

SENATE BILL REPORT

SSB 6519

As Passed Senate, February 9, 2006

Title: An act relating to county sheriffs monitoring registered sex offenders.

Brief Description: Requiring level III sex offenders to report to law enforcement every three months.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Benton, Benson, Schoesler, Carrell, Esser, Jacobsen, Pflug, Mulliken, Johnson, Honeyford, Sheldon, Roach, Kline, Oke, Rasmussen and Keiser).

Brief History:

Committee Activity: Human Services & Corrections: 1/26/06, 2/1/06 [DPS].

Passed Senate: 2/9/06, 47-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6519 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: Kiki Keizer (786-7430)

Background: In 1990, the Legislature enacted the Community Protection Act, which created one of the first sex offender registration laws in the country. A person convicted of a sex or kidnapping offense must register with the county sheriff of the county in which he lives. The person subject to the registration requirements must provide such information as his or her name, address, date and place of birth, place of employment, crime of conviction, date and place of conviction, aliases, Social Security number, photograph, and fingerprints. He or she must also notify the county sheriff if he or she is enrolled in public or private school or in an institution of higher education.

A person with a fixed residence need not go to the county sheriff's office to check in or to re-register. However, registered persons who are not sexually violent predators must respond annually to a mailing to verify their address, and persons classified as sexually violent predators must do this every 90 days. Homeless offenders subject to registration requirements must check in with the county sheriff once a week.

A person who knowingly fails to register or to notify the sheriff, or who changes his or her name without notifying the sheriff or the Washington State Patrol, is guilty of the crime of failure to register.

If the crime requiring registration was a felony, failure to meet the registration requirements is a class C felony. The seriousness of this offense is not ranked for purposes of sentencing and

may include up to 12 months in jail, a fine of up to \$10,000, or both. If the crime requiring registration was a misdemeanor or a gross misdemeanor, failure to register is a gross misdemeanor, punishable by up to 12 months in jail, a fine of \$5,000, or both.

Summary of Bill: Level III offenders must report, every 90 days for five years, to the county sheriff. A person who has complied with 90-reporting requirement for five years may stop reporting. A sheriff may update an individual's photograph for the file.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: None.

Testimony Against: None.

Who Testified: No one.

House Amendment(s): Persons classified by the End of Sentence Review Commission or the county sheriff as either a Level II and Level III sex offender must report to the county sheriff's office, in person, every 90 days during normal business hours. This reporting obligation lasts for an indeterminate period of time, rather than ceasing after five years if a person meets the requirement with no violations over a five-year period. A person may petition the superior court in the county where he or she lives or reports to be relieved of the duty to report every ninety days. The court must grant the petition if the petitioner can show that he or she has complied with the reporting requirement for a period of at least five years and has not been convicted of a criminal violation for failure to register for at least five years and if the court determines that the reporting no longer serves a public safety purpose.