

HOUSE BILL REPORT

SHB 1140

As Passed Legislature

Title: An act relating to the use of criminal history in sentencing of offenders.

Brief Description: Revising procedures for using criminal history in sentencing of offenders.

Sponsors: By House Committee on Corrections (originally sponsored by Representatives Ballasiotes, Horn, Blanton, Costa and Honeyford).

Brief History:

Committee Activity:

Corrections: 2/7/95, 2/15/95 [DPS].

Floor Activity:

Passed House: 3/7/95, 93-0.

Senate Amended.

Senate Receded.

Passed Legislature.

HOUSE COMMITTEE ON CORRECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Ballasiotes, Chairman; Blanton, Vice Chairman; Sherstad, Vice Chairman; Quall, Ranking Minority Member; Tokuda, Assistant Ranking Minority Member; Cole; Dickerson; Koster; Radcliff and Schoesler.

Staff: Rick Neidhardt (786-7841).

Background: The sentencing of adult felons is governed by the Sentencing Reform Act (SRA). The SRA sets out standard ranges of punishment to guide judicial sentencing decisions. The standard ranges are determined from two factors, one of which is the felon's criminal history.

Under the SRA, a defendant's criminal history is "scored" and assigned a number of points. The more serious the criminal history, the higher the defendant's point total, and in turn, the longer the defendant's standard range of confinement.

The general rule is that a defendant receives a certain number of points for each felony in the defendant's criminal history. This general rule has many exceptions. This bill deals with some of these exceptions.

"Washout" provisions. Some offenses in a defendant's criminal history are not scored if enough time has elapsed since the time of the conviction. When this happens, the prior offense is said to "wash out" from the defendant's criminal history. The SRA's washout provisions for prior adult convictions are as follows: