

(2) Section 4, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.030; and

(3) Section 5, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.040.

Passed the Senate February 13, 1973.

Passed the House February 26, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 21

[Engrossed Senate Bill No. 2240]

INTERSTATE PAROLE AND PROBATION HEARING PROCEDURES

AN ACT Relating to interstate parole and probation hearing procedures; adding a new chapter to Title 9 RCW; and declaring an effective date.

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

NEW SECTION. Section 1. There is added to Title 9 RCW a new chapter to read as set forth in sections 2 through 6 of this act.

NEW SECTION. Sec. 2. Where supervision of a parolee or probationer is being administered by this state pursuant to RCW 9.95.270, the interstate compact for the out-of-state supervision of parolees and probationers, the appropriate interstate compact administrative authorities in this state shall notify the compact administrator of the sending state whenever, in their view, consideration should be given to retaking or reincarceration for a parole or probation violation. Prior to the giving of any such notification, a hearing at or near the site of the alleged violation shall be held in accordance with this act within a reasonable time, unless such hearing is waived by the parolee or probationer. The purpose of such hearing shall be to determine whether there is probable cause to believe that the parolee or probationer has committed a violation of a condition of parole or probation, and if so, whether or not there is reason to believe that the violation or violations are of such a nature that revocation of parole or probation should be considered. The appropriate officer or officers of this state shall, as soon as practicable following termination of any such hearing, report, through the interstate compact administrator's office, to the sending state, furnish a copy of the summary and digest of the hearing, and may, in addition, make recommendations, with reasons, regarding the disposition to be made of the parolee or probationer by the sending state. Pending any proceeding pursuant to this section, the appropriate officers of this

state may take custody of and detain the parolee or probationer involved for a period not to exceed ten days prior to the hearing and, if it appears to the hearing officer or officers that retaking or reincarceration is likely to follow, for such reasonable period after the hearing or waiver as may be necessary to arrange for the retaking or reincarceration.

NEW SECTION. Sec. 3. Any hearing pursuant to this chapter may be before the administrator of the interstate compact for the out-of-state supervision of parolees and probationers, a deputy of such administrator, or any other person or persons authorized pursuant to the laws of this state to hold preliminary hearings or hear cases involving alleged parole or probation violation, except that no hearing officer shall be the person or direct supervisor of the person making the allegation of violation.

NEW SECTION. Sec. 4. With respect to any hearing pursuant to this chapter, the parolee or probationer:

(1) Shall have reasonable notice in writing of the nature and content of the allegations to be made, including notice that its purpose is to determine whether there is probable cause to believe that he has committed a violation of a condition of parole or probation, and if so, whether or not there is reason to believe that the violation or violations are of such a nature that revocation of parole or probation should be considered.

(2) Shall be permitted to consult with any persons whose assistance he reasonably desires, prior to the hearing.

(3) Shall have the right to confront and examine any persons who have made allegations or given evidence against him, unless the hearing officer determines, on a reasonable basis, that such confrontation would present a substantial present or subsequent danger of harm to such person or persons in which case a written general summary of the evidence, without disclosure of the identity of the witness, shall be provided to the parolee or probationer who shall have the opportunity to present evidence relevant to or controverting any information contained in the summary.

(4) May admit, deny or explain the violation alleged and may present proof, including affidavits and other evidence, in support of his contentions. A record of the proceedings shall be made, and preserved for no less than ninety days.

NEW SECTION. Sec. 5. In any case of alleged parole or probation violation by a person being supervised in another state pursuant to the interstate compact for the out-of-state supervision of parolees and probationers, any appropriate judicial or administrative officer or agency in another state is authorized to hold a hearing on the alleged violation, which hearing shall be substantially similar to the hearing required by section 4 of this

act. Upon receipt of the record of a parole or probation violation hearing held in another state pursuant to a statute substantially similar to this act, such record shall have the same standing and effect as though the proceeding of which it is a record was had before the appropriate officer or officers of this state. Should any recommendations be contained in or accompany the record, such recommendations shall be considered by the appropriate officer or officers of this state in making disposition of the matter.

NEW SECTION. Sec. 6. This act shall take effect on July 1, 1973.

Passed the Senate February 15, 1973.

Passed the House February 23, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 22

[Engrossed Senate Bill No. 2282]

LEGAL PROCEEDINGS--INTERPRETERS--IMPAIRED PERSONS

AN ACT Relating to appointed interpreters in legal proceedings; and adding a new chapter to Title 2 RCW.

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

NEW SECTION. Section 1. It is hereby declared to be the policy of this state to secure the constitutional rights of deaf persons and of other persons who, because of impairment of hearing or speech are unable to readily understand or communicate spoken language, and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them.

It is the intent of the legislature in the passage of this chapter to provide for the appointment of such interpreters.

NEW SECTION. Sec. 2. As used in this chapter (1) an "impaired person" is any person involved in a legal proceeding who is deaf, deaf mute, or who, because of other hearing or speech defects, cannot readily understand or communicate spoken language and who, when involved as a party to a legal proceeding, is unable by reason of such defects to obtain due process of law; (2) a "qualified interpreter" is one who is able readily to translate spoken English to and for impaired persons and to translate statements of impaired persons into spoken English; (3) "legal proceeding" is a proceeding in any court in this state, at grand jury hearings or hearings before an inquiry judge, or before administrative boards, commissions, agencies, or licensing bodies of the state or any political