

HOUSE BILL REPORT

HB 1130

As Passed House
March 11, 1993

Title: An act relating to the release of background information by the state patrol.

Brief Description: Regulating background checks.

Sponsors: Representatives Ludwig, Riley, Ballasiotes, Basich, Brough and Orr; by request of Washington State Patrol.

Brief History:

Reported by House Committee on:
Corrections, February 18, 1993, DP;
Passed House, March 11, 1993, 98-0.

HOUSE COMMITTEE ON CORRECTIONS

Majority Report: Do pass. Signed by 9 members: Representatives Morris, Chair; Mastin, Vice Chair; Long, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; G. Cole; L. Johnson; Ogden; Riley; and Padden.

Staff: Jim Lux (786-7841).

Background: When the secretary of the Department of Corrections authorizes a furlough for an inmate, the secretary shall notify the Identification Section of the Washington State Patrol (WSP) that the named prisoner has been granted a furlough. Notice shall occur 48 hours before the furlough begins. Upon receipt of the notice, the State Patrol's Identification Section shall notify: the sheriff or the director of public safety of the county to which the prisoner is being furloughed, the nearest detachment of the Washington State Patrol in that county, and such other criminal justice agencies that the Identification Section determines should be notified. Notice shall include where the furloughed prisoner shall be residing, the place of residence, and the dates and times the individual will be on furlough. In the case of an emergency furlough, the 48 hour time period is not required, however, notification shall occur as promptly as possible before the prisoner is released on furlough.

Whenever a prisoner confined to the Department of Corrections is released on an order from the Indeterminate Sentence Review Board, or is discharged from custody on expiration of sentence, the Department of Corrections shall promptly notify the Identification Section that the named person has been released or discharged and under what conditions.

Current statute refers only to his release or discharge from prison.

Summary of Bill: The secretary of the Department of Corrections upon granting a furlough shall directly notify the sheriff, or the director of public safety of the county to which the prisoner is being furloughed, the nearest Washington State Patrol district facility in that county, and other similar criminal justice agencies that the named prisoner has been granted a furlough. Notice is to include the place of residence and the dates and times the individual will be on furlough. The sheriff or director of public safety, the nearest WSP district facility in the county, and other criminal justice agencies shall be directly notified when an emergency furlough is granted.

Whenever a prisoner confined to the Department of Corrections is released on an order from the Indeterminate Sentence Review Board, or is discharged from custody on expiration of sentence, the Department of Corrections shall promptly and directly notify the sheriff or the director of public safety, the nearest WSP district facility in that county, and other similar criminal justice agencies that the named person has been released or discharged and under what conditions.

The reference to gender of the individual being released or discharged is broadened to include both his and her release or discharge.

Fiscal Note: Available.

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

Testimony For: Passage of this legislation eliminates a step in the notification process and brings existing statute into conformance with current practice.

Testimony Against: None.

Witnesses: (In favor) Representative Curt Ludwig, prime sponsor; and Tim Erickson, Washington State Patrol.