
**Criminal Justice & Corrections
Committee**

SB 5410

Brief Description: Revising information available on the statewide registered sex offender web site.

Sponsors: Senators Stevens, Eide, Keiser, Brandland, Reardon, Roach, Prentice, Regala, Rasmussen, McCaslin, Benton, Winsley, T. Sheldon, Schmidt, Esser, Oke and Shin.

Brief Summary of Bill

- Allows the statewide registered sex offender web site to contain information regarding level II sex offenders.

Hearing Date: 3/21/03

Staff: Jim Morishima (786-7191).

Background:

When sufficient funding is available from federal grants or other funding sources other than state funds, the Washington Association of Sheriffs and Police Chiefs (WASPC) must create and maintain a publicly accessible sex offender web site. The site must contain information about all registered level III sex offenders statewide. The information required to be included on the site includes the sex offenders' names, relevant criminal convictions, addresses by hundred block, physical descriptions, and photographs. The web site must have the ability to display a sex offender's address on a map, and must allow users to search for sex offenders by county, city, zip code, last name, type of conviction, and address by hundred block.

Until funding is available for the statewide web site, the WASPC must create a publicly available web site that provides electronic links to county-operated web sites that offer sex offender registration information. This web site is currently available on the WASPC's web site.

The United States Supreme Court recently ruled that a sex offender registration program in Alaska did not violate the Ex Post Facto Clause of the United States Constitution. The

program in Alaska made a variety of information public via the Internet including the sex offender's name, aliases, address, photograph, physical description, license and identification numbers of motor vehicles, place of employment, and date of birth. *Smith v. Doe*, 538 U.S. ___ (2003).

Summary of Bill:

The information on the statewide registered sex offender web site is increased to include level II sex offenders. The information provided on the web site regarding level II sex offenders must be the same as the information regarding level III sex offenders, unless it is impermissible under state and federal law. If it is impermissible, the information about level II sex offenders must be limited to the information and functionality that is permissible under state and federal law.

The prohibition against using state funds to fund the web site is removed.

Appropriation: None.

Fiscal Note: Available.

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