
SUBSTITUTE HOUSE BILL 1789

State of Washington

65th Legislature

2017 Regular Session

By House Public Safety (originally sponsored by Representatives Jinkins, Pettigrew, Frame, Stambaugh, Ortiz-Self, Fitzgibbon, Macri, Ormsby, and Gregerson)

READ FIRST TIME 02/17/17.

1 AN ACT Relating to rehabilitated offenders; and creating a new
2 section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) Subject to the availability of amounts
5 appropriated for this specific purpose, by December 1, 2017, the
6 sentencing guidelines commission shall contract for the services of
7 an external consultant to evaluate the state's sentencing laws and
8 practices. The consultant must have demonstrated experience and
9 knowledge in Washington's sentencing system and other sentencing
10 systems and models in other states and nations. The consultant must
11 have demonstrated experience in conducting significant research
12 studies. The evaluation must include:

13 (a) An assessment of sentencing complexities in law and in
14 implementation, including an assessment of possible challenges faced
15 by the courts, jails, and the department of corrections;

16 (b) An assessment of whether the sentencing reform act conforms
17 to its intended purposes, including reducing disparity between
18 similarly situated offenders;

19 (c) An assessment of the sentencing changes adopted by the
20 legislature since 1981, including frequency, nature, and impact;

1 (d) An assessment of sentence lengths among different categories
2 of offenders and whether those sentences conform to current research
3 literature on the relationship between sentences lengths and
4 recidivism;

5 (e) An assessment of the consistent or inconsistent application
6 and impact of sentencing laws on offenders and the community;

7 (f) An assessment of the state's sentencing laws and practices as
8 compared to other states and other sentencing models including, but
9 not limited to, whether the current sentencing laws and practices
10 promote public safety, fairness, and equity as compared to other
11 models of sentencing;

12 (g) An assessment of whether the elimination of the parole system
13 and establishment of determinate sentencing is connected to or has
14 resulted in excessive incarceration of low-risk offenders;

15 (h) Recommendations for changing and improving sentencing laws
16 and practices to address implementation challenges, promote public
17 safety, reduce recidivism, reduce disparity, reduce incarceration
18 rates for low-risk offenders, reduce costs to taxpayers, and promote
19 fairness and equity, including a phased implementation plan for
20 possible retroactive and prospective changes; and

21 (i) Recommendations for establishing an ongoing review of
22 sentencing laws and practices.

23 (2) The consultant shall complete its evaluation and submit a
24 report to the commission, the appropriate committees of the
25 legislature, and the governor by September 1, 2018. The contract for
26 services must include a requirement for two briefings before the
27 legislature, one in the house of representatives and one in the
28 senate, in the 2019 regular legislative session.

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