

HOUSE BILL REPORT

HB 1549

As Reported by House Committee On:
Early Learning & Human Services

Title: An act relating to notification to schools regarding the release of certain offenders.

Brief Description: Requiring notification to schools regarding the release of certain offenders.

Sponsors: Representatives Dahlquist, Armstrong, Hurst, Pearson, Hope, Moscoso, Dammeier, Anderson, Wilcox, McCune, Kelley and Smith; by request of Superintendent of Public Instruction.

Brief History:

Committee Activity:

Early Learning & Human Services: 2/11/11, 2/17/11 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Corrections to provide at least 30 days' written notice to schools when a person age 21 years or younger is released from total confinement and has committed a violent offense, a sex offense, or the offense of stalking.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Kagi, Chair; Roberts, Vice Chair; Walsh, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Dickerson, Goodman, Johnson, Orwall and Overstreet.

Staff: Linda Merelle (786-7092).

Background:

Department of Corrections Notification Requirements.

For adult offenders, the Department of Corrections (DOC) is required to send written notice of parole, release, community custody, work release placement, furlough, or escape to certain

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persons. With the exception of escape and emergency furloughs, such notice must be provided at least 30 days in advance. This notice requirement applies to offenders convicted of a violent offense, a sex offense, or felony harassment. The list of persons to whom the notice must be sent includes:

- the chief of police of the city in which the offender will reside or be placed in work release;
- the sheriff of the county in which the offender will reside or be placed in work release;
- the Washington State Patrol (sex offenders only);
- if notice has been requested in writing, to:
 1. any victim or next of kin if the offense is a homicide;
 2. a witness who testified against the offender in any court proceedings involving a violent offense;
 3. a person specified by the prosecuting attorney; and
- any person who has requested notice, at least 60 days prior to release, about a sex offender.

The DOC must also provide notification if there has been an escape and notification of recapture.

Summary of Substitute Bill:

The DOC has an additional notice requirement for certain offenders 21 years of age or younger. At least 30 days before release from total confinement, regardless if the release is to parole, community custody, a work release placement, or furlough, the DOC must send written notice of the release or transfer to the school district board of directors and the superintendent of the district in which the offender last attended school if the offender:

- is 21 years of age or younger at the time of release; and
- has been convicted of a violent offense, a sex offense, or stalking.

Substitute Bill Compared to Original Bill:

The notice is specifically the responsibility of the DOC, rather than a "public agency." Notice is required any time the person is released from total confinement. There is no exception if the person is age 21 years or younger or if he or she is going to be in the community for fewer than seven days and not attending school during that period. Notice is required to be sent to the last school the person attended, as well as the superintendent of the school district.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill is intended to tie up a loophole in the statutes. The Juvenile Rehabilitation Administration is already required to provide notice to schools for persons who are released and who have committed a violent offense, a sex offense, or stalking. This notice to schools is not required for persons under the age of 21 years who are released from adult facilities.

(Opposed) None.

Persons Testifying: Representative Dahlquist, prime sponsor; Ken Kanikeberg, Office of the Superintendent of Public Instruction; and Kathryn Murdock, Vancouver Public School.

Persons Signed In To Testify But Not Testifying: None.