

SENATE BILL REPORT

SB 6117

AS OF JANUARY 18, 1994

Brief Description: Increasing the list of juvenile offenses that are considered prior convictions in an offender's criminal history.

SPONSORS: Senators Nelson, A. Smith, Oke, Amondson, L. Smith, Sellar, Hochstatter, Roach, Schow, Haugen, Quigley, West, M. Rasmussen, Winsley, Skratek, Deccio, McDonald, Anderson, McCaslin and Moyer

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Susan Mahoney (786-7717)

Hearing Dates: January 20, 1994

BACKGROUND:

Under current Washington State law, juvenile convictions, other than convictions for class A felonies if committed after the age of 15 or sex offenses, are not calculated into a defendant's adult offender score once the defendant turns 23 years of age. Unlike the scoring of previous adult felony convictions, a defendant's juvenile class B and C felony convictions "wash out" when the defendant turns 23 years old regardless of whether the defendant has remained within the criminal system and acquired new felony convictions.

Under the SRA system of scoring prior criminal convictions, a defendant's prior adult convictions "wash out" under the following circumstances:

Class A felonies never wash out.

Class B felonies (other than sex offenses) wash out if the defendant has spent ten consecutive years in the community without any felony convictions since the last date of release from confinement pursuant to the underlying felony conviction, or entry of the judgment and sentence, whichever date is later.

Class C felonies (other than sex offenses) wash out if the defendant has spent at least five consecutive years in the community without any felony convictions since the last date of release from confinement pursuant to the underlying felony conviction, or entry of the judgment and sentence, whichever date is later.

SUMMARY:

For the purpose of calculating an adult defendant's offender score, prior juvenile felony convictions no longer automatically "wash out" at the age of 23 and are subject to the same "wash out" provisions as prior adult felony convictions.

Appropriation: none

Revenue: none

Fiscal Note: requested January 18, 1994