
SENATE BILL 5917

State of Washington

66th Legislature

2019 Regular Session

By Senators Hasegawa, Saldaña, Nguyen, Randall, Das, Darneille, and Wilson, C.

Read first time 02/14/19. Referred to Committee on Law & Justice.

1 AN ACT Relating to petitions to the clemency and pardons board
2 for persons subject to deportation proceedings; and reenacting and
3 amending RCW 9.94A.885.

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

5 **Sec. 1.** RCW 9.94A.885 and 2009 c 325 s 6 and 2009 c 138 s 4 are
6 each reenacted and amended to read as follows:

7 (1) The clemency and pardons board shall receive petitions from
8 individuals, organizations, and the department for review and
9 commutation of sentences and pardoning of offenders in extraordinary
10 cases, and shall make recommendations thereon to the governor.

11 (2) If a petitioner indicates in the petition an urgent need for
12 the pardon or commutation, including, but not limited to, a pending
13 deportation order or deportation proceeding, the board shall consider
14 expedited review of the application.

15 (3) The board shall receive petitions from individuals or
16 organizations for the restoration of civil rights lost by operation
17 of state law as a result of convictions for federal offenses or out-
18 of-state felonies. The board may issue certificates of restoration
19 limited to engaging in political office. Any certifications granted
20 by the board must be filed with the secretary of state to be

1 effective. In all other cases, the board shall make recommendations
2 to the governor.

3 ~~((3))~~ (4) The board shall not recommend that the governor grant
4 clemency under subsection (1) of this section until a public hearing
5 has been held on the petition. The prosecuting attorney of the county
6 where the conviction was obtained shall be notified at least thirty
7 days prior to the scheduled hearing that a petition has been filed
8 and the date and place at which the hearing on the petition will be
9 held. The board may waive the thirty-day notice requirement in cases
10 where it determines that waiver is necessary to permit timely action
11 on the petition. A copy of the petition shall be sent to the
12 prosecuting attorney. The prosecuting attorney shall make reasonable
13 efforts to notify victims, survivors of victims, witnesses, and the
14 law enforcement agency or agencies that conducted the investigation,
15 of the date and place of the hearing. Information regarding victims,
16 survivors of victims, or witnesses receiving this notice are
17 confidential and shall not be available to the offender. The board
18 shall consider statements presented as set forth in RCW 7.69.032.
19 This subsection is intended solely for the guidance of the board.
20 Nothing in this section is intended or may be relied upon to create a
21 right or benefit, substantive or procedural, enforceable at law by
22 any person.

23 (5) An applicant is eligible for a pardon, commutation, or
24 restoration of civil rights without regard to his or her immigration
25 status.

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