

HOUSE MESSAGE SUMMARY

BILL: SB 1548, 2nd Eng. [S1548.HMS]
SPONSOR: Senators Brown-Waite and Cowin
SUBJECT: Prosecution of Juveniles
PREPARED BY: Senate Committee on Criminal Justice
DATE: May 4, 2000

I. Amendments Contained in Message

House Amendment 1- 591283 (Body with title)

II. Summary of Amendments Contained in Message

House Amendment 1 is a strike-everything amendment that incorporates the substance of SB 1548, the “10-20-life” gun bill applied to juveniles, with the following changes:

- ▶ adds “attempt to commit” the enumerated serious felonies under 10-20-life, which is consistent with other current direct file provisions;
- ▶ adds drug trafficking back in the list of enumerated offenses applicable under the bill (similar to adult 10-20-life);
- ▶ omits the Senate’s definition of “actual possession” which is different from what is provided in the adult 10-20-life statute;
- ▶ requires a prior adjudication or withhold of adjudication for a forcible felony, an offense involving a gun, or a prior offense resulting in residential commitment before the juvenile could be sentenced to 10 years as an adult under 10-20-life for possessing a gun while committing an enumerated offense;
- ▶ provides if a juvenile does not meet these requirements, the court can sentence the juvenile to juvenile sanctions, but only if the court commits the juvenile to a high-risk or maximum-risk facility;
- ▶ provides a prosecutor discretion in determining whether to prosecute the juvenile as an adult under the 10-20-life statute, if exceptional circumstances exist;
- ▶ requires DOC to make reasonable efforts to separate these 16 and 17 year olds from adult offenders in prison; and
- ▶ allows the department to use existing money to advertise the penalties under the bill.