

SENATE BILL REPORT

SB 6925

As Reported By Senate Committee On:
Human Services & Corrections, February 07, 2008

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

Brief Description: Regarding the governance of the indeterminate sentence review board.

Sponsors: Senator Hargrove.

Brief History:

Committee Activity: Human Services & Corrections: 2/7/08 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

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

Staff: Shani Bauer (786-7468)

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 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.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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. If the evaluation does not result in the release of the offender, the ISRB must re-evaluate the offender at least once every five years up to the offender's maximum term.

Currently, the ISRB is comprised of the Chair and four other members, all appointed by the Governor with the consent of the Senate. The Chair of the ISRB is designated as the Director of the agency and a fully participating board member. Two members are added to the ISRB.

Summary of Bill: To be eligible for appointment as an ISRB member, an individual must have at least six years of professional experience in the criminal justice system of Washington State in any of the following areas: parole, probation, corrections, crime victim advocacy, criminal court system, or law enforcement.

Vacancies on the ISRB must be filled by an open competitive process managed by the Director of the agency with recommendations for appointment to the Governor. Selection criteria must include knowledge of risk analysis, sentencing laws, and victims rights.

In addition to the above requirements, the Chair must have five years' experience in an administrative capacity with responsibility for fiscal management, policy development, and strategic planning. The Chair, in his or her capacity as the Director, is responsible for the administrative functions of the ISRB including hiring staff and prescribing duties.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: None.

Persons Testifying: No one.