

RCW 9.94A.840 Sex offenders—Release from total confinement—

Notification of prosecutor. (1) (a) When it appears that a person who has been convicted of a sexually violent offense may meet the criteria of a sexually violent predator as defined in *RCW 71.09.020(1), the agency with jurisdiction over the person shall refer the person in writing to the prosecuting attorney of the county where that person was convicted, three months prior to the anticipated release from total confinement.

(b) The agency shall inform the prosecutor of the following:

(i) The person's name, identifying factors, anticipated future residence, and offense history; and

(ii) Documentation of institutional adjustment and any treatment received.

(2) This section applies to acts committed before, on, or after March 26, 1992.

(3) The agency with jurisdiction, its employees, and officials shall be immune from liability for any good-faith conduct under this section.

(4) As used in this section, "agency with jurisdiction" means that agency with the authority to direct the release of a person serving a sentence or term of confinement and includes the department of corrections, the indeterminate sentence review board, and the department of social and health services. [1992 c 45 s 1; 1990 c 3 s 122. Formerly RCW 9.94A.151.]

***Reviser's note:** RCW 71.09.020 was amended by 2001 2nd sp.s. c 12 s 102, changing subsection (1) to subsection (12). RCW 71.09.020 was subsequently amended by 2002 c 58 s 2, changing subsection (12) to subsection (16). RCW 71.09.020 was subsequently amended by 2009 c 409 s 1, changing subsection (16) to subsection (18). RCW 71.09.020 was subsequently amended by 2021 c 236 s 2, changing subsection (18) to subsection (19).

Severability—1992 c 45: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1992 c 45 s 8.]

Application—1992 c 45: "This act applies to sex offenses committed on, before, or after March 26, 1992." [1992 c 45 s 10.]