

SENATE BILL REPORT

SB 5222

As Reported By Senate Committee On:
Human Services & Corrections, February 1, 2007
Ways & Means, February 19, 2007

Title: An act relating to the appointment of indeterminate sentence review board members.

Brief Description: Modifying provisions affecting the appointment of indeterminate sentence review board members.

Sponsors: Senators Hargrove, Marr, Stevens, Eide, Carrell, Regala and Brandland; by request of Indeterminate Sentence Review Board.

Brief History:

Committee Activity: Human Services & Corrections: 1/16/07, 2/1/07 [DP-WM].
Ways & Means: 2/12/07, 2/19/07 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Shani Bauer (786-7468)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler and Tom.

Staff: Richard Ramsey (786-7412)

Background: The Indeterminate Sentence Review Board (ISRB) makes decisions regarding the release and supervision of two types of offenders: offenders subject to indeterminate sentencing and those subject to determinate plus sentencing.

Criminal defendants in Washington who committed crimes before July 1, 1984, were subject to indeterminate sentencing. Under that system, a judge imposed a minimum and a maximum sentence. As a person neared the end of their minimum sentence, the parole board (which was

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the predecessor to the ISRB) would determine if release was appropriate. If the parole board decided not to release the person, it would assign a new minimum term, after which the person would be reevaluated to determine whether release was appropriate.

Most persons who have committed crimes in Washington after July 1, 1984, are subject to determinate sentencing, which is characterized by specific sentences that are prescribed for various crimes. However, certain persons who have committed serious sex offenses are subject to determinate plus sentencing, in which the judge imposes a minimum and a maximum sentence. As a person sentenced under the determinate plus system reaches the end of their minimum sentence, the ISRB determines if release and supervision is appropriate. If the ISRB decides not to release the person, it assigns a new minimum term, not to exceed two years, after which the person must be reevaluated.

The ISRB currently consists of three board members, one of whom is appointed as chair by the Governor. The chair is a full-time position. The other two board members are each budgeted and serve at 60 percent of a full-time position. The board members travel statewide to Department of Corrections (DOC) institutions and county jails to conduct release and violation hearings.

After the shift to determinate sentencing, the ISRB had a diminishing number of parole cases. Consequently, the need for board members decreased. Between 1984 and 2000, board membership was reduced from seven full-time members to its current level of 2.2 full-time members.

The ISRB began hearing determinate plus cases following statutory changes in 2001. The ISRB's caseload has since increased from 760 cases in 2001, to the current caseload of 1,500. The ISRB reports that its caseload is increasing at a rate of 300 sex offenders per year.

Summary of Bill: Two full-time board members are added to the ISRB. The chair is to serve as a fully participating member of the board and as director of the agency. The title of the position of secretary to the ISRB is changed to executive director.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The caseload of the ISRB is rising at a level of approximately 25 new sex offenders per month. The ISRB was preparing to go out of business as the number of offenders with indeterminate sentences decreased, and they do not anticipate having sufficient resources to cover the increasing caseload. Part of the reason they are coming forward now is to rebuild the agency. They want to bring on new Board members in sufficient time to be able to properly train them and partner them with seasoned members. The additional Board members would also add geographic and ethnic diversity to the Board as well as ensure coverage for sick leave and vacations.

Persons Testifying: PRO: Jeralita Costa, Chair, Indeterminate Sentence Review Board.