
HOUSE BILL 1130

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Ludwig, Riley, Ballasiotes, Basich, Brough and Orr;
by request of Washington State Patrol

Read first time 01/15/93. Referred to Committee on Corrections.

1 AN ACT Relating to the release of background information by the
2 state patrol; and amending RCW 43.43.745.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.43.745 and 1990 c 3 s 409 are each amended to read
5 as follows:

6 (1) It shall be the duty of the sheriff or director of public
7 safety of every county, of the chief of police of each city or town, or
8 of every chief officer of other law enforcement agencies operating
9 within this state, to record the fingerprints of all persons held in or
10 remanded to their custody when convicted of any crime as provided for
11 in RCW 43.43.735 for which the penalty of imprisonment might be imposed
12 and to disseminate and file such fingerprints in the same manner as
13 those recorded upon arrest pursuant to RCW 43.43.735 and 43.43.740.

14 (2) Every time the secretary authorizes a furlough as provided for
15 in RCW 72.66.012 the department of corrections shall notify, forty-
16 eight hours prior to the beginning of such furlough, the ~~((section))~~
17 sheriff or director of public safety of the county to which the
18 prisoner is being furloughed, the nearest Washington state patrol
19 district facility in the county wherein the furloughed prisoner is to

1 be residing, and other similar criminal justice agencies that the named
2 prisoner has been granted a furlough, the place to which furloughed,
3 and the dates and times during which the prisoner will be on furlough
4 status. In the case of an emergency furlough the forty-eight hour time
5 period shall not be required but notification shall be made as promptly
6 as possible and before the prisoner is released on furlough. (~~Upon~~
7 ~~receipt of furlough information pursuant to the provisions of this~~
8 ~~subsection the section shall notify the sheriff or director of public~~
9 ~~safety of the county to which the prisoner is being furloughed, the~~
10 ~~nearest attachment of the Washington state patrol in the county wherein~~
11 ~~the furloughed prisoner shall be residing and such other criminal~~
12 ~~justice agencies as the section may determine should be so notified.))~~

13 (3) Disposition of the charge for which the arrest was made shall
14 be reported to the section at whatever stage in the proceedings a final
15 disposition occurs by the arresting law enforcement agency, county
16 prosecutor, city attorney, or court having jurisdiction over the
17 offense: PROVIDED, That the chief shall promulgate rules pursuant to
18 chapter 34.05 RCW to carry out the provisions of this subsection.

19 (4) Whenever a person serving a sentence for a term of confinement
20 in a state correctional facility for convicted felons, pursuant to
21 court commitment, is released on an order of the state indeterminate
22 sentence review board, or is discharged from custody on expiration of
23 sentence, the department of corrections shall promptly notify the
24 (~~section~~) sheriff or director of public safety, the nearest
25 Washington state patrol district facility, and other similar criminal
26 justice agencies that the named person has been released or discharged,
27 the place to which such person has been released or discharged, and the
28 conditions of his or her release or discharge (~~, and shall additionally~~
29 ~~notify the section of change in residence or conditions of release or~~
30 ~~discharge of persons on active parole supervision, and shall notify the~~
31 ~~section when persons are discharged from active parole supervision)).~~

32 Local law enforcement agencies may require persons convicted of sex
33 offenses to register pursuant to RCW 9A.44.130. In addition, nothing
34 in this section shall be construed to prevent any local law enforcement
35 authority from recording the residency and other information concerning
36 any convicted felon or other person convicted of a criminal offense
37 when such information is obtained from a source other than from

1 registration pursuant to RCW 9A.44.130 which source may include any
2 officer or other agency or subdivision of the state.

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