Washington State Institute
for Public Policy

Mission
The Washington Legislature created the Washington State Institute for Public Policy in 1983. A Board of Directors—representing the legislature, the governor, and public universities—governs the Institute, hires the director, and guides the development of all activities.

The Institute’s mission is to carry out practical research, at legislative direction, on issues of importance to Washington State. The Institute conducts research activities using its own policy analysts, academic specialists from universities, and consultants. New activities grow out of requests from the Washington legislature and executive branch agencies, often directed through legislation. Institute staff work closely with legislators, as well as legislative, executive, and state agency staff to define and conduct research on appropriate state public policy topics.

Current assignments include projects in welfare reform, criminal justice, education, youth violence, and social services.

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Debra Fabritius: Project Leader

The Institute wishes to thank the following individuals for contributing to this document:


*Previous versions of this document were titled "Findings From the Community Protection Research Project: A Chartbook."
In 1990, the Washington State Legislature passed the Community Protection Act, a comprehensive set of laws that increased prison terms for sex offenders, established registration and notification laws, authorized funds for treatment of adult and juvenile sex offenders, and provided services for victims of sexual assault.

The legislation directed the Washington State Institute for Public Policy to evaluate the effectiveness of these state-supported programs. The charts that follow were selected from this research and cover such topics as:

- Definitions of Sex Offenses
- Rates of Sex Crimes and Child Abuse in Washington State
- Adult Sex Offender Sentences, Criminal History, Demographics, and Treatment
- Juvenile Sex Offender History, Characteristics, and Caseloads
- Recidivism Patterns of Sex Offenders
- Crime Victims Compensation for Sex Assault Victims
- Sex Offender Registration and Community Notification

This report addresses felony-level sex offenses.

A complete list of Institute publications on this topic is included as an Appendix (page 44).
OVERVIEW

Key findings from this 1998 update reveal the following:

Arrests and Case Reports

- Arrest rates for both juvenile and adult sex offenders continue to decline. The rate change for adults is modest, but the decline in juvenile rates has been dramatic, particularly for sex offenses other than rape.
- The number of cases accepted for investigation by Child Protective Services for suspicion of sexual abuse have remained stable since 1995.

Sentencing

- The majority of adult sex offenders receive prison sentences.
- Median sentence length for offenders convicted of serious sex offenses has doubled since passage of the Community Protection Act of 1990.

Community Treatment for Sex Offenders

- The caseload for juveniles receiving sex offender outpatient treatment sentences (SSODA) has declined steadily since 1994.
- The number of adult sex offenders sentenced to a community treatment option (SSOSA) continues to gradually decline.

Persistent Offenders

- 32 offenders have been convicted under the “Three Strikes” law for sex offenses; 2 sex offenders have been convicted under the “Two Strikes” law.

Sexually Violent Predators

- Persons designated as sexually violent predators through the civil commitment process represent less than one percent of the state’s released sex offenders.

The chart on the following page provides an overview of criminal justice activity related to sex offenders.
WASHINGTON STATE SEX OFFENDERS: An Overview

- **Sex Offense Convictions in 1997:** 1,008 Adult 247 Juvenile
- **Treatment Options:**
  - Adult Treatment (SSOSA): 245
  - Juvenile Treatment (SSODA): 296
- **Registered Sex Offenders:** 11,486 Offenders Registered Since 1990
- **Bulletins Issued (Special Bulletins and Law Enforcement Alerts):**
  - 950 Issued Between 1990 and September 1997
- **Sex Offenders Released From Prison: Risk Level Classifications:**
  - Between September 1997 and May 1998:
    - Level I (Low Risk): 230
    - Level II (Moderate Risk): 105
    - Level III (High Risk): 73
- **Sexually Violent Predator Commitments:**
  - 41 Offenders Committed as of June 1998
SECTION 1

DEFINITIONS OF SEX OFFENSES

• Sex Crimes

• Special Sex Offender Sentencing Alternative

• Special Sex Offender Disposition Alternative

• Sexually Violent Predator
### SEX CRIMES*

**IN INVOLVING SEXUAL INTERCOURSE:**

<table>
<thead>
<tr>
<th>RAPE 1</th>
<th>CLASS A FELONY, Violent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Forcible compulsion, and a) deadly weapon, or b) kidnapping, or c) serious physical injury (includes rendering victim unconscious through physical injury), or d) felonious entry (vehicle, building). 2. Forcible compulsion, and a) victim incapable of consent, or b) perpetrator in supervisory authority over a victim who is developmentally disabled (DD) or c) perpetrator is health care provider and crime occurs during treatment, or d) perpetrator has supervisory authority over victim who is a resident of a facility for the mentally disordered or chemically dependent.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RAPE 2</th>
<th>CLASS C FELONY, Non-violent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not married, and a) refusal to consent clearly expressed, or b) threat of substantial unlawful harm to property rights of victim.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INCEST 1</th>
<th>CLASS B FELONY, Non-violent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Known to be related, either legitimately or illegitimately, as ancestor, descendent, brother or sister of whole or half blood, (includes stepchildren and adopted children under 18).</td>
<td></td>
</tr>
</tbody>
</table>

**IN INVOLVING SEXUAL CONTACT:**

<table>
<thead>
<tr>
<th>INCEST 2</th>
<th>CLASS C FELONY, Non-violent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Known to be related, either legitimately or illegitimately, as ancestor, descendent, brother or sister of whole or half blood, (includes stepchildren and adopted children under 18).</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INDECENT LIBERTIES</th>
<th>CLASS B FELONY, Violent if force used, otherwise non-violent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not married and knowingly causes another to have sexual contact with him or another, and a) forcible compulsion, or b) victim incapable of consent, or c) perpetrator in supervisory authority over a victim who is developmentally disabled (DD) or d) perpetrator is health care provider and crime occurs during treatment, or e) perpetrator has supervisory authority over victim who is a resident of a facility for the mentally disordered or chemically dependent.</td>
<td></td>
</tr>
</tbody>
</table>

**IN INVOLVING SEXUAL COMMUNICATION:**

<table>
<thead>
<tr>
<th>COMMUNICATION WITH A MINOR FOR IMMORAL PURPOSES</th>
<th>Non-violent</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRST OFFENSE:</td>
<td>Gross Misdemeanor</td>
</tr>
<tr>
<td>ANY PRIOR SEX OFFENSE:</td>
<td>Class C Felony</td>
</tr>
<tr>
<td>Communications directed at a minor (a person under age 18) expressing sexual intent for the purpose of personal gratification, a type of sexual exploitation.</td>
<td></td>
</tr>
</tbody>
</table>

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*Other sex crimes include: Sexually Violating Human Remains and felonies found to have been committed with a sexual motivation.*
# Sex Crimes Against Children

## Involving Sexual Intercourse: Age of Victim | Age of Offender

<table>
<thead>
<tr>
<th><strong>Rape of a Child 1</strong></th>
<th>Class A Felony, Violent</th>
<th>Less than 12 years old</th>
<th>At least 16 years of age</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rape of a Child 2</strong></td>
<td>Class A Felony, Violent</td>
<td>At least 12, but less than 14</td>
<td>At least 18 years of age</td>
</tr>
<tr>
<td><strong>Rape of a Child 3</strong></td>
<td>Class C Felony, Non-violent</td>
<td>At least 14, but less than 16</td>
<td>At least 48 months older than victim</td>
</tr>
<tr>
<td><strong>Sexual Misconduct with a Minor 1</strong></td>
<td>Class C Felony, Non-violent</td>
<td>At least 16, but less than 18</td>
<td>At least 60 months older than victim (and in supervisory position)</td>
</tr>
</tbody>
</table>

## Involving Sexual Contact: Age of Victim | Age of Offender

<table>
<thead>
<tr>
<th><strong>Child Molestation 1</strong></th>
<th>Class A Felony, Violent</th>
<th>Less than 12 years old</th>
<th>At least 36 months older than victim</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Child Molestation 2</strong></td>
<td>Class B Felony, Non-violent</td>
<td>At least 12, but less than 14</td>
<td>At least 36 months older than victim</td>
</tr>
<tr>
<td><strong>Child Molestation 3</strong></td>
<td>Class C Felony, Non-violent</td>
<td>At least 14, but less than 16</td>
<td>At least 48 months older than victim</td>
</tr>
<tr>
<td><strong>Sexual Misconduct with a Minor 2</strong></td>
<td>Gross Misdemeanor, Non-violent</td>
<td>At least 16, but less than 18</td>
<td>At least 60 months older than victim (and in supervisory position)</td>
</tr>
</tbody>
</table>

**WSIPP 1998**

*Source: RCW Chapters 9A.44 and 9.94A.030.*
SSOSA: Special Sex Offender Sentencing Alternative

FOR ADULTS:

This sentencing option can be imposed by the court for adult sex offenders convicted for the first time of a felony sex offense other than Rape in the First or Second Degree or attempted First Degree Rape and whose sentence does not exceed 11 years.

Under this option, offenders are treated by a state-certified therapist and are supervised by the Department of Corrections. Other crime-related prohibitions, such as restricted contact with minors, may be ordered. In addition, the judge may order up to six months in jail. The offender must pay all treatment costs.

If an offender does not comply with sentence conditions, or the judge determines that the offender is not making adequate progress in treatment, the alternative sentence may be revoked and a determinate sentence imposed.

This sentencing option has been available since 1984.
SSODA: Special Sex Offender Disposition Alternative

FOR JUVENILES:

The court has the option to order a treatment sentence for most juvenile sex offenders. The Special Sex Offender Disposition Alternative (SSODA) is for offenders adjudicated for a first-time sex offense other than Rape in the First Degree.

Under SSODA, the judge can suspend the offender’s sentence, place the offender on community supervision for up to two years, and require the juvenile to participate in sex offender treatment with a state-certified therapist. In addition, the court may impose other conditions, including up to 30 days of confinement. The state pays for the cost of treatment.

If an offender does not comply with sentence conditions, or the judge determines that the juvenile is not making adequate progress in treatment, the alternative disposition may be revoked and a determinate sentence imposed, or up to 30 days confinement may be ordered.

SSODA became available in 1990 as part of the Community Protection Act.

WSIPP 1998
Sexually Violent Predator

"Sexually violent predator" means any person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence.  

RCW 71.09.020(1)

"Predatory" means acts directed toward strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization.

RCW 71.09.020(3)

Washington State authorizes the civil commitment of persons determined to be sexually violent predators. If a judge or jury finds beyond a reasonable doubt that a person is a sexually violent predator, the person is committed to the Special Commitment Center, a facility run by the Department of Social and Health Services, located inside a state prison on McNeil Island, Washington. The person is held until a jury determines the offender is safe to be released.

In June 1997, the U.S. Supreme Court upheld the constitutionality of Kansas’s law for sexually violent predators, which was based on Washington’s law.

As of June 1998, 41 individuals have been committed as sexually violent predators and 24 others are in confinement awaiting trial. One individual was released to a less restrictive facility following confinement, and another person was sent directly to a community setting following his trial.

The Special Commitment Center has been under a federal court injunction regarding treatment conditions since 1994. A special master appointed by the court oversees the program’s progress toward achieving improvements (Turay v. Weston, Order and Injunction).
SECTION 2

RATES OF SEX CRIMES AND CHILD ABUSE IN WASHINGTON STATE

- Arrest Rates for Sex Crimes
  - Adults
  - Juveniles

- Child Victims of Abuse: DSHS Investigations
Washington State Arrest Rates for All Sex Crimes*

Arrests Per 100,000 Juveniles and Adults**

*Includes rape.
**Total population over 9 years of age.

Washington State Arrest Rates of Adults for Sex Crimes

Arrests Per 100,000 Adults*

* Total population over 17 years of age.
Washington State Arrest Rates of Juveniles for Sex Crimes

Arrests Per 100,000 Juveniles*

* Total population between 9 and 17 years.
Child Victims of Abuse:
Cases Accepted for Investigation by DSHS

Source: Division of Children and Family Services, Department of Social and Health Services
SECTION 3

ADULT SEX OFFENDERS

• Conviction Trends
• Sentencing Trends
• Sentencing Options
• Criminal History
• Changes in Sentence Length
• Prison Treatment
• Sentencing Costs
• Sexually Violent Predators
Adult Sex Offenders

In Washington State, adult felons are sentenced within standard sentencing guidelines. This standardized sentencing system went into effect in 1984. Various sentencing options are available to the court for sex offenders:

- Jail or prison terms within state sentencing guidelines.
- SSOSA (Special Sex Offender Sentencing Alternative), a suspended sentence requiring outpatient treatment.
- Exceptional sentence (higher or lower than the sentencing guidelines).

From July 1996 to June 1997, 1,008 adults were convicted of sex felonies—4.7 percent of adult felony convictions during this period.

WSIPP 1998
Number of Adult Sex Offense Convictions by Fiscal Year

Due to a change in crimes classified as sex offenses, data in Fiscal Year 1996 was underreported in the 1997 edition of this chartbook.

Sentences Received by Adults Convicted of Felony Sex Crimes in Fiscal Year 1997

* Exceptional Sentences may be shorter or longer than the standard range.
** Four cases of Exceptional Sentences within the standard range were included.
The Majority of Convicted Sex Offenders Receive Prison Sentences

WSIPP 1998
Sex Offenders Are More Likely to Go to Prison Than Other Felony Offenders

- **Sex Offenders**
  - Not Confined: 2%
  - Jail: 42%
  - Prison: 56%
  - Not Confined: 5%
  - Jail: 66%
  - Prison: 29%

- **Other Offenders**
  - Not Confined: 2%
  - Jail: 42%
  - Prison: 56%


Criminal History of Adults Convicted of Felony Sex Crimes in Fiscal Year 1997

- **Criminal History?**
  - No: 61%
  - Yes: 39%

- **Type of History**
  - Non-Violent Offense: 35%
  - Sex Offense: 49%
  - Violent Offense: 16%

Serious Sex Offenses

In recent years, the penalties for serious sex offenses have been raised through legislative actions. These serious sex offenses include:

- Rape 1 and 2
- Rape of a Child 1 and 2
- Child Molestation 1 and 2
- Indecent Liberties With Force

During Fiscal Year 1997, there were 1,008 convictions for sex offenses in Washington. Of those, 562 convictions were for the serious sex offenses listed above. The following charts examine convictions and sentence length for these more serious sex offenses in Washington State.

The offenses excluded from the category of serious sex offenses are as follows: Rape 3, Rape of a Child 3, Child Molestation 3, Incest, Communication with a Minor for Immoral Purposes, and Sexual Misconduct with a Minor. Felonies committed with a sexual motivation are also excluded due to disproportionate sentence length. (For example, the sentence for murder committed with a sexual motivation would be extremely long and skew the analysis.)
Increases in Sentence Length for Forcible Rape Have Been Significant

Serious Sex Offense Convictions* in Fiscal Year 1997

- N = 562
- Forcible Rape: N = 73
- Other Serious Sex Offense: N = 286
- Rape of Child: N = 203

Increases in Sentence Length for Forcible Rape Have Been Significant

- Median Sentence Length (Months)
- Median for All Categories (Shaded Area)

WSIPP 1998
As of March 1998, 3,140 Sex Offenders Were Incarcerated: Representing 23 Percent of the Prison Population.

Approximately 50 Percent Volunteered to Receive Treatment.

As of May 1998, 1,280 Sex Offenders Were on a Waiting List for Treatment.

200 Sex Offenders Are Receiving Treatment.

In Recent Years, Sentence Length for Serious Sex Offense Convictions Has Increased While the Number of Offenses Has Decreased.
COSTS ARE ESTIMATED based on the typical costs for an average sex offender who is eligible for a SSOSA sentence. The costs cover the entire sentence (27-month prison term), and are, thus, not annual costs.
Initiative 593, "Three Strikes and You're Out," became effective December 2, 1993, and established a penalty of life without parole for "persistent offenders."

The original law defined a "persistent offender" as a person who is convicted of a most serious offense and who has at least two prior convictions (on separate occasions) for most serious offenses. The statute enumerates the crimes that constitute "most serious offenses," including all Class A offenses, most violent offenses, any Class B offense committed with sexual motivation, and any felony committed with a deadly weapon.

The 1996 Legislature broadened the definition of persistent offender to include "Two Strike" sex offenders, and the 1997 Legislature expanded the list offenses. To qualify as a "Two Strike" sex offender, the offender must have two separate convictions for Rape 1 or 2, Rape of a Child 1 or 2, Indecent Liberties by Forcible Compulsion, Child Molestation 1, Homicide by Abuse with sexual motivation, Assault of a Child with sexual motivation, or a finding of sexual motivation associated with convictions for Murder 1 or 2, Kidnapping 1 or 2, Assault 1 or 2, or Burglary.

- 32 offenders convicted under the "Three Strikes" law have a sex offense as a most serious offense.

- Two sex offenders have been convicted under the "Two Strikes" law.
Sexually Violent Predators Represent Less Than One Percent of the Released Sex Offender Population

Since the Community Protection Act was passed on February 28, 1990, the most current data show:

- 4,388 adult sex offenders have been released from custody by the Department of Corrections.
- 1,548 juvenile sex offenders have been released from custody by the Juvenile Rehabilitation Administration.
- 5,550 offenders have been reviewed by the End of Sentence Review Committee to determine dangerousness.
- 196 offenders were referred to county prosecutors for evaluation and possible civil commitment.
- 41 offenders were tried and committed as sexually violent predators, and 24 others were awaiting trial.

The release statistics represent individuals most likely to be referred for civil commitment; other sex offenders in the community potentially meet the statutory requirements.
Sexually Violent Predator Commitment Center: Program Residents, 1990-1998

- Undergoing Evaluation
- Committed

WSIPP 1998
Source: Special Commitment Center
SECTION 4

JUVENILE SEX OFFENDERS

• Sentencing Treatment Option (SSODA)

• Criminal History

• State Commitments
Juvenile Sex Offenders

Under state law, most persons under age 18 charged with a crime fall under the jurisdiction of the juvenile court and may be held in an institutional program up to the age of 21.* Juvenile offenders sentenced to more than 30 days are committed to the Juvenile Rehabilitation Administration (JRA) within the Department of Social and Health Services. Juvenile offenders sentenced to less than 30 days, and those placed on community supervision, remain under local jurisdiction.

Certain juveniles can be sent to a diversion unit where they are directed to fulfill certain conditions in lieu of prosecution.

JRA provides residential programs for youths committed to its custody, parole supervision of youths released from its facilities, and community corrections' resources to youths under county authority.

The following charts provide detail on the characteristics of juvenile sex offenders.

*Some juveniles who are 16 and 17 are prosecuted as adults if they are charged with certain offenses. See RCW 13.04.030.
Distribution of Juveniles on SSODA Caseload as of May 15, 1998

WSIPP 1998
Source: Juvenile Rehabilitation Administration, Department of Social and Health Services

SSODA Caseload Has Steadily Declined Since 1994

WSIPP 1998
Source: Juvenile Rehabilitation Administration, Department of Social and Health Services

Total = 296
How Do Sex Offenders Compare to All Offenders Committed to State Facilities?

### Criminal History of Juvenile Sex Felons

**Committed to State Facilities in 1997**

- **Criminal History?**
  - No: 69%
  - Yes: 31%

N=247

**Type of History**

- Non-Violent Offense(s): 82%
- Sex Offense(s): 18%

Source: Juvenile Rehabilitation Administration, Department of Social and Health Services

*Excluding current sex offenses.

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**How Do Sex Offenders Compare to All Offenders Committed to State Juvenile Facilities?**

- **Percent With Criminal History**
  - Total JRA Population: 80%
  - Sex Offenders in JRA: 41%

- **Percent White**
  - Total JRA Population: 54%
  - Sex Offenders in JRA: 77%

- **Percent Male**
  - Total JRA Population: 92%
  - Sex Offenders in JRA: 98%

Source: Juvenile Rehabilitation Administration, Department of Social and Health Services

*As of April 30, 1998*
Section 5

Recidivism Patterns

- Washington State Research
- Summary of International Research
Recidivism Patterns

Citizens and policymakers are often interested in knowing how often sex offenders reoffend after they are released into the community. This reoffense behavior is known as recidivism.

The ideal measure of recidivism rates is an actual count of new criminal acts. Since a large proportion of sex offenses are never reported to the police, and those that are reported do not always lead to arrests or convictions, this measure is not available. Most research, therefore, must rely on two data sources: police reports of arrests and court reports of convictions. Re-arrest rates are higher than reconviction rates because not all arrests lead to convictions.

The following charts illustrate recidivism using both re-arrest and reconviction measures. Most of the studies are based on follow-up periods of five years or longer. Recent research indicates that comprehensive information on sex offender recidivism requires follow-up studies of 15 to 20 years.
Recidivism Rates for Washington State Sex Offenders: 1985-1991*

*Includes adult male sex offenders convicted of a felony sex offense in Washington State between 1985 and 1991 and released by 12/31/91. Recidivism is defined as a felony re-arrest.

Sentencing Options and Recidivism Rates for Washington State Sex Offenders*

* Sentenced from January 1985 to July 1986.
** Sex reconvictions are included in this category.
Recidivism Rates of Juvenile Sex Offenders in Washington State*

* Based on 197 juveniles referred for treatment or assessment in a state institution or community-based program in 1984. Follow-up time was six years and included misdemeanors and felonies.

WSIPP 1998

Recidivism of Institutionalized Juvenile Offenders After Release

N = 256

*No sex offenders and only 1 non-sex offender were adjudicated for a new sex offense within the 3-year follow-up period.

WSIPP 1998
Milloy (1994)
Re-Arrest Rates of Washington State Offenders Subject to Community Notification for New Sex Offenses*

Re-Arrest Rates of Washington State Offenders Subject to Community Notification for All New Offenses*

The difference was not found to be statistically significant.

Source: Schram and Milloy (1995)

*The difference was not found to be statistically significant.
Estimated Cumulative Percentage of Sex Offenders Considered for Civil Commitment as Sexually Violent Predators: Recidivism Follow-up

* Sample consists of 61 adult sex offenders who were referred for possible civil commitment as sexually violent predators but were not committed because one or more statutory requirements could not be proven.

Source: Schram and Milloy (1998)

Sex Offender Recidivism Rates:*
Meta-Analysis of 61 International Studies

* The most common measures of recidivism include reconvictions and re-arrests.

WSIPP 1998
SECTION 6

CRIME VICTIMS COMPENSATION

• Crime Victims Compensation Filings
Crime Victims Compensation

The Department of Labor and Industries has operated a crime victims compensation program since 1974. In 1990, the Community Protection Act:

- Extended the reporting time for crime victims.
- Allowed reimbursement of services to persons who repressed childhood memories of sexual or other violent assault.
- Allowed the cap on medical benefits to be exceeded in certain situations.

Crime Victims Compensation Filings Are Declining

In FY'89, 35% of all CVC filings were for sexual assault, compared to 51% in FY'92 and 34% in FY'97.
SECTION 7

**SEX OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION**

- Registration Compliance
- Convictions for Failure to Register
- Decision Making Process
- Juvenile Release Procedures
- National Chronology of Sex Offender Legislation
- States Requiring Notification
Sex Offender Registration and Community Notification

Washington State has both a sex offender registration and a community notification law. These laws were passed in 1990 as part of the Community Protection Act. All states now require sex offenders to register; currently, 49 states have some form of community notification or allow access to sex offender registration information.

Sex offenders leaving prison are registered by the Department of Corrections prior to release with the sheriff in their county of intended residence. The duration of the registration requirement (for both juveniles and adults) is: life for Class A felony sex offenders or a person convicted of any sex or kidnapping offense who has one or more prior convictions for a sex or kidnapping offense, 15 years for Class B felony sex offenders, and 10 years for Class C felony sex offenders. The penalty for non-compliance is a Class C felony for Class A felony sex offenders and a gross misdemeanor for Class B and C sex offenders.

Eight months prior to release, the End of Sentence Review Committee classifies sex offenders according to their risk potential, using three risk levels. The Committee is required to classify offenders into one of three levels of risk. From September 1997 to June 1998, the ESRC has classified:

- 230 offenders (56%) as Level I, Low Risk
- 105 offenders (26%) as Level II, Moderate Risk
- 73 offenders (18%) as Level III, High Risk

Local law enforcement receives this risk classification from the Committee and makes the final risk determination for the purpose of community notification. From September 1997 to June 1998, local law enforcement has made 33 changes to the Committee’s classifications (8 percent). The following changes in risk level were made:

- Level I → Level II: 21
- Level I → Level III: 1
- Level II → Level I: 1
- Level II → Level III: 8
- Level III → Level II: 2
- Level III → Level I: 2
Washington State Sex Offender Registration:
Compliance to April 30, 1998

N=13,668

11,486 Registered
84%

2,182 Unregistered*
16%

*Estimate based upon the number of offenders released from incarceration and number of registered offenders.

Washington State Convictions for Failure to Register (Class A Sex Offender)


1 9 14 25 22 35 80

Source: Sentencing Guidelines Commission
Notification Procedures: Juvenile Sex Offenders

- Prior to discharge, the Juvenile Rehabilitation Administration notifies:
  - Local law enforcement
  - Local school districts
  - Victims of juvenile sex offenders
- Convicted juveniles may not attend their victim’s school.
- 1,548 juvenile sex offenders were released from custody between the passage of the Community Protection Act (February 28, 1990) and April 30, 1998.
New Mexico does not have a community notification law and does not allow access to sex offender registration information.