

SENATE BILL REPORT

HB 2064

As Reported By Senate Committee On:
Human Services & Corrections, March 31, 2005

Title: An act relating to the date of the offense for the purposes of automatic transfer of jurisdiction.

Brief Description: Clarifying provisions relating to automatic transfer of jurisdiction from juvenile court.

Sponsors: Representatives Roberts, McDonald, Darneille, Moeller, Ericks, Lantz, McCune, Dickerson and Kagi.

Brief History: Passed House: 3/09/05, 96-0.

Committee Activity: Human Services & Corrections: 3/21/05, 3/31/05 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Kiki Keizer (786-7430)

Background: Generally, the juvenile court has exclusive original jurisdiction over juveniles under age 18 who are charged with a criminal offense, traffic infraction, or violation. However, if a juvenile is 16 or 17 years old and accused of committing certain violent offenses, the adult criminal court has exclusive original jurisdiction.

The Supreme Court of Washington has interpreted the statute placing jurisdiction in the adult criminal court to refer to the age of the offender at the time of the proceedings, rather than at the time of the offense.

Summary of Bill: The adult criminal court's exclusive original jurisdiction over certain offenders aged 16 or 17 is based on the age of the offender at the time of the offense, rather than at the time of the proceedings.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: The bill reflects the original intent of the legislature and corrects the courts' misinterpretation of the law.

Testimony Against: None.

Who Testified: PRO: Representative Mary Helen Roberts, prime sponsor; George Yeannakis, Washington Defender Association.