

HOUSE BILL REPORT

SSB 6286

As Reported by House Committee On:

Criminal Justice & Corrections

Title: An act relating to the time permitted for review by the indeterminate sentence review board of sex offenders who are sentenced to short sentences under RCW 9.94A.712.

Brief Description: Revising provisions relating to the time permitted for review by the indeterminate sentence review board of sex offenders who are sentenced to short sentences under RCW 9.94A.712.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Long and Hargrove).

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/22/02, 2/26/02 [DPA].

Brief Summary of Substitute Bill (As Amended by House Committee)

- Changes the time period within which certain sex offenders must be evaluated by the Department of Corrections (DOC) and the Indeterminate Sentence Review Board (ISRB).

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass as amended. Signed by 7 members: Representatives O'Brien, Chair; Lovick, Vice Chair; Ballasiotes, Ranking Minority Member; Ahern, Kagi, Kirby and Morell.

Staff: Jim Morishima (786-7191).

Background:

An offender who commits a sex offense that is a "two strikes" offense, or an offender who has a prior conviction of a "two strikes" offense who commits a new sex offense, receives a minimum term equal to the standard sentencing range under the Sentencing Reform Act plus a maximum term equal to the maximum allowable term of confinement.

Offenders sentenced to such a sentence must be evaluated by the DOC before the expiration of their minimum terms to determine their dangerousness. Such offenders must also be evaluated by the ISRB no later than 90 days before expiration of their minimum terms, but after the DOC's end of sentence review process and recommendations for additional or modified terms of community custody, to determine their likelihood of re-offending. For a small number of offenders who are sentenced to short sentences, it may be impossible for the DOC and the ISRB to meet these deadlines.

Summary of Amended Bill:

If an offender's minimum sentence has expired or will expire within 120 days, the DOC must evaluate the offender within 90 days of the offender's arrival at a DOC facility. Such an offender must be evaluated by the ISRB no later than 120 days after arriving at a DOC facility, but after the DOC's end of sentence review process and recommendations for additional or modified terms of community custody.

Amended Bill Compared to Substitute Bill:

The amended bill contains an emergency clause, which makes the bill take effect immediately.

Appropriation: None.

Fiscal Note: Available on original bill.

Effective Date of Amended Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: We want to make sure that the sentencing changes made with respect to sexually violent predators last year, work. Some offenders are sentenced to short sentences and this bill will provide time for the requisite evaluations by the DOC and the ISRB to take place.

Testimony Against: None.

Testified: Senator Long, prime sponsor; and John Austin, Indeterminate Sentence Review Board.