

HOUSE BILL REPORT

HB 2678

As Reported By House Committee On:

Criminal Justice & Corrections

Title: An act relating to the dissemination of information regarding sex offenders.

Brief Description: Ordering the development of protocols on Internet access to information on sex offenders.

Sponsors: Representatives Wolfe, Ballasiotes, O'Brien, Wensman, Lovick, Cody, Edwards, D. Schmidt, Reardon, Ruderman, Campbell, Rockefeller and Hurst.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/1/00, 2/4/00 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Corrections (DOC), the Washington Association of Sheriffs and Police Chiefs (WASPC), and the Washington State Patrol (WSP) to jointly develop a protocol for using the Internet for community notification of level II and III sex and kidnaping offenders.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Ballasiotes, Republican Co-Chair; O'Brien, Democratic Co-Chair; Cairnes, Republican Vice Chair; Lovick, Democratic Vice Chair; B. Chandler; Constantine; Kagi and Koster.

Staff: Jean Ann Quinn (786-7310).

Background:

Public agencies are authorized to inform the public about sex offenders and kidnaping offenders when doing so is relevant and necessary to protect the public. The extent of the public disclosure must be rationally related to the level of risk to the

community, the location where the offender resides or will reside, and the needs of the community for the information to enhance their safety.

In order for local law enforcement agencies to have the information necessary to notify the public about sex offenders, the DOC, the Department of Social and Health Services (DSHS), and the Indeterminate Sentence Review Board (ISRB) are required to assess and classify offenders being released from their respective jurisdictions as risk level I, II, or III.

Local law enforcement agencies must consider these risk level determinations, then assign their own risk level classifications for offenders about whom information will be released, and make a good faith effort to notify the public about the offender at least 14 days before the offender is released from confinement or, if the offender moves from another jurisdiction, as soon as possible after the agency learns of the move.

The various levels of risk and the corresponding methods of notification are as follows:

Level I (lowest risk): To law enforcement and, upon request, victims, witnesses, and individuals who live near where the offender resides.

Level II (moderate risk): Notification as described for level I and also to schools, day care centers, businesses and organizations that serve children, women, or vulnerable adults, neighbors, and community groups.

Level III (highest risk): Notification as described for levels I and II, and also to the public at large.

Summary of Substitute Bill:

The DOC, the WASPC, and the WSP must jointly develop a protocol for local law enforcement agencies to follow in using the Internet as a means of notifying the community about level II and III sex and kidnaping offenders. By December 15, 2000, they must provide the Legislature with the protocol that has been developed and recommendations for legislation, if any, necessary for implementation. The agencies are directed to review similar procedures being used in other states when developing the protocol.

Substitute Bill Compared to Original Bill: The original bill authorized local law enforcement agencies to use the Internet for notifying the public about sex offenders and kidnaping offenders classified as risk level II and III.

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 would make it much easier for people in a community to find out if there are sex offenders living in the neighborhood so that they can better protect themselves and their families. Currently they must contact the sheriffs office for this information. Providing Internet access then may also reduce the workload of the county sheriffs. Some counties believe it is important to expressly authorize this manner of notification in statute.

Testimony Against: None.

Testified: Representative Cathy Wolfe, prime sponsor; Daryl Leischner, Thurston County Sheriff Office; and Kevin O’Sullivan, Thurston County Commissioner.