

SENATE BILL REPORT

SB 5476

As of January 21, 2010

Title: An act relating to abolition of the death penalty.

Brief Description: Abolishing the death penalty.

Sponsors: Senators Murray, McDermott, Kline, Regala and Kohl-Welles.

Brief History:

Committee Activity: Judiciary: 2/10/09, 1/22/10.

SENATE COMMITTEE ON JUDICIARY

Staff: Kim Johnson (786-7472)

Background: Washington's current death penalty statute was enacted in 1981. Of the 30 people that have been sentenced to death since 1981, four have been executed.

A death sentence may be imposed only against those persons convicted of aggravated first-degree murder and only after a special sentencing proceeding has been held to determine whether the death penalty is warranted. All death sentences must be reviewed, on the record, by the Supreme Court of Washington.

Washington utilizes two methods of execution: lethal injection and hanging. Lethal injection is used unless the inmate under sentence of death chooses hanging as the preferred execution method.

Thirty-seven other states and the federal government have the death penalty. In recent years, the U.S. Supreme Court has banned execution of mentally retarded and juvenile offenders. In addition, the Court has held that a death sentence is only appropriate for murder convictions.

Summary of Bill (Proposed Substitute): The death penalty is abolished in the state of Washington.

EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Proposed Substitute): The title is changed to "AN ACT Relating to reducing criminal justice expenses by eliminating the death penalty in favor of life incarceration."

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.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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