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## Public Safety Committee

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### HB 1495

**Brief Description:** Establishing the joint legislative task force on criminal sentencing.

**Sponsors:** Representatives Goodman, Klippert, Appleton, Ormsby and Jinkins.

#### Brief Summary of Bill

- Establishes the Joint Legislative Task Force on Criminal Sentencing for the purpose of reviewing sentencing laws and making recommendations to the Governor and the Legislature.

**Hearing Date:** 1/29/19

**Staff:** Kelly Leonard (786-7147).

#### Background:

The Sentencing Guidelines Commission (SGC) was established when the state enacted the Sentencing Reform Act (SRA) in 1982. The SGC is required to evaluate and monitor adult and juvenile sentencing policies and practices. There are 20 voting commissioner positions, representing the interests of adult corrections, juvenile rehabilitation, prosecuting attorneys, defense attorneys, judges, law enforcement, victims' advocates, and local governments. In addition, two Senators and two House members are appointed as nonvoting members.

In the 2018 Supplemental Operating Budget, the SGC was appropriated funds to conduct a comprehensive review of the SRA and make recommendations to accomplish the following goals:

- assess the degree to which the SRA, as applied, has achieved each of its stated purposes;
- ensure Washington's sentencing policies and practices are evidence-based, aligned with best practices, and consistent with federal and state case law;
- ensure Washington's sentencing laws and practices promote public safety by holding offenders accountable for their actions while also facilitating their successful reintegration into the community;

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- simplify Washington's sentencing laws to make them easier to understand and apply; and
- eliminate inconsistencies that may have developed through various amendatory changes.

To achieve these goals, the SGC must:

- review the current sentencing grid and recommend changes to simplify the grid and increase judicial discretion, including a review of specified provisions;
- review and revise seriousness levels to ensure offenses have appropriately designated seriousness levels;
- review the drug sentencing grid to determine whether drug offenses can be incorporated into a new or revised sentencing grid;
- review minimum term requirements to avoid inconsistencies with proposed changes to the grid and other sentencing policies;
- review mitigating and aggravating factors and sentencing enhancements, and recommend changes to reflect current sentencing purposes and policies and case law;
- review fines, fees, and other legal financial obligations associated with criminal convictions;
- review community supervision and community custody conditions and related requirements; and
- review available alternatives to full confinement.

The SGC must report its findings and recommendations to the Governor and appropriate committees of the Legislature in 2019.

### **Summary of Bill:**

The Joint Legislative Task Force on Criminal Sentencing (Task Force) is established, with seventeen members as follows:

- two House Members (one from each caucus);
- two Senators (one from each caucus);
- Caseload Forecast Council;
- Department of Corrections;
- Sentencing Guidelines Commission;
- Statewide Family Council;
- Statewide Reentry Council;
- Superior Court Judges Association;
- Washington Association of Criminal Defense Attorneys or the Washington Defender Association;
- Washington Association of Prosecuting Attorneys;
- Washington Association of Sheriffs and Police Chiefs;
- Washington State Association of Counties;
- Washington State Minority and Justice Commission; and
- two different community organizations representing the interests of incarcerated persons.

The legislative membership must select the co-chairs, which must include one House member and one Senator. Staff support is provided by the Office of Program Research and Senate Committee Services.

The Task Force must conduct a review of state sentencing laws, including a consideration of the report of the SGC required by the 2018 Supplemental Budget. The Task Force must develop recommendations to: reduce sentencing implementation complexities and errors; improve the effectiveness of the sentencing system; and promote and improving public safety.

An initial report with findings and recommendations is due by December 31, 2019, and the final report is due by December 31, 2020.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 2019.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.