

SENATE BILL REPORT

EHB 1238

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, MARCH 24, 1993

Brief Description: Requiring notice be given to various parties before release from confinement of a juvenile who has committed stalking.

SPONSORS: Representatives R. Johnson, Ballasiotes, Ludwig, King, Karahalios, Johanson, Jones, Sheahan, Schoesler, Brumsickle, Roland, Long, Flemming, Horn, Mielke, Tate, Wood, Kremen, Foreman and Pruitt; by request of Department of Social and Health Services

HOUSE COMMITTEE ON CORRECTIONS

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators A. Smith, Chairman; McCaslin, Nelson, Niemi, and Spanel.

Staff: Tom Fender (786-7414)

Hearing Dates: March 24, 1993

BACKGROUND:

When a juvenile offender who committed a sex offense or a violent offense is discharged, placed on parole, granted authorized leave or release, or transferred to a community residential facility, written notice of such actions by the Secretary of the Department of Social and Health Services is required. Written notice must be sent to the chief of police of the city or the sheriff of the county where the offender will reside, at least 10 days in advance of the departure from the institution. If a written request for such notice is made by: the victim of the offender or the next of kin in circumstances where the crime is a homicide, any adverse witness involved in the court proceedings, or any person specified in writing by the prosecutor, the department must also notify the individuals making the request.

In the instance of an escape from the institution, the Secretary of the Department of Social and Health Services shall immediately notify, in the most reasonable and expedient means available, the chief of police or the sheriff in the city or county where the juvenile resided immediately prior to the juvenile's arrest.

The secretary may also authorize leave for juveniles found to have committed violent or sex offenses which shall not exceed 48 hours plus travel time, for emergency reasons involving death or critical illness of a family member.

Prior to the leave, the secretary shall give notice to the appropriate law enforcement agency in the jurisdiction in which the juvenile will be. If previously requested, the victim, witnesses and in the event of a homicide, the next of kin are notified.

Violent and sex offenses are defined as applicable to these requirements for notification.

SUMMARY:

The crime of stalking is added to the list of crimes requiring notice by the Secretary of the Department of Social and Health Services when an offender departs from a juvenile facility for certain reasons. Notification of departure for discharge, parole, authorized leave or release or transfer to a community residential facility from a juvenile facility is required.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

The crime of stalking was not yet enacted at the time the notice law became effective.

TESTIMONY AGAINST: None

TESTIFIED: Mary Anne Harrington, DSHS