

WAC 381-10-170 Victim's rights.

Policy statement

The indeterminate sentence review board (ISRB or board) recognizes the rights afforded victims and survivors in the Washington state Constitution (Article I, Section 35). Among these rights is the right to give statements at hearings where an offender's release is considered. The ISRB is committed to protecting this right by providing:

- Accurate information.
- Timely notification.
- A process for receiving input.

Assistance to victims and survivors

The ISRB victim liaison will help victims and survivors of crimes committed by persons under the authority of the board. The victim liaison may provide:

- Notification of upcoming release hearings.
- Assistance preparing statements to the board.
- Assistance scheduling in-person or telephonic statements to the board.
- Notification of the final release decision made by the board.

Statement format

The ISRB will accept statements from victims or survivors before the inmate's hearing. Statements may be given:

- In person to the entire board or a majority of its members at a board meeting. If there are a number of victims or survivors at a meeting and not enough time for each to speak, the board may ask a representative or representatives to speak on behalf of the others.
- In person, made at the inmate's release hearing within the institution.
 - Telephonically with board members.
 - Written format.
 - Electronically (i.e., via email, videotape, CD or other electronic means).
 - Via videoconference (if available).

In cases where statements will be given in a language other than English, the board will arrange and bear the cost for interpreter services (including American sign language). The board must know which language will be used well in advance of any in-person meetings. Written statements must identify what language was used.

Statement content

Statements may include, but are not limited to:

- Information regarding the impact of the crime upon the victim, survivor or family.
- The physical, emotional, psychological, financial, employment, relational and social impacts of the crime, as well as long-term prognosis of victims and survivors.
- Opinions regarding release decisions.
- Requests that certain conditions be placed upon offenders when released onto community supervision.
- In life photographs, or videotapes of deceased victims.
- Descriptions of the actual offense, history of the relationship between the victim and offender, and other information concerning the offender's personality that will assist the board to make an informed decision.

Limited confidentiality

When the ISRB receives statements or communications from victims, survivors or concerned community members the ISRB shall provide the statements or summaries to inmates and/or their attorneys in accordance with court decisions.

Accommodations

When requested, the ISRB may make reasonable accommodations to help individuals give statements to the ISRB. These accommodations can include, but are not limited to:

- Interpreter services (pursuant to chapters 2.42 and 2.43 RCW).
- TTY or other voice or hearing assistance devices.
- Age-appropriate assistance for child victims or survivors.
- The presence of supportive persons or victim advocates.
- Board member travel to a location of mutual agreement.

[Statutory Authority: RCW 34.05.220 (1)(b) and 42.17.250. WSR 08-24-068, § 381-10-170, filed 12/1/08, effective 1/1/09; WSR 98-19-054, § 381-10-170, filed 9/15/98, effective 10/16/98; WSR 91-14-028, § 381-10-170, filed 6/26/91, effective 7/27/91.]