

FINAL BILL REPORT

SB 5162

C 41 L 19
Synopsis as Enacted

Brief Description: Clarifying qualifications for jury service.

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

Senate Committee on Law & Justice
House Committee on Civil Rights & Judiciary

Background: Jury Qualifications. A person is not competent to be a juror if that person:

- is less than eighteen years of age;
- is not a citizen of the United States;
- is not a resident of the county in which the person has been summoned to serve;
- is not able to communicate in the English language; or
- has been convicted of a felony and has not had the person's civil rights restored.

The Washington State constitution prohibits persons convicted of infamous crimes from voting unless their civil rights are restored. "Infamous crimes" is defined in state law to mean a crime punishable by death or imprisonment in a state or federal correctional facility. Infamous crimes do not include an adjudication in juvenile court, nor a conviction for a misdemeanor or gross misdemeanor.

For felony convictions in a Washington State court, the right to vote is provisionally restored as long as the convicted person is not under the authority of the Department of Corrections (DOC). Under authority of DOC means either being in prison or community custody. For a felony conviction in a federal or other state court, the right to vote is restored when the person 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 by:

- a certificate of discharge issued by the sentencing court;
- a final order of discharge issued by the Indeterminate Sentencing Review Board;
- a certificate of restoration issued by the Governor; or
- a court order restoring the right after termination of a suspended sentence.

Summary: The act defines "civil rights restored" to mean a person's right to vote has been provisionally or permanently restored prior to jury service.

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.

Votes on Final Passage:

Senate	48	0
House	91	2

Effective: July 28, 2019