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**Community Safety, Justice, & Reentry  
Committee**

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**HB 1383**

**Brief Description:** Concerning people convicted of one or more crimes committed before the person's 18th birthday petitioning the indeterminate sentence review board for early release.

**Sponsors:** Representatives Hackney, Fitzgibbon, Walen, Reed, Pollet and Macri.

**Brief Summary of Bill**

- Authorizes a person convicted of one or more offenses committed prior to age 18 to petition the Indeterminate Sentence Review Board (ISRB) for early release after reaching age 24 or older regardless of the amount of time the person has served in confinement, subject to meeting other eligibility criteria.
- Authorizes the Department of Corrections (DOC) to provide rental vouchers to certain persons who successfully petition the ISRB for early release, and requires the DOC to gather data as recommended by the Washington State Institute for Public Policy related to rental voucher recipients.
- Requires the DOC to maintain a list of housing providers that meet certain statutory requirements.

**Hearing Date:** 1/15/24

**Staff:** Corey Patton (786-7388).

**Background:**

In 1981, the Legislature enacted the Sentencing Reform Act (SRA), which established a

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determinate sentencing framework for felony offenses and eliminated indeterminate sentencing, with some exceptions. Under the SRA, a person convicted of a felony offense is generally required to serve the specific sentence imposed by the court regardless of the person's rehabilitative efforts or improvements. However, certain exceptions may allow a person to qualify for early release prior to completing the term of confinement ordered by the court.

For example, certain cases are subject to review by the Indeterminate Sentence Review Board (ISRB) for possible early release. The ISRB is a quasi-judicial board established in the Department of Corrections (DOC) that has jurisdiction over persons convicted prior to the enactment of the SRA, persons convicted of certain sex offenses committed on or after September 1, 2001, and persons convicted of one or more offenses committed prior to age 18 and sentenced as adults to a term of confinement longer than 20 years.

A person who is convicted of one or more offenses committed prior to age 18 and sentenced to a term longer than 20 years may petition the ISRB for early release if the person meets the following criteria:

- the person has served no less than 20 years of total confinement;
- the person has not been convicted of any crime committed subsequent to the person's eighteenth birthday;
- the person has not committed a disqualifying serious infraction in the 12 months prior to filing the petition; and
- the person's current sentence is not for Aggravated Murder in the first degree or certain sex offenses.

When deciding whether to grant a petition for early release, the ISRB must determine by a preponderance of the evidence whether the person is more likely than not to commit a new crime. If the ISRB grants the petition and releases the person on supervision, the person must comply with all release conditions imposed by the court when the person was sentenced and any further conditions imposed by the ISRB. If the person fails to follow those conditions, the ISRB may revoke release or impose new conditions. If the ISRB denies the petition for early release, the person may file a new petition five years from the date of denial or at an earlier date as determined by the ISRB.

### **Summary of Bill:**

The requirement for a person convicted of one or more crimes committed prior to age 18 to serve at least 20 years of total confinement before being eligible to petition the Indeterminate Sentence Review Board (ISRB) for early release is eliminated. Instead, a person who meets all other eligibility criteria may petition the ISRB for early release after reaching age 24 or older.

The Department of Corrections (DOC) is authorized to provide rental vouchers to a person who successfully petitions the ISRB for early release if rental assistance will allow the petitioner to safely release. The DOC must maintain a list of housing providers that meet certain statutory requirements. If more than two rental voucher recipients will be residing per dwelling unit,

rental vouchers for those recipients may only be paid to a housing provider on the DOC's list. The DOC must gather data about each rental voucher recipient as recommended by the Washington State Institute for Public Policy in order to best demonstrate whether rental vouchers are effective in reducing recidivism.

**Appropriation:** None.

**Fiscal Note:** Requested on January 9, 2024.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.