
Public Safety Committee

HB 1060

Brief Description: Scoring an offense a class C felony equivalent if the offense was a felony under the relevant out-of-state statute when there is no clearly comparable offense under Washington law.

Sponsors: Representative Goodman.

Brief Summary of Bill

- Establishes that, for the purpose of an offender score, an out-of-state felony conviction for which there is no clearly comparable offense under Washington law will be scored as a class C felony equivalent.

Hearing Date: 1/24/13

Staff: Sarah Koster (786-7303).

Background:

Under the Sentencing Reform Act, sentences for felony offenses are determined by reference to a sentencing grid. The sentencing grid provides a standard range of months for the sentence, 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.

An offender score can vary from zero to nine-plus. There are various factors which affect the calculation of an offender's score: (1) the number of prior criminal convictions or juvenile dispositions; (2) the relationship between any prior offenses and the current offense; (3) any other current convictions; (4) the offender's community custody status at the time the crime was committed; and (5) the length of time between convictions.

Any adult felony criminal conviction counts as criminal history unless it constituted the "same criminal conduct" as a different conviction counted in the offender score or if it has "washed out" because of the length of time in the community with no new conviction. Class A felonies and

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felony sex offenses never wash out; class B felonies wash out after 10 consecutive years in the community without having been convicted of any crime; and class C felonies wash out after five years in the community without having been convicted of any crime.

Federal or out-of-state convictions are included in an offender's score the same as a comparable offense under Washington law would be. For federal offenses, if there is no clearly comparable offense under Washington law, the offense will be scored as a class C felony equivalent if it was a felony under the relevant federal statute.

Summary of Bill:

For out-of-state or federal felony convictions, if there is no clearly comparable offense under Washington law, the offense will be scored as a class C felony for the purpose of calculating an offender score.

Appropriation: None.

Fiscal Note: Available.

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