

SENATE BILL REPORT

SHB 2540

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

Brief Description: Releasing information concerning sex offenders.

SPONSORS: House Committee on Corrections (originally sponsored by Representatives Long, Appelwick, Morris, Johanson, Padden, Brough, Sheahan, B. Thomas, Dyer, Brumsickle, Kremen, Forner, Springer and Reams)

HOUSE COMMITTEE ON CORRECTIONS

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

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

Staff: Susan Mahoney (786-7717)

Hearing Dates: February 24, 1994

BACKGROUND:

Public agencies, including local law enforcement agencies, are authorized to release sex offender information when necessary for public protection. Under current law, local law enforcement agencies receive sex offender information from the Department of Corrections (DOC) and the Department of Social and Health Services (DSHS).

Current law also sets out provisions for giving notice to specific parties regarding sex offenders who are pending release from custody. The law sets out differing time periods for notice to be given by DOC or DSHS depending on the type of release pending. Concern has been raised that current notice requirements are inadequate to provide notice of the offender's release to the appropriate parties.

SUMMARY:

Once a decision has been made by local law enforcement to release information regarding a soon-to-be released sex offender, a good faith effort must be made to notify the public at least 14 days before the offender is released. DOC and DSHS shall provide relevant information to local law enforcement officials regarding offenders pending release in a timely manner.

The minimum notice requirement for DOC to provide notice of parole, release, community placement, work release placement, furlough (except for emergency furloughs), or escape regarding

a specific inmate convicted of a violent offense, a sex offense, or a felony harassment offense to the designated parties, is changed from ten to 30 days.

Notice requirements regarding furloughs are changed from 48 hours to 30 days (except for emergency medical furloughs). In the case of emergency furloughs notice is required as promptly as possible before the offender is released.

None of the notice provisions in this statute apply to emergency medical furloughs, nor shall any of the notice provisions require any extension of the release date if the release plan changes after notification.

Appropriation: none

Revenue: none

Fiscal Note: requested January 17, 1994

TESTIMONY FOR:

Communities need more notice of release. Increased notice gives time for education and reduces panic.

TESTIMONY AGAINST: None

TESTIFIED: Representative Long, prime sponsor; Brian Levesque (pro); Darryl Fritz (pro); Sandra Youngen, DSHS (concerned RE: notice requirements for juveniles to be released to a community residential facility)