

SENATE BILL REPORT

HB 1924

As Reported By Senate Committee On:
Law & Justice, April 1, 1997
Ways & Means, April 7, 1997

Title: An act relating to sex offenses.

Brief Description: Changing the sentencing for sex offenses.

Sponsors: Representatives Ballasiotes, Sheahan, Dickerson, Radcliff, Sheldon, Chopp, Mason, Conway, Costa, Mitchell, K. Schmidt, Buck, Wensman, Schoesler, Parlette, Hankins, Backlund, Johnson, D. Schmidt, Sterk, Sump, Cooke, Mastin, Scott, O'Brien, Cooper, Hatfield, Blalock, Kessler, Mulliken, Cole, Kenney, Gardner, McMorris and Tokuda.

Brief History:

Committee Activity: Law & Justice: 3/24/97, 4/1/97 [DP-WM].
Ways & Means: 4/7/97 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Hargrove, Haugen, Long, Stevens and Zarelli.

Staff: Mychal Schwartz (786-7444)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators West, Chair; Strannigan, Vice Chair; Bauer, Fraser, Hochstatter, Long, Loveland, McDonald, Rossi, Sheldon, Snyder, Swecker, Thibaudeau, Winsley and Zarelli.

Staff: Bryon Moore (786-7726)

Background: It has been argued that the penalties for rape in the first and second degrees, rape of a child in the first and second degrees, and indecent liberties with forcible compulsion are too low.

Rape in the first degree and rape of a child in the first degree are each Level XI, class A felonies which, for a defendant with no scorable criminal history, yield a standard range sentence of 78 to 102 months (a midpoint of 7.5 years).

Rape in the second degree and rape of a child in the second degree are each Level X, class A felonies which, for a defendant with no scorable criminal history, yield a standard range sentence of 51 to 68 months (a midpoint of five years).

Indecent liberties, when committed with forcible compulsion, is a Level IX, class B felony which, for a defendant with no scorable criminal history, yields a standard range sentence of 31 to 41 months (a midpoint of three years).

Sexual Offender Special Sentencing Alternative (SOSSA). If a sex offender has been given a sentence of less than eight years of confinement and the court determines that the offender qualifies for the sexual offender special sentencing alternative, the court may suspend the sentence and require the offender to participate in the SOSSA program.

Summary of Bill: Rape in the first degree and rape of a child in the first degree are each Level XII, class A felonies which, for a defendant with no scorable criminal history, yield a standard range sentence of 93 to 123 months (a midpoint of 9 years).

Rape in the second degree and rape of a child in the second degree are each Level XI, class A felonies which, for a defendant with no scorable criminal history, yield a standard range sentence of 78 to 102 months (a midpoint of 7.5 years).

Indecent liberties, with forcible compulsion is a Level X, class B felony which, for a defendant with no scorable criminal history, yield a standard range sentence of 51 to 68 months (a midpoint of 5 years).

Sexual Offender Special Sentencing Alternative (SOSSA). A court may allow a sex offender who qualifies to participate in the program if the offender has received a sentence of less than 11 years of confinement.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill would work in conjunction with the two strikes portion of the persistent offender statute and would help with the problems which may arise over the civil commitment law.

Testimony Against: None.

Testified: Representative Ballasiotes, prime sponsor.