

HOUSE BILL REPORT

HB 1172

As Passed House

January 14, 1998

Title: An act relating to sex offender registration.

Brief Description: Concerning the failure to register as a sex offender.

Sponsors: Representatives D. Sommers, Sterk, O'Brien, Koster, Thompson, Delvin, Sherstad, Schoesler, Hatfield and Conway.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 1/31/97, 2/5/97 [DP].

Floor Activity:

Passed House: 2/28/97, 96-0;

Passed House: 1/14/98, 95-0.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 11 members: Representatives Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Blalock; Delvin; Dickerson; Hickel; Mitchell; Robertson and Sullivan.

Staff: Yvonne Walker (786-7841).

Background: A sex offender must register with the county sheriff within 24 hours of being released from confinement. The offender must also notify the sheriff within 10 days of changing his or her residential address. Sex offenders who move to Washington from another state or a foreign country must register within 30 days of establishing residence.

The crime of failing to register or notify the county sheriff in a timely fashion is either a class C felony or a gross misdemeanor, depending on the seriousness of the offender's sex offense. The crime is a class C felony if the underlying sex offense was a class A felony, and is a gross misdemeanor for all other sex offenses.

Summary of Bill: The crime of failing to register as a sex offender or to notify the county sheriff in a timely fashion is made a class C felony in all cases, regardless of the seriousness of the underlying sex offense.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The mandate to require released sex offenders to register with their local sheriff is a public health and safety precaution. Due to the number of sex offenders that are released each year, this requirement aids law enforcement agencies in providing adequate supervision of all released sex offenders. It also helps in informing local police departments in surrounding counties and neighboring states when an offender may be moving into one of their local communities. This is particularly helpful when an offender convicted of a sex offense with a minor may be moving to a neighborhood located next to a school or park where small children may frequently visit.

There is some concern regarding released sex offenders who have developmental disabilities. Due to their physical or mental disabilities, these offenders may not realize the importance of registering with local law enforcement agencies every time a movement of residence occurs. It was noted, however, that these offenders are usually under some type of supervision and the guardian should be aware of the law.

Testimony Against: None.

Testified: Representative Duane Sommers (prime sponsor); Detective Dennis Walter, Spokane Police Department (pro); and Bill Sellars, The Arc of Washington State (pro).