

SENATE BILL REPORT

SB 6558

As Reported By Senate Committee On:
Human Services & Corrections, February 1, 1996

Title: An act relating to dissemination of sex offender information.

Brief Description: Requiring the state patrol to maintain the central registry of sex offenders on the internet.

Sponsors: Senators Roach, Smith, Oke and Swecker.

Brief History:

Committee Activity: Human Services & Corrections: 1/30/96, 2/1/96 [DPS-TRAN].
Transportation: 2/6/96.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6558 be substituted therefor, and the substitute bill do pass and be referred to Committee on Transportation.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Long, Moyer, Prentice, Schow, Strannigan and Zarelli.

Staff: Andrea McNamara (786-7483)

SENATE COMMITTEE ON TRANSPORTATION

Staff: Gene Baxstrom (786-7303)

Background: Since 1990, certain sex offenders have been required by law to register with local law enforcement officials upon their release from incarceration and when they change addresses.

The information they are required to provide to local law enforcement includes the following: (a) name; (b) address; (c) date and place of birth; (d) place of employment; (e) crime for which convicted; (f) date and place of conviction; (g) aliases used; and (h) Social Security number. Law enforcement is also required to obtain a photograph and the fingerprints of each registered sex offender.

The information collected by local law enforcement is then forwarded to the State Patrol for entry into a statewide central registry.

Current law authorizes public agencies to release relevant and necessary information about sex offenders when the release of the information is necessary for public protection.

The Washington Supreme Court held in 1994 that the current statute authorizes public disclosure only when the agency has some evidence of an offender's future dangerousness,

likelihood of reoffense, or threat to the community. It further found that, under the current law, the geographic scope of the dissemination must rationally relate to the threat posed by the registered offender and that the scope of the information disclosed must relate to the scope of the danger.

Summary of Substitute Bill: The Washington State Patrol (WSP) is required to maintain a copy of sex offender registration information in electronic form on the Internet or other computer network widely available to the general public. The electronic registry contains all information disclosed by public agencies pursuant to current disclosure laws. When funds are available, the registry must include photographs of the sex offenders.

WSP is directed to remove information from the electronic registry when an offender's duty to register expires.

Substitute Bill Compared to Original Bill: The substitute bill narrows the scope of the information to be contained in the electronic registry to only that information disclosable under current law, rather than all information offenders must provide when registering.

Appropriation: None.

Fiscal Note: Requested on January 26, 1996.

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

Testimony For: WSP supports the bill, provided adequate funding is available to accomplish the necessary computer programming and hardware changes that would be required to protect other State Patrol data from hackers entering the system through the internet.

Testimony Against: None.

Testified: Marsh Pugh, Washington State Patrol (pro).