

HOUSE BILL REPORT

SHB 2075

As Amended by the Senate:

Title: An act relating to the finding of aggravating circumstances for the commission of violent offenses against pregnant women.

Brief Description: Making the commission of an offense against a pregnant woman an aggravating circumstance.

Sponsors: By House Committee on Law & Justice (originally sponsored by Representatives Costa, Lambert, Veloria, Ballasiotes, Scott, Chappell, Patterson, Kessler, H. Sommers, Appelwick, Romero, Morris and Tokuda).

Brief History:

Committee Activity:

Law & Justice: 2/2/96 [DPS];
Appropriations: 2/3/96 [DPS(LJ)].

Floor Activity:

Passed House: 2/8/96, 97-0.
Senate Amended.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Dellwo, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Murray; Robertson; Smith; Sterk and Veloria.

Staff: Pat Shelledy (786-7149).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Law & Justice be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Huff, Chairman; Clements, Vice Chairman; Pelesky, Vice Chairman; H. Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Beeksma; Brumsickle; Carlson; Chappell; Cooke; Crouse; Dellwo; Dyer; Foreman; Grant;

Hargrove; Hickel; Kessler; Lambert; Linville; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Talcott and Wolfe.

Staff: Dave Johnson (786-7154).

Background: When an adult defendant is convicted of a felony, the court generally sentences the defendant to a determinate term within the standard range established for the offense. The standard range of confinement is established based on the seriousness of the crime and the defendant's criminal history. The court may sentence the defendant to a term of confinement below or above the standard range if the court finds that mitigating or aggravating circumstances exist that warrant imposition of an exceptional sentence.

Summary of Bill: An additional aggravating factor is added to the list of aggravating factors upon which an exceptional sentence above the standard range may be imposed on an adult defendant convicted of a violent crime. That factor is that the defendant knew or should have known that the victim of the offense was pregnant.

EFFECT OF SENATE AMENDMENT(S): The aggravating factor is limited to cases in which the defendant knew that the victim was pregnant.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: (Law & Justice) There is no additional penalty under law for murdering or assaulting a pregnant woman.

(Appropriations) None.

Testimony Against: (Law & Justice) None.

(Appropriations) None.

Testified: (Law & Justice) Representative Costa, prime sponsor; and Earl and Winona Latta, citizens (pro).

(Appropriations) None.