

FINAL BILL REPORT

SB 5500

C 251 L 96
Synopsis as Enacted

Brief Description: Clarifying the method of execution to be used in Washington state.

Sponsors: Senators Smith, Long and Gaspard; by request of Attorney General.

Senate Committee on Law & Justice

House Committee on Law & Justice

Background: Under current law, when a defendant is sentenced to be executed, the death penalty is carried out by hanging, unless the defendant chooses to be executed by lethal injection. If the defendant refuses to make a choice, the means of execution is hanging.

Death penalty cases usually give rise to lengthy appeals. One argument in these appeals is that hanging is unconstitutional on the basis that it is cruel and unusual punishment. Recently, this issue resulted in a lengthy delay in one Washington case in which a defendant refused to choose between hanging and lethal injection. The issue also is part of the basis for the overturning of the death penalty in another Washington case in which the defendant refused to choose the method of execution. In addition to delaying the execution of defendants sentenced to die, these appeals are very expensive. The cost is paid by taxpayers. It is felt that changing the method of execution will eliminate some of the appeals and delay in carrying out executions.

Summary: The death penalty is carried out by lethal injection, unless the defendant chooses hanging.

Votes on Final Passage:

Senate	45	3
House	92	5

Effective: June 6, 1996