
**Public Safety & Emergency
Preparedness Committee**

HB 2714

Brief Description: Changing provisions concerning registration of sex offenders and kidnapping offenders.

Sponsors: Representatives Loomis, Hurst, Lantz, Upthegrove, Conway, Simpson, VanDeWege and Kelley.

Brief Summary of Bill

- Changes Failure to Register as a Sex Offender from a class C felony to a class B felony.

Hearing Date: 1/23/08

Staff: Jim Morishima (786-7191).

Background:

Failure to Register as a Sex Offender

Under the Community Protection Act of 1990, a sex offender must register with the county sheriff of the county in which he or she resides. An offender must provide a variety of information upon registration including name, complete residential address, date and place of birth, place of employment, crime of conviction, date and place of conviction, aliases, Social Security number, photograph, and fingerprints.

Registered sex offenders are subject to a variety of requirements after registration. For example, if an offender must notify the county sheriff if he or she moves or changes any of the information in the registry. Also, homeless offenders must check in with the county sheriff once a week. Level II and level III sex offenders must check in with the county sheriff every 90 days.

A sex offender who knowingly violates the requirements of the registration statute is guilty of a class C felony if the offense that caused the duty to register was a felony. The offense is "unranked" on the first offense, which means the offender would be subject to a term of

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confinement within the standard range of zero to 12 months. A first-time offender is also subject to a mandatory term of community custody (supervision in the community) of 36-48 months. For second and subsequent offenses, the offense is ranked at seriousness level II, which means the offender, assuming he or she has no other prior offenses, would be subject to a term of confinement of 12-14 months. The offender would also be subject to a mandatory term of community custody of 36-48 months.

A sex offender who knowingly violates the requirements of the registration statute is guilty of a gross misdemeanor if the offense that caused the duty to register was not a felony.

Classes of Felonies

In Washington, felonies are divided into three classes: A, B, and C. The class of felony determines the statutory maximum for the offense; the term of confinement plus any term of community custody may not exceed this maximum. In addition, the class of felony determines the maximum amount an offender may be fined. The maximums for the different classes of felonies are as follows:

- Class A felonies: Life in prison and \$50,000.
- Class B felonies: 10 years in prison and \$20,000.
- Class C felonies: Five years in prison and \$10,000.

Summary of Bill:

The penalty for felony-level Failure to Register as a Sex Offender is increased from a class C felony to a class B felony.

Appropriation: None.

Fiscal Note: Requested on January 16, 2008.

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