

SENATE BILL REPORT

SHB 2197

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 24, 1994

Brief Description: Providing notice of inmate release.

SPONSORS: House Committee on Corrections (originally sponsored by Representatives Ballasiotes, Appelwick, Wood, Kessler, Ballard, Karahalios, Reams, Wineberry, Foreman, Dyer, Jones, Casada, B. Thomas, Long, Campbell, Van Luven, Silver, Schmidt, Brumsickle, Brough, Edmondson, Cooke, J. Kohl, King, Flemming, Roland, Kremen, Sheldon, Chandler, Eide, Johanson, Springer and Mastin)

HOUSE COMMITTEE ON CORRECTIONS

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Quigley, Roach, Schow and Spanel.

Staff: Marty Lovinger (786-7443)

Hearing Dates: February 24, 1994

BACKGROUND:

Washington law gives victims and witnesses of certain crimes the right to request to be notified before inmates are released from prison. The crimes to which this right applies are violent offenses, sex offenses and felony harassment offenses.

An individual requests notification by submitting a written request to the Department of Corrections. Upon receiving this request the department must give as much advance notice as possible prior to the offender's release, parole, community placement, work release placement or furlough. At a minimum, 10 days' advance notice must be provided. In the event of an escape or an emergency furlough (such as for a medical emergency), the department is not required to meet the 10-day notice requirement, but must still notify the individuals who requested this notice at the earliest possible date.

The Department of Corrections' records regarding these requests for notification are confidential. Washington law does not currently require the department to retain these records for any particular length of time. The department's present practice is to retain records for one year following any particular notification. The department then destroys the records.

SUMMARY:

The Department of Corrections must retain, for a minimum of two years following an inmate's release, two types of documents:

(1) a signed request by an individual to be included in the notification program; and

(2) a receipt showing that the department mailed the notice to the requesting party's last known address.

The Department of Corrections shall attempt alternative methods of notification whenever a mailed notice is returned as being undeliverable.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

This bill addresses the problems of non-notification of victims by tightening notification requirements for the Department of Corrections.

TESTIMONY AGAINST: None

TESTIFIED: Representative Ballasiotes, prime sponsor