

HOUSE BILL REPORT

HB 2675

*As Reported By House Committee on:
Judiciary*

Title: An act relating to penalties for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs.

Brief Description: Authorizing court-ordered attendance at a DUII victims' panel.

Sponsor(s): Representatives Jones, Mitchell, Wineberry, Wood, Prentice, Brough, Brekke, R. Fisher, Nelson, Winsley, Lisk, Horn, Jacobsen, Franklin and G. Cole.

Brief History:

Reported by House Committee on:
Judiciary, February 6, 1992, DPS.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 17 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; and Vance.

Staff: Bill Perry (786-7123).

Background: Persons convicted of driving while under the influence of intoxicating liquor or drugs (DWI) are subject to monetary penalties, driver's license suspension, and mandatory jail time. A first conviction results in a mandatory one day in jail, a minimum fine of \$250, and a license suspension of 90 days. A second conviction within five years results in a mandatory seven days in jail, a minimum fine of \$500, and a license revocation for one year. Upon a third or subsequent conviction within five years the fine and imprisonment penalties remain the same as for a second conviction, but the driver's license is revoked for two years.

In addition, a driver who is convicted of DWI must attend an alcohol information course, must undergo a diagnostic

evaluation for alcoholism, and may be required to enter a treatment program.

A person charged with DWI may petition for a deferred prosecution on the grounds that alcoholism or drug addiction caused the criminal violation. If the request is granted, the person must successfully complete a court ordered and monitored treatment program.

Summary of Substitute Bill: A person convicted of DWI or granted a deferred prosecution on a DWI charge may be ordered to attend a DWI victims' panel. Entities may enter into contracts with a court to provide victims' panels.

Substitute Bill Compared to Original Bill: The substitute removes an authorization to charge a fee of up to \$40 for attending a panel presentation.

Fiscal Note: Not requested.

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

Testimony For: These victims' panels have been shown to be very effective in reducing recidivism. They are also helpful to victims.

Testimony Against: None.

Witnesses: Cheryl Fox; Jim Bonte, Clallam County DWI Task Force; Mike Hastings; and Sue White (all in favor).