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**SENATE CONCURRENT RESOLUTION 8408**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By Senators Niemi and A. Smith**

Read first time 04/13/93. Referred to Committee on Law & Justice.

1       WHEREAS, The laws pertaining to the sentencing of various crimes  
2 have been amended piecemeal over the last many years; and

3       WHEREAS, There is concern that disparities exist in the sentencing  
4 of crimes so that certain crimes are penalized in a disproportionate  
5 way;

6       NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of  
7 Washington, the House of Representatives concurring, That a task force  
8 on sentencing disparities be created to study the relationship between  
9 penalties for misdemeanors, gross misdemeanors, and felonies.

10       (1) The objectives of the task force are to:

11       (a) Compare the penalties for conviction of misdemeanors and gross  
12 misdemeanors with the penalties for conviction of felonies with a  
13 standard range of zero to twelve months;

14       (b) Determine whether disparities exist between sentencing at the  
15 misdemeanor and gross misdemeanor level and the felony level;

16       (c) If sentencing disparities are found, determine whether the  
17 disparities reflect differing conduct, differing treatment of criminal  
18 history, or other factors; and

19       (d) Recommend whether legislative action is necessary to ensure  
20 proportionality between the penalties for misdemeanors, gross  
21 misdemeanors, and felonies.

1 (2)(a) The task force shall have fourteen members consisting of the  
2 following:

3 (i) The speaker of the house of representatives shall appoint two  
4 members, one from each political party;

5 (ii) The president of the senate shall appoint two members, one  
6 from each political party;

7 (iii) Two district court judges and two municipal court judges  
8 selected by the district and municipal court judges association;

9 (iv) Two prosecuting attorneys selected by the Washington  
10 association of prosecuting attorneys;

11 (v) Two attorneys with substantial experience representing  
12 defendants in municipal, district, and superior court criminal cases,  
13 one selected by the Washington association of criminal defense lawyers  
14 and one selected by the Washington defender association; and

15 (vi) Two members who are the chief law enforcement officers of a  
16 county or city, selected by the Washington association of sheriffs and  
17 police chiefs.

18 (b) Organizations which select more than one member shall make a  
19 reasonable effort to ensure that the members are representative of both  
20 large and small jurisdictions.

21 (c) The members of the task force shall select a chair or cochairs  
22 from among the membership of the task force.

23 (d) The task force shall consult with any other interested parties  
24 necessary to achieve the objectives of the task force.

25 (e) Staff for the task force shall be provided by the law and  
26 justice committee of the senate and the judiciary committee of the  
27 house of representatives; and

28 BE IT FURTHER RESOLVED, That the task force submit a report to the  
29 senate law and justice committee, the house of representatives  
30 judiciary committee, and the governor with its findings and any  
31 recommendations for legislation not later than December 15, 1993.

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