

FINAL BILL REPORT

SSB 6519

C 129 L 06

Synopsis as Enacted

Brief Description: Requiring level II and III sex offenders to report in person every ninety days.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Benton, Benson, Schoesler, Carrell, Esser, Jacobsen, Pflug, Mulliken, Johnson, Honeyford, Sheldon, Roach, Kline, Oke, Rasmussen and Keiser).

Senate Committee on Human Services & Corrections
House Committee on Criminal Justice & Corrections

Background: In 1990, the Legislature enacted the Community Protection Act, which created one of the first sex offender registration laws in the country. A person convicted of a sex or kidnapping offense must register with the county sheriff of the county in which he lives. The person subject to the registration requirements must provide such information as his or her name, address, date and place of birth, place of employment, crime of conviction, date and place of conviction, aliases, Social Security number, photograph, and fingerprints. He or she must also notify the county sheriff if he or she is enrolled in public or private school or in an institution of higher education.

A person with a fixed residence need not go to the county sheriff's office to check in or to re-register. However, registered persons who are not sexually violent predators must respond annually to a mailing to verify their address, and persons classified as sexually violent predators must do this every 90 days. Homeless offenders subject to registration requirements must check in with the county sheriff once a week.

A person who knowingly fails to register or to notify the sheriff, or who changes his or her name without notifying the sheriff or the Washington State Patrol, is guilty of the crime of failure to register.

If the crime requiring registration was a felony, failure to meet the registration requirements is a class C felony. The seriousness of this offense is not ranked for purposes of sentencing and may include up to 12 months in jail, a fine of up to \$10,000, or both. If the crime requiring registration was a misdemeanor or a gross misdemeanor, failure to register is a gross misdemeanor, punishable by up to 12 months in jail, a fine of \$5,000, or both.

Summary: Persons classified by the End of Sentence Review Commission or the county sheriff as either a Level II and Level III sex offender must report to the county sheriff's office, in person, every 90 days during normal business hours. A person may petition the superior court in the county where he or she lives or reports to be relieved of the duty to report every ninety days. The court must grant the petition if the petitioner can show that he or she has complied with the reporting requirement for a period of at least five years and has not been convicted of a criminal violation for failure to register for at least five years and if the court determines that the reporting no longer serves a public safety purpose.

The county sheriff may take a photograph at any time to update the registered person's file.

Votes on Final Passage:

Senate	47	0	
House	98	0	(House amended)
Senate			(Senate refused to concur)
House	98	0	(House amended)
Senate	49	0	(Senate concurred)

Effective: June 7, 2006

September 1, 2006 (Section 2)