

HOUSE BILL ANALYSIS

HB 3045

Title: An act relating to a community sanction disposition alternative for juvenile offenders.

Brief Description: Creating a community sanction disposition alternative for juvenile offenders.

Sponsors: Representative Sheahan.

HOUSE COMMITTEE ON LAW & JUSTICE

Staff: Edie Adams (786-7180).

Background: In 1997, the Legislature passed E3SHB 3900 reforming the juvenile justice system. Although many aspects of the revisions in E3SHB 3900 have already gone into effect, the major changes in the sentencing provisions of the juvenile justice system do not take effect until July 1, 1998.

The sentencing structure that remains in place for juvenile offenders until July 1, 1998 considers a number of factors in determining a juvenile offender's presumptive sentence for a particular offense. Juvenile offenders are classified into three categories: minor/first offender, middle offender, and serious offender. Each of these classifications of offenders has a sentencing grid that determines the offender's standard sentence based on the offender's point total. An offender's points are calculated based on four factors: the seriousness level of the current offense, the age of the offender, the seriousness level of any prior criminal history, and the recency of any prior criminal history.

A middle offender whose standard range sentence is confinement in a state institution is eligible for a suspended sentence disposition alternative referred to as "Option B." Under an "Option B" disposition, the court imposes the standard range disposition of confinement for the offense and then suspends that disposition on the condition that the offender comply with conditions of community supervision and serve up to 30 days of confinement.

E3SHB 3900 removed "Option B" from the juvenile justice system. As of July 1, 1998, the court may no longer impose a community sanctions disposition alternative for offenders with a presumptive sentence that includes confinement in a state

institution, unless the offender is eligible for a chemical dependency disposition alternative or a special sex offender disposition alternative.

Summary of Bill: A community sanctions disposition alternative is created for certain juvenile offenders. A juvenile offender is eligible for this disposition option if the offender has not previously been committed to a state institution, is presently subject to a standard range disposition of confinement in a state institution, and has not committed a sex or serious violent offense.

If the court determines that the community sanctions disposition alternative is appropriate, the court imposes the standard range for the offense, suspends execution of that disposition, and places the offender on community supervision for the term of the standard range disposition. The court must impose conditions of community supervision and other sanctions, including a requirement that the offender participate in community-based programs such as school, employment, vocational programs, or outpatient treatment. The court may impose up to 30 days of confinement, up to 150 hours of community service, and payment of legal financial obligations and restitution. If the offender violates any of the conditions, the court may impose penalties on the offender or may revoke the suspended disposition and order execution of the standard range disposition.

Fiscal Note: Requested January 30, 1998.

Effective Date: The bill takes effect July 1, 1998.

Office of Program Research