

SB 5332 - H COMM AMD  
By Committee on Appropriations

ADOPTED 04/05/2007

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 36.28A.040 and 2001 c 169 s 3 are each amended to  
4 read as follows:

5 (1) No later than July 1, 2002, the Washington association of  
6 sheriffs and police chiefs shall implement and operate an electronic  
7 statewide city and county jail booking and reporting system. The  
8 system shall serve as a central repository and instant information  
9 source for offender information and jail statistical data. The system  
10 (~~shall~~) may be placed on the Washington state justice information  
11 network and be capable of communicating electronically with every  
12 Washington state city and county jail and with all other Washington  
13 state criminal justice agencies as defined in RCW 10.97.030.

14 (2) After the Washington association of sheriffs and police chiefs  
15 has implemented an electronic jail booking system as described in  
16 subsection (1) of this section, if a city or county jail or law  
17 enforcement agency receives state or federal funding to cover the  
18 entire cost of implementing or reconfiguring an electronic jail booking  
19 system, the city or county jail or law enforcement agency shall  
20 implement or reconfigure an electronic jail booking system that is in  
21 compliance with the jail booking system standards developed pursuant to  
22 subsection (4) of this section.

23 (3) After the Washington association of sheriffs and police chiefs  
24 has implemented an electronic jail booking system as described in  
25 subsection (1) of this section, city or county jails, or law  
26 enforcement agencies that operate electronic jail booking systems, but  
27 choose not to accept state or federal money to implement or reconfigure  
28 electronic jail booking systems, shall electronically forward jail  
29 booking information to the Washington association of sheriffs and  
30 police chiefs. At a minimum the information forwarded shall include

1 the name of the offender, vital statistics, the date the offender was  
2 arrested, the offenses arrested for, the date and time an offender is  
3 released or transferred from a city or county jail, and if available,  
4 the mug shot. The electronic format in which the information is sent  
5 shall be at the discretion of the city or county jail, or law  
6 enforcement agency forwarding the information. City and county jails  
7 or law enforcement agencies that forward jail booking information under  
8 this subsection are not required to comply with the standards developed  
9 under subsection (4)(b) of this section.

10 (4) The Washington association of sheriffs and police chiefs shall  
11 appoint, convene, and manage a statewide jail booking and reporting  
12 system standards committee. The committee shall include  
13 representatives from the Washington association of sheriffs and police  
14 chiefs correction committee, the information service board's justice  
15 information committee, the judicial information system, at least two  
16 individuals who serve as jailers in a city or county jail, and other  
17 individuals that the Washington association of sheriffs and police  
18 chiefs places on the committee. The committee shall have the authority  
19 to:

20 (a) Develop and amend as needed standards for the statewide jail  
21 booking and reporting system and for the information that must be  
22 contained within the system. At a minimum, the system shall contain:

23 (i) The offenses the individual has been charged with;

24 (ii) Descriptive and personal information about each offender  
25 booked into a city or county jail. At a minimum, this information  
26 shall contain the offender's name, vital statistics, address, and  
27 mugshot;

28 (iii) Information about the offender while in jail, which could be  
29 used to protect criminal justice officials that have future contact  
30 with the offender, such as medical conditions, acts of violence, and  
31 other behavior problems;

32 (iv) Statistical data indicating the current capacity of each jail  
33 and the quantity and category of offenses charged;

34 (v) The ability to communicate directly and immediately with the  
35 city and county jails and other criminal justice entities; and

36 (vi) The date and time that an offender was released or transferred  
37 from a local jail;

1 (b) Develop and amend as needed operational standards for city and  
2 county jail booking systems, which at a minimum shall include the type  
3 of information collected and transmitted, and the technical  
4 requirements needed for the city and county jail booking system to  
5 communicate with the statewide jail booking and reporting system;

6 (c) Develop and amend as needed standards for allocating grants to  
7 city and county jails or law enforcement agencies that will be  
8 implementing or reconfiguring electronic jail booking systems.

9 ~~(5) ((By January 1, 2001, the standards committee shall complete  
10 the initial standards described in subsection (4) of this section, and  
11 the standards shall be placed into a report and provided to all  
12 Washington state city and county jails, all other criminal justice  
13 agencies as defined in RCW 10.97.030, the chair of the Washington state  
14 senate human services and corrections committee, and the chair of the  
15 Washington state house of representatives criminal justice and  
16 corrections committee.))~~ (a) A statewide automated victim information  
17 and notification system shall be added to the city and county jail  
18 booking and reporting system. The system shall:

19 (i) Automatically notify a registered victim via the victim's  
20 choice of telephone, letter, or e-mail when any of the following events  
21 affect an offender housed in any Washington state city or county jail  
22 or department of corrections facility:

23 (A) Is transferred or assigned to another facility;

24 (B) Is transferred to the custody of another agency outside the  
25 state;

26 (C) Is given a different security classification;

27 (D) Is released on temporary leave or otherwise;

28 (E) Is discharged;

29 (F) Has escaped; or

30 (G) Has been served with a protective order that was requested by  
31 the victim;

32 (ii) Automatically notify a registered victim via the victim's  
33 choice of telephone, letter, or e-mail when an offender has:

34 (A) An upcoming court event where the victim is entitled to be  
35 present, if the court information is made available to the statewide  
36 automated victim information and notification system administrator at  
37 the Washington association of sheriffs and police chiefs;

1       (B) An upcoming parole, pardon, or community supervision hearing;  
2 or  
3       (C) A change in the offender's parole, probation, or community  
4 supervision status including:  
5       (I) A change in the offender's supervision status; or  
6       (II) A change in the offender's address;  
7       (iii) Automatically notify a registered victim via the victim's  
8 choice of telephone, letter, or e-mail when a sex offender has:  
9       (A) Updated his or her profile information with the state sex  
10 offender registry; or  
11       (B) Become noncompliant with the state sex offender registry;  
12       (iv) Permit a registered victim to receive the most recent status  
13 report for an offender in any Washington state city and county jail,  
14 department of corrections, or sex offender registry by calling the  
15 statewide automated victim information and notification system on a  
16 toll-free telephone number or by accessing the statewide automated  
17 victim information and notification system via a public web site. All  
18 registered victims calling the statewide automated victim information  
19 and notification system will be given the option to have live operator  
20 assistance to help use the program on a twenty-four hour, three hundred  
21 sixty-five day per year basis;  
22       (v) Permit a crime victim to register, or registered victim to  
23 update, the victim's registration information for the statewide  
24 automated victim information and notification system by calling a toll-  
25 free telephone number or by accessing a public web site; and  
26       (vi) Ensure that the offender information contained within the  
27 statewide automated victim information and notification system is  
28 updated frequently to timely notify a crime victim that an offender has  
29 been released or discharged or has escaped. However, the failure of  
30 the statewide automated victim information and notification system to  
31 provide notice to the victim does not establish a separate cause of  
32 action by the victim against state officials, local officials, law  
33 enforcement officers, or any related correctional authorities.  
34       (b) An appointed or elected official, public employee, or public  
35 agency as defined in RCW 4.24.470, or units of government and its  
36 employees, as provided in RCW 36.28A.010, are immune from civil  
37 liability for damages for any release of information or the failure to  
38 release information related to the statewide automated victim

1 information and notification system and the jail booking and reporting  
2 system as described in this section, so long as the release was without  
3 gross negligence. The immunity provided under this subsection applies  
4 to the release of relevant and necessary information to other public  
5 officials, public employees, or public agencies, and to the general  
6 public.

7 (c) Participation in the statewide automated victim information and  
8 notification program satisfies any obligation to notify the crime  
9 victim of an offender's custody status and the status of the offender's  
10 upcoming court events so long as:

11 (i) Information making offender and case data available is provided  
12 on a timely basis to the statewide automated victim information and  
13 notification program; and

14 (ii) Information a victim submits to register and participate in  
15 the victim notification system is only used for the sole purpose of  
16 victim notification.

17 (d) Automated victim information and notification systems in  
18 existence and operational as of the effective date of this act shall  
19 not be required to participate in the statewide system.

20 NEW SECTION. Sec. 2. In Washington any vendor contracted to  
21 provide a statewide automated victim notification service must deliver  
22 the service with a minimum of 99.95-percent availability and with less  
23 than an average of one-percent notification errors as a result of the  
24 vendor's technology.

25 NEW SECTION. Sec. 3. The department of corrections is not  
26 required to provide any data to the Washington association of sheriffs  
27 and police chiefs for the statewide automated victim information and  
28 notification system as stated in section 1 of this act, until January  
29 1, 2010."

30 Correct the title.

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