

HOUSE BILL REPORT

SB 5060

As Reported By House Committee On:
Corrections

Title: An act relating to indeterminate sentencing.

Brief Description: Revising provisions relating to indeterminate sentencing.

Sponsors: Senators A. Smith, Nelson, McCaslin and Hargrove; by request of Indeterminate Sentence Review Board.

Brief History:

Reported by House Committee on:
Corrections, March 30, 1993, DP.

HOUSE COMMITTEE ON CORRECTIONS

Majority Report: Do pass. Signed by 8 members: Representatives Morris, Chair; Mastin, Vice Chair; Long, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; G. Cole; L. Johnson; Ogden; and Riley.

Minority Report: Do not pass. Signed by 1 member: Representative Padden.

Staff: Jim Lux (786-7841).

Background: The Indeterminate Sentence Review Board determines the amount of prison time offenders serve under the old indeterminate sentencing law and establishes conditions of parole. In the transition to determinate sentencing, the Legislature has required the board to make sentencing decisions that are "reasonably consistent" with the Sentencing Reform Act.

The indeterminate sentencing law allows parole supervision for up to the maximum term of sentence for the crime. The Sentencing Reform Act however, only allows supervision of certain offenders after their release from prison.

Summary of Bill: Current statutory language requiring the board to retain jurisdiction over habitual criminals throughout the person's natural life is deleted.

When a parole violation does not result in a conviction for a new crime, the conditions of parole may be modified

according to an administrative sanction grid. The process is similar to the way community custody violations are handled under the Sentencing Reform Act.

The Indeterminate Sentence Review Board has discretion to deny credit against the maximum sentence for any time during which a parolee was an escapee and fugitive from justice. If the parolee has been crime free and not a public safety risk for an extended period of time, the board may decide not to add the unserved time to a parolee's maximum term.

If a parolee is found in one of the following circumstances a final order of discharge shall be entered by the board. Offenders on parole longer than three years who are not on suspended or revoked status will be discharged. Offenders on parole for up to three years, who are not on suspended or revoked status will be discharged as determined by the board. Parolees are not required to be on conditional discharge for one year prior to a final discharge order. The discharge restores all civil rights except the right to receive, possess, own, or transport firearms.

Fiscal Note: Available.

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

Testimony For: The offender population on parole under the jurisdiction of the Indeterminate Sentencing Review Board will be reduced consistent with the legislative directive to the agency to terminate by 1998.

Testimony Against: None.

Witnesses: Kit Bale, Indeterminate Sentence Review Board (Pro).