

SENATE BILL REPORT

HB 2340

AS PASSED SENATE, FEBRUARY 28, 1994

**Brief Description:** Clarifying sex offender registration provisions.

**SPONSORS:** Representatives Long, Appelwick, Johanson, Padden, Karahalios, Brough, Talcott, Sheahan, Wood, Forner, Dyer, Chandler, Shin, Mielke and Springer

**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:** Susan Carlson (786-7418)

**Hearing Dates:** February 18, 1994

**BACKGROUND:**

The Community Protection Act of 1990 requires all convicted sex offenders residing in Washington to register with the sheriff in their county of residence. The Legislature amended the act in 1991 to specify deadlines for registration and these deadlines became effective July 28, 1991. Sex offenders released from custody on or after July 28, 1991, were required to register within 24 hours of release. Offenders who were under active supervision of the Department of Corrections, the Department of Social and Health Services, or a local division of youth services on July 28, 1991, were required to register within ten days. The term "active supervision" is not defined in the act. Offenders must comply with the registration requirements for life if convicted of a class A sex offense, 15 years if convicted of a class B sex offense, and 10 years if convicted of a class C sex offense, unless a court grants a waiver.

In a recent Snohomish County case, the court held that supervision of financial obligations did not constitute active supervision, and as a result the offender was not required to comply with registration requirements.

**SUMMARY:**

Active supervision for purposes of the Community Protection Act is as defined by the Department of Corrections, the Department of Social and Health Services, or a local division of youth services.

A change in supervision status of a sex offender who was required to register as of July 28, 1991, does not relieve the offender of the registration requirements.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**TESTIMONY FOR:**

The bill clarifies who is required to register and how long that registration requirement remains in effect.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Representative Jeanine Long, prime sponsor; Brian Levesque