

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6596**

Chapter 249, Laws of 2008

60th Legislature  
2008 Regular Session

SEX OFFENDER POLICY BOARD

EFFECTIVE DATE: 06/12/08

Passed by the Senate March 10, 2008  
YEAS 47 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House March 6, 2008  
YEAS 64 NAYS 30

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved March 28, 2008, 11:27 a.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6596** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

FILED

March 28, 2008

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6596**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2008 Regular Session

**State of Washington                      60th Legislature                      2008 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell, Regala, Stevens, Marr, Shin, McAuliffe, Brandland, and Kilmer)

READ FIRST TIME 02/07/08.

1            AN ACT Relating to the creation of a sex offender policy board;  
2 adding new sections to chapter 9.94A RCW; adding new sections to  
3 chapter 43.131 RCW; and creating new sections.

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

5            NEW SECTION.    **Sec. 1.** FINDINGS AND DECLARATIONS. The legislature  
6 finds that in recent years professionals have recognized the value of  
7 developing a more coordinated and integrated response to sex offender  
8 management. The legislature further finds that a comprehensive  
9 response to issues that arise, such as integrating federal and state  
10 laws, or assessing whether system flaws contributed to an offense, can  
11 enhance the state's interest in protecting the community with an  
12 emphasis on public safety. While the legislature recognizes that sex  
13 offenses cannot be eliminated entirely, the interests of the public  
14 will be best served if Washington state experts and practitioners from  
15 across the continuum of the sex offender response system coordinate sex  
16 offender management planning and create a system to assess the  
17 performance of all components of the sex offender response systems  
18 statewide. The legislature intends to foster such coordination by  
19 creating a sex offender policy board.

1        NEW SECTION.    **Sec. 2.**    ESTABLISHMENT OF BOARD.    (1) The sentencing  
2 guidelines commission shall establish, staff, and maintain a sex  
3 offender policy board.

4        (2) Although the board is established by the commission, it shall  
5 maintain an independent existence from the commission.

6        NEW SECTION.    **Sec. 3.**    BOARD MEMBERSHIP.    (1) The sex offender  
7 policy board shall consist of thirteen voting members. Unless the  
8 member is specifically named in this section, the following  
9 organizations shall designate a person to sit on the board.

10        (a) The Washington association of sheriffs and police chiefs;

11        (b) The Washington association of prosecuting attorneys;

12        (c) The Washington association of criminal defense lawyers;

13        (d) The chair of the indeterminate sentence review board or his or  
14 her designee;

15        (e) The Washington association for the treatment of sex abusers;

16        (f) The secretary of the department of corrections or his or her  
17 designee;

18        (g) The Washington state superior court judge's association;

19        (h) The assistant secretary of the juvenile rehabilitation  
20 administration or his or her designee;

21        (i) The office of crime victims advocacy in the department of  
22 community, trade, and economic development;

23        (j) The Washington state association of counties;

24        (k) The association of Washington cities;

25        (l) The Washington association of sexual assault programs; and

26        (m) The director of the special commitment center or his or her  
27 designee.

28        (2) The person so named in subsection (1) of this section has the  
29 authority to make decisions on behalf of the organization he or she  
30 represents.

31        (3) The nonvoting membership shall consist of the following:

32        (a) Two members of the sentencing guidelines commission chosen by  
33 the chair of the commission; and

34        (b) A representative of the criminal justice division in the  
35 attorney general's office.

36        (4) The board shall choose its chair by majority vote from among  
37 its voting membership. The chair's term shall be two years.

1 (5) The chair of the sentencing guidelines commission shall convene  
2 the first meeting.

3 (6) The Washington institute for public policy shall act as an  
4 advisor to the board.

5 NEW SECTION. **Sec. 4.** LENGTH OF MEMBERSHIP TERMS. (1) The  
6 following members of the sex offender policy board shall be appointed  
7 for a term of three years and shall serve until their successor is  
8 selected by the agency they represent:

9 (a) The member selected by the Washington association of sheriffs  
10 and police chiefs;

11 (b) The member selected by the Washington association of  
12 prosecuting attorneys;

13 (c) The member selected by the Washington association of criminal  
14 defense lawyers;

15 (d) The member selected by the Washington association for the  
16 treatment of sex abusers;

17 (e) The member selected by the Washington state superior court  
18 judge's association;

19 (f) The member selected by the Washington state association of  
20 counties;

21 (g) The member selected by the association of Washington cities;  
22 and

23 (h) The member selected by the Washington association of sexual  
24 assault providers.

25 (2) Any vacancy before the expiration of a term shall be filled by  
26 the appointing agency for the unexpired portion of the term in which  
27 the vacancy occurs. The terms of the initial members listed in  
28 subsection (1) of this section shall be staggered so that their terms  
29 expire after one, two, and three years.

30 NEW SECTION. **Sec. 5.** BOARD AUTHORITY. (1) The sex offender  
31 policy board may create subcommittees as needed.

32 (2) Within available funding, the board may contract with outside  
33 entities which have specific expertise necessary to assist the board in  
34 performing its duties.

35 (3) The board shall develop bylaws to govern its operation, using  
36 the bylaws created by the sentencing guidelines commission as a guide.

1        NEW SECTION.    **Sec. 6.**    DUTIES OF THE BOARD.    The sex offender  
2 policy board's duties are as follows:

3        (1)(a) To stay apprised of (i) research and best practices related  
4 to risk assessment, treatment, and supervision of sex offenders; (ii)  
5 community education regarding sex offenses and offenders; (iii)  
6 prevention of sex offenses; and (iv) sex offender management, in  
7 general;

8        (b) To conduct case reviews on sex offenses as needed to understand  
9 performance of sex offender prevention and response systems or which  
10 are requested by the governor, the legislature, or local criminal  
11 justice agencies. The reviews shall be conducted in a manner that  
12 protects the right to a fair trial;

13        (c) To develop and report on benchmarks that measure performance  
14 across the state's sex offender response system;

15        (d) To assess and communicate best practices or upcoming trends in  
16 other jurisdictions to determine their applicability and viability in  
17 Washington state;

18        (e) To provide a forum for discussion of issues that requires  
19 interagency communication, coordination, and collaboration, including:

- 20        (i) Community education and the distribution of information about
- 21 all parts of the sex offender management system to interested parties;
- 22        (ii) Existing community-based prevention programs; and
- 23        (iii) Sex offender registration and monitoring in the community.

24        (2) The board shall develop an initial work plan detailing the  
25 method for achieving its duties and submit it to the governor and the  
26 legislature no later than December 1, 2008. The board shall annually  
27 update the work plan and include reasonable performance measures to  
28 indicate whether its duties are being met.

29        (3) The board shall report annually starting December 1, 2008, to  
30 the governor and the legislature with findings on (a) current research  
31 and best practices related to risk assessment, treatment, and  
32 supervision of sex offenders; (b) community education regarding sex  
33 offenses and offenders; (c) prevention of sex offenses; (d) sex  
34 offender management; (e) the performance of sex offender prevention and  
35 response systems; and (f) any other activities performed by the board  
36 in the prior twelve months in the furtherance of the purposes of this  
37 act.

1        NEW SECTION.    **Sec. 7.** REIMBURSEMENT.    The members of the sex  
2 offender policy board shall be reimbursed for travel expenses as  
3 provided in RCW 43.03.050 and 43.03.060.

4        NEW SECTION.    **Sec. 8.** MEMBER REPLACEMENT.    Any member of the sex  
5 offender policy board who misses three consecutive meetings shall have  
6 that fact called to that member's attention by the chair of the board  
7 with the request that the member reconsider his or her ability to  
8 continue as a member.    After discussion, if the chair believes the  
9 member is not able to continue as a board member, the chair shall  
10 request that the appointing agency replace the member for the remainder  
11 of the unexpired term.

12       NEW SECTION.    **Sec. 9.** A new section is added to chapter 43.131 RCW  
13 to read as follows:

14        SUNSET TERMINATION.    The sex offender policy board and its powers  
15 and duties shall be terminated on June 30, 2013, as provided in section  
16 10 of this act.

17       NEW SECTION.    **Sec. 10.** A new section is added to chapter 43.131  
18 RCW to read as follows:

19        SUNSET REPEALER.    The following acts or parts of acts, as now  
20 existing or hereafter amended, are each repealed, effective June 30,  
21 2014:

- 22        (1) Section 1 of this act;
- 23        (2) Section 2 of this act;
- 24        (3) Section 3 of this act;
- 25        (4) Section 4 of this act;
- 26        (5) Section 5 of this act;
- 27        (6) Section 6 of this act;
- 28        (7) Section 7 of this act; and
- 29        (8) Section 8 of this act.

30       NEW SECTION.    **Sec. 11.** NULL AND VOID CLAUSE.    If specific funding  
31 for the purposes of this act, referencing this act by bill or chapter  
32 number, is not provided by June 30, 2008, in the omnibus appropriations  
33 act, this act is null and void.

1        NEW SECTION.    **Sec. 12.**    CAPTIONS NOT LAW.    Captions used in this  
2    act are not any part of the law.

3        NEW SECTION.    **Sec. 13.**    Sections 1 through 8 of this act are each  
4    added to chapter 9.94A RCW.

      Passed by the Senate March 10, 2008.

      Passed by the House March 6, 2008.

      Approved by the Governor March 28, 2008.

      Filed in Office of Secretary of State March 28, 2008.