S-3628.2

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**SENATE BILL 5916**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senators Torres, Braun, Hasegawa, and J. Wilson

AN ACT Relating to reinstating the indigent defense task force; adding a new section to chapter 10.101 RCW; providing an expiration date; and declaring an emergency.

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

NEW SECTION. **Sec.**  A new section is added to chapter 10.101 RCW to read as follows:

(1) The indigent defense task force created in law through chapter 156, Laws of 1988, and chapter 409, Laws of 1989, is reinstated to study the current system in Washington for providing representation to persons who could not otherwise afford counsel.

(2) The members of the task force shall consist of:

(a) One member appointed by the governor;

(b) The director of the office of financial management or the director's designee;

(c) The director of the office of public defense or the director's designee;

(d) One member appointed by the chief justice of the state supreme court;

(e) Two members appointed by the Washington state bar association, at least one of whom must currently provide indigent criminal defense representation;

(f) Two members appointed by the Washington state association of counties, one from eastern Washington and one from western Washington;

(g) One member appointed by the association of Washington cities;

(h) One member appointed by the Washington association of prosecuting attorneys;

(i) Two members appointed by the speaker of the house of representatives from each of the two largest caucuses in the house of representatives; and

(j) Two members appointed by the president of the senate from each of the two largest caucuses of the senate.

(3) The task force shall review the current systems employed to provide trial representation to indigent persons in cases where right to counsel attaches. By January 1, 2025, the task force shall report its findings to the governor, supreme court, and appropriate committees of the legislature. The report shall:

(a) Summarize the current methods of providing indigent services in different regions of the state, their costs, and caseloads;

(b) Review delays and other impacts caused by current staffing levels for indigent defense;

(c) Consider published public defense workload standards and recommendations;

(d) Consider workforce recruitment needs in rural and underserved areas of the state;

(e) Consider alternative delivery systems which have been proposed for public defense services; and

(f) Make recommendations for improvement.

(4) Staff support for the task force shall be provided by the office of public defense. Staff support for legislative members shall be provided by the senate committee services and the house of representatives office of program research.

(5) The task force shall choose cochairs from among its legislative membership. The director of the office of public defense or the director's designee shall convene the first meeting of the task force.

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

(7) The task force may contract with additional persons who have specific technical expertise if the expertise is necessary to carry out the mandates of this section. The task force may enter into such a contract only if an appropriation is specifically provided for this purpose.

(8) This section expires June 30, 2026.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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