

# SENATE BILL REPORT

## SB 6467

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As of January 29, 2002

**Title:** An act relating to sentencing of offenders.

**Brief Description:** Changing provisions relating to sentencing of offenders.

**Sponsors:** Senators Kline, Hargrove, Costa and Regala; by request of Department of Corrections.

**Brief History:**

**Committee Activity:** Judiciary: 1/29/02.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Aldo Melchiori (786-7439)

**Background:** A person convicted of a felony that is not ranked on the sentencing grid may receive a sentence of not more than one year of confinement. For offenses that are ranked, the standard range sentence is determined by the seriousness of the current offense and the offender's criminal history. Points are assigned for each prior offense and if the offender accumulates points, he or she is subjected to a longer possible period of confinement. Some past offenses are assigned multiple points in certain situations.

The sentence length of an offender in a city jail, county jail, or state correctional facility may be reduced by earned release credits. These credits are earned for good behavior and good performance as determined by the correctional agency with jurisdiction; they are not automatic. Offenders convicted of serious violent offenses or a sex offense that is a class A felony committed after July 1, 1990, may earn up to a 15 percent reduction in their sentence length. In all other cases, the offender may earn up to a 33 percent reduction in sentence length. Persistent offenders are not eligible for earned early release credits.

**Summary of Substitute Bill:** If the present conviction is for burglary in the second degree or residential burglary, two points are counted for each prior adult or juvenile conviction for burglary in the first degree and one point for each prior adult or juvenile conviction for burglary in the second degree or residential burglary.

Offenders who have been convicted of an "uncategorized offense", a drug offense ranked below seriousness level X or unranked, or a serious traffic offense may earn up to a 50 percent reduction in sentence length. Offenders receiving the drug offender sentencing alternative are not eligible for the 50 percent reduction. An "uncategorized offense" is an offense that is not a drug offense, felony traffic offense, most serious offense, serious traffic offense, sex offense, violent offense, or crime against persons.

The provisions of the act apply to sentences imposed on or after July 1, 2002.

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

**Appropriation:** None.

**Fiscal Note:** Requested on January 23, 2002.

**Effective Date:** The act takes effect July, 1, 2002.