
**Public Safety & Emergency
Preparedness Committee**

SB 5332

Brief Description: Creating a statewide automated victim information and notification system.

Sponsors: Senators Roach, Prentice and Rasmussen.

Brief Summary of Bill

- Codifies the Washington Association of Sheriffs and Police Chiefs' current practice of operating a statewide automated victim information and notification system within its statewide central booking and reporting system.
- Requires the system to notify a victim whenever an offender transfers to a different facility, is discharged, changes supervision status, escapes, or has an upcoming court date.

Hearing Date: 3/19/07

Staff: Yvonne Walker (786-7841).

Background:

The Washington Association of Sheriffs and Police Chiefs (WASPC) operates a statewide central booking and reporting system. The system contains the following items:

- each offense for which an arrested individual is being charged;
- descriptive information about each offender such as the offender's name, vital statistics, address, and mugshot;
- date and time an offender is released or transferred from a city or county jail;
- any information about the offender while in jail that could be used to protect criminal justice officials who have future contact with the offender, such as medical conditions and behavior problems; and
- statistical data indicating the current capacity of each jail and the quantity and category of offenses charged.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The objectives of the Jail Booking and Reporting System are to:

- provide detailed information regarding offenders booked into the city and county jails throughout the state;
- provide near real-time access to the jail-booking system;
- provide jail personnel with information on inmates; and
- generate reports containing statistics on the inmate population such as offender bookings, releases, and average length of stay.

During the 2006 legislative session, \$411,000 from the Public Safety and Education Account was appropriated in ESSB 6386 to provide funding for the enactment of a victim information system. The funding provided in Section 216 of that act (Chapter 372 of the Laws of 2006) authorized the WASPC to add a statewide automated victim information and notification system to its statewide central booking and reporting system. The system, which became operational on October 9, 2006, automatically notifies a registered victim when various changes occur such as when an offender transfers to another facility, is discharged, changes custody or supervision levels, escapes, becomes noncompliant in certain instances, or has an upcoming court date.

The system allows the victim to be notified via the victim's choice of telephone, letter, or e-mail. The system also provides registered victims with the most recent status report for an offender in any city and county jail, state prison, or sex offender registry, by calling a toll-free telephone number or by accessing the system via the website. All registered victims calling the information and notification system have the option of speaking to a live operator to help with the program 365 days of the year, 24 hours per day. The system permits a crime victim to register or update his or her registered information in the system by calling the toll-free telephone number or by accessing the public website.

Information contained in the system is updated frequently to ensure information contained within the information and notification system can timely notify a victim when an offender has been released, discharged, or escaped.

The act specified that any localities operating an automatic victim information and notification system, as of the effective date of the act, were not required to participate in the WASPC system.

Any vendor chosen and contracted by the WASPC to provide a statewide automated victim notification service must have a minimum of 99.95 percent availability and less than an average of 1 percent notification errors as a result of the vendor's technology.

Summary of Bill:

The act codifies the current practice of the WASPC operating a statewide automated victim information and notification system within the agency's central booking and reporting system. The system, originally established in 2006 through funding made available in ESSB 6386 (Chapter 372 of the Laws of 2006), must automatically notify a registered victim when an offender:

- transfers or is assigned to the custody of another agency or facility;
- is given a different security classification;
- is released on leave or discharged;
- has escaped;
- has been served with a protective order that was requested by the victim;

- has an upcoming court event where the victim is entitled to be present, if the court information is made available to the WASPC;
- has an upcoming parole, pardon, or community supervision hearing;
- has a change in parole, probation, or community supervision status or an address change;
- has updated his or her profile information with the state sex offender registry; or
- has become noncompliant with the state sex offender registry.

The failure of the statewide automated victim information and notification system to provide notice to the victim does not establish a separate cause of action by the victim against state officials, local officials, law enforcement officers, or any related correctional authorities.

Authorized employees are immune from civil liability for damages for any release of information or the failure to release information related to the statewide automated victim information and notification system and the jail booking and reporting system, so long as the release was without gross negligence. The immunity applies to the release of relevant and necessary information to other public officials, public employees, public agencies, and to the general public.

Participation in the victim information and notification program satisfies any obligation to notify the crime victim of an offender's custody status and the status of the offender's upcoming court events so long as: (1) information making offender and case data available is provided on a timely basis to the statewide automated victim information and notification program; and (2) information a victim submits to register and participate in the victim notification system is only used for the sole purpose of victim notification.

Appropriation: None.

Fiscal Note: Available.

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