
HOUSE BILL 2112

State of Washington

55th Legislature

1997 Regular Session

By Representatives Dunn and Koster

Read first time 02/20/97. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to public dissemination of information regarding
2 persons convicted of a crime; adding new sections to chapter 72.09 RCW;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the citizens of
6 this state are usually unaware of the presence of criminals, and
7 criminal activity, within their communities and neighborhoods. As a
8 consequence, law-abiding citizens are frequently unable to take
9 effective measures to protect themselves. Criminals have no right to
10 keep their identities hidden from the public, making law-abiding
11 citizens uninformed, unaware, unprotected, and vulnerable to further
12 harm. Far too often, criminals engage in repeat offenses within the
13 very community in which they committed previous offenses and within the
14 very community in which they currently reside. Because of the lack of
15 accessibility to information regarding criminals, and criminal
16 activity, citizens of the state needlessly suffer the many harmful
17 effects of crime, including injury to their person and property, loss
18 of life, financial loss, increased anxiety, and loss of a sense of
19 well-being.

1 Simple protective measures by responsible individuals will
2 frequently thwart criminal activity. However, a lack of pertinent
3 knowledge effectively hinders citizens from taking lawful, wise,
4 crime-preventative actions. The law-abiding public must have the basic
5 information necessary to protect their lives, their property, and the
6 ability to engage in the pursuit of happiness. The internet is one of
7 the most rapid and effective means of communicating information
8 available today. A large percentage of the population is now online,
9 and it appears likely that the internet will be increasingly utilized
10 as a means of receiving important information. The legislature
11 therefore concludes that it is in the best interest of the public
12 health, safety, and welfare that information regarding criminals and
13 criminal activity should be posted on the internet and thereby made
14 available to the public at large.

15 NEW SECTION. **Sec. 2.** The definitions in this section apply
16 throughout section 3 of this act unless the context clearly requires
17 otherwise.

18 (1) "Conviction" means that the defendant has been found guilty of
19 a felony in any trial court of this state, in any trial court of
20 another state, or in any trial court of the federal government, and is
21 the event that triggers the department's mandate to post the
22 legislatively directed data onto the internet, regardless of whether an
23 appeal may occur.

24 (2) "Felony" means any offense that carries the possibility of
25 incarceration for a term of over one year.

26 NEW SECTION. **Sec. 3.** Regarding a defendant who has been found
27 guilty of a felony in any trial court of this state, the department
28 shall post the information required by this section on the internet
29 within thirty days of conviction, regardless of whether an appeal may
30 occur. Regarding a defendant who has been found guilty of a felony in
31 any trial court of another state or in any trial court of the federal
32 government, the department shall post the information required by this
33 section on the internet, regardless of whether an appeal may occur,
34 within thirty days after the information has been received by the
35 department from the other state or the federal government. The
36 department shall post the following information:

1 (1) The name of the defendant, and any aliases used by the
2 defendant;

3 (2) The address of the defendant at the time the defendant was
4 arrested, and the current address of the defendant;

5 (3) The court before which the defendant was tried, and the name of
6 the presiding judge;

7 (4) The offense for which the defendant was convicted, and the
8 sentence imposed on the defendant by the trial court;

9 (5) The defendant's age, height, weight, and other descriptive
10 data, such as a tattoo or other distinguishing marks;

11 (6) A copy of the defendant's mug shots, and a photograph of the
12 defendant taken at the time of sentencing if not incarcerated, or upon
13 release if incarcerated;

14 (7) Whether the defendant was incarcerated and for how long, the
15 anticipated release date, the actual release date, and, if the
16 defendant served his or her complete sentence or was released early for
17 any reason and what that reason was; and

18 (8) A list of all previous felonies for which the defendant has
19 been convicted and the disposition of each conviction.

20 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act are each added
21 to chapter 72.09 RCW.

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