

WSR 22-22-055
PREPROPOSAL STATEMENT OF INQUIRY
INDETERMINATE SENTENCE
REVIEW BOARD

[Filed October 27, 2022, 3:36 p.m.]

Subject of Possible Rule Making: (1) Amending chapter 381-90 WAC, Procedures for conducting hearings for determination of release to community custody, to include the procedures for individuals eligible to petition for release to community custody as "juvenile board" cases; and (2) amending chapter 381-100 WAC, Procedures for conducting community custody board violation hearings, including the title, to update the procedures for community custody violation processes in order to address juvenile board cases.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 10.95.030 (3)(f) and 9.94A.730.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On June 11, 2014, "Miller fix" legislation became effective, allowing individuals who had committed crimes as juveniles and were sentenced as adults to significant confinement terms to become eligible for early release consideration by the indeterminate sentence review board (ISRB). Specifically, legislation addressed juveniles who had been convicted of aggravated murder in the first degree, as well as other crimes wherein juveniles were sentenced to confinement terms over 20 years. To date, ISRB has not incorporated the legislative change in the current agency rules.

Process for Developing New Rule: Developing language with input from stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jill Getty, P.O. Box 40907, Olympia, WA 98504-1114, phone 360-584-8963, fax 360-493-9287, email jill.getty@doc.wa.gov, website doc.wa.gov.

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