
SENATE BILL 5865

State of Washington

60th Legislature

2007 Regular Session

By Senator Kline

Read first time 02/05/2007. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to law enforcement use of risk level
2 classifications for registration and community notification of sex
3 offenders and kidnapping offenders; and amending RCW 72.09.345.

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

5 **Sec. 1.** RCW 72.09.345 and 1997 c 364 s 4 are each amended to read
6 as follows:

7 (1) In addition to any other information required to be released
8 under this chapter, the department is authorized, pursuant to RCW
9 4.24.550, to release relevant information that is necessary to protect
10 the public concerning offenders convicted of sex offenses.

11 (2) In order for public agencies to have the information necessary
12 to notify the public as authorized in RCW 4.24.550, and to provide for
13 consistency and fairness in risk assessment, the secretary shall
14 establish and administer an end-of-sentence review committee for the
15 purposes of assigning risk levels, reviewing available release plans,
16 and making appropriate referrals for sex offenders. The committee
17 shall assess, on a case-by-case basis, the public risk posed by sex
18 offenders who are: (a) Preparing for their release from confinement

1 for sex offenses committed on or after July 1, 1984; and (b) accepted
2 from another state under a reciprocal agreement under the interstate
3 compact authorized in chapter 72.74 RCW.

4 (3) Notwithstanding any other provision of law, the committee shall
5 have access to all relevant records and information in the possession
6 of public agencies relating to the offenders under review, including
7 police reports; prosecutors' statements of probable cause; presentence
8 investigations and reports; complete judgments and sentences; current
9 classification referrals; criminal history summaries; violation and
10 disciplinary reports; all psychological evaluations and psychiatric
11 hospital reports; sex offender treatment program reports; and juvenile
12 records. Records and information obtained under this subsection shall
13 not be disclosed outside the committee unless otherwise authorized by
14 law.

15 (4) The committee shall review each sex offender under its
16 authority before the offender's release from confinement or start of
17 the offender's term of community placement or community custody in
18 order to: (a) Classify the offender into a risk level for the purposes
19 of public notification under RCW 4.24.550; (b) where available, review
20 the offender's proposed release plan in accordance with the
21 requirements of RCW 72.09.340; and (c) make appropriate referrals.

22 (5) The committee shall classify as risk level I those sex
23 offenders whose risk assessments indicate a low risk of reoffense
24 within the community at large. The committee shall classify as risk
25 level II those offenders whose risk assessments indicate a moderate
26 risk of reoffense within the community at large. The committee shall
27 classify as risk level III those offenders whose risk assessments
28 indicate a high risk of reoffense within the community at large.

29 (6) Where the end-of-sentence review committee assigns a risk level
30 classification, the risk level classification assigned by the
31 end-of-sentence review committee is the level to be used by law
32 enforcement for the purposes of community notification under RCW
33 4.24.550. If a law enforcement agency believes there is additional
34 information that was not considered by the end-of-sentence review
35 committee that would either mitigate or aggravate the risk level
36 assigned, the law enforcement agency shall forward that information to
37 the chair of the end-of-sentence review committee for reconsideration

1 at the next committee meeting. Upon reconsideration, the decision of
2 the end-of-sentence review committee shall be final.

3 (7) The committee shall issue to appropriate law enforcement
4 agencies, for their use in making public notifications under RCW
5 4.24.550, narrative notices regarding the pending release of sex
6 offenders from the department's facilities. The narrative notices
7 shall, at a minimum, describe the identity and criminal history
8 behavior of the offender and shall include the department's risk level
9 classification for the offender. For sex offenders classified as
10 either risk level II or III, the narrative notices shall also include
11 the reasons underlying the classification.

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