

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6673

61st Legislature
2010 Regular Session

Passed by the Senate March 8, 2010
YEAS 47 NAYS 0

President of the Senate

Passed by the House March 5, 2010
YEAS 97 NAYS 1

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6673** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6673

AS AMENDED BY THE HOUSE

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By Senate Judiciary (originally sponsored by Senators Kline, McCaslin, Carrell, Kohl-Welles, Gordon, Regala, Roach, Hargrove, and Tom)

READ FIRST TIME 02/05/10.

1 AN ACT Relating to bail practices and procedures; creating new
2 sections; and providing an expiration date.

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

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

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

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

17 (ii) One member from each of the two largest caucuses of the house

1 of representatives, appointed by the speaker of the house of
2 representatives;

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

5 (iv) A superior court judge, appointed by the superior court
6 judges' association;

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

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

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

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

14 (ix) The Washington state insurance commissioner or the
15 commissioner's designee;

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

18 (xi) Two attorneys selected by separate associations of attorneys
19 whose members have practices that focus on representing criminal
20 defendants;

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

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

25 (xiv) A representative of a statewide association of counties,
26 selected by the association;

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

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

33 (xvii) A representative of a statewide organization concerned
34 primarily with the protection of individual liberties, selected by the
35 organization;

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

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

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

5 (xxi) A representative of a statewide consumer advocacy
6 organization with at least thirty thousand members, selected by the
7 organization.

8 (b) The work group shall choose its cochairs from among its
9 legislative membership. The legislative cochairs shall convene the
10 initial meeting of the work group.

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

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

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

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

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

23 (e) The characteristics of the federal system;

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

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

28 (h) The interests of counties and cities that maintain municipal
29 courts;

30 (i) Legal and constitutional constraints in granting or denying
31 bail;

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

34 (k) The pretrial release system.

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

1 (4) Legislative members of the work group must be reimbursed for
2 travel expenses in accordance with RCW 44.04.120. Nonlegislative
3 members, except those representing an employer or organization, are
4 entitled to be reimbursed for travel expenses in accordance with RCW
5 43.03.050 and 43.03.060.

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

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

12 (7) This section expires December 31, 2010.

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