
HOUSE BILL 1957

State of Washington

57th Legislature

2001 Regular Session

By Representatives Kagi, Lambert, Keiser and O'Brien

Read first time 02/09/2001. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to persistent offender sentencing; amending RCW
2 9.94A.560; creating a new section; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.94A.560 and 2000 c 28 s 6 are each amended to read
5 as follows:

6 Notwithstanding the statutory maximum sentence or any other
7 provision of this chapter, a persistent offender shall be sentenced to
8 a mandatory minimum term of at least twenty-five years of total
9 confinement ((for-life)) without the possibility of release or, when
10 authorized by RCW 10.95.030 for the crime of aggravated murder in the
11 first degree, sentenced to death. The court may, in the court's
12 discretion, impose a mandatory minimum sentence of more than twenty-
13 five years for a persistent offender. In addition, no offender subject
14 to this section may be eligible for community custody, earned release
15 time, furlough, home detention, partial confinement, work crew, work
16 release, or any other form of release as defined under RCW 9.94A.150
17 (1), (2), (3), (4), (6), (8), or (9), or any other form of authorized
18 leave from a correctional facility while not in the direct custody of
19 a corrections officer or officers, except: (1) In the case of an

1 offender in need of emergency medical treatment; or (2) for the purpose
2 of commitment to an inpatient treatment facility in the case of an
3 offender convicted of the crime of rape in the first degree.

4 NEW SECTION. **Sec. 2.** An offender who was convicted as a
5 persistent offender prior to the effective date of this act and
6 sentenced to life imprisonment without possibility of release is
7 entitled to a resentencing hearing. The offender may make a motion for
8 relief from sentence to the original sentencing court. The sentencing
9 court in the discretion of the court may resentence the offender to a
10 mandatory minimum term of at least twenty-five years of imprisonment.

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