
**Criminal Justice & Corrections
Committee**

HB 2342

Brief Description: Regulating residences of sex offenders under supervision.

Sponsors: Representatives Veloria, Carrell, O'Brien, Chase, Sullivan and Edwards.

Brief Summary of Bill

- Prohibits the Department of Corrections (DOC) from approving any residence of a released sex offender on community custody status, when two or more sex offenders already reside in the same city block or building.

Hearing Date: 1/23/04

Staff: Yvonne Walker (786-7841).

Background:

Under the Offender Accountability Act enacted in 1999, a mandatory term of community custody is required for sex offenses. The term of community custody begins upon completion of the term of confinement or upon transfer to community custody in lieu of earned release, whichever occurs first. Conditions of community custody and levels of supervision are based on risk, and can include affirmative conditions such as rehabilitative treatment.

In addition, sex offenders released from the DOC, the Juvenile Rehabilitation Administration, and the Indeterminate Sentence Review Board are classified, prior to their release, into one of three risk levels depending upon their risk to the community: I (low risk), II (moderate risk), or III (high risk). State law does not specify where they may live upon being released (or discharged) to the community. However, every adult and juvenile who has been adjudicated or convicted of a sex offense, or who has been found not guilty by reason of insanity of a sex offense, is required to register with the county sheriff in the county of the person's residence. If a person who is required to register changes his or her residence, the person must notify the county sheriff of the change of address. If the person moves to a new county, the person must, prior to moving, notify the sheriff in the new county, and the sheriff of the county with whom the person last registered.

A sex offender who is required to register but who does not have a fixed residence, must report in person to the county sheriff and, instead of providing a residential address, provide information about where he or she plans to stay. Those sex offenders classified as a risk level I must report monthly to the county sheriff. Sex offenders classified as a risk level II or III must report weekly.

Although there are no state specifications on where a sex offender can live upon being released to the community, the DOC does have the authority to impose residential location and living arrangement restrictions as part of any term of community placement imposed as part of an offender's sentence.

Summary of Bill:

Restrictions are imposed on the residential locations of sex offenders released on or after July 1, 2004, from the DOC. The DOC is prohibited from approving the residence location and living arrangements for any sex offender, under a term of community custody, community placement, or community supervision, if two or more sex offenders already currently reside in the same building or within the same city block.

Appropriation: None.

Fiscal Note: Requested on 1/14/04.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.