

Title 381 WAC

PRISON TERMS AND PAROLES, BOARD OF

Reviser's note: The following material has not been adopted under the Administrative Procedure Act, chapter 34.04 RCW, but was filed in the office of the code reviser and was published in WSR 86-14-032. It is published in the Washington Administrative Code exactly as filed pursuant to the court order shown in WSR 82-08-001 and Title 381 in the 1982 WAC Supplement.

1.140 ADOPTED PROCEDURES - IMPLEMENTATION OF SHB 1400 Effective July 1, 1986, the Indeterminate Sentence Review Board staff shall score an offender's indeterminate convictions under the SRA and the Board shall consider the purposes, standards and sentencing ranges adopted pursuant to RCW 9.94A.040 and the minimum term recommendations of the sentencing judge and prosecuting attorney, and shall attempt to be reasonably consistent with those ranges, standards, purposes and recommendations when making decisions at:

- (a) admission meetings to set a new minimum duration of confinement for parolees whose parole was revoked pursuant to RCW 9.95.123, or any remaining admissions meetings to establish a minimum duration of confinement;
- (b) administrative or in-person progress meetings;
- (c) disciplinary hearings pursuant to RCW 9.95.080;
- (d) parole eligibility review meetings pursuant to RCW 9.95.110; and
- (e) parolability hearings pursuant to RCW 9.95.100.

The above decisions shall also take into consideration the different charging and disposition practices under the indeterminate sentencing system.

The above decisions will be made in accordance with the inmate's current schedule and will not be expedited unless the Board, in its discretion, feels such action is appropriate pursuant to RCW 9.95.052.

In the event the Board makes a decision affecting an inmate's duration of confinement or a parole release decision which is outside the sentencing ranges pursuant to RCW 9.94A.040, the Board shall provide adequate written reasons to the inmate.

At a disciplinary hearing, the Board shall only determine whether the inmate violated a rule of the institution or furlough condition and whether time should be added to his/her minimum term in a manner consistent with the above paragraph. A disciplinary hearing is not intended to serve as a forum for the reduction of an inmate's duration of confinement or to circumvent a regularly scheduled administrative progress or parole eligibility review meeting.

If at the time of the progress review meeting the inmate has already served in excess of his/her SRA range, the Board will consider the purposes, standards, and sentencing ranges adopted pursuant to RCW 9.94A.040, the minimum term recommendations of the sentencing judge and prosecuting attorney, and the different charging and disposition practices under the indeterminate sentencing system and shall request the superintendent of the correctional institution to conduct a full review of such person's prospects for rehabilitation to allow the Board to

consider a reduction of the inmate's minimum duration of confinement reasonably consistent with the SRA.

Adopted June 23, 1986

3.090

REQUIRED DOCUMENTS - PAROLE MEETING AND ADMINISTRATIVE PAROLE DECISION In order for an inmate to be approved for a parole meeting or an administrative parole decision, the Board must first be satisfied that he (she) is ready to be considered for release. In addition, the following documents pertaining to the inmate shall be provided by the Department of Corrections and shall be present in the official Board file prior to the meeting or the decision:

- (a) The institution progress report covering his (her) adjustment, achievement, infractions, and program participation since the last meeting with the Board.
- (b) The institution pre-parole referral report.
- (c) A current pre-parole investigation report prepared by a Community Corrections Officer.
- (d) The institution superintendent's statement and certification of good time credits, earned or denied. In the case of administrative parole, the good time shall be certified through the date of the submission of the pre-parole referral. The Board will assume that all good time is earned from that date until the date of parole. The Department of Corrections shall notify the Board of any and all infractions and/or loss of good time which occurs between the date the pre-parole referral is sent and the date of parole.
- (e) A current psychological or psychiatric report, if requested by the Board.
- (f) A full review and report from the superintendent pertaining to the inmate's prospects for rehabilitation pursuant to RCW 9.95.052.

Amended June 23, 1986