
Public Safety Committee

HB 1413

Brief Description: Scoring of prior juvenile offenses in sentencing range calculations.

Sponsors: Representatives Hackney, Berg, Simmons, Davis, Fitzgibbon, Peterson, Ormsby, Harris-Talley and Pollet.

Brief Summary of Bill

- Excludes juvenile dispositions from offender score calculations.
- Requires courts, until July 1, 2025, to grant a resentencing hearing upon the motion of a person whose sentence was increased by the inclusion of prior juvenile dispositions in the person's offender score calculation.

Hearing Date: 2/9/21

Staff: Corey Patton (786-7388).

Background:

The Sentencing Reform Act provides a determinate sentencing system in which sentencing courts generally impose sentences within a standard range. The standard range for a person is determined by reference to a grid, which provides a base sentence according to the person's offender score and the seriousness level of the present offense. The offender score is a point total based on the person's prior dispositions and convictions. Certain prior dispositions and convictions are excluded from offender score calculations if the person remains crime-free in the community for a specified period of time following release.

A person's juvenile disposition records are included in offender score calculations if the person is convicted of a subsequent adult felony. Prior juvenile dispositions are typically worth fewer points than equivalent adult convictions depending on the nature of the prior offense and the

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severity of the current offense. Most crimes committed by persons under 18 years of age adjudicated in juvenile court, but certain cases are transferred to adult court. If a person under 18 years of age is convicted in adult court, the conviction is considered an adult conviction for subsequent offender score calculations.

Summary of Bill:

A person's prior juvenile dispositions, including out-of-state and federal adjudications, may not be included in the person's offender score calculations for any subsequent adult convictions.

Upon a person's motion for relief from sentence, a sentencing court must grant an expedited resentencing hearing if the person was sentenced for an offense committed prior to the effective date of the bill and the person's offender score calculation was increased by the inclusion of prior juvenile dispositions. At the hearing, the court must resentence the person as if any juvenile dispositions were not part of the person's offender score calculation at the time the original sentence was imposed. This requirement expires on July 1, 2025.

Appropriation: None.

Fiscal Note: Requested on February 5, 2021.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.