THE INDETERMINATE SENTENCE REVIEW BOARD (ISRB)
INDETERMINATE CASES

- Offenders that committed their offenses prior to 7/1/1984.
- Referred to as PAR or Pre-84 cases.

DETERMINATE-PLUS CASES (ALSO KNOWN AS CCB)

- Offenders that committed certain qualifying sex crimes on or after 9/1/01.
- Known as Community Custody Board (CCB) cases.
PRE-84 CASES

- 300 offenders currently incarcerated.
- 86 offenders currently on parole in the community.
- 6 offenders were deported.
- No new admissions except for “cold cases”.

CCB CASES

- 1773 offenders currently incarcerated.
- 294 offenders currently in the community.
- 100 offenders that have been deported.
- ISRB receives about 20 new cases in the institutions each month.
What are CCB qualifying offenses?

For “Non-Persistent” offenders (RCW 9.94A.712 or 9.94A.507):

- Rape 1st Degree
- Rape 2nd Degree
- Rape of a Child 1st Degree
- Rape of a Child 2nd Degree
- Child Molestation 1st Degree
- Indecent Liberties with Forcible Compulsion
- Sexually Violent Predator Escape
In addition, any of the following offenses with a finding of “sexual motivation” will also be sentenced as CCB (Attempted is included):
- Murder 1\textsuperscript{st} or 2\textsuperscript{nd} Degree
- Kidnapping 1\textsuperscript{st} or 2\textsuperscript{nd} Degree
- Assault 1\textsuperscript{st} or 2\textsuperscript{nd} Degree
- Assault of a Child 1\textsuperscript{st} Degree
- Burglary 1\textsuperscript{st} Degree
- Homicide by Abuse
For “Persistent” Offenders [RCW 9.94A.030 (32) (b)]:

- The offender must have a current sex offense or sexually motivated offense that occurred on or after 9/1/01
- Have been previously convicted of one of the aforementioned crimes.
- Failure to Register is not considered a sex offense for the purposes of Determinate-Plus sentencing.
Offender Incarceration

- An offender sentenced under CCB must serve their confinement within a DOC institution regardless of the length of their minimum term.

- The Board will meet with each offender approximately 120 prior to their ERD to determine whether they can be paroled/released.
Parole/Release Hearings

- These hearings are often referred to as “.100 Hearings” for Pre-84 offenders and “.420 Hearings” for CCB offenders based on the corresponding RCWs.

- The Classification Counselor and appropriate programming staff testify at the hearing. The Board also reviews and considers a significant amount of information before making a parole/release decision.
Hearing Statistics

.100 HEARINGS

- The Board held 144 “.100 Hearings” in FY 2011.
- Of those offenders, approximately 26% were found “parolable” to the community.

.420 HEARINGS

- The Board held 273 “.420 Hearings” in FY 2011.
- Of those offenders approximately 44.3% were found “releasable to the community”.
**Violation Hearings**

**PRE-SRA OFFENDERS**
- In FY 2011, the Board held 26 violation hearings for Pre-SRA offenders.
  - 61% (n=16) were retained on parole.
  - 38% (n=10) were revoked and returned to prison.

**CCB OFFENDERS**
- In FY 2011, the Board held 44 violation hearings for CCB offenders.
  - 68% (n=31) were returned to active supervision.
  - 34% (n=15) were revoked and returned to prison.
PAROLE OFFENDERS

- RCW 9.95.100: The Board shall not however, until his or her maximum term expires, release a prisoner, unless in it’s opinion his or her rehabilitation has been complete and he or she is a fit subject for release.

CCB OFFENDERS

- RCW 9.95.420: The Board shall order the offender released under such affirmative and other conditions as the Board determines appropriate, unless the Board determines by a preponderance of the evidence that despite such conditions, it is more likely than not that the offender will commit a sex offense if released.
If an offender is found “not parolable or releasable”, the Board will add additional time to their minimum term. Generally the Board will not add more than 60 months at a time. The Board may also make programming recommendations at that time.

If the Board finds an offender “parolable or releasable” the next step is the ORP process.
A person sentenced as a CCB shall be sentenced to a period of Community Custody under the supervision of DOC and the jurisdiction of the ISRB until the expiration of the statutory maximum sentence.

- Statutory Maximum Terms:
  - Class A felony – Life
  - Class B felony – 10 years
  - Class C felony – 5 years
These offenders do not have a “scheduled end date”. They can expect to receive a Final Discharge from the Board 36 months from their date of release, provided they have maintained law abiding behavior and do not owe any Legal Financial Obligations.

Final Discharges do not restore an offender’s Right to Bear Arms.
The Board

- Lynne DeLano, Chair
  - Formerly worked with DOC. Appointed in 2010.

- Dennis Thaut, Board Member

- Thomas Sahlberg, Board Member

- Betsy Hollingsworth, Board Member
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More Information

- Check out the Board’s website at: