
Public Safety Committee

HB 2557

Brief Description: Concerning residence locations of felony sex offenders of minors.

Sponsors: Representatives Kirby and Muri.

Brief Summary of Bill

- Prohibits the Department of Corrections from approving a residence within 1,000 feet of a school, child care center, playground, or other grounds or facilities where children are present for an offender convicted of a felony sex offense against a minor victim.

Hearing Date: 1/29/14

Staff: Sarah Koster (786-7303).

Background:

For any offender convicted of a felony sex offense against a minor victim after June 6, 1996, the Department of Corrections (DOC) shall not approve, as part of a release plan, a residence location if the proposed residence:

1. includes a minor victim or child of similar age or circumstance as a previous victim who the DOC determines may be put at substantial risk of harm by the offender's residence in the household; or
2. is within close proximity of the current residence of a minor victim, unless the whereabouts of the minor victim cannot be determined or unless such a restriction would impede family reunification efforts ordered by the court or directed by the Department of Social and Health Services.

The DOC is further authorized to reject a residence location if the proposed residence is within close proximity to schools, child care centers, playgrounds, or other grounds or facilities where children of similar age or circumstance as a previous victim are present who the DOC determines may be put at substantial risk of harm by the sex offender's residence at that location.

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.

The DOC may not approve a residence location if the proposed residence is in a community protection zone, if the offender is prohibited from living in a community protection zone. A "community protection zone" is the area within 880 feet of the facilities or grounds of a public or private school.

A court must, as a condition of community custody, prohibit an offender from residing in a community protection zone if his or her victim was under 18 years old at the time of the offense and the offender was sentenced under a determinate-plus sentencing scheme for one of the following offenses:

1. Rape in the first or second degrees;
2. Rape of a Child in the first or second degrees;
3. Child Molestation in the first degree;
4. Indecent Liberties by Forcible Compulsion; or
5. with sexual motivation: Murder in the first or second degrees, Homicide by Abuse, Kidnapping in the first or second degrees, Assault in the first or second degrees, Assault of a Child in the first or second degrees, or Burglary in the first degree.

Summary of Bill:

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1. includes a minor victim or child of similar age or circumstance as a previous victim who the DOC determines may be put at substantial risk of harm by the offender's residence in the household;
2. is within close proximity of the current residence of a minor victim, unless the whereabouts of the minor victim cannot be determined or unless such a restriction would impede family reunification efforts ordered by the court or directed by the Department of Social and Health Services; or
3. if the proposed residence is within 1,000 feet of a school, child care center, playground, or other ground or facility where children are present.

Appropriation: None.

Fiscal Note: Available.

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