
SENATE BILL 5916

State of Washington

68th Legislature

2024 Regular Session

By Senators Torres, Braun, Hasegawa, and J. Wilson

Prefiled 12/28/23. Read first time 01/08/24. Referred to Committee on Law & Justice.

1 AN ACT Relating to reinstating the indigent defense task force;
2 adding a new section to chapter 10.101 RCW; providing an expiration
3 date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.101
6 RCW to read as follows:

7 (1) The indigent defense task force created in law through
8 chapter 156, Laws of 1988, and chapter 409, Laws of 1989, is
9 reinstated to study the current system in Washington for providing
10 representation to persons who could not otherwise afford counsel.

11 (2) The members of the task force shall consist of:

12 (a) One member appointed by the governor;

13 (b) The director of the office of financial management or the
14 director's designee;

15 (c) The director of the office of public defense or the
16 director's designee;

17 (d) One member appointed by the chief justice of the state
18 supreme court;

19 (e) Two members appointed by the Washington state bar
20 association, at least one of whom must currently provide indigent
21 criminal defense representation;

1 (f) Two members appointed by the Washington state association of
2 counties, one from eastern Washington and one from western
3 Washington;

4 (g) One member appointed by the association of Washington cities;

5 (h) One member appointed by the Washington association of
6 prosecuting attorneys;

7 (i) Two members appointed by the speaker of the house of
8 representatives from each of the two largest caucuses in the house of
9 representatives; and

10 (j) Two members appointed by the president of the senate from
11 each of the two largest caucuses of the senate.

12 (3) The task force shall review the current systems employed to
13 provide trial representation to indigent persons in cases where right
14 to counsel attaches. By January 1, 2025, the task force shall report
15 its findings to the governor, supreme court, and appropriate
16 committees of the legislature. The report shall:

17 (a) Summarize the current methods of providing indigent services
18 in different regions of the state, their costs, and caseloads;

19 (b) Review delays and other impacts caused by current staffing
20 levels for indigent defense;

21 (c) Consider published public defense workload standards and
22 recommendations;

23 (d) Consider workforce recruitment needs in rural and underserved
24 areas of the state;

25 (e) Consider alternative delivery systems which have been
26 proposed for public defense services; and

27 (f) Make recommendations for improvement.

28 (4) Staff support for the task force shall be provided by the
29 office of public defense. Staff support for legislative members shall
30 be provided by the senate committee services and the house of
31 representatives office of program research.

32 (5) The task force shall choose cochairs from among its
33 legislative membership. The director of the office of public defense
34 or the director's designee shall convene the first meeting of the
35 task force.

36 (6) Legislative members of the task force are reimbursed for
37 travel expenses in accordance with RCW 44.04.120. Nonlegislative
38 members are not entitled to be reimbursed for travel expenses if they
39 are elected officials or are participating on behalf of an employer,

1 governmental entity, or other organization. Any reimbursement for
2 other nonlegislative members is subject to chapter 43.03 RCW.

3 (7) The task force may contract with additional persons who have
4 specific technical expertise if the expertise is necessary to carry
5 out the mandates of this section. The task force may enter into such
6 a contract only if an appropriation is specifically provided for this
7 purpose.

8 (8) This section expires June 30, 2026.

9 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
10 preservation of the public peace, health, or safety, or support of
11 the state government and its existing public institutions, and takes
12 effect immediately.

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