

SENATE BILL REPORT

HB 1281

As of March 20, 2009

Title: An act relating to the rights of victims, survivors, and witnesses of crimes to be heard before the indeterminate sentence review board and clemency and pardons board.

Brief Description: Addressing the rights of victims, survivors, and witnesses of crimes.

Sponsors: Representatives Hurst, Pearson, Appleton, O'Brien, Goodman, Orcutt, Morrell, Ormsby, Simpson and Orwall.

Brief History: Passed House: 2/27/09, 94-0.

Committee Activity: Human Services & Corrections: 3/20/09.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Kevin Black (786-7747)

Background: The Indeterminate Sentence Review Board (ISRB) conducts hearings concerning offenders in prison who committed their offenses before August 1, 1984, who have indeterminate sentences, and for sex offenders sentenced to "determinate plus" sentences. The ISRB determines whether to release these offenders on parole or to transfer them into community custody.

The Clemency and Pardons Board (CPB) receives petitions for commutation of sentences and pardons, conducts public hearings on such petitions, and makes recommendations on commutations and pardons to the Governor.

A victim of a crime committed by an offender under the jurisdiction of the ISRB must be provided with the opportunity to provide oral, video, written, or in-person testimony at a hearing which may result in the release of the offender.

A victim or survivor of a victim of a crime which is the subject of a petition before the CPB must be provided with the opportunity to present a statement to the CPB in person, via audio or videotape, in writing, or by representation.

Summary of Bill: This bill reorganizes statutes granting victims of crime or survivors of victims the right to make statements before the ISRB and the CPB. Witnesses of crime are

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recognized as having the right to make statements before the ISRB. An intent section is added to the law.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This codifies the right of victims to give statements before the ISRB and CPB before an offender's release from custody. It is important for victims to have their voices heard.

Persons Testifying: PRO: Jeralita Costa, Ellen Hanigan-Crause, ISRB.