

**HOUSE BILL ANALYSIS**  
**SSB 6516**

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**Title:** An act relating to first degree murder.

**Brief Description:** Providing for the possibility of life imprisonment for first degree murder.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Roach, Goings, Hochstatter, Benton, Rossi, Patterson, Oke, Schow, Johnson, McDonald, Stevens, Strannigan, Fraser, Sellar, Prentice, Bauer, and Rasmussen).

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**HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS**

**Hearing Date:** February 24, 1998.

**Prepared By:** Mark G. Hamilton, Counsel (786-7310).

**Background:** *Murder in the First Degree.* Murder in the first degree occurs when a person causes the death of another person (1) with premeditated intent; (2) under circumstances manifesting extreme indifference to human life, when the offender engages in conduct which creates a grave risk of death; or (3) during the commission or attempted commission (or flight therefrom) of (a) robbery in the first or second degree, (b) rape in the first or second degree, (c) burglary in the first degree, (d) arson in the first or second degree, or (e) kidnapping in the first or second degree. Murder in the first degree is a class A felony and is ranked at seriousness level XIV for sentencing purposes, with the term of total confinement ranging from 240 months (20 years) to 540 months (45 years, 8 months). (RCW 9A.32.030.)

*Aggravated First Degree Murder.* Aggravated first degree murder is murder in the first degree committed with one or more of 12 aggravating circumstances. Aggravated first degree murder is a class A felony and is ranked at seriousness level XV for sentencing purposes. It is punishable by either life imprisonment without the possibility of parole or by death. (RCW 10.95.020.)

**Summary:** *New Seriousness Level in Sentencing Guidelines.* A new seriousness level is created in the sentencing grid — Level XVI. The maximum penalties of life imprisonment without parole or death are moved to new level XVI. Level XV has the same minimum punishment as level XIV (*i.e.*, 240 months (20 years)), but has a maximum sentence of life imprisonment without parole.

Aggravated first degree murder is moved to new seriousness level XVI. Murder in the first degree is moved to new seriousness level XV. The sentencing court is permitted to sentence a person convicted of murder in the first degree to a minimum term of 20 years or a maximum of life imprisonment without parole.

The rule imposed on the sentencing guidelines commission that the minimum term cannot be less than 75 percent of the maximum term within a range of possible sentences is waived in the case of murder in the first degree.

**Rules Authority:** No.

**Fiscal Note:** Requested for substitute bill; available for original bill.

**Effective Date:** July 1, 1998.