

2 **SB 5094 - H AMD ADOPTED 3-4-98**

3 By Representative Sterk

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5 On page 3, after line 9, insert the following:

6 "NEW SECTION. **Sec. 3.** The department of corrections shall conduct  
7 a special study of sex offenders who have committed sex offenses  
8 against children.

9 (1) The study shall include any person:

10 (a) Convicted of any of the following offenses:

11 (i) Rape of a child in the first degree (RCW 9A.44.073), second  
12 degree (RCW 9A.44.076), or third degree (RCW 9A.44.079);

13 (ii) Child molestation in the first degree (RCW 9A.44.083), second  
14 degree (RCW 9A.44.086), or third degree (RCW 9A.44.089);

15 (iii) Sexual misconduct with a minor in the first degree (RCW  
16 9A.44.093) or second degree (RCW 9A.44.096); or

17 (iv) Any equivalent or substantially similar offense committed  
18 against a child for which the person was convicted in another  
19 jurisdiction;

20 (b) Who resides within one mile of any of the following locations  
21 within the state of Washington:

22 (i) Any public school as defined in RCW 28A.150.010;

23 (ii) Any common school as defined in RCW 28A.150.020;

24 (iii) Any private school as defined in RCW 28A.195.010; or

25 (iv) Any child day-care center as defined in RCW 74.15.020; and

26 (c) Who is currently serving a term of community supervision,  
27 community placement, community service, or other similar conditional  
28 release as authorized by the laws of another jurisdiction, or who has  
29 been released from a sentence of total confinement for any offense  
30 identified in (a) of this subsection within the past five years.

31 (2) The department of corrections shall report the findings of the  
32 study to the legislature, which report shall contain at least the  
33 following minimum information:

34 (a) The number of offenders identified in subsection (1) of this  
35 section;

1 (b) The proximity of each of the offenders identified in (a) of  
2 this subsection to any location described in subsection (1)(b) of this  
3 section, for example, "across the street," "two blocks," and similar  
4 phrases;

5 (c) The most recent offense identified in subsection (1)(a) of this  
6 section for which each offender was convicted and whether such offense  
7 was a first offense. If the offense was not a first offense, any other  
8 sex offenses set out in chapter 9A.44 RCW for which the offender has  
9 been convicted, and when each such an offense was committed; and

10 (d) The names of the county, municipality, and school or day care  
11 center within one mile of which any offender required to be identified  
12 by this study resides.

13 (3) The department of corrections shall conduct this study with  
14 existing department funds.

15 (4) The department of corrections shall report the results of this  
16 study by December 31, 1998.

17 NEW SECTION. **Sec. 4.** The department of corrections shall conduct  
18 a special study of sex offenders.

19 (1) The subject of the study shall be the posting on the internet  
20 of information related to offenders who have committed sex offenses as  
21 set out in chapter 9A.44 RCW.

22 (2) The department of corrections shall report the findings of the  
23 study to the legislature, which report shall contain at least the  
24 following minimum information:

25 (a) Which other states, if any, maintain information related to sex  
26 offenders on the internet, what particular information is maintained by  
27 any such state, and the cost and effectiveness of any such program of  
28 another state in keeping the public informed with regard to sex  
29 offenders;

30 (b) The resources required and costs that would be incurred in  
31 implementing such a program in Washington; and

32 (c) An estimated time frame that would be required for  
33 implementation of such a program in Washington state.

34 (3) The department of corrections shall conduct this study with  
35 existing department funds.

36 (4) The department of corrections shall report the results of this  
37 study by December 31, 1998."

1 Correct the title.

2 EFFECT: Provides for two studies by the Department of Corrections,  
3 to be conducted with existing department funds. Reports on both  
4 studies are due to the legislature by December 31, 1998. The first  
5 examines the proximity of recently released offenders who have  
6 committed sex crimes against children to schools and day care centers.  
7 The second examines other states' posting of sex offender information  
8 on the internet, and reports on costs and effectiveness, as well as  
9 estimates the time, costs, and resources needed to establish such a  
10 program in Washington.

11 **SB 5094** - H COMM AMD

12 By Committee on Criminal Justice & Corrections

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14 On page 2, line 32, replace "conviction" with (~~conviction~~) remand  
15 to custody"

16 EFFECT: Provides that bond is not exonerated until an offender is  
17 remanded to custody, rather than upon conviction « after which an  
18 offender may be on release, and not necessarily in custody.

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