

NO. 62454-7-I

COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION I

STATE OF WASHINGTON,

Respondent,

v.

CORRY JACQUE GLOVER,

Appellant.

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STATE OF WASHINGTON  
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APPEAL FROM THE SUPERIOR COURT FOR KING COUNTY

THE HONORABLE SHARON ARMSTRONG

**BRIEF OF RESPONDENT**

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**A. ISSUE PRESENTED**

Only time served in confinement or partial confinement is eligible for pretrial credit under applicable statutes. A defendant released from custody on personal recognizance pending trial may be ordered by the court to participate in CCAP-Enhanced, a day reporting program where offenders attend life skills classes and treatment sessions on weekdays, with evenings and weekends free. CCAP-Enhanced is not defined in any statute as a “partial confinement” program, unlike home detention, work crew, and work release. Glover participated in CCAP-Enhanced (27 hours per week over 4.5 days) for a number of months prior to his plea. Was the court correct in denying Glover’s request at sentencing for pretrial credit for time served in CCAP-Enhanced?

**B. STATEMENT OF THE CASE**

Defendant Corry Glover was charged by information with one count of Assault in the Second Degree-Domestic Violence under King County Superior Court Cause No. 08-1-02985-5 KNT. CP 1. The State alleged that on March 19, 2008, Glover assaulted his girlfriend, Jessica Maldonado, by strangulation. CP 1.

On April 2, 2008, the court released Glover on his personal recognizance on condition that he participate in the King County Community Center for Alternative Programs (CCAP)-Enhanced. CP 43. The order specified that he needed to report to CCAP by 9:00 a.m. on April 3, 2008, and report each weekday thereafter. CP 44. Failure to comply with conditions set out in the order could result in Glover's return to secure confinement. CP 44-46. He participated in CCAP until September 18, 2008. CP 47.

According to Glover, he participated in the programming provided by CCAP-Enhanced from 9:00 a.m. to 3:00 p.m. Monday through Thursday, and 9:00 a.m. to 12:00 p.m. on Friday, for a total obligation of 27 hours per week. CP 31. The participants are without supervision in the community during the remainder of the time.

Glover entered into a plea of guilty to the amended charge of Assault in the Third Degree-Domestic Violence on September 4, 2008. CP 6, 7-16, 23. Judge Sharon Armstrong granted a first-time offender waiver at the time of sentencing and ordered Glover

to serve 60 days in work release and 24 months of community custody with treatment. CP 35-42; RP 2-9.<sup>1</sup>

Glover asked the court for day-for-day jail credit for the time that he participated in CCAP-Enhanced awaiting trial. CP 31; RP 3-4. The court denied his request. RP 6.

### **C. ARGUMENT**

#### **1. GLOVER IS NOT ENTITLED TO PRETRIAL CREDIT FOR TIME SERVED IN CCAP-ENHANCED.<sup>2</sup>**

Glover argues that he should receive day-for-day credit for pretrial time served for the months he spent participating in the social programming provided in the CCAP-Enhanced program. This argument fails on the plain language of the statutory authority. The statutes are not ambiguous in any way, and clearly specify what constitutes “confinement” for purposes of calculating pretrial credit for time served. A day reporting program such as CCAP-Enhanced does not meet that definition.

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<sup>1</sup> RP refers to the Verbatim Report of Proceedings from October 10, 2008.

<sup>2</sup> Though it is clear that Glover has already served the time imposed in this case (he was required to report to Work Release on November 10, 2008; CP 38), the State is not arguing mootness because he is still subject to community custody under the first-time offender waiver for 24 months, and thus there is some relief that could be granted in terms of an earlier termination date. See State v. Harris, 148 Wn. App. 22, 26-27, 197 P.3d 1206 (2009).

a. CCAP-Enhanced Does Not Meet The Statutory Definition Of Confinement Required For Pretrial Credit Under All Applicable Statutes.

A sentencing court must give an offender credit for all time served in confinement before sentencing as long as that confinement was solely for the offense currently being sentenced. RCW 9.94A.505(6). Failure to permit credit for pretrial detention may violate due process, deny equal protection, and violate the prohibition against multiple punishments, because if credit is not allowed those unable to obtain release pending trial may serve longer sentences than those who are released. State v. Cook, 37 Wn. App. 269, 271, 679 P.2d 413 (1984); In re Pers. Restraint of Costello, 131 Wn. App. 828, 832, 129 P.3d 827 (2006). As a question of law, this issue is reviewed *de novo*. State v. Swiger, 159 Wn.2d 224, 227, 149 P.3d 372 (2006).

“Confinement” can be total or partial. RCW 9.94A.030(11).

“Partial confinement” is defined as follows:

“Partial confinement” means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention or work crew has been ordered by the court, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial

confinement includes work release, home detention, work crew, and a combination of work crew and home detention.

RCW 9.94A.030(35).

The Sentencing Reform Act of 1981 (SRA) specifically identifies which alternatives to confinement are partial confinement. For example, the statutory definitions for home detention, work crew, and work release all state unequivocally that each is a “program of partial confinement” available to eligible offenders. RCW 9.94A.030(30), (55), and (57). Of those three, only home detention and work release are available in King County as pretrial options to secure confinement; work crew is available only as a sentencing option. See Appendix A<sup>3</sup>; RCW 9.94A.725 (“Only those

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<sup>3</sup> Appendix A is a printout of a weblink from the website of the King County Department of Adult and Juvenile Detention describing the “Alternatives and Services” offered by the King County Community Corrections. The website is located at [http://www.kingcounty.gov/courts/detention/community\\_corrections/programs.aspx#ccap](http://www.kingcounty.gov/courts/detention/community_corrections/programs.aspx#ccap) (last visited June 18, 2009). Reference to this website is not contained within the trial record, but it was also cited by the appellant to explain the purpose and history of CCAP. The State requests the Court to take judicial notice of the information contained within Appendix A under ER 201(b). The document contains adjudicative facts not subject to reasonable dispute because they are facts generally known within the jurisdiction of King County Superior Court, and the accuracy of the information can readily be verified by reliable sources. See, e.g., State v. L.J.M., 129 Wn.2d 386, 391 n.6, 918 P.2d 898 (1996) (Court of Appeals took judicial notice that it was common knowledge within the legal community in Okanogan County that land lying within the boundaries of the Colville Indian Reservation was not within the exclusive criminal jurisdiction of either the tribal court or the federal courts).

offenders sentenced to a facility operated or utilized under contract by a county or the state, or sanctioned under RCW 9.94A.737 [to community custody], are eligible to participate on a work crew.”).

The hours of confinement defined by statute for partial confinement programs are logically the minimum hours deemed by the legislature to be “a substantial portion of each day,” as stated in RCW 9.94A.030(35). For a “term of partial confinement,” the offender must be confined in the facility for a minimum of eight hours a day. RCW 9.94A.731(1). For home detention, the offender is entirely confined to the home for the duration of the term (with presumably a minimum of eight hours a day), except when following a set schedule that may include work, school, or treatment, and is monitored by an electronic bracelet. See App. A; RCW 9.94A.731(1). For work crew (which is not available pretrial), the offender must perform a minimum of thirty-five hours per week of civic improvement tasks for the benefit of the community. RCW 9.94A.725.

Those key words – “program of partial confinement” – are conspicuously left out of the definition for “day reporting,” which is defined as “a program of enhanced supervision designed to monitor

the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the [Department of Corrections] or the sentencing court." RCW 9.94A.030(19). In short, day reporting is not partial confinement. See State v. Dalseg, 132 Wn. App. 854, 134 P.3d 261 (2006) (defendants, by error, participated in a non-confinement day reporting program instead of a partial confinement work release program in an attempt to comply with conditions of sentence).

b. CCAP-Enhanced Is A Day Reporting Program Not Structured To Satisfy Pretrial Confinement Credit.

The King County CCAP program is a day reporting program rather than a program of partial confinement, and describes its mission as follows:

CCAP, formerly Day Reporting, holds offenders accountable to a weekly itinerary directed at involving the offender in a continuum of structured programs. The goal of CCAP is to assist offenders in changing those behaviors that have contributed to their being charged with a crime. CCAP provides on-site services as well as referrals to community-based services. Random drug tests are conducted to monitor for illegal drug use and consumption of alcohol. Offenders participating in CCAP receive an

individual needs assessment and are scheduled for a variety of programs.

App. A.

The authority for the CCAP program is grounded in RCW 9.94A.680 and King County Code sections 2.16.120, 2.16.122, and 5.12.010. RCW 9.94A.680 grants courts the authority to sentence nonviolent, nonsex offenders with sentences of less than one year to alternatives to total confinement. There are three alternatives to total confinement the court may order: (1) to substitute one day of partial confinement<sup>4</sup> for one day of total confinement; (2) to substitute eight hours of community service for one day of total confinement (up to a maximum of 30 days or 240 hours); or (3) to authorize the county jail to convert jail confinement to an available county supervised community option. RCW 9.94A.680(1)-(3).

It is important to note two things about RCW 9.94A.680. First, subsection (3) does not require a county supervised community option to meet the definition of partial confinement.

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<sup>4</sup> See RCW 9.94A.505(10), again defining what is partial confinement: "In any sentence of partial confinement, the court may require the offender to serve the partial confinement in work release, in a program of home detention, on work crew, or in a combined program of work crew and home detention."

Second, each provision notably addresses only alternatives to jail time ordered in sentences for convicted offenders, not pretrial credit.

Consistent with RCW 9.94A.680, the King County Code that designates CCAP as an alternative to jail time pertains only to sentences being served by convicted offenders. KCC 5.12.010 reads as follows:

- A. The community corrections division of the department of adult and juvenile detention shall provide a county supervised community option for offenders convicted of nonviolent and non-sex offenses with sentences of one year or less as provided in RCW 9.94A.680.
- B. For the purposes of this section, “county supervised community option” means an alternative to confinement program in which an offender must participate for a minimum of six hours per day of structured programs offered through, or approved by, the community corrections division. The structured programs may include, but are not limited to: life management skills development; substance abuse assessment and treatment services; mental health assessment and treatment services; counseling; basic adult education and related services; vocational training services; and job placement services.

CCAP-Enhanced is just one example of a “county supervised community option” that is a day reporting model rather

than a partial confinement model. Pierce County's Breaking the Cycle (BTC), a community-based drug treatment program, is another. State v. Breshon, 115 Wn. App. 874, 877, 63 P.3d 871 (2003). In Breshon, the sentencing court ordered two offenders to report daily to BTC to attend classes and treatment. 115 Wn. App. at 876. Similar to CCAP, the defendants were required to report daily to attend classes and treatment, submit to random urinalysis testing, and keep the program apprised of their current address. Id. They were not required to wear monitoring devices and could return home each night unsupervised. Id. Both offenders eventually stopped attending, and were subsequently arrested and charged with Escape in the First Degree. Id. at 876-77. The court agreed with the State that BTC was neither partial confinement nor a detention facility, though it held that the defendants were in custody pursuant to a court order for purposes of the escape statute. Id. at 877, 880-881.

While there are similarities between some of the designated partial confinement programs and CCAP-Enhanced, there are also important differences which support the argument that CCAP-Enhanced is the type of program never intended to be eligible for

pretrial credit. First, CCAP-Enhanced is a minimal time commitment compared to the other two partial confinement programs available for pretrial detainees: by statute, CCAP is only 6 hours a day for 5 days a week, with weekends and evenings free, compared to a minimum confinement of 8 hours a day, 7 days a week in the facility for home detention or work release. KCC 5.12.010; RCW 9.94A.731(1); App. A. Second, CCAP-Enhanced is a minimal intrusion on a person's liberty interest compared with home detention and work release: CCAP participants are free in the community for at least 18 hours a day, whereas home detention requires 24-hour monitoring with all forays out of the house approved in advance, and work release detainees can leave the facility only for approved work, school, or treatment. App. A. Third, the intensive social programming of CCAP-Enhanced precisely mirrors the definition for a day reporting program, which is clearly defined as not partial confinement, whereas the others do not meet the day reporting criteria. RCW 9.94A.030(19). Finally, with home detention and work release, there is a "facility" where the offender is confined and monitored, whether it is a home or a secure work release facility. RCW 9.94A.731(1); see also App. A.

Because CCAP-Enhanced is not confinement, Glover is not entitled to pretrial credit for the time he spent in the program under RCW 9.94A.680.

- c. Failure To Give Credit For CCAP-Enhanced Does Not Violate Equal Protection Because The State Has a Rational Basis For Treating Pretrial And Post-Conviction Offenders Differently.

Glover contends that the court's failure to give him credit for the pretrial time spent in CCAP-Enhanced violates the state and federal equal protection clauses. U.S. Const. amend. 14; Const. art. 1, § 12. "Equal protection requires that persons similarly situated receive like treatment." In re Pers. Restraint of Mota, 114 Wn.2d 465, 473, 788 P.2d 538 (1990). Where a challenge does not involve a suspect class or a fundamental right, any difference in treatment must pass the rational basis test. State v. Anderson, 132 Wn.2d 203, 209, 937 P.2d 581 (1997). The rational basis test requires that the court "must uphold a law establishing classifications unless the classification rests on grounds wholly irrelevant to the achievement of legitimate state objectives." Madison v. State, 161 Wn.2d 85, 103, 163 P.3d 757 (2007) (citations omitted).

The State recognizes that where a defendant serves time in confinement pre-conviction, equal protection requires that he receive credit post-conviction for the time served. Reanier v. Smith, 83 Wn.2d 342, 346, 517 P.2d 949 (1974); State v. Speaks, 119 Wn.2d 204, 206, 829 P.2d 1096 (1992). Credit for non-detention probation time is not, however, constitutionally mandated. In re Pers. Restraint of Phelan, 97 Wn.2d 590, 647 P.2d 1026 (1982).

In our case, of course, CCAP-Enhanced is not confinement. However, even if it is confinement, equal protection is not violated because the State has a rational basis to permit CCAP-Enhanced to be used as a post-conviction alternative to confinement but not as pre-conviction credit for time served. The reasoning lies in the purposes for which CCAP-Enhanced is imposed at each distinct stage of the criminal process.

Under CrR 3.2(a), a person charged with a crime must be released on personal recognizance pending trial unless the court determines that the defendant will likely fail to appear at future court hearings or that the defendant is a danger to the community. Once the court decides the defendant is a risk in some way, it has two choices: hold a defendant in custody with a set bond amount, or release the defendant on personal recognizance with conditions

that will protect the community and ensure the defendant's future appearance in court. CrR 3.2 (b), (d). The State's legitimate interest in permitting a defendant to participate in a community-based program like CCAP-Enhanced pending trial falls into the latter category. In this context, CCAP-Enhanced is a condition of pretrial release imposed as a least restrictive alternative.

Post-conviction, on the other hand, the State has a different interest: to encourage substitutes to incarceration for eligible nonviolent offenders for the benefit of the community. See, e.g., RCW 9.94A.850(2)(ii).<sup>5</sup> These alternatives, codified in RCW 9.94A.680, need not satisfy the confinement definition and include not only the CCAP program, but also community service and work crew. Such alternatives not only comply with the intent of the legislature, but also ease the burden on the jail system and benefit the community by providing treatment services and encouraging personal growth of the offender, thus reducing recidivism. See,

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<sup>5</sup> RCW 9.94A.850(2)(ii) states in part that the Sentencing Guidelines Commission shall evaluate state sentencing policy, to include whether the sentencing ranges and standards are consistent with and further the intent of the legislature to emphasize confinement for the violent offender and *alternatives to confinement for the nonviolent offender* (emphasis added).

e.g., RCW 9.94A.517 (Note of Legislative Intent, 2002 c290).<sup>6</sup> It is in the State's interest post-conviction to permit courts to craft sentences for eligible offenders that essentially suspend jail sentences by instead ordering participation in programs that are designated as alternatives to confinement for the benefit of the offender and the community.

Glover claims that State v. Swiger, 159 Wn.2d 224, 149 P.3d 372 (2006), and State v. Anderson, 132 Wn.2d 203, 937 P.2d 581 (1997), support his argument that failure to credit CCAP pretrial violates equal protection, but Swiger and Anderson are not applicable. Both cases address the narrow issue of whether a defendant released to the equivalent of home detention pending appeal should get credit for that time served once the conviction is affirmed. Swiger, 159 Wn.2d at 225; Anderson, 132 Wn.2d at 205. First, it was already established law in these cases that home detention is confinement, and is thus subject to application of credit

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<sup>6</sup> **Intent -- 2002 c 290** (pertaining to alternatives to incarceration for convicted drug offenders, which includes CCAP under RCW 9.94A.517(2)): "It is the intent of the legislature to increase the use of effective substance abuse treatment for defendants and offenders in Washington in order to make frugal use of state and local resources, thus reducing recidivism and increasing the likelihood that defendants and offenders will become productive and law-abiding persons. The legislature recognizes that substance abuse treatment can be effective if it is well planned and involves adequate monitoring, and that substance abuse and addiction is a public safety and public health issue that must be more effectively addressed if recidivism is to be reduced...." [2002 c 290 § 1.]

for time served prior to sentencing. RCW 9.94A.505(6); Speaks, 119 Wn.2d 204. CCAP-Enhanced is not confinement, however, and thus does not statutorily qualify for pretrial credit. Second, in Swiger and Anderson, the State's interest was the same both pretrial and pending appeal: to secure the attendance of the defendant, either for trial or for remand to custody should the conviction be affirmed. Anderson, 132 Wn.2d at 212.

In contrast, because CCAP is not confinement, the State's interests differ dramatically from the pretrial context (to secure attendance in court and still protect the community by means of a non-confinement option) to the post-conviction context (to provide alternatives to confinement that benefit the community and reduce recidivism). This distinction justifies any disparate treatment.

There is a rational basis to treat pretrial defendants and post-conviction offenders differently in the case of CCAP participation; thus, Glover's equal protection argument fails.

- d. Glover Has Not Been Punished Twice For the Same Crime Because CCAP-Enhanced Is a Non-Confinement Condition of Release, Not Punishment For A Conviction, Under Double Jeopardy Law.

Glover contends that failure to give him credit for pretrial participation in CCAP violates the guarantee against multiple punishments. At most, case law supports only the proposition that failure to give credit for presentence “confinement” may violate principles of double jeopardy. Glover did not serve pre-conviction confinement.

Both the United States Constitution and the Washington Constitution protect a defendant from double jeopardy. U.S. Const. amend. 5; Const. art. 1, § 9. This constitutional principle has been construed to encompass three separate protections: (1) protection against a second prosecution for the same offense after acquittal; (2) protection against a second prosecution for the same offense after conviction; and (3) protection against multiple punishments for the same offense. State v. Gocken, 127 Wn.2d 95, 100, 896 P.2d 1267 (1995).

A series of cases address whether the failure to provide credit for time served in “confinement” violates equal protection and/or double jeopardy. Glover relies on North Carolina v. Pearce,

395 U.S. 711, 896 S. Ct. 2072, 23 L. Ed. 2d 656 (1969) for his contention that failure to give credit for CCAP violates the guarantee against multiple punishments. Pearce is not on point because it addresses only whether the prohibition against multiple punishments is violated where post-conviction time served is not applied to a maximum term or mandatory minimum sentence.

In Pearce, the defendant (William Rice) pled guilty and was sentenced to up to ten years aggregated on four felony counts. 395 U.S. 711, 714. Two years after the plea, the judgments were set aside; he was retried, convicted of three felonies, and sentenced to aggregated prison terms of twenty-five years. Id. at 714. The trial court failed to give the defendant credit for the two years he had spent in prison on the original judgments. Id. In its holding, the Court correctly noted that the constitutional prohibition against multiple punishments for the same crime was violated when “punishment already exacted for an offense is not fully ‘credited’ in imposing sentence upon a new conviction for the same offense.” Id. at 718. Our case does not involve credit for time served in confinement post-conviction.

Other Washington cases not cited by Glover address the issue of pretrial detention and double jeopardy but are not

applicable because Glover was not in pretrial confinement. In Reanier v. Smith, 83 Wn.2d 342, 517 P.2d 949 (1974), the court adopted the reasoning of both Pearce and a North Carolina case, Culp v. Bounds, 325 F. Supp. 416 (D.N.C. 1971), essentially without analysis, and generally held that “considerations of due process, equal protection and the prohibition against multiple punishments dictate that presentence jail time be credited against maximum and mandatory minimum terms where applicable.”<sup>7</sup> Reanier, 83 Wn.2d at 352.

Reanier involves four defendants, all of whom spent time in confinement (either in jail or at Western State Hospital by court order) prior to conviction. Id. at 343-44. None of the defendants had the financial means to post bail or, in the alternative, bail was not set. Id. All four defendants either were sentenced to the statutory maximum term or to a mandatory minimum sentence. Id.

In In re Personal Restraint of Phelan (Phelan I), the court extended Reanier to require credit for time served in jail as a condition of probation which was later revoked. 97 Wn.2d 590,

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<sup>7</sup> To the extent that Reanier stands for the proposition that failure to give credit for post-arrest, pre-conviction confinement violates principles of double jeopardy, the State respectfully disagrees. While failure to give credit for pre-conviction time served in confinement would violate principles of equal protection, pre-

597, 647 P.2d 1026 (1982). In State v. Phelan (Phelan II), the court clarified that under equal protection and double jeopardy principles, prior incarceration must be credited on any sentence imposed, not just a maximum sentence. 100 Wn.2d 508, 515, 671 P.2d 1212 (1983). Phelan had been sentenced to the maximum term, with execution suspended on condition he serve a year in jail and comply with conditions of probation. Phelan I, 97 Wn.2d at 592.

The commonality of all of these cases is that each defendant seeking credit had served time in confinement. This is because actual confinement is clearly punishment for purposes of double jeopardy.<sup>8</sup> As the Phelan II court noted, "It was multiple *punishment*, not multiple rehabilitation, which concerned the court in Pearce." Phelan II, 100 Wn.2d at 516 (emphasis in original).

In our case, Glover was not in actual or even partial confinement while participating in CCAP-Enhanced and thus was not being punished for a conviction for purposes of double jeopardy. In fact, he had been released on personal recognizance

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conviction confinement is not punishment for a conviction and thus the double jeopardy clause is not implicated.

<sup>8</sup> In contrast, *in rem* civil forfeitures are clearly not punishment for double jeopardy purposes. See United States v. Ursery, 518 U.S. 267, 116 S. Ct. 2135, 135 L. Ed. 2d 549 (1996). Neither is conditional probation served in the community. See Phelan I, 97 Wn.2d at 597-98; State v. Hultman, 92 Wn.2d 736, 742-43, 600 P.2d 1291 (1979); see also footnote 7, *supra*.

(unlike the defendants in Reanier, Pearce, and the Phelan cases), was free in the community the majority of the time, and was participating in the intensive social programming as a condition of release and rehabilitation. Glover's claim that he was punished twice for the same crime has no merit.

**D. CONCLUSION**

For all the foregoing reasons, the State respectfully asks the Court to affirm the trial court's denial of credit for time served on CCAP-Enhanced.

DATED this 2<sup>nd</sup> day of July, 2009.

Respectfully submitted,

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# Appendix A

# King County Community Corrections

## Alternatives and Services

- [Community Center for Alternative Programs \(CCAP\)](#)
- [Community Work Program \(CWP\)](#)
- [Electronic Home Detention \(EHD\)](#)
- [Helping Hands Program \(HHP\)](#)
- [Intake Services Unit \(ISU\)](#)
- [Work Education Release \(WER\)](#)

### **Community Center for Alternative Programs (CCAP)** **206-205-6600**

**CCAP is located on the first floor of the Yesler Building in Seattle**  
**[map](#)** (external link)

CCAP, formerly Day Reporting, holds offenders accountable to a weekly itinerary directed at involving the offender in a continuum of structured programs. The goal of CCAP is to assist offenders in changing those behaviors that have contributed to their being charged with a crime. CCAP provides on-site services as well as referrals to community-based services. Random drug tests are conducted to monitor for illegal drug use and consumption of alcohol. Offenders participating in CCAP receive an individual needs assessment and are scheduled for a variety of programs. **[to top](#)**

### **Community Work Program (CWP)** **206-296-1232**

**CWP Administration is located in the Yesler Building, Room 420, Seattle** **[map](#)** (external link)

CWP currently allows District Court to sentence offenders to work crews to perform supervised manual labor for various public service agencies. The program is designed to provide a diversion from jail for low-level, low-risk offenders and a visible restitution to the community. Offenders

are sentenced directly to the CWP and may work off their fines, regain their driver's license or complete the terms of their sentence. CWP projects typically include various types of landscaping, habitat restoration and invasive species removal. CWP crews function year round and offer services Monday through Saturday. [to top](#)

### **Electronic Home Detention (EHD)**

**206-296-1240**

**EHD is located in Room 1028, on the tenth floor of the King County Courthouse, Seattle** [map](#) (external link)

EHD allows offenders to serve all or some portion of their pre-trial and/or sentenced time at home. Offenders are monitored electronically and are confined to their homes, except when following a set schedule that may include attendance at work, school or treatment. To insure compliance the offender is equipped with an electronic bracelet in order to allow monitoring. The alternative uses an active electronic monitoring system that works with telephones using computerized random calling to the offender's residence. The Department is immediately alerted if the equipment has been tampered with or the offender is not within the required distance of the monitoring device. [to top](#)

### **Helping Hands Program (HHP)**

**206-296-1199**

**Helping Hands is located on the first floor of the Yesler Building, Seattle, Room 113** [map](#) (external link)

The Helping Hands Program assists persons, court-ordered to perform community service, find a site to complete their hours of service and monitors compliance for cases **NOT** supervised by the Washington State Department of Corrections. [to top](#)

### **Intake Services Unit (ISU)**

**King County Correctional Facility** [map](#) (external link), **206-296-1276**  
**Regional Justice Center Facility** [map](#) (external link), **206-205-2171**

The ISU provides information to the court to expedite the release of appropriate defendants awaiting adjudication or to ensure that offenders are not incarcerated when other appropriate alternatives are available. ISU implements administrative court orders which release individuals on personal recognizance pending disposition of their charges. [to top](#)

### **Work Education Release (WER)**

**206-296-1240**

**WER is located in Room 1028, on the tenth floor of the King**

**County Courthouse, Seattle** [map](#) (external link)

WER is an alcohol and drug free residential alternative where offenders go to work, school, or treatment during the day and return to a secure facility at night. Offenders who work at night are required to spend the day at the facility. Random drug testing is used to monitor for use of illegal drugs and consumption of alcohol. Offenders are required to pay room and board on a sliding scale based on their hourly rate of gross pay. They also pay restitution, child support or court costs as required by the Court. Offenders are involved in a case management process that directs them to structured programs and/or treatment. [to top](#)

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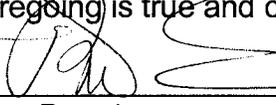
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Certificate of Service by Mail

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to Jennifer J. Sweigert, the attorney for the appellant, at Nielsen Broman & Koch, P.L.L.C., 1908 E. Madison Street, Seattle, WA 98122, containing a copy of the Respondent's Brief, in STATE V. CORRY GLOVER, Cause No. 62454-7-1, in the Court of Appeals, Division I, for the State of Washington.

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

  
Name Bora Ly  
Done in Seattle, Washington

07-02-2009  
Date

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