
SENATE BILL 6531

State of Washington 64th Legislature 2016 Regular Session

By Senator Hargrove; by request of Department of Corrections

Read first time 01/25/16. Referred to Committee on Law & Justice.

1 AN ACT Relating to changing who the department of corrections is
2 required to supervise; and reenacting 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 2015 c 290 s 1 and 2015 c 134 s 1 are
5 each reenacted and amended to read as follows:

6 (1) The department shall supervise the following offenders who
7 are sentenced to probation in superior court, pursuant to RCW
8 9.92.060, 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
16 offense where domestic violence has been (~~plead~~~~[pleaded]~~) pleaded
17 and proven after August 1, 2011; and

18 (ii) A prior conviction for a repetitive domestic violence
19 offense or domestic violence felony offense where domestic violence
20 has been (~~plead~~~~[pleaded]~~) pleaded and proven after August 1, 2011.

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

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

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

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

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

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

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

21 (e)(i) Has a current conviction for a domestic violence felony
22 offense where domestic violence has been (~~plead~~~~[pleaded]~~) pleaded
23 and proven after August 1, 2011, and a prior conviction for a
24 repetitive domestic violence offense or domestic violence felony
25 offense where domestic violence was (~~plead~~~~[pleaded]~~) pleaded and
26 proven after August 1, 2011. This subsection (4)(e)(i) applies only
27 to offenses committed prior to July 24, 2015;

28 (ii) Has a current conviction for a domestic violence felony
29 offense where domestic violence was (~~plead~~~~[pleaded]~~) pleaded and
30 proven (~~and that was committed after July 24, 2015~~). The state and
31 its officers, agents, and employees shall not be held criminally or
32 civilly liable for its supervision of an offender under this
33 subsection (4)(e)(ii) unless the state and its officers, agents, and
34 employees acted with gross negligence;

35 (f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, or
36 9.94A.670;

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

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

1 (5) The department shall supervise any offender who is released
2 by the indeterminate sentence review board and who was sentenced to
3 community custody or subject to community custody under the terms of
4 release.

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

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

12 (8) The period of time the department is authorized to supervise
13 an offender under this section may not exceed the duration of
14 community custody specified under RCW 9.94B.050, 9.94A.701 (1)
15 through (8), or 9.94A.702, except in cases where the court has
16 imposed an exceptional term of community custody under RCW 9.94A.535.

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