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**SUBSTITUTE HOUSE CONCURRENT RESOLUTION 4426**

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**State of Washington**

**56th Legislature**

**2000 Regular Session**

**By** House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Ballasiotes, Kagi, Clements, Constantine, D. Sommers, Conway, Talcott, Cody, Schual-Berke, Lovick, Miloscia, Kenney, Kastama, Hurst and Haigh)

Read first time 01/26/2000. Referred to Committee on .

1           WHEREAS, RCW 9.94A.040(2)(a) directs the Sentencing Guidelines  
2 Commission to evaluate state sentencing policy, to include whether the  
3 sentencing ranges and standards are consistent with and further the  
4 purposes of the Sentencing Reform Act of 1981, and the intent of the  
5 legislature to emphasize confinement for the violent offender and  
6 alternatives to confinement for the nonviolent offender; and

7           WHEREAS, RCW 9.94A.040(2) (b) and (c) directs the Sentencing  
8 Guidelines Commission to recommend to the legislature revisions or  
9 modifications to the standard sentencing ranges, state sentencing  
10 policy, prosecuting standards, and other standards, as well as to the  
11 existing criminal code; and if implementation of the revisions or  
12 modifications would result in exceeding the capacity of correctional  
13 facilities, then the commission is directed to accompany its  
14 recommendation with an additional list of standard sentence ranges  
15 which are consistent with correction capacity; and

16           WHEREAS, Since its adoption, numerous changes have been made in the  
17 Sentencing Reform Act, resulting in substantial increases in the  
18 lengths of prison sentences and in the population of the state's  
19 prisons, which presently exceed both rated and operational capacity;  
20 and

1       WHEREAS, Current fiscal constraints on state and local governments  
2 demand the most cost-effective use of tax dollars for all purposes, and  
3 prison construction and operation are the most expensive components of  
4 the criminal justice system and must be used wisely in order to allow  
5 adequate funding of other public services and programs and to achieve  
6 maximum public safety per dollar spent; and

7       WHEREAS, Studies are now available, including those conducted by  
8 the Washington State Institute for Public Policy, which demonstrate the  
9 cost-effectiveness of various custody options in terms of savings of  
10 future crime victim and criminal justice system costs by reducing  
11 recidivism;

12       NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of  
13 the State of Washington, the Senate concurring, That the Sentencing  
14 Guidelines Commission shall conduct a comprehensive review and  
15 evaluation of state sentencing policy, including whether current  
16 sentencing ranges and standards, as well as existing mandatory minimum  
17 sentences, existing sentence enhancements, and special sentencing  
18 alternatives, are consistent with the purposes of the Sentencing Reform  
19 Act as set out in RCW 9.94A.010, with the intent of the legislature to  
20 emphasize confinement for the violent offender and alternatives to  
21 confinement for the nonviolent offender, and whether current sentencing  
22 ranges and standards are consistent with existing corrections capacity.  
23 Such review and evaluation shall include consideration of cost-  
24 effectiveness and other studies performed by the Washington State  
25 Institute for Public Policy, as well as the fiscal impact of sentencing  
26 policies on state and local government. In conducting the review and  
27 evaluation, the commission shall consult with the Superior Court  
28 Judges' Association, the Washington Association of Prosecuting  
29 Attorneys, the Washington Defenders' Association, the Washington  
30 Association of Criminal Defense Lawyers, the Washington Association of  
31 Sheriffs and Police Chiefs, organizations representing crime victims,  
32 and other organizations and individuals with expertise and interest in  
33 sentencing policy; and

34       BE IT FURTHER RESOLVED, That by December 1, 2001, the commission  
35 shall present to the legislature the report of its comprehensive review  
36 and evaluation, together with its recommendations for revisions and  
37 modifications to state sentencing policy, including sentencing ranges  
38 and standards, mandatory minimum sentences, and sentence enhancements;  
39 and

1       BE IT FURTHER RESOLVED, That if implementation of the  
2 recommendations of the commission would result in exceeding the  
3 capacity of correctional facilities, the commission shall at the same  
4 time present to the legislature a list of revised standard sentence  
5 ranges which are consistent with currently authorized rated and  
6 operational corrections capacity, and consistent with the purposes of  
7 the Sentencing Reform Act.

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