CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2197

53rd Legislature
1994 Regular Session

Passed by the House February 10, 1994
  Yeas 92   Nays 0

Speaker of the
      House of Representatives

Passed by the Senate March 3, 1994
  Yeas 46   Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of
the House of Representatives of the
State of Washington, do hereby certify
that the attached is **SUBSTITUTE HOUSE
BILL 2197** as passed by the House of
Representatives and the Senate on the
dates hereon set forth.

Chief Clerk

FILED

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 2197

Passed Legislature - 1994 Regular Session

State of Washington   53rd Legislature   1994 Regular Session

By 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)

Read first time 02/04/94.

1   AN ACT Relating to the department of corrections; and reenacting
2 and amending RCW 9.94A.155.

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

4   **Sec. 1.** RCW 9.94A.155 and 1992 c 186 s 7 and 1992 c 45 s 2 are
5 each reenacted and amended to read as follows:
6   (1) At the earliest possible date, and in no event later than ten
7 days before release except in the event of escape or emergency
8 furloughs as defined in RCW 72.66.010, the department of corrections
9 shall send written notice of parole, release, community placement, work
10 release placement, furlough, or escape about a specific inmate
11 convicted of a violent offense, a sex offense as defined by RCW
12 9.94A.030, or a felony harassment offense as defined by RCW 9A.46.060
13 or 9A.46.110, to the following:
14   (a) The chief of police of the city, if any, in which the inmate
15 will reside or in which placement will be made in a work release
16 program; and
17   (b) The sheriff of the county in which the inmate will reside or in
18 which placement will be made in a work release program.

1   The sheriff of the county where the offender was convicted shall be
2 notified if the department does not know where the offender will
3 reside. The department shall notify the state patrol of the release of
4 all sex offenders, and that information shall be placed in the
5 Washington crime information center for dissemination to all law
6 enforcement.

7   (2) The same notice as required by subsection (1) of this section
8 shall be sent to the following if such notice has been requested in
9 writing about a specific inmate convicted of a violent offense, a sex
10 offense as defined by RCW 9.94A.030, or a felony harassment offense as
11 defined by RCW 9A.46.060 or 9A.46.110:

12   (a) The victim of the crime for which the inmate was convicted or
13 the victim's next of kin if the crime was a homicide;

14   (b) Any witnesses who testified against the inmate in any court
15 proceedings involving the violent offense; and

16   (c) Any person specified in writing by the prosecuting attorney.
17 Information regarding victims, next of kin, or witnesses requesting the
18 notice, information regarding any other person specified in writing by
19 the prosecuting attorney to receive the notice, and the notice are
20 confidential and shall not be available to the inmate. Whenever the
21 department of corrections mails notice pursuant to this subsection and
22 the notice is returned as undeliverable, the department shall attempt
23 alternative methods of notification, including a telephone call to the
24 person's last known telephone number.

25   (3) If an inmate convicted of a violent offense, a sex offense as
26 defined by RCW 9.94A.030, or a felony harassment offense as defined by
27 RCW 9A.46.060 or 9A.46.110, escapes from a correctional facility, the
28 department of corrections shall immediately notify, by the most
29 reasonable and expedient means available, the chief of police of the
30 city and the sheriff of the county in which the inmate resided
31 immediately before the inmate's arrest and conviction. If previously
32 requested, the department shall also notify the witnesses and the
33 victim of the crime for which the inmate was convicted or the victim's
34 next of kin if the crime was a homicide. If the inmate is recaptured,
35 the department shall send notice to the persons designated in this
36 subsection as soon as possible but in no event later than two working
37 days after the department learns of such recapture.

1   (4) If the victim, the victim's next of kin, or any witness is
2 under the age of sixteen, the notice required by this section shall be
3 sent to the parents or legal guardian of the child.
4   (5) The department of corrections shall send the notices required
5 by this chapter to the last address provided to the department by the
6 requesting party. The requesting party shall furnish the department
7 with a current address.
8   (6) The department of corrections shall keep, for a minimum of two
9 years following the release of an inmate, the following:
10   (a) A document signed by an individual as proof that that person is
11 registered in the victim or witness notification program; and
12   (b) A receipt showing that an individual registered in the victim
13 or witness notification program was mailed a notice, at the
14 individual's last known address, upon the release or movement of an
15 inmate.
16   (7) For purposes of this section the following terms have the
17 following meanings:
18   (a) "Violent offense" means a violent offense under RCW 9.94A.030;
19   (b) "Next of kin" means a person's spouse, parents, siblings and
20 children.
21   (((7))) (8) Nothing in this section shall impose any liability upon
22 a chief of police of a city or sheriff of a county for failing to
23 request in writing a notice as provided in subsection (1) of this
24 section.

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