

SENATE BILL REPORT

SB 5266

AS OF FEBRUARY 5, 1993

Brief Description: Making the first-time offender sentencing option available for certain drug offenders.

SPONSORS: Senators Niemi, Pelz and McAuliffe

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Susan Carlson (786-7418)

Hearing Dates: February 10, 1993

BACKGROUND:

Under the Sentencing Reform Act, the court has the option of waiving the imposition of a sentence within the standard range for certain first-time offenders. If the court chooses this option, the offender's sentence may include between 0-90 days in jail, up to two years of community supervision, crime-related prohibitions and a variety of other conditions including treatment, financial obligations, and reporting as directed. In 1987, the Legislature amended the Sentencing Reform Act definition of a first-time offender to exclude persons convicted of the manufacture, delivery, or possession with intent to manufacture or deliver schedule I or II narcotic drugs, or selling any controlled substance, except marijuana, for profit.

Since 1987, the number of drug offenses has increased, as has the length of prison sentences drug offenders serve. It has been suggested that the Legislature should reconsider the eligibility of drug offenders with no prior convictions for the first-time offender waiver.

SUMMARY:

First-time offender means any person convicted of a felony which is not a violent offense or a sex offense and who has no prior felony convictions.

Appropriation: none

Revenue: none

Fiscal Note: requested February 2, 1993