

# HOUSE BILL REPORT

## ESHB 2198

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As Passed Legislature

**Title:** An act relating to juvenile sex offenders.

**Brief Description:** Forbidding juvenile sex offenders from attending the same school as their victims.

**Sponsors:** By House Committee on Corrections (originally sponsored by Representatives Ballasiotes, Campbell, Horn, Long, Wood, Appelwick, Ballard, Karahalios, Reams, Wineberry, Foreman, Kessler, Cooke, Dyer, Schoesler, Casada, B. Thomas, Carlson, Van Luven, Silver, Schmidt, Brumsickle, Brough, J. Kohl, King, Flemming, Roland, Kremen, Sheldon, Chandler, Eide, Johanson, Lisk, Sehlin and Springer).

**Brief History:**

Reported by House Committee on:  
Corrections, February 3, 1994, DPS;  
Passed House, February 14, 1994, 95-0;  
Passed Legislature.

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### HOUSE COMMITTEE ON CORRECTIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Morris, Chair; Mastin, Vice Chair; Long, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; G. Cole; L. Johnson; Moak and Padden.

**Staff:** Kristen Lichtenberg (786-7156).

**Background:** Nothing under current law prevents a juvenile sex offender from attending the same school as his or her victim.

A juvenile is a sex offender if he or she has been adjudicated guilty of rape, rape of a child, child molestation, indecent liberties, incest or communicating with a minor for immoral purposes.

**Summary of Bill:** After release or parole, a juvenile sex offender may not attend a school attended by his or her victim. The bill applies only to public elementary, middle and high schools.

Transportation and other costs related to the offender's change in schools must be paid by the offender's parents or guardians. When the Department of Social and Health Services releases a sex offender, the secretary must provide notice of the statute's requirements to the appropriate school board.

**Fiscal Note:** Available.

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

**Testimony For:** The victim of a sexual assault will suffer additional trauma if the offender attends the same school. The offender, not the victim, should bear the burden of changing schools. If there is only one school in the district, the offender should be schooled at home.

**Testimony Against:** The bill is less workable in small districts with only one school. The bill does not address who bears any costs associated with the offender's change in schools. The bill does not address notification of the school.

**Witnesses:** Jack Furey, Thurston County Sheriff's Department (pro); Susan Patrick, Superintendent of Public Instruction (pro); and Mary Brown, Washington Coalition of Sexual Assault Programs (pro).