

SENATE BILL REPORT

SB 6603

As of January 29, 1996

Title: An act relating to registration and notification of offenders who commit crimes against children.

Brief Description: Concerning the registration of offenders who pose a risk to children.

Sponsors: Senators Long, Hargrove, Roach, Franklin, Thibaudeau, Zarelli, Schow, Prentice, Kohl, Oke, Winsley, Rasmussen and Haugen.

Brief History:

Committee Activity: Human Services & Corrections: 1/30/96.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Andrea McNamara (786-7483)

Background: Since 1990, certain sex offenders have been required by law to register with local law enforcement officials upon their release from incarceration or change of address.

The Legislature has reaffirmed, through subsequent amendments to the sex offender registration statute, its belief that registration assists law enforcement in protecting their communities.

It has been suggested that further expanding the registration requirements to include additional offenders who pose a potential threat to children, other than sex offenders, will enhance the ability of law enforcement to protect children from further criminal acts.

Summary of Bill: Offenders convicted of felony offenses other than sex offenses may be required to register in the same manner as sex offenders under certain circumstances.

Upon a motion by the court or prosecutor, registration is required with the county sheriff where the offender resides if the court determines by a preponderance of the evidence that: (1) the victim was 12 years old or younger; (2) the victim and the offender are not related; and (3) the offender may pose a potential threat to other children.

The information required in the registration is prescribed. It includes the offender's name, address, date and place of birth, place of employment, crime of conviction, date and place of convictions, aliases used, and Social Security number. The sheriff must also obtain a photograph and fingerprints.

Offenders who move within the same county must update their registration information within ten days. Offenders who move out of the county must send written notice of the move to the county they are leaving and, if relocating within the state, register with the sheriff of the new county within ten days.

The penalties for failing to register or notify a county of a change in address are prescribed. If the underlying conviction was a class A felony, failure to comply with the requirements of this act is punishable as a class C felony. If the underlying conviction was a class B or C felony, violation of the act's requirements is a gross misdemeanor.

The length of time for which offenders must continue to register is outlined and is based on the classification of the underlying felony. Class A felons may only be relieved of the duty to register by petitioning the court and proving, by clear and convincing evidence, that continued registration will not serve the purposes of the act. For class B felons, the registration requirement continues for either 15 years from the last day of release from confinement or 15 consecutive years without a new conviction, whichever is longer. For class C felons, the requirement lasts for ten years from release or ten consecutive years without a new conviction, whichever is longer.

The authority and immunity of law enforcement agencies to make public notifications of relevant and necessary information about certain offenders is expanded to include those offenders who are required to register under this act.

The act applies to all offenders sentenced after the effective date of the act.

Appropriation: None.

Fiscal Note: Requested on January 19, 1996.

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