

Excerpts from Court decisions discussing sentencing complexities

State v. Jones, 118 Wash.App. 199, 76 P.3d 258 (2003)

“Before closing, we want to observe that the trial court should not be faulted for the defects in its judgment and sentence. Since 1981, the SRA has been amended by 175 session laws, an average of almost *eight per year!* (32) It has become so astoundingly and needlessly complex that it cannot possibly be used both quickly and accurately. It is extremely difficult to identify what statute applies to a given crime, much less to coordinate that statute with others that may be related. The situation was recognized but not remedied—it may even have been exacerbated—by wholesale recodifications in 2001. The SRA screams for thoughtful simplification.”

In re Pers. Restraint of LaChapelle. 153 Wn.2d 1, 7, 100 P.3d 805 (2004)

“Because each offense must be analyzed under the law in effect at the time the offense was committed, each time the SRA is amended, it adds an additional level of complexity to the task of the courts as well as the prosecution, the defense and the Department of Corrections. In *Jones*, the trial court was required to analyze and attempt to harmonize three separate amendments to the SRA. As Judge Dean Morgan observed in *Jones*, “[i]t is extremely difficult to identify what statute applies to a given crime, much less to coordinate that statute with others that may be related.” *Id.* At 211-12, 76 P.3d 258. Since the SRA was adopted in 1981, it has been amended by 181 session laws. [4] The complexity and difficulty applying the SRA is exacerbated by each successive change to the SRA. Interpreting and harmonizing amendments to the SRA has increasingly occupied the time of both trial and appellate courts. In all likelihood this trend will continue. In the 58th legislature alone, 97 bills were introduced, which proposed a total of 262 changes to the SRA. Notwithstanding constant modifications [100 P.3d 809] to the law, courts strive to make the law clear, understandable, and predictable.”