

CERTIFICATION OF ENROLLMENT  
ENGROSSED SUBSTITUTE HOUSE BILL 2198

53rd Legislature  
1994 Regular Session

Passed by the House February 14, 1994  
Yeas 95 Nays 0

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Speaker of the  
House of Representatives

Passed by the Senate March 2, 1994  
Yeas 43 Nays 0

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President of the Senate

Approved

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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 **ENGROSSED SUBSTITUTE HOUSE BILL 2198** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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Chief Clerk

FILED

Secretary of State  
State of Washington

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ENGROSSED SUBSTITUTE HOUSE BILL 2198

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Passed Legislature - 1994 Regular Session

State of Washington                      53rd Legislature                      1994 Regular Session

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

Read first time 02/04/94.

1            AN ACT Relating to juvenile sex offenders; and amending RCW  
2 13.40.215.

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

4            **Sec. 1.** RCW 13.40.215 and 1993 c 27 s 1 are each amended to read  
5 as follows:

6            (1)(a) Except as provided in subsection (2) of this section, at the  
7 earliest possible date, and in no event later than ten days before  
8 discharge, parole, or any other authorized leave or release, or before  
9 transfer to a community residential facility, the secretary shall send  
10 written notice of the discharge, parole, authorized leave or release,  
11 or transfer of a juvenile found to have committed a violent offense, a  
12 sex offense, or stalking, to the following:

13            (i) The chief of police of the city, if any, in which the juvenile  
14 will reside; and

15            (ii) The sheriff of the county in which the juvenile will reside.

16            (b) The same notice as required by (a) of this subsection shall be  
17 sent to the following, if such notice has been requested in writing  
18 about a specific juvenile:

1 (i) The victim of the offense for which the juvenile was found to  
2 have committed or the victim's next of kin if the crime was a homicide;  
3 (ii) Any witnesses who testified against the juvenile in any court  
4 proceedings involving the offense; and  
5 (iii) Any person specified in writing by the prosecuting attorney.  
6 Information regarding victims, next of kin, or witnesses requesting the  
7 notice, information regarding any other person specified in writing by  
8 the prosecuting attorney to receive the notice, and the notice are  
9 confidential and shall not be available to the juvenile. The notice to  
10 the chief of police or the sheriff shall include the identity of the  
11 juvenile, the residence where the juvenile will reside, the identity of  
12 the person, if any, responsible for supervising the juvenile, and the  
13 time period of any authorized leave.

14 (2)(a) If a juvenile found to have committed a violent offense, a  
15 sex offense, or stalking escapes from a facility of the department, the  
16 secretary shall immediately notify, by the most reasonable and  
17 expedient means available, the chief of police of the city and the  
18 sheriff of the county in which the juvenile resided immediately before  
19 the juvenile's arrest. If previously requested, the secretary shall  
20 also notify the witnesses and the victim of the offense which the  
21 juvenile was found to have committed or the victim's next of kin if the  
22 crime was a homicide. If the juvenile is recaptured, the secretary  
23 shall send notice to the persons designated in this subsection as soon  
24 as possible but in no event later than two working days after the  
25 department learns of such recapture.

26 (b) The secretary may authorize a leave, for a juvenile found to  
27 have committed a violent offense, a sex offense, or stalking, which  
28 shall not exceed forty-eight hours plus travel time, to meet an  
29 emergency situation such as a death or critical illness of a member of  
30 the juvenile's family. The secretary may authorize a leave, which  
31 shall not exceed the time medically necessary, to obtain medical care  
32 not available in a juvenile facility maintained by the department.  
33 Prior to the commencement of an emergency or medical leave, the  
34 secretary shall give notice of the leave to the appropriate law  
35 enforcement agency in the jurisdiction in which the juvenile will be  
36 during the leave period. The notice shall include the identity of the  
37 juvenile, the time period of the leave, the residence of the juvenile  
38 during the leave, and the identity of the person responsible for  
39 supervising the juvenile during the leave. If previously requested,

1 the department shall also notify the witnesses and victim of the  
2 offense which the juvenile was found to have committed or the victim's  
3 next of kin if the offense was a homicide.

4 In case of an emergency or medical leave the secretary may waive  
5 all or any portion of the requirements for leaves pursuant to RCW  
6 13.40.205 (2)(a), (3), (4), and (5).

7 (3) If the victim, the victim's next of kin, or any witness is  
8 under the age of sixteen, the notice required by this section shall be  
9 sent to the parents or legal guardian of the child.

10 (4) The secretary shall send the notices required by this chapter  
11 to the last address provided to the department by the requesting party.  
12 The requesting party shall furnish the department with a current  
13 address.

14 (5) Upon discharge, parole, or other authorized leave or release,  
15 a convicted juvenile sex offender shall not attend a public elementary,  
16 middle, or high school that is attended by a victim of the sex  
17 offender. The parents or legal guardians of the convicted juvenile sex  
18 offender shall be responsible for transportation or other costs  
19 associated with or required by the sex offender's change in school that  
20 otherwise would be paid by a school district. Upon discharge, parole,  
21 or other authorized leave or release of a convicted juvenile sex  
22 offender, the secretary shall send written notice of the discharge,  
23 parole, or other authorized leave or release and the requirements of  
24 this subsection to the common school district board of directors of the  
25 district in which the sex offender intends to reside or the district in  
26 which the sex offender last attended school, whichever is appropriate.

27 (6) For purposes of this section the following terms have the  
28 following meanings:

29 (a) "Violent offense" means a violent offense under RCW 9.94A.030;

30 (b) "Sex offense" means a sex offense under RCW 9.94A.030;

31 (c) "Stalking" means the crime of stalking as defined in RCW  
32 9A.46.110;

33 (d) "Next of kin" means a person's spouse, parents, siblings, and  
34 children.

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