
HOUSE BILL 3243

State of Washington

60th Legislature

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By Representatives O'Brien, Green, Pearson, Seaquist, Hurst, and Morrell

Read first time 01/25/08. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to allowing law enforcement agencies to request
2 state assistance when verifying a registered sex or kidnapping
3 offender's residential address; amending RCW 9A.44.135; and adding a
4 new section to chapter 4.24 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 9A.44.135 and 2000 c 91 s 1 are each amended to read
7 as follows:

8 (1) When an offender registers with the county sheriff pursuant to
9 RCW 9A.44.130, the county sheriff shall notify the police chief or town
10 marshal of the jurisdiction in which the offender has registered to
11 live. If the offender registers to live in an unincorporated area of
12 the county, the sheriff shall make reasonable attempts to verify that
13 the offender is residing at the registered address. If the offender
14 registers to live in an incorporated city or town, the police chief or
15 town marshal shall make reasonable attempts to verify that the offender
16 is residing at the registered address. Reasonable attempts at
17 verifying an address shall include at a minimum:

18 (a) For offenders who have not been previously designated sexually
19 violent predators under chapter 71.09 RCW or an equivalent procedure in

1 another jurisdiction, each year the chief law enforcement officer of
2 the jurisdiction where the offender is registered to live shall send by
3 certified mail, with return receipt requested, a nonforwardable
4 verification form to the offender at the offender's last registered
5 address.

6 (b) For offenders who have been previously designated sexually
7 violent predators under chapter 71.09 RCW or the equivalent procedure
8 in another jurisdiction, even if the designation has subsequently been
9 removed, every ninety days the county sheriff shall send by certified
10 mail, with return receipt requested, a nonforwardable verification form
11 to the offender at the offender's last registered address.

12 (c) The offender must sign the verification form, state on the form
13 whether he or she still resides at the last registered address, and
14 return the form to the chief law enforcement officer of the
15 jurisdiction where the offender is registered to live within ten days
16 after receipt of the form.

17 (2) The chief law enforcement officer of the jurisdiction where the
18 offender has registered to live shall make reasonable attempts to
19 locate any sex offender who fails to return the verification form or
20 who cannot be located at the registered address. If the offender fails
21 to return the verification form or the offender is not at the last
22 registered address, the chief law enforcement officer of the
23 jurisdiction where the offender has registered to live shall promptly
24 forward this information to the county sheriff and to the Washington
25 state patrol for inclusion in the central registry of sex offenders.

26 (3) When an offender notifies the county sheriff of a change to his
27 or her residence address pursuant to RCW 9A.44.130, and the new address
28 is in a different law enforcement jurisdiction, the county sheriff
29 shall notify the police chief or town marshal of the jurisdiction from
30 which the offender has moved.

31 (4)(a) When performing its duties under this section, a law
32 enforcement agency may request address verification assistance by
33 sending an offender's name, address, social security number,
34 photograph, and fingerprints to the department of social and health
35 services.

36 (b) Upon receiving information under (a) of this subsection, the
37 department shall:

1 (i) Check the information against any database containing
2 residential address information that is maintained by a state agency to
3 which the department has access for purposes of child support
4 enforcement; and

5 (ii) Within fourteen days, disclose any residential addresses it
6 has for the offender to the requesting law enforcement agency.

7 (c) The department of social and health services may not deny a
8 request made under this subsection because the law enforcement agency
9 did not submit all of the offender's information required under (a) of
10 this subsection, but may deny the request if the information submitted
11 by the law enforcement agency is so incomplete as to make a database
12 search impracticable.

13 (d) Requests from law enforcement agencies and responses from the
14 department of social and health services made under this subsection are
15 exempt from public inspection and copying under chapter 42.56 RCW.

16 NEW SECTION. Sec. 2. A new section is added to chapter 4.24 RCW
17 to read as follows:

18 The department of social and health services and its employees are
19 immune from civil liability for damages arising from sex and kidnapping
20 offender address verification assistance provided under RCW 9A.44.135
21 unless the department or employee has acted with gross negligence or in
22 bad faith.

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