

SSB 6673 - H COMM AMD

By Committee on Public Safety & Emergency Preparedness

ADOPTED AND ENGROSSED 03/05/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature intends to appoint a panel
4 of experts to study bail practices and procedures. The bail system
5 must be examined in a comprehensive and well-considered manner from all
6 aspects including, but not limited to, judicial discretion, bail
7 amounts and procedures, public safety, variations in county practices,
8 constitutional restraints, and cost to local government. The variety
9 of practices and procedures requires that a panel of experts study the
10 issue and report its recommendation to the legislature.

11 NEW SECTION. **Sec. 2.** (1)(a) A work group on bail practices is
12 established within existing resources. The work group must consist of
13 the following members:

14 (i) One member from each of the two largest caucuses of the senate,
15 appointed by the president of the senate;

16 (ii) One member from each of the two largest caucuses of the house
17 of representatives, appointed by the speaker of the house of
18 representatives;

19 (iii) The chief justice of the Washington state supreme court or
20 the chief justice's designee;

21 (iv) A superior court judge, appointed by the superior court
22 judges' association;

23 (v) A district or municipal court judge, appointed by the district
24 and municipal court judges' association;

25 (vi) The governor or the governor's designee;

26 (vii) The secretary of the Washington state department of
27 corrections or the secretary's designee;

28 (viii) The director of the Washington state department of licensing
29 or the director's designee;

1 (ix) The Washington state insurance commissioner or the
2 commissioner's designee;

3 (x) Two prosecutors, appointed by the Washington association of
4 prosecuting attorneys or designees of the prosecutors;

5 (xi) Two attorneys selected by separate associations of attorneys
6 whose members have practices that focus on representing criminal
7 defendants;

8 (xii) One police officer and one deputy sheriff, selected by a
9 statewide association of such officers and deputies;

10 (xiii) A representative of a statewide association of city
11 governments, selected by the association;

12 (xiv) A representative of a statewide association of counties,
13 selected by the association;

14 (xv) A representative employed as an adult corrections officer,
15 selected by a statewide association of such officers;

16 (xvi) A representative from an entity representing corrections
17 officers at a local county jail in which adult offenders are in custody
18 and located in any county with a population in excess of one million
19 persons, selected by the entity;

20 (xvii) A representative of a statewide organization concerned
21 primarily with the protection of individual liberties, selected by the
22 organization;

23 (xviii) A representative of a statewide association of advocates
24 who work on behalf of victims and survivors of violent crimes, selected
25 by the association;

26 (xix) A representative of the bail bond enforcement industry,
27 chosen by a statewide association of bail bond enforcement agents;

28 (xx) A representative of the bail bond industry, selected by a
29 statewide association of bail companies; and

30 (xxi) A representative of a statewide consumer advocacy
31 organization with at least thirty thousand members, selected by the
32 organization.

33 (b) The work group shall choose its cochairs from among its
34 legislative membership. The legislative cochairs shall convene the
35 initial meeting of the work group.

36 (2) The work group shall review, at a minimum, the following
37 issues:

1 (a) All aspects of bail, paying particular attention to legislation
2 affecting bail and pretrial release introduced during the 2010
3 legislative session;

4 (b) A validated risk assessment tool that measures or predicts the
5 likelihood that an offender will exhibit violent behavior if released
6 and whether judges should use this tool at bail hearings;

7 (c) Bail practices by county, including the processes used to seek
8 and grant bail as well as the standards by which bail is granted;

9 (d) Whether, or to what extent, uniformity of bail practices should
10 be required by state law;

11 (e) The characteristics of the federal system;

12 (f) The benefits of competitive freedom of government regulation in
13 the pricing of bail bonds;

14 (g) The interests of crime victims in being notified of a person's
15 release on bail;

16 (h) The interests of counties and cities that maintain municipal
17 courts;

18 (i) Legal and constitutional constraints in granting or denying
19 bail;

20 (j) Whether the existing regulatory, judicial, or statutory
21 constraints on bail should be revised; and

22 (k) The pretrial release system.

23 (3) The work group shall use staff from senate committee services
24 and the house of representatives office of program research and meet in
25 state facilities that do not charge for use.

26 (4) Legislative members of the work group must be reimbursed for
27 travel expenses in accordance with RCW 44.04.120. Nonlegislative
28 members, except those representing an employer or organization, are
29 entitled to be reimbursed for travel expenses in accordance with RCW
30 43.03.050 and 43.03.060.

31 (5) The work group may organize itself in a manner and adopt rules
32 of procedure that it determines are most conducive to the timely
33 completion of its charge.

34 (6) The work group shall report its findings and recommendations to
35 the Washington state supreme court, the governor, and appropriate
36 committees of the legislature by December 1, 2010.

37 (7) This section expires December 31, 2010."

1 Correct the title.

--- END ---