

HOUSE BILL ANALYSIS

HCR 4426

Brief Description: Reviewing state sentencing policy.

Sponsors: Representatives O'Brien and Ballasiotes.

Hearing: January 25, 2000

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

BACKGROUND:

The Sentencing Reform Act of 1981, established the Sentencing Guidelines Commission directing it to recommend to the Legislature a determinate sentencing grid for adult felonies. Prior to July 1, 1984, an offender who committed a crime received a indeterminate sentence. Since the enactment of the Sentencing Reform Act in 1984, offenders convicted in Washington receive determinate sentences that are determined by the seriousness of the offense and by the criminal record of the offender.

In addition over the years, the Sentencing Guidelines Commission has been charged with annually evaluating state sentencing policies with the goal of achieving consistency between sentencing ranges and standards for the multitude of offenses defined in state law.

SUMMARY OF BILL:

The Sentencing Guidelines Commission must conduct a comprehensive review of state sentencing policy. The evaluation must include whether current sentencing ranges, standards and mandatory minimum sentences, and sentence enhancements are consistent with the purposes of the Sentencing Reform Act enacted in 1984. The evaluation must also include whether the state's sentencing policy has remained consistent with the Legislature's original intent to emphasize confinement for the violent offender and alternatives to confinement for the non-violent offender, and whether current sentencing

ranges and standards are compatible with existing corrections capacity. The review and evaluation must include the cost-effectiveness evaluations and studies that have been performed by the Washington State Institute for Public Policy, as well as any fiscal impact that enacted sentencing policies have had on both the state government and local jurisdictions.

In addition, the study must include the commission's recommendations for revisions and modifications to Washington's sentencing policy, including sentencing ranges and standards, mandatory minimum sentences, and sentence enhancements. If implementation of the commission's recommendations will result in exceeding the capacity of correctional facilities, the commission must, simultaneously, present to the Legislature a list of revised standard sentence ranges. The sentence ranges must be consistent with current corrections capacity and with the purposes of the Sentencing Reform Act.

The Sentencing Guidelines Commission must present the study to the Legislature by December 1, 2001.

FISCAL NOTE: Received on January 25, 2000.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.