

FINAL BILL REPORT

SSB 5509

C 70 L 97

Synopsis as Enacted

Brief Description: Changing definitions regarding offenders.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Rossi, Roach, Zarelli, Winsley, Long, Morton, Goings, Finkbeiner, Oke, Hochstatter, Benton, Johnson, Stevens, McCaslin and Rasmussen).

Senate Committee on Law & Justice

Senate Committee on Ways & Means

House Committee on Criminal Justice & Corrections

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 a most violent sex offense— or for a violent offense 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 12.04.030 (automatic decline).

Votes on Final Passage:

Senate	45	1
House	87	4

Effective: July 27, 1997