

# SENATE BILL REPORT

## SB 6188

---

As Passed Senate, February 16, 1998

**Title:** An act relating to registration of sex offenders.

**Brief Description:** Increasing penalties for failing to register as a sex offender or moving without notifying the county sheriff.

**Sponsors:** Senators Oke, Benton, Strannigan, Bauer and Winsley.

**Brief History:**

**Committee Activity:** Law & Justice: 1/28/98, 2/2/98 [DP-WM].

Ways & Means: 2/9/98, 2/10/98 [DP].

Passed Senate, 2/16/98, 49-0.

---

### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Goings, Kline, Long, McCaslin, Stevens and Zarelli.

**Staff:** David Johnson (786-7754)

---

### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Bauer, Brown, Fraser, Hochstatter, Long, Loveland, McDonald, Roach, Rossi, Schow, B. Sheldon, Snyder, Spanel, Swecker and Winsley.

**Staff:** Bryon Moore (786-7726)

**Background:** Those who are convicted of sex or kidnaping offenses are required to register with the county sheriff where they reside. Last year the penalty for the crime of failing to register was increased to a class C felony in all cases, rather than only some of the cases.

It is estimated that 20 percent of sex offenders fail to register at all and almost half do not reside where they are registered. There have been cases where offenders who failed to register have committed new sex crimes.

There has been criticism that the amount of punishment is insufficient to compel offenders to register. It is hoped that greater threats of punishment will result in more voluntary compliance with registration requirements.

The current range of punishment on the Sentencing Reform Act (SRA) grid for failing to register is 0 to 12 months, except in felony cases where an exceptional sentence is justified. There is no additional penalty, such as a sentence enhancement, if the offender commits a new crime while not properly registered.

Sex offenses are ranked seriousness levels V through XII. This translates to punishment ranging from 15 months to 160 months for an offender whose only felony history is one prior sex offense.

**Summary of Bill:** Failing to register as a sex offender is increased to a class C felony with a seriousness level of III on the SRA grid. The standard range penalties range from more than 12 months to 60 months, depending on the offender's prior history.

If the offender commits a sex offense while in violation of the registration requirements, then 60 months is added to his or her sentence. The 60 months is a mandatory, consecutive enhancement to the sex crime sentence.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Registration information is of great interest to the public and very frequently requested. This would serve as a strong deterrent to failing to register and reoffending

**Testimony Against:** None.

**Testified:** PRO: Russ Hauge, Kitsap County Prosecutor; Joe Matthew, Port Orchard Police.