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## Public Safety Committee

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### HB 2461

**Brief Description:** Concerning the drug offense sentencing grid.

**Sponsors:** Representatives Kagi, Goodman, Ormsby and Santos.

<p><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Makes prior temporary changes to the sentencing grid for drug offenses permanent.</li></ul>
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**Hearing Date:** 1/15/18

**Staff:** Kelly Leonard (786-7147).

**Background:**

For felony convictions, the Sentencing Reform Act (SRA) provides the framework for determining the length of sentences. Base sentences are determined by reference to a sentencing grid, which provides a standard range of months of confinement. This range is based on both the severity, or "seriousness level," of the offense and the convicted person's "offender score," which is based on the offender's criminal history. While the grid provides the base sentence, additional sentencing policies can increase or decrease a sentence. This includes, for example, enhancements, exceptional sentences, and alternative sentences.

Felony drug offenses are sentenced according to a specialized drug sentencing grid under the SRA. Prior to 2013, a person with an offender score of three to five who was being sentenced for a drug offense ranked at seriousness level I would have a presumptive sentence range of six to 18 months. In 2013 the drug grid was changed to narrow the presumptive range for an offender meeting these criteria to six to 12 months. The narrowed range is temporary and expires July 1, 2018, at which time the former presumptive sentence range of six to 18 months is reinstated.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The drug offenses ranked at seriousness level I include: Forged Prescription; Manufacturing, Delivering, or Possession with Intent to Deliver Marijuana; Possession of a Controlled Substance; and Unlawful Use of a Building for Drug Purposes.

Generally, an offender who is convicted and receives a sentence of confinement greater than one year must serve that term of confinement in a state prison facility. An offender who receives a sentence of confinement of less than one year must serve that term of confinement in a local jail.

**Summary of Bill:**

The prior modifications to the drug grid remain in effect indefinitely. A person with an offender score of three to five who is being sentenced for a drug offense ranked at seriousness level I will be subject to a presumptive range of six to 12 months of confinement.

**Appropriation:** None.

**Fiscal Note:** Requested on January 11, 2018.

**Effective Date:** The bill takes effect on July 1, 2018.