
HOUSE BILL 1270

State of Washington

57th Legislature

2001 Regular Session

By Representatives Woods, Lovick, Ballasiotes, Bush, O'Brien, Cairnes, Rockefeller, Boldt and Conway

Read first time 01/22/2001. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to limiting access to victims by persons
2 charged with sex offenses; adding a new section to chapter 10.40
3 RCW; adding a new section to chapter 13.40 RCW; adding a new
4 section to chapter 72.04A RCW; and adding a new section to chapter
5 9.95 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.40
8 RCW to read as follows:

9 (1) At the arraignment of any defendant who is being charged
10 with a sex offense as defined in RCW 9.94A.030, the court shall
11 issue a no-contact order as a condition of any pretrial release
12 prohibiting the defendant from having any contact with the alleged
13 victim or initiating any contact with any other member of the
14 alleged victim's family. The no-contact order must include a
15 provision that the defendant shall not knowingly reside within one
16 mile of the residence of the alleged victim or knowingly come
17 within, or knowingly remain within, one thousand feet from the
18 residence of the alleged victim.

1 (2)(a) Willful violation of a court order issued under this
2 section is punishable under RCW 26.50.110.

3 (b) The written order releasing the person charged shall
4 contain the court's directives and shall bear the
5 legend: "Violation of this order is a criminal offense under
6 chapter 26.50 RCW and will subject a violator to arrest; any
7 assault, drive-by shooting, or reckless endangerment that is a
8 violation of this order is a felony. You can be arrested even if
9 any person protected by the order invites or allows you to violate
10 the order's prohibitions. You have the sole responsibility to avoid
11 or refrain from violating the order's provisions. Only the court
12 can change the order."

13 (c) A certified copy of the order shall be provided to the
14 victim.

15 (3) Whenever a no-contact order is issued, modified, or
16 terminated under this section, the clerk of the court shall
17 forward a copy of the order on or before the next judicial day to
18 the appropriate law enforcement agency specified in the order. Upon
19 receipt of the copy of the order the law enforcement agency shall
20 enter the order for one year or until the expiration date
21 specified on the order into any computer-based criminal
22 intelligence information system available in this state used by
23 law enforcement agencies to list outstanding warrants. Entry into
24 the computer-based criminal intelligence information system
25 constitutes notice to all law enforcement agencies of the
26 existence of the order. The order is fully enforceable in any
27 jurisdiction in the state. Upon receipt of notice that an order has
28 been terminated under this section, the law enforcement agency
29 shall remove the order from the computer-based criminal
30 intelligence information system.

31 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.40
32 RCW to read as follows:

33 Upon the filing of an information charging a juvenile with a
34 sex offense as defined in RCW 9.94A.030, the court shall issue a
35 no-contact order prohibiting the respondent from having any
36 contact with the alleged victim or initiating any contact with any
37 other member of the alleged victim's family. The no-contact order

1 must include a provision that the respondent shall not knowingly
2 reside within one mile of the residence of the alleged victim or
3 knowingly come within, or knowingly remain within, one thousand
4 feet from the residence of the alleged victim.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 72.04A
6 RCW to read as follows:

7 In making all discretionary decisions regarding release plans
8 for and supervision of sex offenders, the department of
9 corrections shall impose a no-contact requirement as a condition
10 of any release prohibiting the defendant from having any contact
11 with the victim or initiating any contact with any other member of
12 the victim's family. The no-contact requirement shall include a
13 provision that the defendant shall not knowingly reside within one
14 mile of the residence of the victim or knowingly come within, or
15 knowingly remain within, one thousand feet from the residence of
16 the victim.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 9.95 RCW
18 to read as follows:

19 In making all discretionary decisions regarding release plans
20 for and supervision of sex offenders, the board shall impose a no-
21 contact requirement as a condition of any release prohibiting the
22 defendant from having any contact with the victim or initiating
23 any contact with any other member of the victim's family. The no-
24 contact requirement shall include a provision that the defendant
25 shall not knowingly reside within one mile of the residence of the
26 victim or knowingly come within, or knowingly remain within, one
27 thousand feet from the residence of the victim.

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