

HOUSE BILL REPORT

HB 2316

As Reported By House Committee On:

Criminal Justice & Corrections

Title: An act relating to release of information about sex offenders and kidnapping offenders.

Brief Description: Merging conflicting double amendments involving public disclosure about sex offenders and kidnappers.

Sponsors: Representatives Ballasiotes, Scott, Sheahan and McDonald.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 1/20/98; 1/28/98 [DPS].

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Cairnes; Dickerson; McCune; Mitchell; Radcliff and Sullivan.

Staff: Yvonne Walker (786-7841).

Background: In 1997, the Legislature passed two bills (chapters 113 and 364) amending the public notification and offender registration process for sex offenders and kidnappers. Chapter 113 required kidnappers to register with local law enforcement agencies upon release from custody. Chapter 364 required the Department of Corrections (DOC), the Juvenile Rehabilitation Administration (JRA), and the Indeterminate Sentence Review Board (ISRB) to classify all sex offenders released from their facilities into three risk levels for the purposes of public notification: level I (low risk), II (moderate risk), or III (high risk). As a result, the Legislature passed two separate bills covering the same chapters and sections of the Revised Code of Washington (RCW).

Summary of Substitute Bill: The substitute bill merges conflicting double amendments involving public disclosure about sex offenders and kidnappers. This is a technical amendment that updates two RCW sections which were amended in 1997. The responsibility of address verification will reside with either the county sheriff, chief of

police, or the town marshal. The three words release,– disseminate,– and disclose– used interchangeably within current law are corrected by using the word disseminate– consistently throughout the act. An additional provision is also added to clarify that public agencies, upon request, must release information to the public relating to sex offenders and kidnappers.

Substitute Bill Compared to Original Bill: Currently the county sheriff is responsible for verifying that a sex offender is residing at a registered address. However the notifications of release, classification, and public disclosure notification process is the responsibility of the chief law enforcement officer. The substitute bill allows the responsibility of address verification to reside with either the county sheriff, chief of police, or the town marshal. The substitute bill corrects the inconsistency among the three words release,– disseminate,– and disclose,– that are used interchangeably within current law. An additional provision is also added to clarify that public agencies, upon request, must release information to the public relating to sex offenders and kidnappers.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill cleans up the RCW; however, the three words release, disseminate, and disclose are used interchangeably. An amendment needs to be made to specifically clarify that all public agencies must disseminate– background information on sex offenders upon request.

Testimony Against: None.

Testified: Representative Ballasiotes, prime sponsor; and Rowland Thompson, Allied Daily Newspaper (pro).