

2SHB 1289 - H AMD 425

By Representative Hope

NOT CONSIDERED 04/22/2011

1 On page 2, line 28, after "and the alleged offense is" strike all  
2 material through "~~(C)~~" on line 37 and insert ":

3 (A) A serious violent offense as defined in RCW 9.94A.030; or

4 (B) A violent offense as defined in RCW 9.94A.030 and the juvenile  
5 has a criminal history consisting of: (I) One or more prior serious  
6 violent offenses; (II) two or more prior violent offenses; or (II)  
7 three or more of any combination of the following offenses: Any class  
8 A felony, any class B felony, vehicular assault, or manslaughter in  
9 the second degree, all of which must have been committed after the  
10 juvenile's thirteenth birthday and prosecuted separately.

11 (~~(C)~~)"

12  
13 On page 3, line 10, after "~~(II))~~" strike all material through  
14 "(A)" on line 11 and insert "(C)"

15  
16 On page 3, line 24, after "~~((III))~~" strike "(B)" and insert  
17 "(D)"

18  
19 On page 3, line 27, after "approval" strike all material through  
20 ~~plea))~~;" on line 33 and insert ".

21 If the juvenile challenges the state's determination of the  
22 juvenile's criminal history under (e)(v) of this subsection, the state  
23 may establish the offender's criminal history by a preponderance of  
24 the evidence. If the criminal history consists of adjudications  
25 entered upon a plea of guilty, the state shall not bear a burden of  
26 establishing the knowing and voluntariness of the plea(~~(+)~~).."

27

EFFECT: Provides that adult superior court has original jurisdiction over a juvenile age 16 or 17 who is charged with a serious violent offense or charged with a violent offense and has a criminal history of violent offenses, serious offenses, or other felony offenses.

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