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**HOUSE BILL 1754**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Klippert and Hayes; by request of Department of Corrections

AN ACT Relating to sex offender treatment based on the offender's risk to reoffend; and amending RCW 72.09.335.

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

**Sec.**  RCW 72.09.335 and 2009 c 28 s 34 are each amended to read as follows:

(1) The department shall ((~~provide offenders sentenced under RCW 9.94A.507 with the opportunity for~~)) determine placement for sex offender treatment ((~~during incarceration~~)) by assessing the offender's risk for sexual reoffense as the primary factor. The department shall offer offenders the opportunity for sex offender treatment during incarceration based on the following priority:

(a) Offenders who are assessed as high risk for sexual reoffense;

(b) Offenders sentenced under RCW 9.94A.507 who are assessed as moderate risk for sexual reoffense;

(c) Offenders not sentenced under RCW 9.94A.507 who are assessed as moderate risk for sexual reoffense;

(d) Offenders sentenced under RCW 9.94A.507 who are assessed as low risk for sexual reoffense but whose potential release under RCW 9.95.420 will require participation in sex offender treatment, as determined by the indeterminate sentence review board.

(2) As capacity allows, offenders not sentenced under RCW 9.94A.507 who are assessed as low risk for sexual reoffense may be offered the opportunity for sex offender treatment during incarceration.

(3) This section creates no enforceable right to participate in sex offender treatment.

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