

HOUSE BILL REPORT

SB 5162

As Reported by House Committee On:
Civil Rights & Judiciary

Title: An act relating to qualifications for jury service.

Brief Description: Clarifying qualifications for jury service.

Sponsors: Senators Dhingra, Pedersen, Wellman, Das, Keiser, Palumbo, Carlyle, Darneille, Hasegawa, Saldaña and Kuderer.

Brief History:

Committee Activity:

Civil Rights & Judiciary: 3/13/19, 3/22/19 [DP].

Brief Summary of Bill

- Defines "civil rights restored" to mean a person's right to vote has been provisionally or permanently restored prior to jury service.

HOUSE COMMITTEE ON CIVIL RIGHTS & JUDICIARY

Majority Report: Do pass. Signed by 14 members: Representatives Jinkins, Chair; Thai, Vice Chair; Dufault, Assistant Ranking Minority Member; Goodman, Graham, Hansen, Kilduff, Kirby, Klippert, Orwall, Shea, Valdez, Walen and Ybarra.

Staff: Ingrid Lewis (786-7289).

Background:

A jury is a body of persons temporarily selected from the qualified inhabitants of a particular district and vested with the power to present or indict a person for a public offense or try a question of fact. Jurors are randomly selected from a jury source list made up of the list of registered voters, licensed drivers, and identocard holders in each county. A person is qualified to be a juror if that person is over the age of 18, a United States citizen, a resident of the county of service, and able to communicate in English. If a person has ever been convicted of a felony, the person must have had their civil rights restored.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

For persons convicted of a felony in a Washington court, the right to vote is restored provisionally so long as the person is not under the authority of the Department of Corrections (DOC). A person is "under the authority of the DOC" if the person is serving a sentence of confinement in the custody of the DOC or is subject to community custody. For persons convicted of a felony in a federal court or any state court other than a Washington court, the right to vote is restored so long as he or she is no longer incarcerated. A provisional right to vote may be revoked for failure to pay legal financial obligations.

The right to vote may be permanently restored if the person meets the current statutory requirements for restoration of voting rights for each felony conviction by:

- a certificate of discharge issued by the sentencing court;
- a court order restoring the right;
- a final order of discharge issued by the Indeterminate Sentence Review Board; or
- a certificate of restoration issued by the Governor.

Summary of Bill:

"Civil rights restored" is defined to mean a person's right to vote has been provisionally or permanently restored prior to jury service.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill comes from the jury diversity work group. The definition will help clerks and courthouses understand who is eligible for jury service. This bill does not change the law, but clarifies that individuals who have done their time are eligible for jury service. This will increase the applicant pool for juries and makes sure that juries are reflective of the communities they live in.

(Opposed) None.

Persons Testifying: Senator Dhingra, prime sponsor; and Brittany Gregory, Office of the Attorney General.

Persons Signed In To Testify But Not Testifying: None.