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HOUSE BILL 2705

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State of Washington                      56th Legislature                      2000 Regular Session

By Representatives Dunn, Veloria, Boldt, Mielke and Delvin

Read first time . Referred to Committee on .

1            AN ACT Relating to public dissemination of information regarding  
2 persons convicted of a crime; adding a new section to chapter 72.09  
3 RCW; 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, crime-  
4 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 violent  
13 criminals and criminal activity should be posted on the internet and  
14 thereby made available to the public at large.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09 RCW  
16 to read as follows:

17 (1) Regarding a defendant who has been convicted of a violent  
18 offense as defined in RCW 9.94A.030 in any trial court of this state,  
19 the department shall post the information required by this section on  
20 the internet within thirty days of conviction, regardless of whether an  
21 appeal may occur. Regarding a defendant who has been convicted of a  
22 violent offense as defined in RCW 9.94A.030 in any trial court of  
23 another state or in any trial court of the federal government, the  
24 department shall post the information required by this section on the  
25 internet, regardless of whether an appeal may occur, within thirty days  
26 after the information has been received by the department from the  
27 other state or the federal government. The department shall post the  
28 following information:

29 (a) The name of the defendant, and any aliases used by the  
30 defendant;

31 (b) The address of the defendant at the time the defendant was  
32 arrested, and the current address of the defendant;

33 (c) The court before which the defendant was tried, and the name of  
34 the presiding judge;

35 (d) The offense for which the defendant was convicted, and the  
36 sentence imposed on the defendant by the trial court;

37 (e) The defendant's age, height, weight, and other descriptive  
38 data, such as a tattoo or other distinguishing marks;

1 (f) A copy of the defendant's mug shots, and a photograph of the  
2 defendant taken at the time of sentencing if not incarcerated, or upon  
3 release if incarcerated;

4 (g) Whether the defendant was incarcerated and for how long, the  
5 anticipated release date, the actual release date, and whether the  
6 defendant served his or her complete sentence or was released early for  
7 any reason and what that reason was; and

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

10 (2) For the purposes of this section, unless the context clearly  
11 requires otherwise, "convicted" means that the defendant has been found  
12 guilty of a violent offense in any trial court of this state, in any  
13 trial court of another state, or in any trial court of the federal  
14 government, and is the event that triggers the department's mandate to  
15 post the legislatively directed data onto the internet, regardless of  
16 whether an appeal may occur.

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