

6253

Sponsor(s): Senators Smith, Kohl and Long; by request of Sentencing Guidelines Commission

Brief Description: Revising the duties of the sentencing guidelines commission.

SB 6253 - DIGEST

(DIGEST AS ENACTED)

Directs the commission to evaluate state sentencing policy to determine if the policies of RCW 9.94A.010 and the intent of the legislature to emphasize confinement for violent offenders and alternatives to confinement for nonviolent offenders is being met.

Requires a report by December 1, 1996, and every two years thereafter.

Requires consideration of such factors as racial disproportionality in sentencing, the capacity of facilities and resources, and recidivism information.

Directs the commission to recommend disposition standards for all offenses subject to the juvenile justice act by December 1, 1997.

Increases the membership of the commission.

Transfers some responsibilities of the juvenile disposition standards commission to the sentencing guidelines commission.

Requires juvenile courts to release records to the sentencing guidelines commission for its research and data-gathering functions.

Repeals RCW 13.40.027.

Provides that the act shall be null and void if appropriations are not approved.

VETO MESSAGE ON SB 6253

March 28, 1996

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 10, Senate Bill No. 6253 entitled:

"AN ACT Relating to the sentencing guidelines commission;"

Senate Bill No. 6253 updates the powers and duties and expands the membership of the Sentencing Guidelines Commission (Commission). This legislation recognizes the need to assess the current status of adult felony sentencing as well as the need to reform disposition standards for juvenile offenders. In order to provide needed representation and perspective on the Commission, membership is increased to add a victim of crime or victims' advocate, a county elected official, a city elected official, a juvenile court administrator, and the head of the state agency responsible for juvenile corrections (currently the assistant secretary for the Juvenile Rehabilitation Administration of the Department of Social and Health Services). The chair of the

Clemency and Pardons Board is removed from membership.

Section 10 of Senate Bill No. 6253 repeals these changes and restores the Commission's current membership structure effective June 30, 1999. Because the Commission's responsibilities are not expected to change at that time, there is no reason for repealing these changes. The need for this representation and variety of perspectives will be at least as great in 1999 as it is now. Further, the repeal would not provide a significant savings to taxpayers since Commission members serve part-time and receive only reimbursement of actual costs and, in the case of citizen members, per diem for meetings.

For these reasons, I have vetoed section 10 of Senate Bill No. 6253.

With the exception of section 10, Senate Bill No. 6253 is approved.

Respectfully submitted,
Mike Lowry
Governor