

**RCW 72.09.335 Sex offenders—Treatment assessment and opportunity.** (1) The department shall determine placement for sex offender treatment 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. [2017 c 144 s 1; 2009 c 28 s 34; 2001 2nd sp.s. c 12 s 305.]

**Effective date—2009 c 28:** See note following RCW 2.24.040.

**Intent—Severability—Effective dates—2001 2nd sp.s. c 12:** See notes following RCW 71.09.250.

**Application—2001 2nd sp.s. c 12 ss 301-363:** See note following RCW 9.94A.030.