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HOUSE BILL 1715

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State of Washington

67th Legislature

2022 Regular Session

By Representatives Mosbrucker, Simmons, and Robertson

Prefiled 12/28/21.

1 AN ACT Relating to the membership of the sentencing guidelines  
2 commission; and amending RCW 9.94A.860.

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

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

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

12 (2) The commission consists of (~~twenty~~) 24 voting members, one  
13 of whom the governor shall designate as (~~chairperson~~) chair. With  
14 the exception of ex officio voting members, the voting members of the  
15 commission shall be appointed by the governor, or his or her  
16 designee, subject to confirmation by the senate.

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

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

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

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

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

6 (e) Two prosecuting attorneys;

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

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

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

11 (i) Four members of the public who are not prosecutors, defense  
12 attorneys, judges, or law enforcement officers, one of whom is a  
13 victim of crime or a crime victims' advocate and one of whom has been  
14 formerly incarcerated in the state correctional system;

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

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

18 (l) One person who is an administrator of juvenile court  
19 services;

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

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

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

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

27 In making the appointments, the governor shall endeavor to assure  
28 that the commission membership includes adequate representation and  
29 expertise relating to both the adult criminal justice system and the  
30 juvenile justice system. In making the appointments, the governor  
31 shall seek the recommendations of Washington prosecutors in respect  
32 to the prosecuting attorney members, of the Washington state bar  
33 association in respect to the defense attorney members, of the  
34 superior court judges' association in respect to the members who are  
35 judges, of the Washington association of sheriffs and police chiefs  
36 in respect to the member who is a law enforcement officer, of the  
37 Washington state association of counties in respect to the member who  
38 is a county official, of the association of Washington cities in  
39 respect to the member who is a city official, of the office of crime  
40 victims advocacy and other organizations of crime victims in respect

1 to the member who is a victim of crime or a crime victims' advocate,  
2 (~~and~~) of the Washington association of juvenile court  
3 administrators in respect to the member who is an administrator of  
4 juvenile court services, and of the Washington state institute for  
5 public policy and the relevant departments of the Washington State  
6 University and University of Washington in respect to the member with  
7 knowledge of and expertise in academic research in the field of  
8 criminology or sociology.

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

13 (b) The governor shall stagger the initial terms of the members  
14 appointed under subsection (3) (~~(j), (k), and (l)~~) (n), (o), and (p)  
15 of this section by appointing one of them for a term of one year, one  
16 of them for a term of two years, and one of them for a term of three  
17 years.

18 (5) The speaker of the house of representatives and the president  
19 of the senate may each appoint two nonvoting members to the  
20 commission, one from each of the two largest caucuses in each house.  
21 The members so appointed shall serve two-year terms, or until they  
22 cease to be members of the house from which they were appointed,  
23 whichever occurs first.

24 (6) The members of the commission may be reimbursed for travel  
25 expenses as provided in RCW 43.03.050 and 43.03.060. Legislative  
26 members may be reimbursed by their respective houses as provided  
27 under RCW 44.04.120. Except for the reimbursement of travel expenses,  
28 members shall not be compensated.

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