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**SUBSTITUTE SENATE BILL 6192**

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**State of Washington                      63rd Legislature                      2014 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by  
Senators Pearson, Brown, O'Ban, and Roach)

READ FIRST TIME 02/07/14.

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;

33 (f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, or  
34 9.94A.670;

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

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

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

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

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