
HOUSE BILL 2197

State of Washington

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By Representatives Ballasiotes, Appelwick, Wood, Kessler, Ballard, Karahalios, Reams, Wineberry, Foreman, Dyer, Jones, Casada, B. Thomas, Long, Campbell, Van Luven, Silver, Schmidt, Brumsickle, Brough, Edmondson, Cooke, J. Kohl, King, Flemming, Roland, Kremen, Sheldon, Chandler, Eide, Johanson, Springer and Mastin

Read first time 01/11/94. Referred to Committee on Corrections.

1 AN ACT Relating to the department of corrections; and reenacting
2 and amending RCW 9.94A.155.

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

4 **Sec. 1.** RCW 9.94A.155 and 1992 c 186 s 7 and 1992 c 45 s 2 are
5 each reenacted and amended to read as follows:

6 (1) At the earliest possible date, and in no event later than ten
7 days before release except in the event of escape or emergency
8 furloughs as defined in RCW 72.66.010, the department of corrections
9 shall send written notice of parole, release, community placement, work
10 release placement, furlough, or escape about a specific inmate
11 convicted of a violent offense, a sex offense as defined by RCW
12 9.94A.030, or a felony harassment offense as defined by RCW 9A.46.060
13 or 9A.46.110, to the following:

14 (a) The chief of police of the city, if any, in which the inmate
15 will reside or in which placement will be made in a work release
16 program; and

17 (b) The sheriff of the county in which the inmate will reside or in
18 which placement will be made in a work release program.

1 The sheriff of the county where the offender was convicted shall be
2 notified if the department does not know where the offender will
3 reside. The department shall notify the state patrol of the release of
4 all sex offenders, and that information shall be placed in the
5 Washington crime information center for dissemination to all law
6 enforcement.

7 (2) The same notice as required by subsection (1) of this section
8 shall be sent to the following if such notice has been requested in
9 writing about a specific inmate convicted of a violent offense, a sex
10 offense as defined by RCW 9.94A.030, or a felony harassment offense as
11 defined by RCW 9A.46.060 or 9A.46.110:

12 (a) The victim of the crime for which the inmate was convicted or
13 the victim's next of kin if the crime was a homicide;

14 (b) Any witnesses who testified against the inmate in any court
15 proceedings involving the violent offense; and

16 (c) Any person specified in writing by the prosecuting attorney.
17 Information regarding victims, next of kin, or witnesses requesting the
18 notice, information regarding any other person specified in writing by
19 the prosecuting attorney to receive the notice, and the notice are
20 confidential and shall not be available to the inmate.

21 (3) If an inmate convicted of a violent offense, a sex offense as
22 defined by RCW 9.94A.030, or a felony harassment offense as defined by
23 RCW 9A.46.060 or 9A.46.110, escapes from a correctional facility, the
24 department of corrections shall immediately notify, by the most
25 reasonable and expedient means available, the chief of police of the
26 city and the sheriff of the county in which the inmate resided
27 immediately before the inmate's arrest and conviction. If previously
28 requested, the department shall also notify the witnesses and the
29 victim of the crime for which the inmate was convicted or the victim's
30 next of kin if the crime was a homicide. If the inmate is recaptured,
31 the department shall send notice to the persons designated in this
32 subsection as soon as possible but in no event later than two working
33 days after the department learns of such recapture.

34 (4) If the victim, the victim's next of kin, or any witness is
35 under the age of sixteen, the notice required by this section shall be
36 sent to the parents or legal guardian of the child.

37 (5) The department of corrections shall send the notices required
38 by this chapter to the last address provided to the department by the

1 requesting party. The requesting party shall furnish the department
2 with a current address.

3 (6) The department of corrections shall keep, for a minimum of two
4 years following the release of an inmate, the following:

5 (a) A document signed by an individual as proof that that person is
6 registered in the victim or witness notification program; and

7 (b) A receipt showing that an individual registered in the victim
8 or witness notification program was mailed a notice, at the
9 individual's last known address, upon the release or movement of an
10 inmate.

11 (7) For purposes of this section the following terms have the
12 following meanings:

13 (a) "Violent offense" means a violent offense under RCW 9.94A.030;

14 (b) "Next of kin" means a person's spouse, parents, siblings and
15 children.

16 ~~((7))~~ (8) Nothing in this section shall impose any liability upon
17 a chief of police of a city or sheriff of a county for failing to
18 request in writing a notice as provided in subsection (1) of this
19 section.

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