

SENATE BILL REPORT

SB 6672

As Reported By Senate Committee On:
Law & Justice, February 6, 1998
Ways & Means, February 10, 1998

Title: An act relating to crimes against children.

Brief Description: Increasing penalties for specified crimes against children.

Sponsors: Senators Roach, Heavey, Patterson, Stevens, T. Sheldon, Hochstatter, Goings, Schow, McCaslin, Bauer, Rasmussen and Oke.

Brief History:

Committee Activity: Law & Justice: 2/5/98, 2/6/98 [DP, DNP].
Ways & Means: 2/9/98, 2/10/98 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

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

Minority Report: Do not pass.

Signed by Senators Fairley and Thibaudeau.

Staff: Aldo Melchiori (786-7439)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Bauer, Hochstatter, McDonald, Roach, Rossi, Schow, Snyder and Swecker.

Staff: Bryon Moore (786-7726)

Background: Rape of a child in the first degree is a class A felony ranked at level XII (93 to 123 months for a first offense). Child molestation in the first degree is a class A felony ranked at level X (51 to 68 months for a first offense). Homicide by abuse when the victim is under 16 years of age, a developmentally disabled person, or a dependant adult, is a class A felony ranked at level XIV (240 to 320 months for a first offense).

Summary of Bill: Persons convicted of rape of a child in the first degree, child molestation in the first degree, or homicide by abuse when the victim is under 16 years of age are guilty of a crime against a child. They must receive a mandatory sentence of life imprisonment without the possibility of parole and a fine of not less than \$100,000. All three crimes are

ranked at level XV on the sentencing grid. Homicide by abuse of a developmentally disabled person or a dependant adult remains ranked at level XIV (240 to 320 months for a first offense).

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: There is a 75 percent recidivism rate for these crimes. The bill only applies to adults. Crimes against children erode the foundation of our future.

Testimony Against: The cost of incarceration is prohibitive. A sanction previously reserved for murder in the first degree is being imposed. A juvenile may be subject to the sanction if the prosecutor prevails at a declination hearing or if there is a delay in arraignment.

Testified: Chris Clifford (pro); Peter Mair, Sherry Appleton, WACDL (con).