

HOUSE BILL ANALYSIS

SSB 5509

Title: An act relating to definitions regarding offenders.

Brief Description: Changing definitions regarding offenders.

Sponsors: Senators Rossi, Roach, Zarelli, Winsley, Long, Morton, Goings, Finkbeiner, Oke, Hochstatter, Benton, Johnson, Stevens, McCaslin and Rasmussen.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Staff: Yvonne Walker (786-7841)

Background: Sentencing laws define a "persistent offender" as an offender who has three separate felony convictions for a most serious offense (three strikes), or who has two separate felony convictions for several of the most violent sex offenses or for several violent offenses if committed with a sexual motivation (two strikes).

It has been suggested that offenders who prey on children should be classified as persistent offenders after two separate convictions for such offenses. The concern is that children are particularly vulnerable, and it is disputed whether the behavior of such offenders can be modified to make it safe for them to be released back into the community.

Summary: The "two strikes" portion of the definition of "persistent offender" is amended to include the crimes of rape of a child in the first degree, child molestation in the first degree, and homicide by abuse and assault of a child in the first degree, with a finding of sexual motivation.

The definition of "offender" is amended to include a juvenile who has come under the superior court's jurisdiction as a result of RCW 13.04.030 (automatic decline).

Require the Exercise of Rule- Making Powers: No.

Fiscal Note: Received on March 31, 1997.

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