

SENATE BILL REPORT

SB 6576

As Passed Senate, February 9, 2006

Title: An act relating to forwarding of sex offender information.

Brief Description: Clarifying procedures for forwarding sex offender information.

Sponsors: Senators Hargrove, Brandland, Rasmussen and McAuliffe; by request of Washington State Patrol.

Brief History:

Committee Activity: Human Services & Corrections: 1/26/06, 2/1/06 [DP].
Passed Senate: 2/9/06, 48-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Kiki Keizer (786-7430)

Background: 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 without a fixed residence must also provide information on where he or she plans to stay.

The county sheriff must forward the information provided by a person subject to the registration laws to the Washington State Patrol (WSP) and to the Washington Association of Sheriffs and Police Chiefs (WASPC).

Washington law requires the WSP to maintain a central registry of sex offenders and kidnapping offenders required to register in the state.

Washington law requires the WASPC to maintain and operate a web site, posting information about Level II and Level III sex offenders residing in the state, as well as information about all registered kidnapping offenders in the state.

The "level" of a sex offender represents that person's risk of reoffense within the community at large. A "Level I" offender has been assessed at a low risk of reoffense; a "Level II" offender has been assessed at a moderate risk of reoffense; and a "Level III" offender has been assessed at a high risk of reoffense within the community at large. In most cases, the risk level is assessed by the end-of-sentence review committee, established and administered by

the Department of Corrections. By law, the end-of-sentence review committee must have access to all relevant records and information in the possession of public agencies relating to the offenders under review.

One of the uses of the risk level classification is to determine the level of public notification required. Local law enforcement agencies are responsible for the public notification component of managing sex offenders in the community. Under the public notification provisions of the law, local law enforcement agencies must review the risk level set by the end-of-sentence review committee. They must then assign a risk level classification to persons about whom they will be notifying the community. If the local law enforcement agency classifies the person differently than the end-of-sentence review committee, it must notify the end-of-sentence review committee and submit reasons supporting the change in classification.

The law does not require local law enforcement agencies to notify the WSP about the change in the risk level classification.

Summary of Bill: The information relevant to a particular registered sex offender that a county sheriff must forward to the Washington State Patrol, for inclusion in the state's central registry of sex offenders and kidnapping offenders, must include the sex offender's risk level classification.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: About ten percent of the information that the WSP receives on offenders required to register does not contain information about the offender's risk level classification. This represents about 1800 offenders. It is important for the WSP to get this information to pass on to the WASPC, which maintains the web site that members of the public can check to be informed about offenders in their areas.

Testimony Against: None.

Who Testified: PRO: Capt. Jeff Devere, Washington State Patrol.