

SENATE BILL REPORT

SB 6502

As Reported By Senate Committee On:
Human Services & Corrections, February 1, 2006
Ways & Means, February 7, 2006

Title: An act relating to creating a statewide automated victim information and notification system.

Brief Description: Creating a statewide automated victim information and notification system.

Sponsors: Senators Roach, Kohl-Welles, Weinstein, Kline, McCaslin, Benton and Rasmussen.

Brief History:

Committee Activity: Human Services & Corrections: 1/26/06, 2/1/06 [DPS].
Ways & Means: 2/6/06, 2/7/06 [DPS(HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6502 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Indu Thomas (786-7459)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6502 as recommended by Committee on Human Services & Corrections be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Kohl-Welles, Parlette, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau.

Staff: Paula Faas (786-7449)

Background: The Washington Association of Sheriffs and Police Chiefs (WASPC) implements and operates a statewide central booking and reporting system. The system contains the following:

- charging information;
- descriptive information regarding persons who are arrested, such as names, vital statistics, addresses, and photographs;
- information regarding the medical conditions and behavior problems of incarcerated individuals; and
- statistical data on jails and prisons in the state.

The system is part of the Washington Justice Information Network and is capable of communicating electronically with all criminal justice agencies located in Washington. Pierce, King, and Snohomish counties have implemented a local automated victim notification system. WASPC has applied for a federal grant to implement the victim notification technology.

Summary of Substitute Bill: WASPC must integrate a victim notification system into its electronic statewide central booking and reporting system. Crime victims may subscribe to the system and indicate how they would like to receive notice, e-mail, telephone, or post. The system must provide victims of crime, who have made a notification request, notification of the release, transfer, discharge, or escape of the person convicted in their case. The system would verify service of protective orders if requested by the victim. These provisions apply when the person convicted of a crime against a person who has requested notification is detained in any Washington state, county, or city jail or prison.

The system would also be required to provide notice of upcoming court events at which the victim may be present, such as parole or pardon hearings. A change in parole or probation status, a change in supervision status, and a change in offender's address are also information that is to be made available to the victims of crime. With respect to sex offenders, victims would have to receive notification of updated profile information with the sex offender registry or non-compliance with the registry. In addition, WASPC must provide 24 hour live operator assistance, the ability to register on-line or via an 800 number, and frequent updates to ensure the reliability of the posted information.

Substitute Bill Compared to Original Bill: The agencies which will be affected are limited to jails and Department of Corrections facilities. The substitute also limits the responsibility for sharing court hearing information to information in the possession of WASPC. The bill adds references to community corrections system and limits liability for acts under this chapter to those without gross negligence. Finally, the substitute requires that a victim's information be kept confidential and sets reliability standards for the automated system.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For (Human Services & Corrections): The Victim Notification System that is authorized by this bill is built on the Jail Booking and Reporting System. Three counties in Washington already use an automated victim notification system. Nineteen states use a automated notification system statewide. There have been no personal injury cases arising from the use of such a system in any of those states or in any of the counties here in Washington which are already using the system. This program is a 24-hour-a-day 7-day-a-week notification system which is an improvement on the system that is currently in place in most counties.

Testimony Other: Although this system is a step in the right direction, it does not include sufficient provisions to ensure the confidentiality of the victim's information. The bill could

be improved with the addition of language strengthening the liability limitation provisions. The bill does not address what should be done when the system malfunctions. The automated notification system is necessary at the local level; however, the prison notification system is currently effective. Duplication of efforts should be avoided.

Who Testified (Human Services & Corrections): PRO: James McMahon, WASPC.

OTHER: Lonnie Johns-Brown, Washington Coalition of Sexual Assault Programs; Jim Harms, Snohomish County Corrections; Dave Johnson, Washington Coalition of Crime Victim Advocates.

Testimony For (Ways & Means): While the Legislature has passed several good bills that get tough on crime, there is not currently a system that notifies victims with important information about the offenders. This would build on systems that currently operate in Pierce, King, and Snohomish counties. The Washington Association of Sheriffs and Police Chiefs has applied for federal funding for this program.

Testimony Against (Ways & Means): None.

Who Testified (Ways & Means): PRO: James McMahan, Washington Association of Sheriffs and Police Chiefs.