

ESB 5245: Concerning the safety of crime victims.

The Washington Association of Criminal Defense Lawyers (WACDL) and the Washington Defender Association (WDA) have significant concerns about ESB 5245. As written, the bill provides unnecessary notice to law enforcement when an incarcerated individual is released from DOC custody on non-violent offenses.

WDA/WACDL do not take issue with expanding the eligibility of crime victims to receive notification of release. While WDA/WACDL do not believe it is necessary to provide notice on all of the crimes listed, because this simply allows a crime victim to request notification we take no position on that aspect of the bill.

WACDL/WDA oppose providing notification to law enforcement when individuals convicted in the expanded list of crimes are released from custody. With the New Hope Act, we acknowledged that the yoke of criminal conviction can cause unnecessary stigma on an individual. Implicit and explicit bias continues to exist. There is no sound reasoning for notifying law enforcement when people are released on the additional offenses. According to the bill reports, nobody from law enforcement testified in support of this bill. There is no indication that law enforcement would benefit from receiving this notification. What history tells us is that these notifications can lead to unnecessary profiling of an individual especially in communities of color.

We request that the proposed amendment to RCW 72.09.712 (1) be stricken. We take no position on the proposed amendments to RCW 72.09.712 (2) and (4).

For more information, contact:

Neil Beaver (509) 979-9550 or neil.beaver@gmail.com, or

Kari Reardon (360) 695-1647 or Reardon_K@msn.com,