
**Criminal Justice & Corrections
Committee**

HB 1982

Brief Description: Revising standards for disclosure of information concerning sex offenders and kidnapping offenders.

Sponsors: Representatives Kenney, Ahern, Lovick, O'Brien, Mielke, Pearson and Miloscia.

Brief Summary of Bill

- Requires police departments to disclose the hundredth block address and the first and last name of level I sex offenders to victims, witnesses, and individual community members living within a one-mile radius of where the offender resides.

Hearing Date: 3/3/03

Staff: Yvonne Walker (786-7841).

Background:

The Department of Corrections (DOC), the Juvenile Rehabilitation Administration (JRA), and the Indeterminate Sentence Review Board (ISRB), are required to classify all sex offenders released from their facilities into risk levels I (low-risk), II (moderate-risk), or III (high-risk) for the purposes of public notification. These releasing agencies must issue to appropriate law enforcement agencies narrative notices that contain the identity, criminal history behavior, and the risk level classification for each sex offender being released and, for level II and III offenders, the reasons underlying the classification.

Local law enforcement agencies are required to consider the state classification level when assigning their own level for public notification purposes. When a local jurisdiction assigns a different risk classification level than the one assigned by the releasing agency, the local jurisdiction must notify the releasing agency of its decision and its reasons for doing so.

Notice Dissemination. A public agency may release information to the public regarding a sex offender when the agency has determined that the disclosure is relevant and necessary to protect the public and counteract the danger posed by the offender. The extent of this

disclosure must be rationally related to:

- The risk posed by the offender to the community;
- The location of the offender; and
- The need of the community for the information to enhance safety.

A law enforcement agency must consider certain guidelines when determining the extent of the disclosure depending on the risk level of the offender:

- For level I sex offenders, the agency must share the information with other law enforcement agencies and may share the information with: 1) victims; 2) witnesses; and 3) individual community members living near the offender;
- For level II sex offenders, the agency may also share the information with: 1) schools; 2) day care centers and providers; 3) businesses and organizations primarily serving children, women, or vulnerable adults; and 4) neighbors and community groups located near the offender; and
- For level III sex offenders and sex offenders registered as homeless or transient, the agency may also share the information with the public at large.

The county sheriff, with whom an offender is classified as a level III sex offender, must publish a sex offender community notification in at least one legal newspaper with general circulation in the area of the sex offender's registered address or location. In addition, the sheriff must publish a list of level III sex offenders in the county twice yearly. The list must also be maintained on a publicly accessible website that must be updated once a month.

Summary of Bill:

The statute that regulates the dissemination of community notifications of sex offenders is changed.

Local law enforcement agencies must share information about a level I sex offender with the presiding sheriff's department and the police department. In addition, they must also disclose, upon request, the hundredth block address and the first and last name of any offender classified as a risk level I to any victim or witness to the offense and to any individual community member living within a one-mile radius of where the offender resides, expects to reside, or is regularly found. The provision that authorized law enforcement officers to share any other relevant, necessary, and accurate information that they may have with the public is eliminated.

A "presiding sheriff's department and police department" is defined as any governing agency for the municipality in which the level I offender resides, expects to reside, or is regularly found.

Appropriation: None.

Fiscal Note: Requested on February 25, 2003.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.