

SB 5339 - H AMD 719

By Representative Shea

NOT CONSIDERED 12/23/2019

1 Beginning on page 1, line 9, strike all of sections 1 and 2 and
2 insert the following:

3 "NEW SECTION. **Sec. 1.** (1) The office of the attorney general
4 shall convene a work group for the purposes established in subsection
5 (3) of this section.

6 (2) The work group must include representatives of the center for
7 court research within the administrative office of the courts, the
8 Washington superior court judges association, the office of the
9 attorney general, the Washington association of prosecuting
10 attorneys, the Washington defender association, the Washington
11 association of criminal defense lawyers, and civil rights
12 organizations.

13 (3) The work group shall:

14 (a) Study the issues raised in *State v. Gregory*, 192 Wn.2d 1, 427
15 P.3d 621 (2018), including those relating to racial
16 disproportionality and bias, geographic disparity, and other issues
17 specified in that opinion; and

18 (b) Develop recommendations for remedying the issues identified
19 in *State v. Gregory*, which may include modifying chapter 10.95 RCW
20 and/or state or local practices, in order to ensure that otherwise
21 per se constitutional provisions authorizing the death penalty can be
22 applied in a constitutional manner.

23 (4) The work group shall submit a report with findings and
24 recommendations to the governor and the appropriate committees of the
25 legislature by December 1, 2019."

26 Correct the title.

EFFECT: Restores the statutory procedures for imposing the death
penalty for convictions of aggravated first degree murder.

Requires the Office of the Attorney General to convene a work
group with representatives of specified organizations and interests.

Requires the work group to study the issues raised in *State v.*
Gregory, including those relating to racial disproportionality and
bias, geographic disparity, and other issues specified in the

opinion, and requires the work group to develop recommendations for remedying the issues identified in *State v. Gregory*, which may include modifying chapter 10.95 RCW and/or state or local practices, in order to ensure that otherwise per se constitutional provisions authorizing the death penalty can be applied in a constitutional manner.

Requires the work group to submit a report with findings and recommendations to the Governor and the Legislature by December 1, 2019.

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