

Joint Legislative Task Force Juvenile Sentencing Reform

Overview of Task Force Composition and Objectives

Sections 13 and 14 of 2SSB 5064 (2014) created the Joint Legislative Task Force on Juvenile Sentences Reform (see attached).

Membership Composition: The Task Force is comprised of representatives from:

- each caucus in the Senate and the House of Representatives;
- Office of the Governor;
- Juvenile Justice and Rehabilitation Administration;
- Department of Corrections;
- Superior Court Judges Association;
- Washington Association of Prosecuting Attorneys;
- Washington Association of Criminal Defense Lawyers or the Washington Defender Association;
- Washington Coalition of Crime Victim Advocates;
- Juvenile Court Administrator's Association;
- Washington Association of Sheriffs and Police Chiefs;
- law enforcement which specifically works with juveniles; and
- Sentencing Guidelines Commission.

The Task Force must choose two co-chairs from among its legislative members.

Objectives: The Task Force is required to undertake a thorough review of juvenile sentencing as it relates to the intersection of the adult and juvenile justice systems and make recommendations for reform that promote improved outcomes for youth, public safety, and taxpayer resources.

The review shall include, but is not limited to:

- a) The process and circumstances for transferring a juvenile to adult jurisdiction, including discretionary and mandatory decline hearings and automatic transfer to adult jurisdiction;
- b) Sentencing standards, term lengths, sentencing enhancements, and stacking provisions that apply once a juvenile is transferred to adult jurisdiction; and
- c) The appropriate custody, treatment, and resources for declined youth who will complete their term of confinement prior to reaching age 21.

Deadlines: The Task Force must submit its findings and recommendations to the Governor and the appropriate committees of the Legislature by **December 1, 2014**.

The Task Force expires on June 1, 2015.

1 **2SSB 5064: Relating to persons sentenced for offenses committed prior to reaching**
2 **eighteen years of age. EXCERPT (Pages 16-18)**
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11 NEW SECTION. **Sec. 11.** A new section is added to chapter 10.95 RCW
12 to read as follows:

13 (1) A person, who was sentenced prior to June 1, 2014, to a term of
14 life without the possibility of parole for an offense committed prior
15 to their eighteenth birthday, shall be returned to the sentencing court
16 or the sentencing court's successor for sentencing consistent with RCW
17 10.95.030. Release and supervision of a person who receives a minimum
18 term of less than life will be governed by RCW 10.95.030.

19 (2) The court shall provide an opportunity for victims and
20 survivors of victims of any crimes for which the offender has been
21 convicted to present a statement personally or by representation.

22 (3) The court's order setting a minimum term is subject to review
23 to the same extent as a minimum term decision by the parole board
24 before July 1, 1986.

25 (4) A resentencing under this section shall not reopen the
26 defendant's conviction to challenges that would otherwise be barred by
27 RCW 10.73.090, 10.73.100, 10.73.140, or other procedural barriers.

28 NEW SECTION. **Sec. 12.** A new section is added to chapter 10.95 RCW
29 to read as follows:

30 Sections 1 through 9 of this act apply to all sentencing hearings
31 conducted on or after June 1, 2014, regardless of the date of an
32 offender's underlying offense.

33 NEW SECTION. **Sec. 13.** (1) The legislature shall convene a task
34 force to examine juvenile sentencing reform, with the following voting
35 members:

- 1 (a) The president of the senate shall appoint one member from each
2 of the two largest caucuses of the senate;
- 3 (b) The speaker of the house of representatives shall appoint one
4 member from each of the two largest caucuses in the house of
5 representatives;
- 6 (c) A representative from the governor's office;
- 7 (d) The assistant secretary of the department of social and health
8 services overseeing the juvenile justice and rehabilitation
9 administration or his or her designee;
- 10 (e) The secretary of the department of corrections or his or her
11 designee;
- 12 (f) A superior court judge from the superior court judges
13 association family and juvenile law subcommittee, who is familiar with
14 cases involving the transfer of youth to the adult criminal justice
15 system and sentencing of youth in the adult criminal justice system;
- 16 (g) A representative of the Washington association of prosecuting
17 attorneys;
- 18 (h) A representative of the Washington association of criminal
19 defense lawyers or the Washington defender association;
- 20 (i) A representative from the Washington coalition of crime victim
21 advocates;
- 22 (j) A representative from the juvenile court administrator's
23 association;
- 24 (k) A representative from the Washington association of sheriffs
25 and police chiefs;
- 26 (l) A representative from law enforcement who works with juveniles;
27 and
- 28 (m) A representative from the sentencing guidelines commission.
- 29 (2) The task force shall choose two cochairs from among its
30 legislative members.
- 31 (3) The task force shall undertake a thorough review of juvenile
32 sentencing as it relates to the intersection of the adult and juvenile
33 justice systems and make recommendations for reform that promote
34 improved outcomes for youth, public safety, and taxpayer resources.
35 The review shall include, but is not limited to:
- 36 (a) The process and circumstances for transferring a juvenile to
37 adult jurisdiction, including discretionary and mandatory decline
38 hearings and automatic transfer to adult jurisdiction;

1 (b) Sentencing standards, term lengths, sentencing enhancements,
2 and stacking provisions that apply once a juvenile is transferred to
3 adult jurisdiction; and

4 (c) The appropriate custody, treatment, and resources for declined
5 youth who will complete their term of confinement prior to reaching age
6 twenty-one.

7 (4) Staff support for the task force must be provided by the senate
8 committee services and the house of representatives office of program
9 research.

10 (5) Legislative members of the task force may be reimbursed for
11 travel expenses in accordance with RCW 44.04.120. Nonlegislative
12 members, except those representing an employer or organization, are
13 entitled to be reimbursed for travel expenses as provided in RCW
14 43.03.050 and 43.03.060.

15 (6) The expenses of the task force shall be paid jointly by the
16 senate and the house of representatives. Task force expenditures are
17 subject to approval by the senate facilities and operations committee
18 and the house executive rules committee, or their successor committees.

19 (7) The task force shall report its findings and recommendations to
20 the governor and the appropriate committees of the legislature by
21 December 1, 2014.

22 NEW SECTION. **Sec. 14.** Section 13 of this act expires June 1,
23 2015.

24 NEW SECTION. **Sec. 15.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

28 NEW SECTION. **Sec. 16.** This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of the
30 state government and its existing public institutions, and takes effect
31 June 1, 2014.

Passed by the Senate March 10, 2014.

Passed by the House March 7, 2014.

Approved by the Governor March 28, 2014.

Filed in Office of Secretary of State March 31, 2014.