
SECOND SUBSTITUTE SENATE BILL 6192

State of Washington

63rd Legislature

2014 Regular Session

By Senate Ways & Means (originally sponsored by Senators Pearson, Brown, O'Ban, and Roach)

READ FIRST TIME 02/11/14.

1 AN ACT Relating to the supervision of domestic violence offenders;
2 and amending RCW 9.94A.501.

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

4 **Sec. 1.** RCW 9.94A.501 and 2013 2nd sp.s. c 35 s 15 are each
5 amended to read as follows:

6 (1) The department shall supervise the following offenders who are
7 sentenced to probation in superior court, pursuant to RCW 9.92.060,
8 9.95.204, or 9.95.210:

9 (a) Offenders convicted of:

10 (i) Sexual misconduct with a minor second degree;

11 (ii) Custodial sexual misconduct second degree;

12 (iii) Communication with a minor for immoral purposes; and

13 (iv) Violation of RCW 9A.44.132(2) (failure to register); and

14 (b) Offenders who have:

15 (i) A current conviction for a repetitive domestic violence offense
16 where domestic violence has been plead and proven after August 1, 2011;
17 and

18 (ii) A prior conviction for a repetitive domestic violence offense

1 or domestic violence felony offense where domestic violence has been
2 plead and proven after August 1, 2011.

3 (2) Misdemeanor and gross misdemeanor offenders supervised by the
4 department pursuant to this section shall be placed on community
5 custody.

6 (3) The department shall supervise every felony offender sentenced
7 to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk
8 assessment classifies the offender as one who is at a high risk to
9 reoffend.

10 (4) Notwithstanding any other provision of this section, the
11 department shall supervise an offender sentenced to community custody
12 regardless of risk classification if the offender:

13 (a) Has a current conviction for a sex offense or a serious violent
14 offense and was sentenced to a term of community custody pursuant to
15 RCW 9.94A.701, 9.94A.702, or 9.94A.507;

16 (b) Has been identified by the department as a dangerous mentally
17 ill offender pursuant to RCW 72.09.370;

18 (c) Has an indeterminate sentence and is subject to parole pursuant
19 to RCW 9.95.017;

20 (d) Has a current conviction for violating RCW 9A.44.132(1)
21 (failure to register) and was sentenced to a term of community custody
22 pursuant to RCW 9.94A.701;

23 (e)(i) Has a current conviction for a domestic violence felony
24 offense where domestic violence has been plead and proven after August
25 1, 2011, and a prior conviction for a repetitive domestic violence
26 offense or domestic violence felony offense where domestic violence
27 (~~has been~~) was plead and proven after August 1, 2011. This
28 subsection (4)(e)(i) applies only to offenses committed prior to the
29 effective date of this section;

30 (ii) Has a conviction for a domestic violence felony offense where
31 domestic violence was plead and proven and that was committed after the
32 effective date of this section. The state and its officers, agents,
33 and employees shall not be held criminally or civilly liable for its
34 supervision of an offender under this subsection (4)(e)(ii) unless the
35 state and its officers, agents, and employees acted with reckless
36 disregard;

37 (f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, or
38 9.94A.670;

1 (g) Is subject to supervision pursuant to RCW 9.94A.745; or

2 (h) Was convicted and sentenced under RCW 46.61.520 (vehicular
3 homicide), RCW 46.61.522 (vehicular assault), RCW 46.61.502(6) (felony
4 DUI), or RCW 46.61.504(6) (felony physical control).

5 (5) The department is not authorized to, and may not, supervise any
6 offender sentenced to a term of community custody or any probationer
7 unless the offender or probationer is one for whom supervision is
8 required under this section or RCW 9.94A.5011.

9 (6) The department shall conduct a risk assessment for every felony
10 offender sentenced to a term of community custody who may be subject to
11 supervision under this section or RCW 9.94A.5011.

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