



STATE OF WASHINGTON

SENTENCING GUIDELINES COMMISSION

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December 12, 2008

MEMORANDUM

To: COMMISSION

From: Jean Soliz-Conklin *JS*

RE: Ad Hoc Committee on Sex Offender Statutes of Limitation

ACTION REQUESTED: The Commission is asked to vote on the Committee proposal.

Background

The 2008 Legislature asked the Sentencing Guidelines Commission to review statutes of limitations related to sex offenses in Senate Bill 6362. The SGC was asked to report any recommendations for revision to the Legislature by December 1, 2008.

Although the bill did not pass, the prime sponsors (Senators Marr and Hargrove) have asked that the SGC conduct the review anyway. Chairman Boerner appointed an Ad Hoc Committee in July.

Committee members are Mason County Commissioner Lynda Ring-Erickson, Senator Adam Kline, Jeri Costa, Chair of the Indeterminate Sentence Review Board, and SGC Citizen Member Tim Killian, owner of Eventure Communications.

The Ad Hoc Committee reviewed the Washington statutes and data about how other states limit criminal prosecutions for sex crimes. The committee held a community discussion on September 26th. (See attached summary.) The testimony at the meeting focused on sex crimes against children only. No one has contacted the SGC about issues other than statutes of limitation for sex crimes against children.

The attached chart demonstrates that Washington has a differentiated limitations schedule, which takes into consideration the type of crime, the age of the victim and, sometimes, the age of the perpetrator.

Proposal

The Ad Hoc Committee recommends that the SGC propose to the legislature that the statute of limitation time frames be extended by eight years for each crime category. Testimony at the community discussion made it clear the current statutes may require people who were abused as children to come forward before they are into their adulthood and independent from their families.