

HOUSE BILL ANALYSIS

HB 1178

Title: An act relating to sex offender examinations and treatment.

Brief Description: Prescribing requirements for sex offender examinations and treatment.

Sponsors: Representatives O'Brien, Koster, Lovick and Ballasiotes; by request of Department of Corrections.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Staff: Yvonne Walker (786-7841).

Background:

Courts often sentence offenders, who have committed a sex offense, to a term of community placement for approximately one to three years following their sentence of total confinement. As a condition of their community placement sentence, the court may also require offenders to participate in crime-related sex offender treatment or counseling services.

Sex offenders may choose their own sex offender treatment provider, however, many treatment providers that they select are not certified with the Department of Health.

Summary:

A sex offender who is ordered to participate in treatment as part of his community placement or community custody sentence is required to receive treatment from a provider certified by the Department of Health.

A sex offender is not required to receive evaluations and treatment from a certified treatment provider if:

- The offender has moved or plans to reside in another state and he is not trying to circumvent the treatment provider certification requirements; or
- There are no certified treatment providers available within a reasonable distance of the sex offender's residence and the offender's current treatment plan complies with the rules adopted by the Department of Health.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.