

HB 1712 - S COMM AMD

By Committee on Children & Family Services & Corrections

ADOPTED AS AMENDED 04/14/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 9A.44.130 and 2002 c 31 s 1 are each amended to read
4 as follows:

5 (1) Any adult or juvenile residing whether or not the person has a
6 fixed residence, or who is a student, is employed, or carries on a
7 vocation in this state who has been found to have committed or has been
8 convicted of any sex offense or kidnapping offense, or who has been
9 found not guilty by reason of insanity under chapter 10.77 RCW of
10 committing any sex offense or kidnapping offense, shall register with
11 the county sheriff for the county of the person's residence, or if the
12 person is not a resident of Washington, the county of the person's
13 school, or place of employment or vocation, or as otherwise specified
14 in this section. Where a person required to register under this
15 section is in custody of the state department of corrections, the state
16 department of social and health services, a local division of youth
17 services, or a local jail or juvenile detention facility as a result of
18 a sex offense or kidnapping offense, the person shall also register at
19 the time of release from custody with an official designated by the
20 agency that has jurisdiction over the person. In addition, any such
21 adult or juvenile: (a) Who is admitted to a public or private
22 institution of higher education shall, within ten days of enrolling or
23 by the first business day after arriving at the institution, whichever
24 is earlier, notify the sheriff for the county of the person's residence
25 of the person's intent to attend the institution; (b) who gains
26 employment at a public or private institution of higher education
27 shall, within ten days of accepting employment or by the first business
28 day after commencing work at the institution, whichever is earlier,
29 notify the sheriff for the county of the person's residence of the
30 person's employment by the institution; or (c) whose enrollment or

1 employment at a public or private institution of higher education is
2 terminated shall, within ten days of such termination, notify the
3 sheriff for the county of the person's residence of the person's
4 termination of enrollment or employment at the institution. Persons
5 required to register under this section who are enrolled in a public or
6 private institution of higher education on June 11, 1998, must notify
7 the county sheriff immediately. The sheriff shall notify the
8 institution's department of public safety and shall provide that
9 department with the same information provided to a county sheriff under
10 subsection (3) of this section.

11 (2) This section may not be construed to confer any powers pursuant
12 to RCW 4.24.500 upon the public safety department of any public or
13 private institution of higher education.

14 (3)(a) The person shall provide the following information when
15 registering: (i) Name; (ii) address; (iii) date and place of birth;
16 (iv) place of employment; (v) crime for which convicted; (vi) date and
17 place of conviction; (vii) aliases used; (viii) social security number;
18 (ix) photograph; and (x) fingerprints.

19 (b) Any person who lacks a fixed residence shall provide the
20 following information when registering: (i) Name; (ii) date and place
21 of birth; (iii) place of employment; (iv) crime for which convicted;
22 (v) date and place of conviction; (vi) aliases used; (vii) social
23 security number; (viii) photograph; (ix) fingerprints; and (x) where he
24 or she plans to stay.

25 (4)(a) Offenders shall register with the county sheriff within the
26 following deadlines. For purposes of this section the term
27 "conviction" refers to adult convictions and juvenile adjudications for
28 sex offenses or kidnapping offenses:

29 (i) OFFENDERS IN CUSTODY. (A) Sex offenders who committed a sex
30 offense on, before, or after February 28, 1990, and who, on or after
31 July 28, 1991, are in custody, as a result of that offense, of the
32 state department of corrections, the state department of social and
33 health services, a local division of youth services, or a local jail or
34 juvenile detention facility, and (B) kidnapping offenders who on or
35 after July 27, 1997, are in custody of the state department of
36 corrections, the state department of social and health services, a
37 local division of youth services, or a local jail or juvenile detention

1 facility, must register at the time of release from custody with an
2 official designated by the agency that has jurisdiction over the
3 offender. The agency shall within three days forward the registration
4 information to the county sheriff for the county of the offender's
5 anticipated residence. The offender must also register within twenty-
6 four hours from the time of release with the county sheriff for the
7 county of the person's residence, or if the person is not a resident of
8 Washington, the county of the person's school, or place of employment
9 or vocation. The agency that has jurisdiction over the offender shall
10 provide notice to the offender of the duty to register. Failure to
11 register at the time of release and within twenty-four hours of release
12 constitutes a violation of this section and is punishable as provided
13 in subsection (10) of this section.

14 When the agency with jurisdiction intends to release an offender
15 with a duty to register under this section, and the agency has
16 knowledge that the offender is eligible for developmental disability
17 services from the department of social and health services, the agency
18 shall notify the division of developmental disabilities of the release.
19 Notice shall occur not more than thirty days before the offender is to
20 be released. The agency and the division shall assist the offender in
21 meeting the initial registration requirement under this section.
22 Failure to provide such assistance shall not constitute a defense for
23 any violation of this section.

24 (ii) OFFENDERS NOT IN CUSTODY BUT UNDER STATE OR LOCAL
25 JURISDICTION. Sex offenders who, on July 28, 1991, are not in custody
26 but are under the jurisdiction of the indeterminate sentence review
27 board or under the department of correction's active supervision, as
28 defined by the department of corrections, the state department of
29 social and health services, or a local division of youth services, for
30 sex offenses committed before, on, or after February 28, 1990, must
31 register within ten days of July 28, 1991. Kidnapping offenders who,
32 on July 27, 1997, are not in custody but are under the jurisdiction of
33 the indeterminate sentence review board or under the department of
34 correction's active supervision, as defined by the department of
35 corrections, the state department of social and health services, or a
36 local division of youth services, for kidnapping offenses committed
37 before, on, or after July 27, 1997, must register within ten days of

1 July 27, 1997. A change in supervision status of a sex offender who
2 was required to register under this subsection (4)(a)(ii) as of July
3 28, 1991, or a kidnapping offender required to register as of July 27,
4 1997, shall not relieve the offender of the duty to register or to
5 reregister following a change in residence. The obligation to register
6 shall only cease pursuant to RCW 9A.44.140.

7 (iii) OFFENDERS UNDER FEDERAL JURISDICTION. Sex offenders who, on
8 or after July 23, 1995, and kidnapping offenders who, on or after July
9 27, 1997, as a result of that offense are in the custody of the United
10 States bureau of prisons or other federal or military correctional
11 agency for sex offenses committed before, on, or after February 28,
12 1990, or kidnapping offenses committed on, before, or after July 27,
13 1997, must register within twenty-four hours from the time of release
14 with the county sheriff for the county of the person's residence, or if
15 the person is not a resident of Washington, the county of the person's
16 school, or place of employment or vocation. Sex offenders who, on July
17 23, 1995, are not in custody but are under the jurisdiction of the
18 United States bureau of prisons, United States courts, United States
19 parole commission, or military parole board for sex offenses committed
20 before, on, or after February 28, 1990, must register within ten days
21 of July 23, 1995. Kidnapping offenders who, on July 27, 1997, are not
22 in custody but are under the jurisdiction of the United States bureau
23 of prisons, United States courts, United States parole commission, or
24 military parole board for kidnapping offenses committed before, on, or
25 after July 27, 1997, must register within ten days of July 27, 1997.
26 A change in supervision status of a sex offender who was required to
27 register under this subsection (4)(a)(iii) as of July 23, 1995, or a
28 kidnapping offender required to register as of July 27, 1997 shall not
29 relieve the offender of the duty to register or to reregister following
30 a change in residence, or if the person is not a resident of
31 Washington, the county of the person's school, or place of employment
32 or vocation. The obligation to register shall only cease pursuant to
33 RCW 9A.44.140.

34 (iv) OFFENDERS WHO ARE CONVICTED BUT NOT CONFINED. Sex offenders
35 who are convicted of a sex offense on or after July 28, 1991, for a sex
36 offense that was committed on or after February 28, 1990, and
37 kidnapping offenders who are convicted on or after July 27, 1997, for

1 a kidnapping offense that was committed on or after July 27, 1997, but
2 who are not sentenced to serve a term of confinement immediately upon
3 sentencing, shall report to the county sheriff to register immediately
4 upon completion of being sentenced.

5 (v) OFFENDERS WHO ARE NEW RESIDENTS OR RETURNING WASHINGTON
6 RESIDENTS. Sex offenders and kidnapping offenders who move to
7 Washington state from another state or a foreign country that are not
8 under the jurisdiction of the state department of corrections, the
9 indeterminate sentence review board, or the state department of social
10 and health services at the time of moving to Washington, must register
11 within thirty days of establishing residence or reestablishing
12 residence if the person is a former Washington resident. The duty to
13 register under this subsection applies to sex offenders convicted under
14 the laws of another state or a foreign country, federal or military
15 statutes, or Washington state for offenses committed on or after
16 February 28, 1990, and to kidnapping offenders convicted under the laws
17 of another state or a foreign country, federal or military statutes, or
18 Washington state for offenses committed on or after July 27, 1997. Sex
19 offenders and kidnapping offenders from other states or a foreign
20 country who, when they move to Washington, are under the jurisdiction
21 of the department of corrections, the indeterminate sentence review
22 board, or the department of social and health services must register
23 within twenty-four hours of moving to Washington. The agency that has
24 jurisdiction over the offender shall notify the offender of the
25 registration requirements before the offender moves to Washington.

26 (vi) OFFENDERS FOUND NOT GUILTY BY REASON OF INSANITY. Any adult
27 or juvenile who has been found not guilty by reason of insanity under
28 chapter 10.77 RCW of (A) committing a sex offense on, before, or after
29 February 28, 1990, and who, on or after July 23, 1995, is in custody,
30 as a result of that finding, of the state department of social and
31 health services, or (B) committing a kidnapping offense on, before, or
32 after July 27, 1997, and who on or after July 27, 1997, is in custody,
33 as a result of that finding, of the state department of social and
34 health services, must register within twenty-four hours from the time
35 of release with the county sheriff for the county of the person's
36 residence. The state department of social and health services shall
37 provide notice to the adult or juvenile in its custody of the duty to

1 register. Any adult or juvenile who has been found not guilty by
2 reason of insanity of committing a sex offense on, before, or after
3 February 28, 1990, but who was released before July 23, 1995, or any
4 adult or juvenile who has been found not guilty by reason of insanity
5 of committing a kidnapping offense but who was released before July 27,
6 1997, shall be required to register within twenty-four hours of
7 receiving notice of this registration requirement. The state
8 department of social and health services shall make reasonable attempts
9 within available resources to notify sex offenders who were released
10 before July 23, 1995, and kidnapping offenders who were released before
11 July 27, 1997. Failure to register within twenty-four hours of
12 release, or of receiving notice, constitutes a violation of this
13 section and is punishable as provided in subsection (10) of this
14 section.

15 (vii) OFFENDERS WHO LACK A FIXED RESIDENCE. Any person who lacks
16 a fixed residence and leaves the county in which he or she is
17 registered and enters and remains within a new county for twenty-four
18 hours is required to register with the county sheriff not more than
19 twenty-four hours after entering the county and provide the information
20 required in subsection (3)(b) of this section.

21 (viii) OFFENDERS WHO LACK A FIXED RESIDENCE AND WHO ARE UNDER
22 SUPERVISION. Offenders who lack a fixed residence and who are under
23 the supervision of the department shall register in the county of their
24 supervision.

25 (ix) OFFENDERS WHO MOVE TO, WORK, CARRY ON A VOCATION, OR ATTEND
26 SCHOOL IN ANOTHER STATE. Offenders required to register in Washington,
27 who move to another state, or who work, carry on a vocation, or attend
28 school in another state shall register a new address, fingerprints, and
29 photograph with the new state within ten days after establishing
30 residence, or after beginning to work, carry on a vocation, or attend
31 school in the new state. The person must also send written notice
32 within ten days of moving to the new state or to a foreign country to
33 the county sheriff with whom the person last registered in Washington
34 state. The county sheriff shall promptly forward this information to
35 the Washington state patrol.

36 (b) Failure to register within the time required under this section
37 constitutes a per se violation of this section and is punishable as

1 provided in subsection (10) of this section. The county sheriff shall
2 not be required to determine whether the person is living within the
3 county.

4 (c) An arrest on charges of failure to register, service of an
5 information, or a complaint for a violation of this section, or
6 arraignment on charges for a violation of this section, constitutes
7 actual notice of the duty to register. Any person charged with the
8 crime of failure to register under this section who asserts as a
9 defense the lack of notice of the duty to register shall register
10 immediately following actual notice of the duty through arrest,
11 service, or arraignment. Failure to register as required under this
12 subsection (4)(c) constitutes grounds for filing another charge of
13 failing to register. Registering following arrest, service, or
14 arraignment on charges shall not relieve the offender from criminal
15 liability for failure to register prior to the filing of the original
16 charge.

17 (d) The deadlines for the duty to register under this section do
18 not relieve any sex offender of the duty to register under this section
19 as it existed prior to July 28, 1991.

20 (5)(a) If any person required to register pursuant to this section
21 changes his or her residence address within the same county, the person
22 must send written notice of the change of address to the county sheriff
23 within seventy-two hours of moving. If any person required to register
24 pursuant to this section moves to a new county, the person must send
25 written notice of the change of address at least fourteen days before
26 moving to the county sheriff in the new county of residence and must
27 register with that county sheriff within twenty-four hours of moving.
28 The person must also send written notice within ten days of the change
29 of address in the new county to the county sheriff with whom the person
30 last registered. The county sheriff with whom the person last
31 registered shall promptly forward the information concerning the change
32 of address to the county sheriff for the county of the person's new
33 residence. Upon receipt of notice of change of address to a new state,
34 the county sheriff shall promptly forward the information regarding the
35 change of address to the agency designated by the new state as the
36 state's offender registration agency.

1 (b) It is an affirmative defense to a charge that the person failed
2 to send a notice at least fourteen days in advance of moving as
3 required under (a) of this subsection that the person did not know the
4 location of his or her new residence at least fourteen days before
5 moving. The defendant must establish the defense by a preponderance of
6 the evidence and, to prevail on the defense, must also prove by a
7 preponderance that the defendant sent the required notice within
8 twenty-four hours of determining the new address.

9 (6)(a) Any person required to register under this section who lacks
10 a fixed residence shall provide written notice to the sheriff of the
11 county where he or she last registered within forty-eight hours
12 excluding weekends and holidays after ceasing to have a fixed
13 residence. The notice shall include the information required by
14 subsection (3)(b) of this section, except the photograph and
15 fingerprints. The county sheriff may, for reasonable cause, require
16 the offender to provide a photograph and fingerprints. The sheriff
17 shall forward this information to the sheriff of the county in which
18 the person intends to reside, if the person intends to reside in
19 another county.

20 (b) A person who lacks a fixed residence must report weekly, in
21 person, to the sheriff of the county where he or she is registered.
22 The weekly report shall be on a day specified by the county sheriff's
23 office, and shall occur during normal business hours. The county
24 sheriff's office may require the person to list the locations where the
25 person has stayed during the last seven days. The lack of a fixed
26 residence is a factor that may be considered in determining an
27 offender's risk level and shall make the offender subject to disclosure
28 of information to the public at large pursuant to RCW 4.24.550.

29 (c) If any person required to register pursuant to this section
30 does not have a fixed residence, it is an affirmative defense to the
31 charge of failure to register, that he or she provided written notice
32 to the sheriff of the county where he or she last registered within
33 forty-eight hours excluding weekends and holidays after ceasing to have
34 a fixed residence and has subsequently complied with the requirements
35 of subsections (4)(a)(vii) or (viii) and (6) of this section. To
36 prevail, the person must prove the defense by a preponderance of the
37 evidence.

1 (7) A sex offender subject to registration requirements under this
2 section who applies to change his or her name under RCW 4.24.130 or any
3 other law shall submit a copy of the application to the county sheriff
4 of the county of the person's residence and to the state patrol not
5 fewer than five days before the entry of an order granting the name
6 change. No sex offender under the requirement to register under this
7 section at the time of application shall be granted an order changing
8 his or her name if the court finds that doing so will interfere with
9 legitimate law enforcement interests, except that no order shall be
10 denied when the name change is requested for religious or legitimate
11 cultural reasons or in recognition of marriage or dissolution of
12 marriage. A sex offender under the requirement to register under this
13 section who receives an order changing his or her name shall submit a
14 copy of the order to the county sheriff of the county of the person's
15 residence and to the state patrol within five days of the entry of the
16 order.

17 (8) The county sheriff shall obtain a photograph of the individual
18 and shall obtain a copy of the individual's fingerprints.

19 (9) For the purpose of RCW 9A.44.130, 10.01.200, 43.43.540,
20 70.48.470, and 72.09.330:

21 (a) "Sex offense" means:

22 (i) Any offense defined as a sex offense by RCW 9.94A.030;

23 (ii) Any violation under RCW 9A.44.096 (sexual misconduct with a
24 minor in the second degree);

25 (iii) Any violation under RCW 9.68A.090 (communication with a minor
26 for immoral purposes);

27 (iv) Any federal or out-of-state conviction for an offense that
28 under the laws of this state would be classified as a sex offense under
29 this subsection; and

30 (v) Any gross misdemeanor that is, under chapter 9A.28 RCW, a
31 criminal attempt, criminal solicitation, or criminal conspiracy to
32 commit an offense that is classified as a sex offense under RCW
33 9.94A.030 or this subsection.

34 (b) "Kidnapping offense" means: (i) The crimes of kidnapping in
35 the first degree, kidnapping in the second degree, and unlawful
36 imprisonment, as defined in chapter 9A.40 RCW, where the victim is a
37 minor and the offender is not the minor's parent; (ii) any offense that

1 is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation,
2 or criminal conspiracy to commit an offense that is classified as a
3 kidnapping offense under this subsection (9)(b); and (iii) any federal
4 or out-of-state conviction for an offense that under the laws of this
5 state would be classified as a kidnapping offense under this subsection
6 (9)(b).

7 (c) "Employed" or "carries on a vocation" means employment that is
8 full-time or part-time for a period of time exceeding fourteen days, or
9 for an aggregate period of time exceeding thirty days during any
10 calendar year. A person is employed or carries on a vocation whether
11 the person's employment is financially compensated, volunteered, or for
12 the purpose of government or educational benefit.

13 (d) "Student" means a person who is enrolled, on a full-time or
14 part-time basis, in any public or private educational institution. An
15 educational institution includes any secondary school, trade or
16 professional institution, or institution of higher education.

17 (10) A person who knowingly fails to register with the county
18 sheriff or notify the county sheriff, or who changes his or her name
19 without notifying the county sheriff and the state patrol, as required
20 by this section is guilty of a class C felony if the crime for which
21 the individual was convicted was a felony sex offense as defined in
22 subsection (9)(a) of this section or a federal or out-of-state
23 conviction for an offense that under the laws of this state would be a
24 felony sex offense as defined in subsection (9)(a) of this section. If
25 the crime was other than a felony or a federal or out-of-state
26 conviction for an offense that under the laws of this state would be
27 other than a felony, violation of this section is a gross misdemeanor.

28 (11) A person who knowingly fails to register or who moves within
29 the state without notifying the county sheriff as required by this
30 section is guilty of a class C felony if the crime for which the
31 individual was convicted was a felony kidnapping offense as defined in
32 subsection (9)(b) of this section or a federal or out-of-state
33 conviction for an offense that under the laws of this state would be a
34 felony kidnapping offense as defined in subsection (9)(b) of this
35 section. If the crime was other than a felony or a federal or out-of-
36 state conviction for an offense that under the laws of this state would

1 be other than a felony, violation of this section is a gross
2 misdemeanor.

3 **Sec. 2.** RCW 4.24.550 and 2002 c 118 s 1 are each amended to read
4 as follows:

5 (1) In addition to the disclosure under subsection (5) of this
6 section, public agencies are authorized to release information to the
7 public regarding sex offenders and kidnapping offenders when the agency
8 determines that disclosure of the information is relevant and necessary
9 to protect the public and counteract the danger created by the
10 particular offender. This authorization applies to information
11 regarding: (a) Any person adjudicated or convicted of a sex offense as
12 defined in RCW 9A.44.130 or a kidnapping offense as defined by RCW
13 9A.44.130; (b) any person under the jurisdiction of the indeterminate
14 sentence review board as the result of a sex offense or kidnapping
15 offense; (c) any person committed as a sexually violent predator under
16 chapter 71.09 RCW or as a sexual psychopath under chapter 71.06 RCW;
17 (d) any person found not guilty of a sex offense or kidnapping offense
18 by reason of insanity under chapter 10.77 RCW; and (e) any person found
19 incompetent to stand trial for a sex offense or kidnapping offense and
20 subsequently committed under chapter 71.05 or 71.34 RCW.

21 (2) Except for the information specifically required under
22 subsection (5) of this section, the extent of the public disclosure of
23 relevant and necessary information shall be rationally related to: (a)
24 The level of risk posed by the offender to the community; (b) the
25 locations where the offender resides, expects to reside, or is
26 regularly found; and (c) the needs of the affected community members
27 for information to enhance their individual and collective safety.

28 (3) Except for the information specifically required under
29 subsection (5) of this section, local law enforcement agencies shall
30 consider the following guidelines in determining the extent of a public
31 disclosure made under this section: (a) For offenders classified as
32 risk level I, the agency shall share information with other appropriate
33 law enforcement agencies and may disclose, upon request, relevant,
34 necessary, and accurate information to any victim or witness to the
35 offense and to any individual community member who lives near the
36 residence where the offender resides, expects to reside, or is

1 regularly found; (b) for offenders classified as risk level II, the
2 agency may also disclose relevant, necessary, and accurate information
3 to public and private schools, child day care centers, family day care
4 providers, businesses and organizations that serve primarily children,
5 women, or vulnerable adults, and neighbors and community groups near
6 the residence where the offender resides, expects to reside, or is
7 regularly found; (c) for offenders classified as risk level III, the
8 agency may also disclose relevant, necessary, and accurate information
9 to the public at large; and (d) because more localized notification is
10 not feasible and homeless and transient offenders may present unique
11 risks to the community, the agency may also disclose relevant,
12 necessary, and accurate information to the public at large for
13 offenders registered as homeless or transient.

14 (4) The county sheriff with whom an offender classified as risk
15 level III is registered shall cause to be published by legal notice,
16 advertising, or news release a sex offender community notification that
17 conforms to the guidelines established under RCW 4.24.5501 in at least
18 one legal newspaper with general circulation in the area of the sex
19 offender's registered address or location. The county sheriff shall
20 also cause to be published consistent with this subsection a current
21 list of level III registered sex offenders, twice yearly. Unless the
22 information is posted on the web site described in subsection (5) of
23 this section, this list shall be maintained by the county sheriff on a
24 publicly accessible web site and shall be updated at least once per
25 month.

26 (5)(a) When funded by federal grants or other sources (~~other than~~
27 ~~state funds~~), the Washington association of sheriffs and police chiefs
28 shall create and maintain a statewide registered sex offender web site,
29 which shall be available to the public. The web site shall post all
30 level III registered sex offenders in the state of Washington. The web
31 site shall contain, but is not limited to, the registered sex
32 offender's name, relevant criminal convictions, address by hundred
33 block, physical description, and photograph. The web site shall
34 provide mapping capabilities that display the sex offender's address by
35 hundred block on a map. The web site shall allow citizens to search
36 for registered sex offenders within the state of Washington by county,

1 city, zip code, last name, type of conviction, and address by hundred
2 block.

3 (b) Until the implementation of (a) of this subsection, the
4 Washington association of sheriffs and police chiefs shall create a web
5 site available to the public that provides electronic links to county-
6 operated web sites that offer sex offender registration information.

7 (6) Local law enforcement agencies that disseminate information
8 pursuant to this section shall: (a) Review available risk level
9 classifications made by the department of corrections, the department
10 of social and health services, and the indeterminate sentence review
11 board; (b) assign risk level classifications to all offenders about
12 whom information will be disseminated; and (c) make a good faith effort
13 to notify the public and residents at least fourteen days before the
14 offender is released from confinement or, where an offender moves from
15 another jurisdiction, as soon as possible after the agency learns of
16 the offender's move, except that in no case may this notification
17 provision be construed to require an extension of an offender's release
18 date. The juvenile court shall provide local law enforcement officials
19 with all relevant information on offenders allowed to remain in the
20 community in a timely manner.

21 (7) An appointed or elected public official, public employee, or
22 public agency as defined in RCW 4.24.470, or units of local government
23 and its employees, as provided in RCW 36.28A.010, are immune from civil
24 liability for damages for any discretionary risk level classification
25 decisions or release of relevant and necessary information, unless it
26 is shown that the official, employee, or agency acted with gross
27 negligence or in bad faith. The immunity in this section applies to
28 risk level classification decisions and the release of relevant and
29 necessary information regarding any individual for whom disclosure is
30 authorized. The decision of a local law enforcement agency or official
31 to classify an offender to a risk level other than the one assigned by
32 the department of corrections, the department of social and health
33 services, or the indeterminate sentence review board, or the release of
34 any relevant and necessary information based on that different
35 classification shall not, by itself, be considered gross negligence or
36 bad faith. The immunity provided under this section applies to the

1 release of relevant and necessary information to other public
2 officials, public employees, or public agencies, and to the general
3 public.

4 (8) Except as may otherwise be provided by law, nothing in this
5 section shall impose any liability upon a public official, public
6 employee, or public agency for failing to release information
7 authorized under this section.

8 (9) Nothing in this section implies that information regarding
9 persons designated in subsection (1) of this section is confidential
10 except as may otherwise be provided by law.

11 (10) When a local law enforcement agency or official classifies an
12 offender differently than the offender is classified by the end of
13 sentence review committee or the department of social and health
14 services at the time of the offender's release from confinement, the
15 law enforcement agency or official shall notify the end of sentence
16 review committee (~~or~~) or the department of social and health
17 services and submit its reasons supporting the change in
18 classification. Upon implementation of subsection (5)(a) of this
19 section, notification of the change shall also be sent to the
20 Washington association of sheriffs and police chiefs."

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By Committee on Children & Family Services & Corrections

ADOPTED AS AMENDED 04/14/2003

21 On page 1, line 2 of the title, after "offenders;" strike the
22 remainder of the title and insert "and amending RCW 9A.44.130 and
23 4.24.550."

--- END ---