

SENATE BILL REPORT

SB 5332

As Amended by House, April 5, 2007

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, Prentice and Rasmussen.

Brief History:

Committee Activity: Human Services & Corrections: 1/25/07, 2/01/07 [DP-WM].
Ways & Means: 2/12/07, 2/19/07 [DP].
Passed Senate: 3/09/07, 47-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

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

Staff: Indu Thomas (786-7459)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler and Tom.

Staff: Richard Ramsey (786-7412)

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

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- 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 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 whether they would like to receive notice by, 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 hearings 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. Victims of sex offenses would receive notification of updated profile information in the sex offender registry or non-compliance with the registry.

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. Immunity from civil liability is provided for government officers and employees who release or fail to release information in error, so long as the release was without gross negligence.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: In 2006, the Legislature considered this bill and approved a corresponding budget proviso. WASPC did obtain a grant from the Department of Justice to implement the victim notification system. The integrated statewide notification system came online in October 2006. The system has been successful. Notification permits the victims to implement a safety plan and make educated decisions about their safety. The confidentiality provisions encourage individuals to utilize the program. The purpose of requesting this bill is to codify the victim confidentiality and the liability protections of the bill.

Persons Testifying: PRO: Senator Roach, prime sponsor; Don Pierce, Washington Association of Sheriffs and Police Chiefs; Kelly Pelland, Kitsap County Prosecutor's Office.

House Amendment(s): In order to facilitate technology improvements the implementation date for the Department of Corrections is delayed to January 10, 2010.