

Status of Legislative Bills With SGC Position – Sine Die

Bill	Status	SGC Position	Summary From Latest Bill Report
1044 2SHB - Creating prison to postsecondary education pathways	<p>2/25/21 Passed House (96-2-0)</p> <p>4/9/21 Passed Senate (28-20-1)</p> <p>4/14/21 House concur w/Senate (59-37-2)</p> <p>4/22/21 Delivered to Governor</p>	<p>1/15/21 SGC voted to Support (unanimous)</p>	<p>Brief Summary of Second Substitute Bill:</p> <ul style="list-style-type: none"> • Permits the Department of Corrections (DOC) to implement postsecondary education certificate and degree programs at state correctional institutions. • Modifies the DOC's educational goals for incarcerated persons to include special education services and postsecondary education certificates or degrees. • Requires the DOC to establish a process for identifying, assessing, and accommodating incarcerated persons with learning disabilities, traumatic brain injuries, and cognitive impairments. • Requires the DOC to provide unofficial transcripts to incarcerated persons who participated in postsecondary education programs any time the person completes a program, is transferred to another facility, or is released. • Requires the DOC to consider an incarcerated person's educational programming and other factors when considering transfers to other facilities and when releasing a person to their county of origin. • Requires the Washington State Institute for Public Policy to study and report on enrollment, completion, and recidivism rates of incarcerated persons in the postsecondary education system post release. • Requires an annual report from the DOC and other state agencies that includes a variety of data and information on incarcerated persons and postsecondary education
1078 ESHB - Restoring voter eligibility for all persons convicted of a felony offense who are not in total confinement under the jurisdiction of the DOC	<p>2/24/21 Passed House (57-41)</p> <p>3/24/21 Passed Senate (27-22-0)</p> <p>4/5/21 Delivered to Governor</p>	<p>1/8/21 SGC voted to support</p>	<p>Brief Summary of Bill:</p> <ul style="list-style-type: none"> • Provides for automatic restoration of voting rights to a person convicted of a felony when they are not serving a sentence of total confinement under the jurisdiction of the Department of Corrections. • Removes provisions authorizing the revocation of provisional restoration of voting rights upon failure to pay legal financial obligations. • Requires the Secretary of State to compare a list of registered voters to a list of persons ineligible to vote by reason of a felony conviction monthly.

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	4/7/21 Governor signed. Chapter 10, 2021 Laws. Eff date 1/1/2022		<ul style="list-style-type: none"> • Makes conforming changes to the voter registration oath, voter declaration, and statutory eligibility to serve as a juror
1186 E2SHB - Concerning juvenile rehabilitation	3/3/21 Passed House (61-36-1) 4/11/21 Passed Senate (27-21-1) 4/15/21 House concur w/Senate (60-36-2) 4/22/21 Delivered to Governor	DCYF Request bill 2/12/21 SGC voted to support	Brief Summary of Engrossed Second Substitute Bill: <ul style="list-style-type: none"> • Creates a community transition services program administered by the Department of Children, Youth, and Families (DCYF) where an individual who has served at least 60 percent of a term of confinement and at least 15 weeks of total confinement may serve a remaining portion of that term of confinement in the community while the DCYF monitors the individual's location and provides services.
1294 SHB - Addressing misdemeanor supervision services by limited jurisdiction courts	2/24/21 Passed House (96-0-2) 4/3/21 Passed Senate (46-0-3) 4/8/21 Delivered to Governor 4/14/21 Gov signed Chapter 41, 2021 Laws, Eff 7/25/21	1/22/21 SGC decided to monitor	Brief Summary of Bill: <ul style="list-style-type: none"> • Authorizes limited jurisdiction courts to enter into interlocal agreements for pretrial and post-judgment supervision services. • Establishes criteria governing the formation and scope of the interlocal agreements. • Extends the limited immunity for misdemeanor supervision services to persons operating through an interlocal agreement.

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1348 SHB - Providing medical assistance to incarcerated persons	2/26/21 Passed House (97-0-1) 4/10/21 Passed Senate (49-0-0) 4/16/21 House concur w/Senate (97-0-1) 4/26/21 Delivered to Governor	1/29/21 SGC voted to support (unanimous)	Brief Summary of Substitute Bill: <ul style="list-style-type: none"> • Prohibits a person's Medicaid eligibility from being affected by the person's incarceration status for up to 29 days. • Expands the settings and changes the circumstances under which an incarcerated person's Medicaid coverage must be suspended. • Requires coordination between the Department of Corrections, local jails, and Medicaid managed care organizations
1399 HB - Reducing barriers to professional licensure for individuals with previous criminal convictions	3/1/21 Passed House (98-0-0) 4/10/21 Passed Senate 47-0-2) 4/21/21 Delivered to Governor	2/5/21 SGC voted to support (unanimous)	Brief Summary of Bill: <ul style="list-style-type: none"> • Creates a process for a person with a criminal conviction to request a determination of whether that criminal history is disqualifying for obtaining a professional license administered by the Department of Licensing.
5118 ESSB - Supporting successful reentry	2/26/21 Passed Senate (32-14-3) 4/8/21 Passed House (67-31-0) 4/19/21 Senate concur w/House	1/29/21 SGC voted to support (unanimous)	Summary: <ul style="list-style-type: none"> ➤ The Intrastate Detainer Act is expanded to allow: <ul style="list-style-type: none"> • participation by individuals incarcerated in a JR institution; • an individual to request to resolve untried warrants in district and municipal court. ➤ The following time periods must be excluded from the 120-day period: <ul style="list-style-type: none"> • proceedings on an unrelated charge in a different county than the court where the charge is pending;

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	4/26/21 Delivered to Governor		<ul style="list-style-type: none"> • proceedings related to competency to stand trial; and • time during which the individual is detained in a federal jail or prison. <p>➤ When the superintendent receives a request to transport an individual to resolve an untried warrant, they must inform the requesting party of the individual's current location and availability for trial. If the person is unavailable for transportation due to court proceedings in another county, the superintendent must provide an updated certificate and inform the requesting party when the individual becomes available for transport.</p> <p>➤ Healthcare Notification. A written notification of a committed individual's planned release must be sent to the individual's health care insurance provider at least 30 days before the final release.</p>
5121 ESSB - Expanding eligibility for the graduated reentry program	2/3/21 Passed Senate (28-21-0) 4/8/21 Passed House (57-41-0) 4/19/21 Senate concur w/House 4/26/21 Delivered to Governor	DOC Request Bill 11/13/20 SGC voted to support	Summary: ➤ Two participation tracks are created for persons to be eligible for the Graduated Reentry Program at DOC. <ul style="list-style-type: none"> • For track one, individuals who are not subject to deportation order, civil commitment, or interstate compact for adult offender supervision must serve at least 6 months in total confinement in a state correctional facility to be eligible to serve up to the final 5 months of the person's term of confinement in the Graduated Reentry Program. • For track two, individuals who are not currently serving a sentence for a sex, violent, or crime against a person offense, and who are not subject to a deportation order or the jurisdiction of the Indeterminate Sentence Review Board, must serve at least 4 months in total confinement at a state correctional facility to be eligible to serve up to the final 18 months of the person's term of confinement in the Graduated Reentry Program. ➤ Changes to partial confinement and the Graduated Reentry Program apply prospectively and retroactively to persons currently serving a sentence in any facility or institution either operated by the state or utilized under contract.

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5164 ESB - Resentencing of individuals sentenced as a persistent offender due to a robbery 2 conviction	3/1/21 Passed Senate (28-21-0) 4/7/21 Passed House (52-46-0) 4/20/21 Delivered to Governor 4/26/21 Governor signed. Chapter 141, 2021 Laws. Eff date 7/25/21.	1/29/21 SGC voted to support (unanimous)	<p>Summary: Any offender sentenced as a persistent offender when one of the offenses resulting in life without parole was robbery in the second degree shall be entitled to a resentencing hearing. The prosecuting attorney for the county in which any offender was sentenced as a persistent offender must review each sentencing document. If robbery in the second degree was used as a basis for the finding of persistent offender, the prosecutor must make a motion for relief from sentence.</p> <p>At resentencing, the court must sentence the offender as if robbery in the second degree was not a most serious offense at the time the original sentence was imposed.</p> <p>Robbery in the second degree may not be considered a most serious offense regardless of whether the offense was committed before, on, or after July 28, 2019.</p>
5180 ESSB - Vacating certain convictions	2/24/21 Passed Senate (48-0-1) 4/6/21 Passed House (93-5-0) 4/14/21 Senate concur w/House 4/26/21 Delivered to Governor	2/12/21 SGC voted to support	<p>Summary: A victim of sex trafficking, prostitution, or commercial sexual abuse of a minor, sexual assault, or domestic violence may apply to vacate a record of conviction for a misdemeanor, gross misdemeanor, or a class B or C felony offense. The prosecutor of the county in which the victim was sentenced may exercise discretion to apply on the victim's behalf to vacate the victim's record of conviction. A prosecutor is not providing legal assistance on behalf of the victim when filing to vacate the victim's conviction.</p> <p>A court may vacate the victim's record of conviction where:</p> <ul style="list-style-type: none"> • the applicant must provide an affidavit under penalty of perjury stating specific facts and circumstances proving, by a preponderance of evidence that the offense was committed as a result of being a victim of sex trafficking, prostitution, or commercial sexual abuse of a minor, domestic violence, or sexual assault; • there are no criminal charges pending against the applicant for any offense other than prostitution;

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			<ul style="list-style-type: none"> • if the victim's offense is a misdemeanor, the offender has not been convicted of a new crime in the three years prior to the application to vacate the victim's record of conviction; • if the victim's offense is a class C felony, the offender has not been convicted of a new offense in five years prior to the application to vacate the victim's record of conviction; • if the victim's offense is a class B felony, the offender has not been convicted of a new offense in ten years prior to the application to vacate the victim's record of conviction; or • a family member of a homicide victim applies to vacate the victim's conviction record of prostitution. <p>Certain convictions may not be vacated for:</p> <ul style="list-style-type: none"> • felony violent offenses; • statutorily defined crimes against children and other persons; • assault in the second or third degree if the conviction included a firearm, deadly weapon, or sexual motivation enhancement, or if the assault was committed against a law enforcement officer or peace officer; and robbery in the second degree if the conviction included a firearm, deadly weapon, or sexual motivation enhancement; • driving under the influence or physical control of a vehicle under the influence; gross misdemeanor or misdemeanor offenses related to obscenity, pornography, sexual exploitation of children, or other statutory sex offenses; • felony crimes of promoting prostitution in the first or second degree; gross misdemeanor crimes of driving under the influence, and physical control of a vehicle under the influence; or • misdemeanor of patronizing a prostitute. <p>The act repeals state law for vacating gross misdemeanor, and misdemeanor prostitution offenses as a result of being:</p> <ul style="list-style-type: none"> • a victim of trafficking;

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			<ul style="list-style-type: none"> • a victim of promoting prostitution in the first degree; • a victim of promoting commercial sexual abuse of a minor; • or a victim of trafficking in persons under the Trafficking Victims Protection Act of federal law.
5293 2SSB - Addressing mental health sentencing alternatives	3/5/21 Passed Senate (48-0-1) 4/7/21 Passed House (88-9-1) 4/20/21 Delivered to Governor	CSTF Rec #6 2/5/21 SGC voted to support (unanimous)	Summary: A mental health sentencing alternative (MHSA) is created, which allows a sentencing court to waive the standard range and impose a term of community custody if: <ul style="list-style-type: none"> • the defendant is convicted of a felony which is not a serious violent offense or a sex offense; • the defendant is diagnosed with a serious mental illness; • the defendant and the community would benefit from supervision and treatment; and • the defendant is willing to participate in the sentencing alternative. The court considers whether the defendant and the community would benefit from imposition of the MHSA and consider the victim's opinion. If the court determines that a MHSA is appropriate, the court must impose 12 to 24 months of community custody if the midpoint of the standard range sentence is less than or equal to 36 months, and 12-36 months of community custody for longer sentencing ranges. The Department of Corrections must assign a community corrections officer to supervise the defendant and provide the community corrections officer with appropriate mental health training to be determined by the Department.
5304 E2SSB - Providing reentry services to persons releasing from state and local institutions	3/5/21 Passed Senate (48-0-1) 4/9/21 Passed House (74-23-1)	CSTF Rec #29 (cty of origin) 1/22/21 SGC voted to support (unanimous)	Brief Summary of Engrossed Second Substitute Bill: <ul style="list-style-type: none"> • Expands the Medicaid suspension policy to include correctional institutions, state hospitals, and other treatment facilities. • Requires full reinstatement of Medicaid benefits at the moment of a person's release from confinement, and allows the Health Care Authority (HCA) to reinstate medical assistance prior to the day of release as long as no federal funds are expended for an unauthorized purpose.

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	<p>4/21/21 Senate concur w/House</p> <p>4/26/21 Delivered to Governor</p>		<ul style="list-style-type: none"> • Requires HCA to apply for a Medicaid waiver to allow the state to provide services to confined persons up to 30 days prior to the person's release or discharge to the community. • Renames the Offender Reentry Community Safety Program the Reentry Community Services (RCS) Program, and makes changes to the program. • Directs HCA to convene a Reentry Services Work Group and directs the Washington State Institute of Public Policy to update its previous evaluations of the RCS program. • Alters the definition of county of origin and the process for approving a residence location outside the person's county of origin.
<p>5361 SSB - Concerning the resentencing of persons convicted of drug offenses</p>	<p>3/5/21 Passed Senate (48-0-1)</p> <p>4/8/21 Passed House (98-0-0)</p> <p>4/20/21 Senate concur w/House (49-0-0)</p> <p>4/26/21 Delivered to Governor</p>	<p>2/5/21 SGC voted unanimously to oppose</p> <p>2/12/21 SGC voted to support an amended bill that eliminates restricting crime categories</p>	<p>Summary:</p> <ul style="list-style-type: none"> • To qualify for resentencing for a drug offense committed prior to July 1, 2004, the person does not need to be currently incarcerated, but must be serving a current sentence under the custody of the Department of Corrections. The person must not have been convicted of a violent offense or sex offense involving a child. • Notwithstanding provisions requiring a sentence be determined in accordance with the law in effect when the offense was committed, the court shall sentence the offender based on the sentencing guidelines in effect on the effective date of the bill. • The expiration date for the resentencing provision is extended to July 1, 2022.
<p>5476 SB – Addressing the <i>State v Blake</i> decision</p>	<p>4/15/21 Passed Senate (28-20-1)</p> <p>4/24/21 Passed House (80-18-0)</p>	<p>4/2/21 SGC voted OTHER with list of reasons/ concerns</p>	<p>Brief Summary of Engrossed Bill:</p> <ul style="list-style-type: none"> • Reduces the criminal penalty for possession of a controlled or counterfeit substance from a felony to a misdemeanor. • Encourages the prosecutor to divert violations for possession of a controlled substance, counterfeit substance, or legend drug for assessment, treatment, and other or other services. • Requires the Health Care Authority to establish the substance use recovery services advisory committee to make recommendations for implementation

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	4/24/21 Senate Concur w/House (26-23-0) 4/26/21 Delivered to Governor		of a substance use recovery services plan, including recommended reforms to the law. <ul style="list-style-type: none"> • Authorizes appointment of court commissioners with the authority to conduct resentencing hearings and vacate convictions pursuant to State v. Blake.
1126 2SHB - Limiting tolling of community custody terms	1/28/21 Public Safety passed sub bill 2/11/21 Approps passed sub bill	DOC Request Bill 11/13/20 SGC voted to support	Budget adds 21.4 FTE to tolling records staff at DOC
1412 2SHB - Concerning legal financial obligations	2/10/21 H Civil Rights & Jud passed sub bill 2/22/21 Approps passed sub bill	CSTF Recommendation #40-#44, #46 1/29/21 SGC voted to support (unanimous)	Budget provides funding to WSIPP to study LFOs: a) amount of LFOs imposed over last 3 years; b) total amounts collected/outstanding annually; c) statutes which allow imposition of LFOs; d) Percent of judicial branch's budget supported by LFOs since system's inception; e) programs funded by LFOs; f) How other states fund their court systems Study to recommend potential methods and processes to delink court-related and other county/local funding from collection of LFOs.
5122 ESSB - Concerning the jurisdiction of juvenile court	3/4/21 Senate passed sub bill (27-21-1) 3/19/21 Passed out of CYF	1/8/21 SGC voted to support	Budget provides funding to WSIPP to assess impact of Chapter 162, Laws of 2018 (E2SSB 6160 - Revising conditions under which a person is subject to exclusive adult jurisdiction and extending juvenile court jurisdiction over serious cases to age twenty-five) and Chapter 322, Laws of 2019 (E2SHB 1646 - Concerning confinement in juvenile rehabilitation facilities) on community safety, racial disproportionality, recidivism, state expenditure and youth rehabilitation.

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	4/1/21 H Approps passed sub bill		
5123 SSB - Creating a developmentally appropriate response to youth who commit sexual offenses	2/5/21 HSR&R passed sub bill	1/8/21 SGC voted to support	A request was sent to the Sex Offender Policy Board to conduct analyses on aspects of juveniles charged with sex offenses, juvenile sex offender treatment programs, and juvenile registration. The full request can be found here: Project Request Letter - March 1, 2021 (wa.gov)
5248 SB - Establishing the joint legislative task force on jail standards	2/2/21 HSR&R passed	1/8/21 SGC voted to support	Budget provided funding to AGO to staff the Joint Legislative Task Force on Jail Standards and to the CJTC to provide support of the participation of WASPC in the Task Force.
1071 HB - Concerning bias-based criminal offenses	1/28/21 Public Safety passed	1/15/21 SGC voted to Support w/note	
1169 SHB - Concerning sentencing enhancements	1/29/21 Pub Safety passed sub bill 2/17/21 Approps passed bill	CTSF Rec #14 (Street Gang Enh) and #16 (Enh get ERT and partial conf) 11/13/20 SGC voted to support application of ERT on enh per DOC's draft language	
1413 HB - Scoring of prior juvenile offenses in sentencing range calculations	2/15/21 Pub Safety passed bill	2/5/21 SGC voted to support (unanimous)	

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1282 SHB - Concerning allowed earned time for certain offenses	2/11/21 Public Safety passed sub bill	DOC Request bill Partial CSTF Rec #16 (excl %ERT) 11/13/20 SGC voted to support application of ERT on enhancements and 33% ERT	
1293 HB - Reducing unduly harsh sentences for offenses committed by domestic violence survivors		CSTF Rec #7 1/29/21 SGC voted to support (unanimous)	
1307 HB - Concerning the drug offense sentencing grid	2/11/21 Pub Safety passed bill	1/22/21 SGC voted OTHER w/note	
1344 HB - Allowing qualifying persons serving long sentences committed prior to reaching 25 years of age to seek review for possible release from incarceration		2/5/21 SGC voted to support (unanimous)	
1384 HB - Raising the seriousness levels of rape of a child and child molestation offenses		2/12/21 SGC voted to oppose w/note	

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1499 SHB - Providing behavioral health system responses to individuals with substance use disorder	2/15/21 Pub Safety passed sub bill	2/12/21 SGC voted to support w/note	
5035 SSB - Concerning offender drug scoring	2/25/21 Passed Senate (27-19-3)	1/22/21 SGC voted to support (unanimous)	
5047 SB - Reducing criminal justice expenses by eliminating the death penalty and instead requiring life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder		AG Request Bill 1/15/21 SGC voted to table until hearing is scheduled	
5099 SB - Ensuring that offenders who are incarcerated and commit murder may be changed with the death penalty		1/15/21 SGC voted to table until hearing is scheduled	
5120 SSB - Concerning the criminal sentencing of youth and young adults	1/22/21 HSR&R passed sub bill	1/15/21 SGC voted to support	

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5301 SB - Creating the corrections and public safety account		1/22/21 SGC voted to oppose and suggest savings should be directed to reinvestments in client services	
5307 SB - Establishing the uniform pretrial release and detention act		Uniform Law Commission request bill 1/29/21 SGC voted to table - too many concerns; need more information	
5339 SB - Concerning juvenile records		1/29/21 SGC voted to support	
5407 SB - Concerning firearm theft		2/5/21 SGC voted to oppose (unanimous) w/noted concerns	
5036 E2SSB - Concerning conditional commutation by the clemency and pardons board	3/1/21 Passed Senate (27-21-1) 3/26/21 Public Safety passed sub bill 4/1/21 H Approps passed sub bill	1/22/21 SGC decided not to take a position	

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