

HOUSE BILL REPORT

HB 1646

As Passed Legislature

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

Brief Description: Extending the existence of the indeterminate sentence review board.

Sponsors: By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Quall, Ballasiotes, Dickerson and Sullivan).

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/18/97 [DP].

Floor Activity:

Passed House: 3/10/97, 95-0.

Senate Amended.

House Concurred.

Passed Legislature.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 13 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Blalock; Cairnes; Delvin; Dickerson; Hickel; Mitchell; Robertson and Sullivan.

Staff: Yvonne Walker (786-7841).

Background: Today, a convicted offender receives a determinate sentence in Washington. However, prior to July 1, 1984, an offender who committed a crime received a indeterminate sentence. During that time span, an offender convicted by a superior court of Washington and sentenced to an institution was placed under the authority of the Indeterminate Sentence Review Board (ISRB).

At least 750 felons in prison and 450 on parole remain under the supervision of the ISRB for release and continued supervision to the end of his or her maximum term, or until granted a final discharge from supervision of the board. The board establishes the minimum prison sentence, evaluates readiness for parole release, sets conditions of parole release and returns offenders to prison for violations of their conditions of release.

The Indeterminate Sentence Review Board (ISRB) consists of up to seven members appointed by the Governor and ratified by the Legislature. The Governor designates one of the board members to serve as chairperson. Members of the board are prohibited from participating in any other business or profession, or holding a public office during their tenure on the board.

ISRB will cease to exist at midnight, June 30, 1998.

The Governor, through the Office of Financial Management, must recommend to the legislature alternatives for carrying out the duties of the board. In developing recommendations, the office of financial management shall consult with the indeterminate sentence review board, Washington association of prosecuting attorneys, Washington Defender Association, Department of Corrections, and administrator for the courts. The recommendations must include a detailed fiscal analysis and recommended formulas and procedures for the reimbursement of costs to local governments if necessary. Recommendations shall be presented to the 1997 legislature.

Summary of Bill: The membership of the Indeterminate Sentence Review Board (ISRB) is reduced from seven to three members appointed by the Governor and ratified by the Legislature.

Statutory criteria is provided for the executive ethics board to use in determining whether to allow outside employment by indeterminate sentence review board members, officers, and employees. Upon prior approval from the executive ethics board, members of the Indeterminate Sentence Review Board may participate in other businesses, professions, or hold a public office as long as it is not a conflict of interest, financial or otherwise, with their official duties of the board.

The existence of the Indeterminate Sentence Review Board continues to operate for an additional 10 years. The board will cease to exist on June 30, 2008.

The due date for the Governor to prepare recommendations regarding alternatives for carrying out the duties of board is extended from the year 1997 to the year 2007.

Appropriation: None.

Fiscal Note: Requested on February 11, 1997.

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

Testimony For: Witnesses testified on related bill (House Bill 1179). Over 700 felons remain under the supervision of the Indeterminate Sentence Review Board for release and continued supervision to the end of their term. The board should be

continued until at least the last felon sentenced prior to 1984 has been granted final discharge. It would not be considered fair to require these offenders to return to court in order to be re-sentenced or to transfer their current supervision sentence to another agency.

Testimony Against: Witness testified on related bill (House Bill 1179). Since Washington no longer uses indeterminate sentencing, the Indeterminate Sentence Review Board should cease to exist. The remaining inmates currently serving prison terms could be given determinate sentences while those offenders that are currently serving parole could be transferred and supervised by community corrections officers.

Testified: Witnesses testified on related bill (House Bill 1179). Lorraine Lee, Governor's staff (pro); Steve Eckstrom, Washington Coalition of Crime Victim Advocates (pro); Kit Bail, Indeterminate Sentence Review Board (pro); and Leta Schattauer, Indeterminate Sentence Review Board (con).