

SENATE BILL REPORT

SB 6361

As Reported by Senate Committee On:
Human Services & Corrections, January 26, 2010

Title: An act relating to a person's identifying information submitted in the course of using the electronic statewide unified sex offender notification and registration program for the purpose of receiving notification regarding registered sex offenders.

Brief Description: Exempting a person's identifying information from public disclosure when submitted in the course of using the sex offender notification and registration program for the purpose of receiving notification regarding registered sex offenders.

Sponsors: Senators Brandland, Hargrove, Carrell, Roach and Marr.

Brief History:

Committee Activity: Human Services & Corrections: 1/19/10, 1/26/10 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6361 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell and Kauffman.

Staff: Shani Bauer (786-7468)

Background: The Washington Association of Sheriffs and Police Chiefs (WASPC) operates an electronic statewide unified sex offender notification and registration program (SONAR) which contains a database of all registered sex offenders in the state of Washington. As required by law, WASPC creates and maintains a public website which posts all level II and level III sex offenders. WASPC may also disclose information about offenders classified as a level I upon the request of any victim or witness to the offense or any community member who lives near the offender.

The SONAR system allows a person to register to receive an email alert whenever an offender registers within 1 mile of the person's address. To register, the person must submit his or her name, address and email address.

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.

Summary of Bill (Recommended Substitute): Information about a person who registers to receive email alerts from the SONAR system, including the person's name, address, and email address, is exempt from public disclosure.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute): Exemption language and a cross-reference to the SONAR provision are added to the Public Disclosure Act.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: A member of the public can enter their name, address, and email information to receive an alert when a sex offender moves within a 1 mile radius, or when a victim signs up to receive information about a particular offender. Unfortunately, this information is not exempt under the Public Disclosure Act. There was a situation where an individual requested this information, and we have concerns about the chilling effect of these types of requests in addition to concerns about victim safety.

Protecting the rights of victims is essential. Closing off the availability of registrants' information to those who might request it will support victims using the system and provide peace of mind around their confidentiality. A person making such a request is likely doing so to harass, threaten, or harm those who have inquired against them.

CON: If a person who is required to register as a sex offender is harassed, they need to find out who has the information in order to determine who committed the harassment. This does nothing to consider the safety of a person who is required to register as a sex offender.

Persons Testifying: PRO: Joanna Arlow, Washington Association of Sheriffs and Police Chiefs; Andrea Piper, Washington Coalition of Sexual Assault Programs.

CON: Kathleen Swan, citizen.