

SENATE BILL REPORT

HB 1172

As Reported By Senate Committee On:
Human Services & Corrections, February 19, 1998
Ways & Means, February 26, 1998

Title: An act relating to sex offender registration.

Brief Description: Concerning the failure to register as a sex offender.

Sponsors: Representatives D. Sommers, Sterk, O'Brien, Koster, Thompson, Delvin, Sherstad, Schoesler, Hatfield and Conway.

Brief History:

Committee Activity: Human Services & Corrections: 3/20/97, 4/3/97 [DPA]; 2/19/98 [DPA-WM].
Ways & Means: 2/25/98, 2/26/98 [DPA (HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.
Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl and Schow.

Staff: Fara Daun (786-7459)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Human Services & Corrections.
Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Bauer, Brown, Fraser, Hochstatter, Kohl, Long, Loveland, Roach, Rossi, B. Sheldon, Snyder, Spanel, Swecker, Winsley and Zarelli.

Staff: Bryon Moore (786-7726)

Background: Sex offenders are generally required to register within 24 hours of release from a state or federal facility. Sex offenders moving into this state are required to register within 24 hours if they are under supervision, or within 30 days if they are not under supervision when they move.

A registered sex offender must notify the sheriff within 14 days of changing his or her residential address within the state.

The crime of failing to register or notify the county sheriff in a timely fashion is either a class C felony or a gross misdemeanor, depending on the seriousness of the offender's sex

offense. The crime is a class C felony if the underlying sex offense was a felony, and is a gross misdemeanor for all other sex offenses.

Summary of Amended Bill: Sex and kidnapping offenders must notify the sheriff of a change of address within 72 hours of moving.

The agency with jurisdiction over a developmentally disabled sex or kidnapping offender must notify the Division of Developmental Disabilities when the offender is released. The jurisdictional agency and the division must assist the offender to register.

Persons who are residents of other states, but who are students, employed, or who carry on a vocation in Washington must register in Washington. Persons in confinement must register at, or prior to, release from confinement or the court with the designated official from the custodial agency. The designated official must promptly notify the sheriff of the county in which the offender intends to register. Law enforcement must verify offenders addresses annually by mailing and requiring the offender to return an address verification form.

The state may not relieve an offender of the duty to register for at least ten years unless the offender is a juvenile and demonstrates to the court that further registration would not further the purpose of the laws. Juveniles prosecuted and convicted as adults are eligible for relief as adults, not as juveniles.

Local juvenile courts must share information with local law enforcement when a juvenile sex or kidnapping offender is allowed to remain in the community.

Amended Bill Compared to Original Bill: The original bill made the crime of failing to register as a sex offender or failing to notify the county sheriff of a change of address a class C felony without regard to the underlying crime.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For (1997): This bill will simplify administration of the registration law and make communities safer. Concerns were expressed concerning unintentional violations by sex offenders with developmental disabilities.

Testimony Against (1997): None.

Testified (1997): Terry Kohl, Washington Protection and Advocacy System.

Testimony For (1998): Basing classification of the failure to register on the classification of the underlying offense makes it more difficult for local law enforcement.

Testimony Against (1998): None.

Testified (1998): Representative Duane Sommers, prime sponsor.

