
SENATE BILL 5635

State of Washington

58th Legislature

2003 Regular Session

By Senators Prentice, Fairley, Kline, Kohl-Welles, Shin, Thibaudeau, Regala, Franklin, Keiser and McAuliffe

Read first time 02/03/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to the death penalty; adding a new section to
2 chapter 10.95 RCW; making an appropriation; and providing an expiration
3 date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.95 RCW
6 to read as follows:

7 (1) Until July 1, 2005, the sentence of death for anyone sentenced
8 under RCW 10.95.030(2) shall be stayed.

9 (2) A death penalty task force is hereby created for the purpose of
10 conducting a review of the existing statutes and court rules to
11 determine the following:

12 (a) The adequacy of the counsel and resources provided defendants
13 in capital offense cases;

14 (b) The uniformity of decision making by prosecuting attorneys in
15 terms of charging defendants with aggravated first degree murder and
16 the criteria in such decisions;

17 (c) The impact of race, ethnicity, gender, and economic status on
18 the likelihood of a defendant being charged with aggravated first
19 degree murder; and

1 (d) Whether there are revisions to existing statutes and court
2 rules which, if implemented, would decrease the likelihood of an
3 inappropriate imposition of the death penalty.

4 (3) The task force shall consist of eleven members. The membership
5 shall be appointed as follows:

6 (a) Two members appointed by the chief justice of the state supreme
7 court;

8 (b) Two members appointed by the president of the senate;

9 (c) Two members appointed by the speaker of the house;

10 (d) Two members appointed by the governor;

11 (e) Three members appointed by the president of the Washington
12 state bar association. Not more than one member shall be a current or
13 former prosecuting attorney. Not more than one member shall be an
14 attorney whose practice is primarily criminal defense and who has
15 experience in death penalty cases.

16 (4) The task force may conduct meetings, select officers, and
17 prescribe rules of procedure. The task force shall cooperate, act, and
18 function with legislative committees and executive agencies as
19 necessary to complete its business.

20 (5) Members of the task force shall serve without additional
21 compensation, but must be reimbursed for their travel expenses, in
22 accordance with RCW 43.03.050 and 44.04.120, incurred while attending
23 meetings of the task force, engaged on other task force business
24 authorized by the task force, or going to and coming from task force
25 meetings.

26 (6) The task force shall make a report, together with any
27 recommendations, to the legislature, governor, and supreme court not
28 later than January 1, 2005.

29 NEW SECTION. **Sec. 2.** The sum of fifty thousand dollars, or as
30 much thereof as may be necessary, is appropriated for the fiscal year
31 ending June 30, 2004, from the general fund to the office of the
32 administrator for the courts for the purposes of providing staffing and
33 support to the death penalty task force.

34 NEW SECTION. **Sec. 3.** Section 1 of this act expires July 1, 2005.

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