

FINAL BILL REPORT

SSB 6105

C 117 L 04

Synopsis as Enacted

Brief Description: Revising penalties for animal cruelty.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senator McCaslin).

Senate Committee on Judiciary

House Committee on Juvenile Justice & Family Law

Background: Washington's Juvenile Justice Act, RCW 13.40, establishes procedures for superior courts to handle cases involving criminal offenses committed by persons under 18 years old. The act authorizes prosecution of certain juvenile offenders as adults. The juvenile courts have discretion to decline jurisdiction and transfer certain juvenile offenders to adult court.

If a juvenile is eligible for a deferred disposition, the juvenile court may continue the case for disposition for a period not to exceed one year from the date the juvenile is found guilty and place the juvenile under community supervision. The court will require payment of restitution and may impose other conditions of supervision it deems appropriate. At the conclusion of the period of deferral, if there has been full compliance, the court will vacate the juvenile's conviction.

Animal cruelty in the first degree is a class C felony and is classified as an offense category C for a juvenile. The standard range disposition for a juvenile who is found to have committed animal cruelty in the first degree is composed of "local sanctions." Local sanctions include all or any of the following: 0 to 30 days confinement, 0 to 12 months community supervision, 0 to 150 hours community restitution, and \$0 to \$500 fine. The standard range disposition for a juvenile offender who commits animal cruelty in the first degree and has two prior convictions for animal cruelty in the first degree is also local sanctions. The fourth conviction for animal cruelty in the first degree involves a standard range disposition of 15 to 36 weeks confinement.

Summary: The juvenile court may impose a deferred disposition on a juvenile convicted of animal cruelty first degree and require the offender to submit to a mental health evaluation. After consideration of the results, the court may order the offender to attend treatment as a condition of community supervision. At the conclusion of the period in the order of deferral, the offender's conviction for animal cruelty first degree is not vacated from his or her record. Animal cruelty first degree is ranked as offense category B which involves a standard range disposition of local sanctions for a first and second offense (0 to 30 days, 0 to 12 months community supervision, 0 to 150 hours community restitution, and \$0 to \$500 fine).

Votes on Final Passage:

Senate 49 0

House 96 0 (House amended)
Senate 49 0 (Senate concurred)

Effective: July 1, 2004