

# FINAL BILL REPORT

## E2SSB 6242

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### PARTIAL VETO C 218 L 16 Synopsis as Enacted

**Brief Description:** Requiring the indeterminate sentence review board to provide certain notices upon receiving a petition for early release.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Pedersen, Padden, Roach, Hargrove, Pearson, Darneille, Frockt and Sheldon).

**Senate Committee on Law & Justice**  
**Senate Committee on Ways & Means**  
**House Committee on Public Safety**  
**House Committee on General Government & Information Technology**

**Background:** The Indeterminate Sentence Review Board (ISRB) was created in 1986. Prior to that time, the ISRB had been the Board of Prison Terms and Paroles. The ISRB has been given authority over the release and supervision of the following types of offenders:

- felony offenders who committed crimes before July 1, 1984 and went to prison;
- a select group of sex offenders who have committed offenses after August 31, 2001; and
- certain offenders who committed crimes while under the age of 18.

The ISRB is located in Olympia and merged with the Department of Corrections on July 1, 2011. The Chair and three Board Members are appointed by the Governor to serve five year terms. Staff support the ISRB by providing case analysis, maintaining offender records, and providing administrative assistance to the Chair and the Board Members.

**Summary:** Notice. When the ISRB receives a petition for early release submitted under RCW 9.94A.730 - certain offenders who committed crimes while under the age of 18 - or upon determination of a parole eligibility review date pursuant to RCW 9.95.100 and 9.95.052 - felony offenders who committed crimes before July 1, 1984 and went to prison - the ISRB must provide notice and a copy of the petition or parole eligibility documents to the sentencing court, prosecuting attorney, and the crime victim or surviving family member. The ISRB must also provide any assessment, psychological evaluation, institutional behavior record, or other examination of the offender to the sentencing court and prosecuting attorney, or the crime victim or surviving family member if requested in writing. Notice of the early release hearing date or parole eligibility date, and any evaluations or information relevant to the release decision, must be provided at least 90 days before the early release hearing or

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parole eligibility hearing. These records and other records reviewed by the ISRB in response to the petition must be disclosed in full and without redaction. Copies of records to be provided to the sentencing court and prosecuting attorney must be provided as required without regard to whether the ISRB has received a request for copies.

Records Disclosure. It is presumed that none of the records reviewed are exempt from disclosure to the sentencing court, prosecuting attorney, and crime victim or surviving family member, in whole or in part. The ISRB may not claim any exemption from disclosure for the records reviewed for an early release petition or parole eligibility review hearing. The new disclosure provisions do not preclude a crime victim or surviving family member from submitting confidential input to the ISRB.

Minutes. The ISRB and its committees must:

1. provide comprehensive minutes of all related meetings and hearings on a petition for early release, which should include, but not be limited to:
  - the ISRB members who are present;
  - the name of the petitioner seeking review;
  - the purpose and date of the meeting or hearing;
  - a listing of documents reviewed;
  - the names of members of the public who testify;
  - a summary of discussion;
  - the motions or other actions taken; and
  - the votes of ISRB members by name; and
2. post the comprehensive minutes publicly and conspicuously on the ISRB's web site within 30 days of the meeting or hearing, without information withheld or redacted.

**Votes on Final Passage:**

Senate	48	1
House	97	0

**Effective:** June 9, 2016

**Partial Veto Summary:** Emergency Clause Provision is removed.