

2SHB 1789 - S COMM AMD

By Committee on Ways & Means

1 Strike everything after the enacting clause and insert the
2 following:

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

12 (a) A review of the sentencing reform act of 1981 and any changes
13 made to the sentencing reform act since that time;

14 (b) Recommendations regarding how sentencing laws in Washington
15 can be simplified without reducing punishment for offenders or
16 risking public safety; and

17 (c) Recommendations for establishing an ongoing review of
18 sentencing laws and practices.

19 (2) The consultant shall complete its evaluation and submit a
20 report to the commission, the joint legislative task force on
21 criminal sentencing under section 2 of this act, the appropriate
22 committees of the legislature, and the governor by September 1, 2018.
23 The contract for services must include a requirement for three
24 briefings before the legislature to take place during the 2018
25 interim and 2019 regular legislative session, including for the joint
26 legislative task force on sentencing, the house of representatives,
27 and the senate.

28 (3) This section expires July 1, 2019.

29 NEW SECTION. **Sec. 2.** (1) A joint legislative task force on
30 criminal sentencing is established.

1 (2) The task force is composed of members as provided in this
2 subsection.

3 (a) The president of the senate shall appoint one member from
4 each of the two largest caucuses of the senate.

5 (b) The speaker of the house of representatives shall appoint one
6 member from each of the two largest caucuses of the house of
7 representatives.

8 (c) The president of the senate and the speaker of the house of
9 representatives jointly shall appoint members representing the:

10 (i) Washington association of sheriffs and police chiefs;

11 (ii) Washington state patrol;

12 (iii) Caseload forecast council;

13 (iv) Washington association of prosecuting attorneys;

14 (v) Washington association of criminal defense attorneys or the
15 Washington defender association;

16 (vi) Washington state association of counties;

17 (vii) Office of the attorney general;

18 (viii) American civil liberties union of Washington;

19 (ix) Sentencing guidelines commission;

20 (x) Department of corrections;

21 (xi) Superior court judges' association; and

22 (xii) Administrative office of the courts.

23 (3)(a) The task force shall review sentencing laws after
24 consideration of the study under section 1 of this act and the
25 consultant's recommendations. The task force shall review and make
26 recommendations regarding how the sentencing reform act of 1981 can
27 be simplified. The task force must limit its review and
28 recommendations to technical, nonsubstantive changes. The
29 recommendations may not have the effect of reducing punishment or
30 risking public safety.

31 (b) The task force shall submit a report, including findings and
32 recommendations, to the governor and the appropriate committees of
33 the legislature by December 1, 2019.

34 (4) The legislative membership shall convene the initial meeting
35 of the task force no later than September 2018.

36 (5) The legislative members of the task force shall choose the
37 task force's cochairs, which must include one senator and one
38 representative from among the legislative membership of the task
39 force.

1 (6) Staff support for the task force must be provided by senate
2 committee services and the house office of program research.

3 (7) Legislative members of the task force are reimbursed for
4 travel expenses in accordance with RCW 44.04.120. Nonlegislative
5 members are not entitled to be reimbursed for travel expenses if they
6 are elected officials or are participating on behalf of an employer,
7 governmental entity, or other organization. Any reimbursement for
8 other nonlegislative members is subject to chapter 43.03 RCW.

9 (8) The expenses of the task force shall be paid jointly by the
10 senate and the house of representatives. Task force expenditures are
11 subject to approval by the senate facilities and operations committee
12 and the house executive rules committee, or their successor
13 committees.

14 (9) This section expires July 1, 2020."

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15 On page 1, line 1 of the title, after "offenders;" strike the
16 remainder of the title and insert "creating new sections; and
17 providing expiration dates."

EFFECT: Requires the independent consultant to make
recommendations for simplifying Washington's sentencing laws without
reducing punishment or risking public safety. The consultant must
submit its study to the joint legislative task force on criminal
sentencing. Establishes the joint legislative task force on criminal
sentencing to consider the report and recommendations of the
consultant and make recommendations for the simplification of the
Sentencing Reform Act without reducing punishment for offenders or
risking public safety.

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