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense. Community service may be performed through public or private organizations or through work crews.

Generally, community service is a sentencing option that the court may impose. For example, for adults there is a statutory alternative to the standard range for certain first-time offenders, i.e. the First-time Offender Waiver. Choices available to the court include, but are not limited to, requiring up to two years of community supervision which, in addition to crime-related prohibitions, may include requirements that the offender perform some community service work. The court may also impose community service as part of the Drug Offender Sentencing Alternative and for a variety of other reasons.

For juveniles, the following are two non-exclusive examples of when community service may be ordered: 1) the court may require the offender to complete 0-150 hours of community service when the court imposes local sanctions; and 2) the court may order community service when the offender fails to pay a fine or monetary penalty and due to a change in circumstances cannot reasonably comply with the order.

Under 43.43.700 RCW, Washington State Patrol, which references community service,– the identification and criminal history– section of the chapter was previously changed to the identification, child abuse, vulnerable adult abuse, and criminal history– section, per 1989 and 1987 legislation.

Summary:

The term community service– is changed to community restitution.–

A technical correction is made to 10.98.040 RCW, the Criminal Justice Information Act, to correct a change to 43.43.700 RCW. The statute as currently written cross-references an incorrect section title.

Fiscal Note: Not requested.

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

Office of Program Research