

# FINAL BILL REPORT

## SB 6253

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### PARTIAL VETO

C 232 L 96

Synopsis as Enacted

**Brief Description:** Revising the duties of the sentencing guidelines commission.

**Sponsors:** Senators Smith, Kohl and Long; by request of Sentencing Guidelines Commission.

**Senate Committee on Law & Justice**

**Senate Committee on Ways & Means**

**House Committee on Corrections**

**House Committee on Appropriations**

**Background:** The 1995 Legislature passed a bill which gave the responsibilities of the Juvenile Disposition Standards Commission to the Sentencing Guidelines Commission effective after June 30, 1997. However, the legislation did not provide any specific policy directives.

The basic powers and duties of the Sentencing Guidelines Commission were defined in 1981, and current law directs the commission to perform tasks that were needed in 1981. It is recommended that the law be updated to reflect what the Legislature now wants the commission to do.

**Summary:** The responsibilities of the Sentencing Guidelines Commission include evaluating the effectiveness of existing juvenile disposition standards and preparing biennial reports on state sentencing policy, racial disproportionality, juvenile and adult corrections capacity, and recidivism. The commission must recommend new juvenile disposition standards by December 1, 1996, and produce a preliminary report by July 1, 1997. The Sentencing Guidelines Commission takes over the responsibilities of the Juvenile Dispositions Standards Commission on July 1, 1996, and the Juvenile Dispositions Standards Commission ceases to exist on June 30, 1996.

The commission must study the feasibility of creating a disposition option that allows a court to order minor/first or middle offenders into inpatient substance abuse treatment.

Disposition and institutional options for serious or chronic offenders between the ages of 15 and 25 must also be recommended by the commission. One option must include development of a youthful offender disposition option.

The commission must consider (1) whether juveniles prosecuted for committing violent, sex, or repeated property offenses should be automatically prosecuted as adults, and (2) whether prosecutors should be allowed to determine in which system a juvenile should be prosecuted.

The membership of the Sentencing Guidelines Commission is expanded to 20 and includes an elected official from county government, one from city government, an administrator of

juvenile court services, and the head of the state agency having responsibility for juvenile corrections programs. One of the four citizen members is required to be a crime victim or a crime victims' advocate. The chair of the Clemency and Pardons Board is removed as a commission member.

Juvenile courts are required to release to the Sentencing Guidelines Commission records needed for its research and data-gathering functions.

**Partial Veto Summary:** The expanded structure of the Sentencing Guidelines Commission continues indefinitely and does not terminate on June 30, 1999.

**Votes on Final Passage:**

Senate	48	0	
House	94	0	(House amended)
Senate	46	0	(Senate concurred)

**Effective:** March 28, 1996 (Sections 1-8)

June 6, 1996

July 1, 1996 (Section 9)