

SENATE BILL REPORT

SHB 1176

As Reported By Senate Committee On:
Law & Justice, April 3, 1997

Title: An act relating to persistent offenders.

Brief Description: Adding child rape to the two strikes list.

Sponsors: House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Koster, Boldt, Smith, Backlund, Dunn, McMorris, Schoesler, Sheldon, Johnson, DeBolt and Mulliken).

Brief History:

Committee Activity: Law & Justice: 3/24/97, 4/3/97 [DP-WM].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Goings, Hargrove, Kline, McCaslin, Stevens and Zarelli.

Staff: Mychal Schwartz (786-7444)

Background: Rape of a child in the first degree and rape of a child in the second degree are not included in the Two Strikes and You're Out- portion of the persistent offender statute. It has been suggested that each of these crimes should be included in the "two strikes" section under certain circumstances.

A person commits rape of a child in the first degree when the person has sexual intercourse with a child who is less than 12 years old and not married to the perpetrator, and the perpetrator is at least two years older than the child.

A person commits rape of a child in the second degree when the person has sexual intercourse with a child who is at least 12 years old, but less than 14 years old and not married to the perpetrator, and the perpetrator is at least three years older than the child.

Summary of Bill: Rape of a child in the first degree is added to the Two Strikes and You're Out- portion of the persistent offender statute when the convicted offender was at least 16 at the time of the offense.

Rape of a child in the second degree is added to the Two Strikes and You're Out- portion of the persistent offender statute when the convicted offender was at least 18 at the time of the offense.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: No one.