

# FINAL BILL REPORT

## SSB 6518

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C 242 L 98

Synopsis as Enacted

**Brief Description:** Increasing the degree of rape when the perpetrator incapacitates the victim.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Roach, Benton, Long, Oke, Zarelli, Rossi, Sellar, Snyder, Johnson, Horn, McDonald, Hale, Strannigan, McCaslin, Prentice, Schow, Fraser, Deccio, Swecker, Morton, Goings, Bauer, Rasmussen and Haugen).

**Senate Committee on Law & Justice**

**House Committee on Criminal Justice & Corrections**

**Background:** Rape in the first degree is committed by a person who engages in sexual intercourse by forcible compulsion where the rapist or an accessory uses a deadly weapon or what appears to be a deadly weapon, kidnaps the victim, inflicts serious physical injury, or feloniously enters a building or vehicle where the victim is located. Rape in the first degree is a class A felony and strike— under the persistent offender provisions. Rape in the first degree is sentenced at level XII (93 to 123 months for a first offense). Offenders are not eligible for the Special Sex Offender Sentencing Alternative.

It has been proposed that when a perpetrator renders the victim incapable of consent through some action, it would be more appropriate to consider the offense rape in the first degree.

**Summary:** Rendering a person unconscious through physical injury is included as a serious physical injury for the purposes of rape in the first degree.

**Votes on Final Passage:**

Senate	48	0	
House	98	0	(House amended)
Senate	49	0	(Senate concurred)

**Effective:** June 11, 1998