

HOUSE BILL REPORT

SSB 5128

As Passed Legislature

Title: An act relating to notification of release of serious drug offenders.

Brief Description: Requiring notification to witnesses upon release or escape of serious drug offenders.

Sponsor(s): Senate Committee on Ways & Means (originally sponsored by Senators Madsen, Jesernig and Rasmussen).

Brief History:

Reported by House Committee on:
Judiciary, April 5, 1991, DP;
Passed House, April 16, 1991, 97-0;
Passed Legislature, 97-0.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *Do pass.* Signed by 18 members:
Representatives Appelwick, Chair; Ludwig, Vice Chair;
Padden, Ranking Minority Member; Paris, Assistant Ranking
Minority Member; Belcher; Broback; Forner; Hargrove; Inslee;
R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate;
Vance; and Wineberry.

Staff: Jeff Fishel (786-7191).

Background: Witnesses, victims, and law enforcement agencies are notified of the release or escape of a violent or sex offender who was in the custody of either the Department of Corrections or the Department of Social and Health Services. Victims and witnesses must request such notification in writing, and the prosecuting attorney may request in writing that other people be notified. The law enforcement agencies in the county where the offender will reside are notified without making a request.

Summary of Bill: The language of the bill is nearly identical to the language of an existing statute, except that the notification procedure applies to inmates who are convicted of a serious drug offense, and local law enforcement agencies are only expressly required to be notified if the inmate escapes.

The Department of Corrections must notify the requesting witnesses and others listed in the prosecuting attorney's letter at the earliest possible time but no later than 10 days before release of the inmate. Notification is required if the inmate is released for parole, community placement, work release, or furlough.

A serious drug offender is defined as a person who is convicted of violating the Uniform Controlled Substances Act involving Schedule I or II narcotics or counterfeit substances that are narcotics.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed. However, the bill is null and void if not funded in the budget.

Testimony For: Notification of victims and witnesses is important, and it needs to be funded. There are approximately 1,500 drug offenders in custody, an average of four victims or witnesses who register under current notification programs, and altogether 6,000 people who have registered. On the average, about 300 to 400 people per year are notified.

Testimony Against: None.

Witnesses: Jeralita Costa, Families and Friends of Missing Persons and Violent Crime Victims (pro); Bev Emery, Office of Crime Victims Advocacy; and Bill Stutz, Director, Victim-Witness Notification Program of the Department of Corrections.