
Human Services Committee

HB 2439

Brief Description: Requiring the governing authorities of facilities where convicted sex offenders are confined to determine the offender's immigration status and to release offenders subject to deportation into the custody of federal authorities or at a federal facility used to house persons awaiting deportation.

Sponsors: Representatives Priest, Ross, Kristiansen, Pearson, Armstrong, Crouse, Haler, Condotta, Rodne, Hinkle, Hailey, Kretz, Warnick, Bailey, Sump, Roach, Orcutt, Newhouse, Ahern, Alexander, Skinner, Blake, McCune, Morrell, Hurst, Schindler, Walsh, Smith, Campbell, VanDeWege, Rolfes, Dunn, Barlow, Herrera, Kelley, Green and McDonald.

Brief Summary of Bill

- Requires the Department of Corrections and counties to determine the immigration status of every felony sex offender serving a term a confinement and release the offender to the custody of the appropriate federal authorities or at a location immediately adjacent to a federal facility if federal authorities fail to take custody upon the offender's release.

Hearing Date: 1/22/08

Staff: Linda Merelle (786-7092).

Background:

Under current Department of Corrections (DOC) policy, the DOC through an intake process, gathers information from all offenders through personal interviews, background checks, fingerprint checks with the Federal Bureau of Investigation, review of criminal history, and other available information sources. If, during this process, information arises that indicates that the offender may be an illegal immigrant, the name of the offender is turned over to federal officers for further investigation. If the offender is an illegal immigrant, the Immigration and Custom Enforcement Agency, working with the DOC, issues a detainer. After the offender's sentence is complete, he or she will be remanded to the custody of the federal authorities pursuant to the detainer.

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.

Summary of Bill:

Requires the DOC and counties to determine the immigration status of every felony sex offender. If the DOC determines that the sex offender is unlawfully in the United States, or otherwise subject to deportation, the offender shall be released to the custody of the federal authorities. If the federal authorities fail to take custody of the offender upon his or her release, the DOC shall release the offender at a location immediately adjacent to a federal facility used to house persons awaiting deportation.

Appropriation: Appropriates unspecified amounts from the General Fund to the Department of Corrections and the Department of Community, Trade, and Economic Development for the fiscal year ending June 30, 2009.

Fiscal Note: Requested on January 16, 2008.

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