

Summary of Legislative Bill Proposals As of 1/20/2021

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| <p>HB 1294 - Addressing misdemeanor supervision services by limited jurisdiction courts 1/27/21 Public Hearing: CR&J @ 10a</p> | <ul style="list-style-type: none"> > Allows the court of any county, city or town that wishes to offer probation supervision services may enter into interlocal agreements. > Allows municipal or district courts to enter into interlocal agreements for pretrial and/or post judgement probation supervision services pursuant to ARLJ 11. |
| <p>SB 5035 - Concerning offender drug scoring 1/25/21 Public Hearing: L&J @ 9:30a</p> | <p>Adds language that restricts the inclusion of a conviction under Chapter 69.50 RCW or any similar out of state conviction in the calculation of the criminal history score. The exception is for crimes of manufacturing, delivering, or possessing with intent to manufacture a controlled substance under Chapter 69.50 RCW.</p> |
| <p>HB 1307 - Concerning the drug offense sentencing grid</p> | <ul style="list-style-type: none"> > Changes the cell for Level 1/CHS 3-5 from 6+ - 18mos to 6+ - 12 mos |
| <p>SB 5036 - Concerning conditional commutation by the clemency and pardons board 1/28/21 Public Hearing: L&J @ 10:30a</p> | <ul style="list-style-type: none"> > Requires DOC to supervise any individual granted conditional commutation pursuant to RCW 9.94A.885. > Changes point when individuals sentenced to LWOP can be considered for release from age 60 to having served at least 20 years in total confinement and directs the release to take the form of conditional commutation that includes a period of law-abiding behavior in the community. > Requires anyone granted a conditional commutation to be transferred to a more restrictive confinement status to serve remaining portion of sentence as a community custody violation sanction. > Increases Board membership from 5 to 10; Requires specific representation on Board; Requires Board members to understand principles of racial equity and restorative justice; Changes terms from 4 to 5 years and directs that members shall receive salaries fixed by the Governor in accordance with RCW 43.03.040; The Board shall be funded adequate personnel and the ATG shall provide legal counsel. > Allows Board recommendations to include conditional commutation of sentence; Requires Board to consider statements from victims, survivors of victims and law enforcement; PAO will be given 90 (not 30) days' notice prior to hearing and shall make reasonable efforts to ensure victim/survivor statements and contact information are forwarded as part of the J&S. > Commutation may include term of community custody up to length of court-imposed term of incarceration, partial confinement up to 6 mos; restrictions on employment, travel and contacts. Governor may revoke an order granting conditional commutation at any time. Board members are not civilly liable for decisions. |

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| | <ul style="list-style-type: none"> > Eligibility to petition: not under jurisdiction of ISRB; has served 20+ yrs in total confinement; consents to review of medical, mental health and dept files; does not have any current appeals pending. > Process requires DOC to notify person and conduct assessment no later than 5 yrs prior to petition eligibility date; no later than 180 days after submission of petition DOC shall conduct an examination of the person and include a prediction of probably of future criminal behavior; Board shall recommend person be released unless a preponderance of evidence that person will commit new criminal violations; Board shall consider specific factors and information; a new petition can be submitted 3 yrs from date of denial. > Requires the Board to give priority consideration to individuals who petition and have a current or past conviction for Robbery 2 that was used as a basis for a Persistent Offender sentence. |
| <p>SB 5301 - Creating the corrections and public safety account</p> | <ul style="list-style-type: none"> > Creates the Corrections and Public Safety Account in the custody of the state treasurer through savings generated by legislation on sentencing changes enacted during 2021-2023 fiscal biennium, including HB 1126(tolling), SB 5121(GRE), earned early release, and sentencing alternatives. > Expenditures maybe used only for replacing OMNI system at DOC. > Monies in account may not be used to supplant existing funding or levels of service. > If the account balance exceeds \$25 million at any time, the amount in excess of \$25 million shall be transferred to the state general fund. > Expires 6/30/2023 |
| <p>SB 5157 - Providing incentives to reduce involvement by persons with behavioral disorders in the criminal justice system</p> <p>1/22/21 Public Hearing: Behav Health Subcmte @ 10:30a</p> | <ul style="list-style-type: none"> > Creates a Performance Measures Coordinating Committee to take over the duty from Heath Care Authority and DSHS to establish, track and report performance measures related to integration of behavioral health services and the criminal justice involve persons. > Requires HCA to amend managed health care contracts to require contractors to implement mandatory performance improvement projects related to reducing client involvement with the criminal justice system where there is an identifiable behavioral health need. |
| <p>SB 5304 - Providing reentry services to persons releasing from</p> | <ul style="list-style-type: none"> > Act provides strategies to prevent interruption of medical assistance benefits and allow for a seamless transfer between systems of care. > Allows HCA to reinstate medical assistance prior to day of release provided no federal funds are expended and not authorized by the state's agreement with the federal government. |

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| <p>state and local institutions</p> <p>1/28/21 Public Hearing: HSR&R @ 1:30p</p> | <ul style="list-style-type: none">> HCA shall apply for a waiver allowing the state to provide medicaid services to confined persons up to 30 days prior to release.> Modifies the reentry community safety program to be the reentry community services program to promote successful reentry and recovery in addition to public safety.> Requires HCA to convene a reentry services work group to consider ways to improve reentry services for person with identified behavioral health services need. |
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