
General Government Appropriations Committee

HB 2957

Brief Description: Transferring the indeterminate sentence review board to the department of corrections.

Sponsors: Representatives Williams and Darneille; by request of Governor Gregoire.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Transfers the Indeterminate Sentence Review Board and its functions to the Department of Corrections.

Hearing Date: 1/28/10

Staff: Alex MacBain (786-7288).

Background:

When the Sentencing Reform Act (SRA) was enacted in 1981, Washington changed from an indeterminate to a determinate sentencing scheme. Under the indeterminate scheme, the Board of Prison Terms and Paroles (Board) had jurisdiction over the committed offenders and would decide when the offender would be paroled and under what circumstances the offender's parole could be revoked. The judge would recommend a minimum term, but other responsibilities rested with the Board.

In 1986, the Board was redesignated the Indeterminate Sentence Review Board (ISRB). The ISRB assumed the responsibility of supervision, parole, and revocation of those persons sentenced to felony offenses prior to July 1, 1984, which was the effective date of the SRA. The Legislature contemplated phasing out the ISRB as more and more prisoners were sentenced under the SRA. In 1986, the Legislature provided that the ISRB would cease to exist on June 30, 1992, and that all of its powers, functions, and duties involving persons sentenced under the indeterminate sentencing scheme would be transferred to the superior courts of Washington. In

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1989, the Legislature delayed the termination of the ISRB until 1998, and in 1997 termination of the ISRB was again delayed until June 30, 2008.

In 2001, legislation was enacted that created a type of sentencing known as "determinate plus" sentencing. In determinate plus sentencing, the court will sentence the offender to a minimum term and a maximum term. The ISRB is required to evaluate the offender prior to the expiration of the minimum term. After the minimum sentence is served, the ISRB determines whether the offender can actually leave prison. If the ISRB decides against release, time is added to the sentence, and a new minimum is set. If the person is released, he or she is placed on community custody. The ISRB holds hearings to determine if an offender has violated the terms of community custody. These offenders are also supervised in the community by the DOC.

The ISRB is comprised of the chair and four other members, all appointed by the Governor.

Summary of Bill:

The Indeterminate Sentence Review Board (ISRB) and its functions are transferred into the Department of Corrections. All materials held by the by the ISRB related to its operation are transferred to the custody of the Department of Corrections. All the employees of the ISRB are transferred to the Department of Corrections without a loss of rights, subject to the civil service rules. The duties of the ISRB will continue to be performed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2010.