

HOUSE BILL REPORT

HB 3243

As Reported by House Committee On:
Public Safety & Emergency Preparedness

Title: An act relating to allowing law enforcement agencies to request state assistance when verifying a registered sex or kidnapping offender's residential address.

Brief Description: Allowing law enforcement agencies to request state assistance when verifying a registered sex or kidnapping offender's residential address.

Sponsors: Representatives O'Brien, Green, Pearson, Seaquist, Hurst and Morrell.

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 1/31/08 [DP].

Brief Summary of Bill

- Allows law enforcement agencies to request sex and kidnapping offender address verification assistance from the Department of Social and Health Services.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: Do pass. Signed by 7 members: Representatives O'Brien, Chair; Hurst, Vice Chair; Pearson, Ranking Minority Member; Ross, Assistant Ranking Minority Member; Ahern, Goodman and Kirby.

Staff: Jim Morishima (786-7191).

Background:

Sex Offender Address Verification

Under the Community Protection Act of 1990, a sex and kidnapping offender must register with the county sheriff of the county in which he or she resides. An offender must provide a variety of information upon registration including name, complete residential address, date and place of birth, place of employment, crime of conviction, date and place of conviction, aliases, Social Security number, photograph, and fingerprints.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Law enforcement agencies are required to make reasonable attempts to verify that an offender is living at his or her registered address. At a minimum, address verification must consist of sending a verification form to the offender's registered address. The form must be sent at least every 90 days for offenders who have been designated as sexually violent predators. For all other offenders, the form must be sent out at least once a year. A law enforcement agency must make reasonable attempts to locate an offender who fails to return the form.

Child Support Enforcement

The Department of Social and Health Services (DSHS) has access to a variety of state and federal records for purposes of child support enforcement. These records include:

- records of the State Registrar, including records of birth, marriage, and death;
- tax and revenue records, including information on residential addresses, employers, and assets;
- records of occupational, professional, and recreational licenses;
- records concerning the ownership and control of corporations, partnerships, and other business entities;
- records of the Employment Security;
- records of agencies administering public assistance programs; and
- records of the Department of Corrections.

Summary of Bill:

When performing address verification on a registered sex or kidnapping offender, a law enforcement agency may request address verification assistance from the DSHS by sending the DSHS an offender's name, address, Social Security number, photograph, and fingerprints. Upon receiving the information, the DSHS must check the information against any state agency database to which the DSHS has access for purposes of child support enforcement. The DSHS may not reject requests based on incomplete information, unless the information is so incomplete as to make a database search impracticable.

The DSHS must report to the law enforcement agency any residential addresses it has for the offender within 14 days. Requests from law enforcement agencies and replies from the DSHS are exempt from public inspection and copying.

The DSHS and its employees are immune from civil liability for damages arising from the provision of address verification assistance unless the DSHS or the employee acted with gross negligence or in bad faith.

Appropriation: None.

Fiscal Note: Requested on January 27, 2008.

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

Staff Summary of Public Testimony:

(In support) Offenders who register as homeless or violate registration requirements can be difficult to track. Some of these offenders may be on state support or have outstanding child support obligations. This bill will help law enforcement find sex and kidnapping offenders who disappear from the radar screen.

(Opposed) None.

Persons Testifying: Representative O'Brien, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.