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SENATE BILL 6252

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State of Washington

63rd Legislature

2014 Regular Session

By Senators Dammeier, Conway, and O'Ban

Read first time 01/20/14. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to residence locations of felony sex offenders of  
2 minors; and amending RCW 72.09.340.

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

4 **Sec. 1.** RCW 72.09.340 and 2009 c 28 s 35 are each amended to read  
5 as follows:

6 (1) In making all discretionary decisions regarding release plans  
7 for and supervision of sex offenders, the department shall set  
8 priorities and make decisions based on an assessment of public safety  
9 risks.

10 (2) The department shall, no later than September 1, 1996,  
11 implement a policy governing the department's evaluation and approval  
12 of release plans for sex offenders. The policy shall include, at a  
13 minimum, a formal process by which victims, witnesses, and other  
14 interested people may provide information and comments to the  
15 department on potential safety risks to specific individuals or classes  
16 of individuals posed by a specific sex offender. The department shall  
17 make all reasonable efforts to publicize the availability of this  
18 process through currently existing mechanisms and shall seek the  
19 assistance of courts, prosecutors, law enforcement, and victims'

1 advocacy groups in doing so. Notice of an offender's proposed  
2 residence shall be provided to all people registered to receive notice  
3 of an offender's release under RCW 72.09.712(2), except that in no case  
4 may this notification requirement be construed to require an extension  
5 of an offender's release date.

6 (3)(a) For any offender convicted of a felony sex offense against  
7 a minor victim after June 6, 1996, the department shall not approve a  
8 residence location if the proposed residence: (i) Includes a minor  
9 victim or child of similar age or circumstance as a previous victim who  
10 the department determines may be put at substantial risk of harm by the  
11 offender's residence in the household; ~~((or))~~ (ii) is within close  
12 proximity of the current residence of a minor victim, unless the  
13 whereabouts of the minor victim cannot be determined or unless such a  
14 restriction would impede family reunification efforts ordered by the  
15 court or directed by the department of social and health services(~~-~~  
16 ~~The department is further authorized to reject a residence location if~~  
17 ~~the proposed residence is within close proximity to~~); or (iii) is  
18 within one thousand feet of a school((s)), child care center((s)),  
19 playground((s)), or other grounds or facilities where children ((of  
20 similar age or circumstance as a previous victim)) are present ((who  
21 the department determines may be put at substantial risk of harm by the  
22 sex offender's residence at that location)).

23 (b) In addition, for any offender prohibited from living in a  
24 community protection zone under RCW 9.94A.703(1)(c), the department may  
25 not approve a residence location if the proposed residence is in a  
26 community protection zone.

27 (4) When the department requires supervised visitation as a term or  
28 condition of a sex offender's community placement under RCW  
29 9.94B.050(6), the department shall, prior to approving a supervisor,  
30 consider the following:

31 (a) The relationships between the proposed supervisor, the  
32 offender, and the minor; (b) the proposed supervisor's acknowledgment  
33 and understanding of the offender's prior criminal conduct, general  
34 knowledge of the dynamics of child sexual abuse, and willingness and  
35 ability to protect the minor from the potential risks posed by contact  
36 with the offender; and (c) recommendations made by the department of

1 social and health services about the best interests of the child.

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