

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 5 - 0 - 0
Yeas: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
Nays: 0
Exc.: 0
Prepared By: Anna Braun, Counsel
Meeting Dates: 2/17

WHAT THE MEASURE DOES: Removes requirement for Department of Corrections to supervise person convicted of criminal mischief involving graffiti when person refuses to donate labor.

ISSUES DISCUSSED:

- Possible cost shift to county corrections
- 1995 statute inadvertently required Department of Corrections to supervise

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: As part of the probation sentence, a court is required to sentence a person convicted of criminal mischief involving graffiti to community service removing graffiti. However, if the person convicted refuses to donate his or her labor under the statute, the Department of Corrections (DOC) is required to supervise the probation. The DOC supervises felons, not misdemeanors such as criminal mischief involving graffiti. Counties provide community service supervision for misdemeanors. Other remedies for failing to perform the community service are available including revocation of probation or contempt of court.