

# 2023 Legislative Update Webinar Series

January 24, 2023

Please note: This training is being recorded.

**ACLU**  
Washington

# Introductions

- In the chat box:
  - Name
  - Pronouns
  - Where you're joining from
  - Do you know your state legislative district?

# Agenda

1. Welcome & Introductions
2. Youth Policy Bills Overview – *Roxana Gomez, Youth Policy Manager*
  - Raise the Age (HB 1440 & SB 5434)
  - Emerging Adults (HB 1325 & SB 5451)
  - Juvenile Points (HB 1324 & SB 5475)
  - Youth Access to Counsel
3. Q&A
4. ACLU-WA's 2023 Legislative Agenda
5. Announcements

# **Youth Policy Bills**

*Roxana Gomez, Youth Policy Manager*

# Raise the Age (HB 1440 & SB 5434)

## Background

- Current scientific research has demonstrated children lack the brain development and skills needed to be competent to engage with the criminal legal system.
- US Supreme Court & Washington Supreme Court have recognized the need for legal systems to account for brain development science.
- Due to a history of over-policing communities of color and children in schools, youth who are Black, Indigenous, and People of Color have a disproportionately greater number of juvenile convictions.

# Raise the Age (HB 1440 & SB 5434)

## What does the bill do?

- Modernizes WA's criminal legal system making it consistent with discoveries in developmental brain science.
- Changes the jurisdiction of juvenile court to begin with children over 13.
- Establishes a task force to study age limit changes for adult court jurisdiction.

# Raise the Age (HB 1440 & SB 5434)

## What can you do?

- The bills have not been scheduled for a hearing in the House or Senate.
- Are your legislators on House Human Services, Youth, & Early Learning or Senate Human Services? Contact them and ask that these bills be given a public hearing.

# Emerging Adults (HB 1325 & SB 5451)

## Background

- Discoveries in developmental brain science prove that a young person's brain continues to develop into their twenties.
- Many other states and jurisdictions (incl. CA & Washington, DC) have passed or are passing legislation that increases the age of consideration for post-conviction review.
- In 2014, WA passed legislation offering people sentenced for offenses they committed when they were under 18 the opportunity to have their sentence reviewed.



# Emerging Adults (HB 1325 & SB 5451)

## What does the bill do?

- Increases the age for sentence review consideration from 18 to 25.
- Modernizes state code, decreases incarceration costs, and takes meaningful steps to address racial disparities in sentencing.
- Does not guarantee release but offers the opportunity for individuals who qualify to go before the Indeterminate Sentence Review Board for consideration.

# Emerging Adults (HB 1325 & SB 5451)

## What can you do?

- The bills have not been scheduled for a hearing in the House or Senate.
- Are your legislators on House Community Safety, Justice, & Reentry or Senate Law & Justice? Contact them and ask that these bills be given a public hearing.

# Juvenile Points (HB 1324 & SB 5475)

## Background

- Current scientific research demonstrates that young people's brains are different and their decision-making and impulse control are still developing.
- Juvenile adjudications are automatically included in adult sentencing calculations for at least 10 years for Class B felonies, and at least 5 years for Class C felonies.
- Youth who are Black, Indigenous, and People of Color are disproportionately prosecuted and incarcerated, and hold a disproportionate number of juvenile adjudications.

# Juvenile Points (HB 1324 & SB 5475)

## What does the bill do?

- Brings Washington's sentencing system, as it relates to juvenile adjudications, in line with most other states.
- Eliminating juvenile points will reduce racial disparities, account for discoveries in developmental brain science, and stop punishing people twice by no longer counting juvenile points in adult sentencing calculations.

# Juvenile Points (HB 1324 & SB 5475)

## What can you do?

- HB 1324 was heard in House Community Safety, Justice, & Reentry on Monday, January 23.
- Are your lawmakers on House Community Safety? Contact them and ask them to vote to pass this bill out of committee!

# Youth Access to Counsel – Reject SB 5463

- SB 5463 effectively repeals ESHB 1140, which passed in 2021.
- ESHB 1140 protects youth by ensuring they speak to an attorney when police officers are asking them to waive constitutional rights during a custodial interrogation or when asking them to consent to a warrantless search.
- Youth access to counsel is a racial justice issue.
- ESHB 1140 followed successful reforms in Seattle, King County, and California.

# Other important youth policy bills

- HB 1394: Creating a developmentally appropriate response to youth who commit sexual offenses
  - Hearing tomorrow in House Human Services, Youth & Early Learning at 1:30pm. **Action opportunity: sign in PRO!**
- HB 1479: Restraint or isolation of students in public schools & educational programs
  - No hearing scheduled yet, but likely next week.
- HB 1432: Youth legal financial obligations
  - No hearing scheduled yet, but likely next week.

# Questions?

Type them in the chat box on Zoom



# **ACLU-WA 2023 Legislative Agenda: Bill Updates**

# Check out our quick guide to the WA Legislature!

**MAKE YOUR VOICE HEARD**  
A Guide to the Washington Legislature

**HOW THE LEGISLATURE WORKS**

**49**  
LEGISLATIVE DISTRICTS

District boundaries change with the U.S. Census

**EACH LEGISLATOR**  
**MUST BE:**

- ✓ at least eighteen years of age,
- ✓ a United States citizen, and
- ✓ a qualified elector\* in the legislative district from which elected.

**\*A QUALIFIED ELECTOR...** means any person who has resided in their district for at least thirty (30) days preceding the election at which he or she desires to vote, and who is registered as required by law.

# Legislative Session Cutoff Dates

- January 9: First day of 2023 session
- February 17: Last day to pass bills out of policy committee (chamber of origin)
- February 24: Last day to pass bills out of fiscal committee (chamber of origin)
- March 8: Last day to pass bills out of chamber of origin



# Legislative Session Cutoff Dates (cont.)

- March 29: Last day to pass bills out of policy committee (opposite chamber)
- April 4: Last day to pass bills out of fiscal committee (opposite chamber)
- April 12: Last day (5pm) for bills to be passed on the floor (opposite chamber)
- April 23: Sine die (end of regular session)

# 2023 Legislative Priorities

## Abortion and Gender Affirming Care Access

- Washington My Health, My Data (HB 1155 & SB 5351)
  - HB 1155 heard today in Civil Rights & Judiciary, exec session Friday.
- No cost-sharing for abortions (HB 1115 & SB 5242)
  - SB 5242 heard today in Senate Health & Long Term Care, no exec session scheduled yet.
- Keep Our Care Act (HB 1263 & SB 5241)
  - SB 5241 heard today in Senate Law & Justice, no exec session scheduled yet.

# 2023 Legislative Priorities

## Abortion and Gender Affirming Care Access (cont.)

- Provider licensing protections (HB 1340 & SB 5400)
  - HB 1340 heard today in House Health Care & Wellness, exec session Friday.
- Shield law (HB 1469 & SB 5489)
  - HB 1469 heard today in House Civil Rights & Judiciary, exec session Friday. SB 5489 also heard today in Senate Law & Justice, exec session Thursday.

# 2023 Legislative Priorities

## Decriminalizing Drug Possession

- End the failed War on Drugs by adopting the SURSAC recommendations (Bill TBD)
  - No bill introduced yet.

# 2023 Legislative Priorities

## Reducing Police Violence & Strengthening Accountability

- Traffic Safety for All (HB 1513)
  - No hearing scheduled yet.
- Access to Fairness (HB 1025)
  - Public hearing tomorrow in House Civil Rights & Judiciary at 8am.  
**Action opportunity: sign in PRO!**
- AG Investigation & Reform (HB 1445)
  - Public hearing tomorrow in House Civil Rights & Judiciary at 8am.  
**Action opportunity: sign in PRO!**



# 2023 Legislative Priorities

## Transforming Sentencing & Reentry

- Raise the Age (HB 1440 & SB 5434)
  - No hearings scheduled yet.
- Emerging Adults (HB 1325 & SB 5451)
  - No hearings scheduled yet.
- Juvenile Points (HB 1324 & SB 5475)
  - HB 1324 heard yesterday in House Community Safety, Justice & Reentry.

# 2023 Legislative Priorities

## Ending the Long-Term Use of Solitary Confinement

- HB 1087 & SB 5135
  - HB 1087 heard 1/10 in House Community Safety & voted out of committee on 1/19! Now to House Appropriations.
  - SB 5135 heard yesterday in Senate Human Services.

# 2023 Legislative Priorities

## Protecting People's Privacy

- People's Privacy Act (Bill TBD)
- Automated decision systems (SB 5365)
  - No hearing scheduled yet.

## Equitable Health Care for Immigrants

- No bill introduced yet.

# Announcements & Actions

- Sign up for our legislative update email list for weekly updates on all our bills, plus ways you can support our community partners.
- Sign in PRO on the following bills:
  - HB 1394 (Youth sexual offenses) by 12:30pm tomorrow
  - HB 1025 (Access to Fairness) by 7am tomorrow
  - HB 1445 (AG Investigation & Reform) by 7am tomorrow
- Other ways to get involved: submit written testimony, watch public hearings on TVW, and email your lawmakers!

# Next Zoom Call!

Tuesday, February 7 at 5:30pm

Same call-in information

Topic will be announced next week!



## Questions?

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**ACLU**

Washington

**WE THE PEOPLE**