

# SENATE BILL REPORT

## SB 5863

---

As of March 3, 1997

**Title:** An act relating to comparisons of judges' sentencing practices to guidelines.

**Brief Description:** Requiring specific comparisons of judges' sentencing practices to guidelines.

**Sponsors:** Senators Roach and Oke.

**Brief History:**

**Committee Activity:** Law & Justice: 3/5/97.

---

### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Martin Lovinger (786-7443)

**Background:** In 1995, the Legislature passed Initiative 159, known as "Hard Time for Armed Crime." The focus of Initiative 159 was on increasing penalties for crimes involving firearms. Among other provisions, the Sentencing Guidelines Commission is required to track sentencing information for each superior court judge, and provide a comparison of each judge's sentencing practices with the standard sentencing range.

In December, 1996, the first Sentencing Guidelines Commission's Report on Judicial Sentencing Practices was released. A number of people who support the intent of Initiative 159 have expressed serious concern that the information provided in the report is not adequate for the public to make a meaningful comparison in order to cast an informed vote in judicial elections

**Summary of Substitute Bill:** The contents of the report that the Sentencing Guidelines Commission must make comparing each individual judge's sentencing practices to the standard sentencing range is set forth in a list of specific requirements.

The report must provide for each offense: the county where filed, the cause number, the most serious offense for which the defendant was sentenced, the actual confinement term imposed, the sentence type, and the reason for any exceptional sentence.

The type of sentence must specify whether it is a standard range sentence, a first-time offender waiver, a special sex offender sentence, a special drug offender sentence, a persistent offender life sentence, a mitigated exceptional sentence, or an aggravated exceptional sentence.

**Substitute Bill Compared to Original Bill:** The original bill was not considered.

**Appropriation:** None.

**Fiscal Note:** Available.

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