

WAC 137-28-390 Hearing officer reports to the indeterminate sentence review board. (1) When the hearing officer determines that an offender subject to the jurisdiction of the indeterminate sentence review board is guilty of a serious violation, the hearing officer may recommend to the superintendent that he/she not certify good conduct time credit for the offender pursuant to RCW 9.95.070.

The hearing officer's recommendation will be consistent with guidelines established by the department secretary. Any sanctions for loss of good conduct credits in excess of the guidelines require assistant secretary approval.

(2) Recommendation to the indeterminate sentence review board for a disciplinary hearing or reconsideration of minimum term should occur only with violations providing for actual time loss of twelve months or more and consistent with guidelines established by the department secretary.

(3) Whenever the hearing officer finds an offender under the jurisdiction of the indeterminate sentence review board guilty of a serious violation and recommends either loss of good conduct time credits or an increase in the offender's minimum term, the records office must inform the indeterminate sentence review board of the hearing officer's decision and recommendation within ten days, or within ten days of the superintendent's decision if an appeal is granted. This report shall include a copy of the summary of the hearing prepared by the hearing officer. If the offender is within forty-five days of an apparent release date, the indeterminate sentence review board shall be notified promptly with written notification to follow.

(4) In all other cases where an offender under the jurisdiction of the indeterminate sentence review board is found guilty of a serious violation, the records office must inform the indeterminate sentence review board of the hearing officer's decision within thirty days, or within thirty days of the superintendent's decision if an appeal is granted. This report shall include a copy of the summary of the hearing prepared by the hearing officer. If the offender is within forty-five days of an apparent release date, the indeterminate sentence review board shall be notified promptly with written notification to follow.

[Statutory Authority: RCW 72.01.090, 72.65.100, and 72.09.130. WSR 15-20-011, § 137-28-390, filed 9/24/15, effective 1/8/16. WSR 95-15-044, § 137-28-390, filed 7/13/95, effective 8/15/95.]