



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY/FIELD**  
FACILITY/SPANISH MANUAL

REVISION DATE  
10/20/21

PAGE NUMBER  
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NUMBER  
**DOC 320.105**

# POLICY

TITLE  
**PRE-SENTENCING REFORM ACT HEARINGS**

## REVIEW/REVISION HISTORY:

Effective: 11/9/15  
Revised: 1/1/19  
Revised: 10/20/21

## SUMMARY OF REVISION/REVIEW:


Updated terminology throughout

## APPROVED:

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

10/6/21  
\_\_\_\_\_  
Date Signed

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**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 9.95](#); [RCW 71.05](#); [RCW 72.04A](#); [WAC 381](#); DOC 320.100 Indeterminate Sentence Review Board; DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment; DOC 460.130 Response to Violations and New Criminal Activity

**POLICY:**

- I. Per RCW 9.95 and RCW 72.04A, the Indeterminate Sentence Review Board (Board) has jurisdiction over pre-Sentencing Reform Act (PAR) individuals who were sentenced to Prison for crimes committed before July 1, 1984 from the date of sentence until the statutory Maximum Expiration (Max Ex) date.
- II. Hearings will be conducted per DOC 320.100 Indeterminate Sentence Review Board.

**DIRECTIVE:**

- I. .100 Hearings
  - A. A .100 hearing is held to determine whether an individual is parolable. A .100 hearing will usually be scheduled 120 days before the individual's Parole Eligibility Review Date (PERD).
  - B. .100 hearings may be scheduled as follows:
    1. The Board will schedule the hearing and provide the case manager/ records employees with notice of the hearing.
      - a. The case manager/records employee will have the individual sign to acknowledge receipt and the signed copy will be forwarded to the Board.
        - 1) If the individual refuses to sign, the time and place of service and a witness signature will be documented on the notice.
    2. The Superintendent/Correctional Unit Supervisor (CUS) may refer an individual to the Headquarters Community Screening Committee (HCSC) to recommend consideration for a .100 hearing or for reconsideration of the minimum term. If requested by the CUS, Superintendent approval is required.
      - a. The individual must meet one of the following criteria for referral:

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- 1) Has aggravating or mitigating circumstances that would affect parole.
- 2) Mutual Reentry Plan consideration. The hearing will be held no more than 36 months before the PERD.
  - b. A facility request for a hearing requires HCSC approval. If approved, the HCSC Chair will notify the Board.

C. The Board will determine if rehabilitation has been completed and if the individual is fit for parole to the community with supervision conditions. If parole is denied, time will be added to the existing minimum term.

## II. Cashaw Hearings

- A. A Cashaw hearing will be held when the Board has previously extended the individual to the statutory Max Ex date to either reaffirm the decision or find the individual parolable.
  1. The hearing will be scheduled at a point before the individual's statutory Max Ex date.

## III. Disciplinary Hearings

- A. The Board may schedule a disciplinary hearing, without a request from the Department, if the individual receives a violation in a Prison/Reentry Center.
- B. The facility may initiate a request for a Board disciplinary hearing when an individual receives a serious violation. The Superintendent/CUS or Reentry Center Community Corrections Supervisor will forward the request to the HCSC with documentation per DOC 320.100 Indeterminate Sentence Review Board.
  1. After reviewing the violation information, HCSC will refer the individual to the Board if the committee, including the Board representatives present at the meeting, determines the violation warrants a Board disciplinary hearing. The Board will determine whether to schedule a hearing.
- C. Sanctions may result in time being added to the minimum term and/or denial of good conduct time or earned time only when good conduct time has been exhausted.

## IV. Progress Reviews



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- A. The Board may review an individual’s progress and schedule a hearing without a request from the Department.
- B. The Superintendent/CUS may refer an individual to HCSC to recommend consideration for a hearing.

V. End of Sentence Reviews

- A. Prior to a .100 hearing, individuals will be referred to the End of Sentence Review Committee per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment.

VI. Akridge Hearings

- A. An Akridge hearing may be scheduled when an individual is convicted of new criminal activity to determine if the individual’s parole will be revoked or reinstated with or without additional sanctions per DOC 460.130 Response to Violations and New Criminal Activity.
  - 1. The hearing will be held within 30 business days of receiving a written notice of conviction, signed by the court (e.g., Judgment and Sentence, Court Judgment, Statement of Defendant on Plea of Guilty).

VII. Parole Violation/Revocation Hearings

- A. The Board will determine probable cause within 48 hours of receiving written notification of an alleged violation(s). An administrative review will be held within 15 days of service of DOC 09-306 Board - Violations Specified to determine if a hearing should be held or if other sanctions would be appropriate.
  - 1. Individuals may use DOC 09-308 Board - Supplement to submit information concerning parole (e.g., family stability, employment, education) and the alleged violation(s) for the Board to review.
- B. A violation/revocation hearing may be held within 30 business days of arrest. The Board will provide the individual notice of the hearing date and location within 10 days of the scheduled hearing.
- C. If an individual claims incompetency, a competency examination will be conducted prior to the Board’s decision to examine and report upon the mental condition of the individual.



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1. The individual may be committed to a hospital or suitable facility for a period of time necessary to complete the examination, but not to exceed 15 days.
2. If the individual is determined incompetent, the Board may revoke parole or reinstate parole with special conditions.

## DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

## ATTACHMENTS:

None

## DOC FORMS:

DOC 09-306 Board - Violations Specified  
DOC 09-308 Board - Supplement