
SENATE BILL 6242

State of Washington 64th Legislature 2016 Regular Session

By Senators O'Ban, Pedersen, Padden, Roach, Hargrove, Pearson,
Darneille, Frockt, and Sheldon

Read first time 01/13/16. Referred to Committee on Law & Justice.

1 AN ACT Relating to the indeterminate sentence review board;
2 adding a new section to chapter 9.95 RCW; creating a new section; and
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that the duties of
6 the indeterminate sentence review board have been expanded beyond
7 those envisioned when the sentencing reform act was adopted. Rather
8 than an expiring jurisdiction tied to presentencing reform act
9 prisoners, the indeterminate sentence review board has been given
10 authority over the release and supervision of determinate plus sex
11 offenders sentenced under RCW 9.94A.507, and the release and
12 supervision of certain offenders who committed crimes while under the
13 age of eighteen, pursuant to RCW 9.94A.730. In light of this expanded
14 and important role within the criminal justice system, the
15 legislature adopts immediate requirements for notice and transparency
16 in release hearings, as well as recommending that chapter 9.95 RCW be
17 updated by the relevant legislative committees in conjunction with
18 the sentencing guidelines commission.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.95 RCW
20 to read as follows:

1 (1) Upon receipt of a petition for early release submitted under
2 RCW 9.94A.730, the indeterminate sentence review board must provide
3 notice and a copy of a petition to the sentencing court, prosecuting
4 attorney, and crime victim. The indeterminate sentence review board
5 must also provide any assessment, psychological evaluation,
6 institutional behavior record, or other examination of the offender
7 to the sentencing court, prosecuting attorney, and crime victim.
8 Notice of the early release hearing date, and any evaluations or
9 information relevant to the release decision, must be provided at
10 least ninety days before the early release hearing. The records
11 described in this section, and other records reviewed by the board in
12 response to the petition must be disclosed in full and without
13 redaction. Copies of records to be provided to named parties under
14 this section must be provided as required without regard to whether
15 the board has received a request for copies.

16 (2) For the purpose of review by the board of a petition for
17 early release, it is presumed that none of the records reviewed are
18 exempt from public inspection and copying, in whole or in part, under
19 the public records act, chapter 42.56 RCW, or other state or federal
20 law. The board may not claim any exemption from public inspection or
21 copying for the records reviewed for an early release petition.

22 (3) The board and its committees must video record all meetings
23 and hearings relating to a petition for early release. The video
24 recording may, where practical, be provided by TVW, or a successor
25 nonprofit organization contracted with the secretary of state to
26 provide public affairs television coverage. The board and its
27 subcommittees must provide comprehensive minutes of all related
28 meetings and hearings on a petition for early release. The
29 comprehensive minutes should include, but not be limited to, the
30 board members present, the name of the petitioner seeking review, the
31 purpose and date of the meeting or hearing, a listing of documents
32 reviewed, the names of members of the public who testify, a summary
33 of discussion, the motions or other actions taken, and the votes of
34 board members by name. For the purposes of this subsection, "action"
35 has the same meaning as in RCW 42.30.020. The videos and
36 comprehensive minutes must be publicly and conspicuously posted on
37 the board's web site within thirty days of the meeting or hearing,
38 without any information withheld or redacted.

1 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of
3 the state government and its existing public institutions, and takes
4 effect immediately.

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