

FINAL BILL REPORT

SHB 2540

C 129 L 94
Synopsis as Enacted

Brief Description: Releasing information concerning sex offenders.

By House Committee on Corrections (originally sponsored by Representatives Long, Appelwick, Morris, Johanson, Padden, Brough, Sheahan, B. Thomas, Dyer, Brumsickle, Kremen, Forner, Springer and Reams).

House Committee on Corrections
Senate Committee on Law & Justice

Background: Public agencies are authorized to release sex offender information when necessary for public protection. At times, local law enforcement agencies have informed the public regarding the pending release of sex offenders. A concern exists that the public has not received this information in a timely fashion.

Local law enforcement agencies receive sex offender information from the Department of Corrections and the Department of Social and Health Services. The Department of Corrections is required to inform local law enforcement with regard to adult sex offenders being held in prison. The Department of Social and Health Services is required to inform local law enforcement with regard to juvenile sex offenders held by the Division of Juvenile Rehabilitation and with regard to adults committed for mental illness after either: (1) being acquitted of sex offenses by reason of insanity; or (2) being found incompetent to stand trial for a sex offense.

Current law sets out differing deadlines under which notification of the pending release of a sex offender must be given to local law enforcement officials by the Department of Corrections or the Department of Social and Health Services. The amount of advance notice that must be given varies depending on the type of release. Some deadlines are 48 hours, some are 10 days, and some are 30 days.

Summary: When a local law enforcement agency chooses to notify the public of an impending release of a sex offender, the agency must make a good faith attempt to provide the notice at least 14 days prior to the release. The bill

addresses only the timing of the public notification; it does not require the public to be notified in any particular case.

In order for this 14 days' advance notice to be feasible, the various deadlines under which the Department of Corrections and the Department of Social and Health Services must report a pending release to local law enforcement officials are likewise altered. The bill converts to 30-day deadlines what were previously 48-hour deadlines or 10-day deadlines. The bill converts to 45-day deadlines what were previously 30-day deadlines. The deadlines do not apply to emergency furloughs.

If release plans change for any particular offender, the existence of the notification deadlines does not require the release to be delayed.

Votes on Final Passage:

House	94	0
Senate	44	0

Effective: June 9, 1994