

HB 1114 - S COMM AMD

By Committee on Law & Justice

ADOPTED 03/31/2023

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

3 **"Sec. 1.** RCW 9.94A.860 and 2016 c 179 s 3 are each amended to
4 read as follows:

5 (1) The sentencing guidelines commission is hereby created,
6 located within the office of financial management. Except as provided
7 in RCW 9.94A.875, the commission shall serve to advise the governor
8 and the legislature as necessary on issues relating to adult and
9 juvenile sentencing. The commission may meet, as necessary, to
10 accomplish these purposes within funds appropriated.

11 (2) The commission consists of (~~twenty~~) 25 voting members, one
12 of whom the governor shall designate as (~~chairperson~~) chair. With
13 the exception of ex officio voting members, the voting members of the
14 commission shall be appointed by the governor, or his or her
15 designee, subject to confirmation by the senate.

16 (3) The voting membership consists of the following:

17 (a) The head of the state agency having general responsibility
18 for adult correction programs, as an ex officio member;

19 (b) The director of financial management or designee, as an ex
20 officio member;

21 (c) The chair of the indeterminate sentence review board, as an
22 ex officio member;

23 (d) The head of the state agency, or the agency head's designee,
24 having responsibility for juvenile corrections programs, as an ex
25 officio member;

26 (e) Two prosecuting attorneys;

27 (f) Two attorneys with particular expertise in defense work;

28 (g) Four persons who are superior court judges;

29 (h) One person who is the chief law enforcement officer of a
30 county or city;

1 (i) (~~Four~~) Five members of the public who are not prosecutors,
2 defense attorneys, judges, or law enforcement officers, one of whom
3 is a victim of crime, one of whom is a victim of crime or a crime
4 victims' advocate, and one of whom has been formerly incarcerated in
5 the state correctional system;

6 (j) One person who is an elected official of a county government,
7 other than a prosecuting attorney or sheriff;

8 (k) One person who is an elected official of a city government;

9 (l) One person who is an administrator of juvenile court
10 services;

11 (m) The chair of the state supreme court minority and justice
12 commission or designee, as an ex officio member;

13 (n) One person representing the interests of tribes;

14 (o) One behavioral health professional with experience working in
15 the criminal justice system; and

16 (p) One person with knowledge of and expertise in academic
17 research in the field of criminology or sociology.

18 In making the appointments, the governor shall endeavor to assure
19 that the commission membership includes adequate representation and
20 expertise relating to both the adult criminal justice system and the
21 juvenile justice system. In making the appointments, the governor
22 shall seek the recommendations of Washington prosecutors in respect
23 to the prosecuting attorney members, of the Washington state bar
24 association in respect to the defense attorney members, of the
25 superior court judges' association in respect to the members who are
26 judges, of the Washington association of sheriffs and police chiefs
27 in respect to the member who is a law enforcement officer, of the
28 Washington state association of counties in respect to the member who
29 is a county official, of the association of Washington cities in
30 respect to the member who is a city official, of the office of crime
31 victims advocacy and other organizations of crime victims in respect
32 to the member who is a victim of crime or a crime victims' advocate,
33 (~~and~~) of the Washington association of juvenile court
34 administrators in respect to the member who is an administrator of
35 juvenile court services, and of the Washington state institute for
36 public policy and the relevant departments of the Washington State
37 University and University of Washington in respect to the member with
38 knowledge of and expertise in academic research in the field of
39 criminology or sociology.

1 (4) (a) (~~All~~) Except as provided in (b) of this subsection, all
2 voting members of the commission, except ex officio voting members,
3 shall serve terms of three years and until their successors are
4 appointed and confirmed.

5 (b) The governor shall stagger the initial terms of the members
6 appointed under subsection (3) (~~(j), (k), and (l)~~) (n), (o), and (p)
7 of this section by appointing one of them for a term of one year, one
8 of them for a term of two years, and one of them for a term of three
9 years.

10 (5) The speaker of the house of representatives and the president
11 of the senate may each appoint two nonvoting members to the
12 commission, one from each of the two largest caucuses in each house.
13 The members so appointed shall serve two-year terms, or until they
14 cease to be members of the house from which they were appointed,
15 whichever occurs first.

16 (6) The members of the commission may be reimbursed for travel
17 expenses as provided in RCW 43.03.050 and 43.03.060. Legislative
18 members may be reimbursed by their respective houses as provided
19 under RCW 44.04.120. Except for the reimbursement of travel expenses,
20 members shall not be compensated."

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21 On page 1, line 2 of the title, after "commission;" strike the
22 remainder of the title and insert "and amending RCW 9.94A.860."

EFFECT: Adds a 25th voting member to the sentencing guidelines
commission who must be a member of the public who is not a
prosecutor, defense attorney, judge, or law enforcement officer and
who is a victim of crime.

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