

HOUSE BILL ANALYSIS

HB 1004

Title: An act relating to transient sex offenders.

Brief Description: Requiring transient sex offenders to report regularly to the county sheriff.

Sponsors: Representatives Ballasiotes, O'Brien, Benson, Radcliff, Mitchell, Quall, Dickerson, Cairnes, Morris, Hurst, Campbell, Koster, Bush, Mulliken, Kastama, Miloscia, Conway, Esser, Scott, McIntire, Kessler, Keiser, Mielke, Carrell, McDonald, Dunn, Kenney, Ogden, Schoesler, Rockefeller and Wood.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Staff: Yvonne Walker (786-7841).

Background:

In 1997, the Washington Legislature passed legislation requiring 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 one of three risk levels: I (low risk), II (moderate risk), or III (high risk).

The administrators of these agencies (including county and municipal jails) must then notify the sheriff of the county and, where applicable, the police chief of the city where the offender intends to reside upon release. The notices must contain the identity, criminal history behavior, and risk level classification for each sex offender planning to reside in their district. The local law enforcement agencies may then use this information to notify local communities regarding the upcoming release of a sex offender when it is necessary for public protection.

Currently there are no state specifications on where a sex offender can live upon being released to the community. However, each year the county sheriff must attempt to verify the sex offender's registered address by mailing a verification form to the last registered address. The offender must sign the verification form, state on the form whether he or she still resides at the last registered address, and return the form to the county sheriff within 10 days after receipt of the form.

Over the years, indigent sex offenders register their address as transient.— Sex offenders who register as transient are not required to maintain contact with law enforcement. Verifying whether or not an offender is still in the community is impossible without a physical address.

A person convicted of a felony sex offense who knowingly fails to register or who moves without notifying the county sheriff is guilty of a class C felony.

Summary:

Sex offenders who are unable to provide a residential address and registers as transient— are required to check in with the sheriff's office on a regular basis and must provide information as to where he or she is residing and has resided in the past.

- Level I Sex Offenders must report monthly, in person, to the sheriff's office.
- Level II Sex Offenders must report weekly, in person, to the sheriff's office.
- Level III Sex Offenders must report daily, in person, to the sheriff's office.

A sex offender registering as transient is indicating he or she will be residing in the county of registration but to no specific residential location. Those sex offenders classified as risk level II or III will be subject to community notification with the broadest dissemination possible.

Fiscal Note: Requested on January 13, 1999.

Effective Date: This act takes effect August 1, 1999.

