

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5070**

Chapter 290, Laws of 2015

64th Legislature  
2015 Regular Session

DOMESTIC VIOLENCE OFFENDERS--SUPERVISION

EFFECTIVE DATE: 7/24/2015

Passed by the Senate April 16, 2015  
Yeas 45 Nays 0

BRAD OWEN

**President of the Senate**

Passed by the House April 14, 2015  
Yeas 97 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

Approved May 18, 2015 2:13 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5070** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

**Secretary**

FILED

May 18, 2015

**Secretary of State  
State of Washington**

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**SENATE BILL 5070**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2015 Regular Session

**State of Washington                      64th Legislature                      2015 Regular Session**

**By** Senators Pearson, Warnick, Dammeier, Kohl-Welles, and Brown

Read first time 01/13/15. Referred to Committee on Law & Justice.

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

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

28 (ii) Has a conviction for a domestic violence felony offense  
29 where domestic violence was plead and proven and that was committed  
30 after the effective date of this section. The state and its officers,  
31 agents, and employees shall not be held criminally or civilly liable  
32 for its supervision of an offender under this subsection (4)(e)(ii)  
33 unless the state and its officers, agents, and employees acted with  
34 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 is not authorized to, and may not, supervise  
2 any offender sentenced to a term of community custody or any  
3 probationer unless the offender or probationer is one for whom  
4 supervision is required under this section or RCW 9.94A.5011.

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

8 NEW SECTION. **Sec. 2.** If specific funding for the purposes of  
9 this act, referencing this act by bill or chapter number, is not  
10 provided by June 30, 2015, in the omnibus appropriations act, this  
11 act is null and void.

Passed by the Senate April 16, 2015.  
Passed by the House April 14, 2015.  
Approved by the Governor May 18, 2015.  
Filed in Office of Secretary of State May 18, 2015.