

Criminal Justice & Corrections

HB 1280

Brief Description: *Increasing the seriousness ranking for hit and run resulting in death.*

Sponsors: *Representatives Simpson, Ballasiotes, O'Brien, Cairnes, Lovick, Santos, Armstrong, Campbell and Keiser.*

Brief Summary of Bill

- *Increases the penalty for hit and run resulting in death.*

Hearing Date: *1/31/01*

Staff: *Matthew Zuchetto (786-7291).*

Background:

Under the Sentencing Reform Act (SRA) an offender convicted of a felony is subject to a standard sentence range based on the offender's prior convictions and seriousness of the offense.

Crimes are categorized into one of 16 seriousness levels– depending on the seriousness of the offense, from level I, punishable by zero days to 29 months imprisonment, to level XVI, punishable by life imprisonment without parole or by death. An adult offender is also assigned an "offender score" generally based on the number of the offender's prior convictions.

A table that matches seriousness level– of the crime with the offender score– is used to determine what sentence the offender will receive, unless the court determines that the conditions for imposing an exceptional sentence are met.

A driver of a vehicle involved in an accident must remain at the scene and provide required information, including the driver's name, address, and insurer, to any person struck or injured or any person occupying a vehicle that has been struck. The driver must also provide reasonable assistance to a person injured in an accident. A driver who is incapable of complying due to injuries sustained in the accident is not subject to penalty.

Failure to comply in the case of an accident resulting in death is a class B felony ranked at level VIII on the sentencing grid. The presumptive sentence range for a level VIII offender with no prior criminal history, is 21 to 27 months.

Summary of Bill:

The penalty for hit-and-run resulting in death is increased from seriousness level– level VIII to seriousness level– level IX. Accordingly, the presumptive sentence range for an offender with no prior criminal history increases from 21 to 27 months to 31 to 47 months.

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

Appropriation: *None.*

Fiscal Note: *Requested on January 25, 2001.*