

# HOUSE BILL REPORT

## HB 1344

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**As Reported by House Committee On:**  
Criminal Justice & Corrections  
Appropriations

**Title:** An act relating to a web site for information on fugitives.

**Brief Description:** Requiring information on fugitives to be posted on the internet.

**Sponsors:** Representatives P. Sullivan, Simpson and Dunn.

**Brief History:**

**Committee Activity:**

Criminal Justice & Corrections: 2/1/05, 2/10/05 [DP];  
Appropriations: 2/21/05, 3/2/05 [DPS].

**Brief Summary of Substitute Bill**

- Directs the Department of Corrections (DOC) to post a list of escapees, considered high risk offenders, on the department's web site.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 7 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kagi, Kirby and Strow.

**Staff:** Yvonne Walker (786-7841).

**Background:**

An inmate in community custody who willfully absconds from supervision and who makes his or her whereabouts unknown by failing to make contact with the Department of Corrections (DOC) is generally deemed an escapee and a fugitive from justice. Upon conviction, these fugitives are guilty of a class C felony offense under the state's criminal code.

On November 4, 2003, for a six-month trial period, the King County Journal began publishing a weekly list of fugitives wanted by the DOC. The King County Journal, along with help from the DOC, published the names, photographs, and brief descriptions of six fugitives wanted by the state Department of Corrections Fugitive Apprehension Team. The fugitives were all convicted felons who had escaped the DOC's community supervision.

Outside of the King County Journal's six-month pilot program, the DOC does not post information about offenders on its web site nor does the department have a web site link to information or photographs about offender escapees.

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**Summary of Bill:**

The DOC must, within available resources, post a list of persons deemed escapees on its web site. The DOC must focus the web site on those escapees and fugitives considered high risk offenders. A report on the progress of the web site must be submitted to the Legislature by December 31, 2005.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed, however, the bill is null and void unless funded in the budget.

**Testimony For:** The DOC supports this legislation if the Legislature attaches funding to the bill. Currently the department, in consultation with the Washington State Patrol, is engaged in the development of a web site that would be similar to what is called for in the bill. The DOC is planning to have a link on their web site which will directly link into the Washington State Patrol's Most Wanted web site. This would be a means whereby the DOC could begin posting those community custody violators that have absconded. The DOC has chosen to limit that to only 10 offenders because of lack of resources. The DOC does not have the resources to extend that web site to all offenders.

**Testimony Against:** None.

**Persons Testifying:** Anne Fiala, Department of Corrections.

**Persons Signed In To Testify But Not Testifying:** None.

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**HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Bailey, Buri, Clements, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Miloscia, Pearson, Priest, Schual-Berke, Talcott and Walsh.

**Staff:** Bernard Dean (786-7130).

**Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Criminal Justice & Corrections:**

The substitute bill limits the web site listing requirement to high-risk inmates that have escaped from a correctional facility. The legislative intent section, reporting requirements related to offenders who abscond from community supervision, the null and void clause, and the requirement that directs the DOC to submit a progress report to the Legislature are removed.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** None.

**Testimony Against:** The Department of Corrections is not in favor of this legislation unless it receives funding for the bill. It has been working with the Washington State Patrol on a similar concept that would post the DOC's 10 most wanted high-risk offenders on the patrol's web site. This project should be complete within the next month. The DOC has concerns about being able to immediately respond to public calls about absconders on the proposed web site in this legislation since the Department does not have Community Corrections Officers on duty 24 hours a day.

**Persons Testifying:** Lynne DeLano, Department of Corrections.

**Persons Signed In To Testify But Not Testifying:** None.