

WAC 381-90-080 Incarcerated individual to be served notice. The board will send the hearing notice to the institution superintendent/designee in advance of any hearing. The hearing notice shall specify the reason for the hearing, time, date, and place.

(1) Upon receipt of the hearing notice, the superintendent or designee shall serve the incarcerated individual with the document.

(2) The original hearing notice is to be signed by the individual with date of service noted and returned to the board electronically. The department should retain a copy in the incarcerated individual's institutional file and provide a copy to them.

(3) In cases where the incarcerated individual refuses to sign the notice, the superintendent or designee shall note the date of service and obtain the signature of a witness to such service. A copy of the signed form should be returned to the board electronically.

(4) For individuals being considered for release pursuant to RCW 9.95.420, they will be allowed to review a copy of the end of sentence review report with supporting documents prior to the hearing. The incarcerated individual shall sign an acknowledgment form that the documents have been reviewed, noting the date and amount of time spent in review. If an interpreter assisted the individual, the interpreter shall also sign and date the acknowledgment form. A copy of the signed form should be returned to the board electronically.

(5) For individuals being considered for release pursuant to RCW 10.95.030(3) or 9.94A.730, they will be allowed to review copies of relevant file material prior to the hearing. The person shall sign an acknowledgment form that the documents have been reviewed, noting the date and amount of time spent in review. If an interpreter assisted the individual, the interpreter shall also sign and date the acknowledgment form. A copy of the signed form should be returned to the board electronically.

(6) The incarcerated individual shall be given the opportunity to make a written statement to the board.

[WSR 23-14-109, § 381-90-080, filed 7/3/23, effective 8/3/23. Statutory Authority: RCW 34.05.220 (1)(b). WSR 09-08-109, § 381-90-080, filed 3/31/09, effective 5/1/09.]

Reviser's note: Under RCW 34.05.030 (1)(c), as amended by section 103, chapter 288, Laws of 1988, the above section was not adopted under the Administrative Procedure Act, chapter 34.05 RCW, but was published in the Washington State Register and codified into the Washington Administrative Code exactly as shown by the agency filing with history notes added by the code reviser's office.