Ending the Duty to Register as a Sex or Kidnapping Offender in Washington Courts.
The Process Explained and Frequently Asked Questions
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I. RELIEF FROM THE DUTY TO REGISTER AS A SEX OR KIDNAPPING OFFENDER FOR JUVENILE OFFENSES.

   Sex and kidnapping offender registration can have life changing consequences and pose serious challenges to a person’s effort to obtain housing, employment or an education. The law in Washington has allowed those convicted of sex and kidnapping offenses to be relieved of that duty under certain circumstances since sex offender registration was first imposed in the Community Protection Act of 1991. Washington law currently provides for a hybrid approach to ending the duty to register as a sex or
kidnapping offender, with some offenses resulting in the automatic termination of the duty after a specified period of time in the community without any new serious criminal convictions, while other offenses require the person to petition the Court for a discretionary ruling on their request. Only a relatively few offenses have lifetime registration without any mechanism to be relieved of that duty. The duty to register in Washington, and its length and terms for ending the duty, are based upon the date and the offense of conviction, and the person’s age at the time they committed the offense.

For offenses committed while the person was a juvenile (and prosecuted in juvenile court), RCW 9A.44.143 can offer a rather quick method to obtain relief from registration. But that path requires that the person file a petition with the court seeking to have a discretionary request for relief granted by an elected official. This isn’t always easy, and carefully preparing your petition to fully tell our client’s story is often the key to success in these petitions.

A. Who Can Petition under the Juvenile Statute for Relief from the Duty to Register as a Sex or Kidnapping Offender?

Under 9A.44.143, which governs relief from registration for offenses committed while the person was a juvenile and prosecuted in juvenile court, any offender who makes it for the requisite period of time with no new sex or kidnapping offenses, and no failure to register convictions, can petition for relief from the registration duty.

1. Offenders over 15 years old with Class A Offenses—Five-Year Wait.

9A.44.143 was amended again in 2011 to increase the waiting period for a juvenile offender who is 15 years or older at the time the offense was committed from
two years to five years, (five years being the waiting period to seal a Class A sex offense as well). Under SB 5204 adopted in 2011 the law now provides in 9A.44.143:

(1) An offender having a duty to register under RCW 9A.44.130 for a sex offense or kidnapping offense committed when the offender was a juvenile may petition the superior court to be relieved of that duty as provided in this section.

(2) For class A sex offenses or kidnapping offenses committed when the petitioner was fifteen years of age or older, the court may relieve the petitioner of the duty to register if:
   (a) At least sixty months have passed since the petitioner’s adjudication and completion of any term of confinement for the offense giving rise to the duty to register and the petitioner has not been adjudicated or convicted of any additional sex offenses or kidnapping offenses;
   (b) The petitioner has not been adjudicated or convicted of a violation of RCW 9A.44.132 (failure to register) during the sixty months prior to filing the petition;

2. **All other juvenile sex offenders—Two-Year Wait.**

All other juvenile offenders continue to have the relatively short waiting period that has been the law in Washington since sex offender registration was first adopted—just two years after adjudication. Many juvenile offenders report that law enforcement and others tell them that they have to register for life, but the fact is that they have typically been eligible to petition the court for many years without this knowledge.

As amended in 2011 by SB 5204, 9A.44.143 now reads:

(3) For all other sex offenses or kidnapping offenses (Gross Misdemeanor, Class C and Class B) committed by a juvenile not included in subsection (2) of this section, the court may relieve the petitioner of the duty to register if:
   (a) At least twenty-four months have passed since the petitioner’s adjudication and completion of any term of confinement for the offense giving rise to the duty to register and the petitioner has not been adjudicated or convicted of any additional sex offenses or kidnapping offenses;
   (b) The petitioner has not been adjudicated or convicted of a violation of RCW 9A.44.132 (failure to register) during the twenty-four months
prior to filing the petition;

3. **Out of State and Federal Juvenile Convictions—Same as WA convictions.**

   RCW 9A.44.143 governing petitions to strike registration for offenses committed while the offender was a juvenile apply to juvenile offenses committed in Washington, and any other state or in federal court.

   RCW 9A.44.142 provides,

   (1) A person who is required to register under RCW 9A.44.130 may petition the superior court to be relieved of the duty to register:

      (a) If the person has a duty to register for a sex offense or kidnapping offense committed when the offender was a juvenile, regardless of whether the conviction was in this state, as provided in RCW 9A.44.143; 

   (underline added)

   Also, if our client was convicted in another state or in federal court of an offense that was comparable to a Gross Misdemeanor, Class C or Class B offense in Washington, and the person had been in the community for a significant period of time, we are sometimes able to argue that the person had a vested right to be taken off the rolls under the automatic removal provisions of 9A.44.140 prior to the amendments in 2010. The 2010 amendments ended automatic removal for comparable offenses for out of state offenders, and required them to bring a discretionary petition to seek relief from registration after fifteen consecutive years in the community with no new disqualifying offenses. If the person had the right to be removed from the registry at a point in time prior to those 2010 amendments then that right had “vested” and could not be lost by subsequent changes to the law. See, for example, State v. T.K. 139 Wn.2d 320 (1999). In that case juvenile sex offenders who would have otherwise been eligible to petition to have their offense records sealed on the date the law was changed in 1997 to prevent the sealing of juvenile sex offense records thereafter were deemed to have a vested right to
that petition even after the law was changed. They had a non-discretionary right to have the action taken, and thus retroactive application of the statute to them was precluded.

4. Juveniles With Prior Sex Offenses—What About Repeat Offenders?

A person who has two or more separate adjudications for a sex offense or kidnapping offense committed while they were a juvenile is barred from bringing a petition to seek relief under 9A.44.143, which requires that the petitioner have no adjudications for sex or kidnapping offenses. These petitioners are not entitled to the shorter waiting periods and a more favorable burden of proof in 9A.44.143. However, they are not barred from bringing a petition under 9A.44.142, which pertains to all convictions for offenses prosecuted in Washington and requiring registration, and which clearly prohibits petitions only for SVPs and those offenses committed with forcible compulsion after July 22, 2001. Those with subsequent sex or kidnapping offenses have indefinite registration under 9A.44.140, but they do not have lifelong registration.

5. Offenses committed while a Juvenile but Prosecuted in Adult Court.

Unfortunately the shorter waiting periods and lower burden or proof available to juvenile petitioners do not apply if the offense is prosecuted when the person is an adult or in adult court based on a decline by Juvenile Court.

9A.44.143, which governs petitions brought by persons who committed their offenses as juveniles, provides:
(5): A juvenile prosecuted and convicted of a sex offense or kidnapping offense as an adult may not petition to the superior court under this section.
For those individuals see the materials regarding the method laid out in RCW 9A.44.140 and 142 below.

B. Can Juveniles Get off of Registration Automatically, without a Petition?
Under RCW 9A.44.142, which applies to all convictions regardless of whether they were in juvenile or adult court, Gross Misdemeanor, Class C and Class B sex and kidnapping offense registration duties will automatically expire after a period of time in the community with no new disqualifying criminal offenses, and those convicted of juvenile offenses can be relieved of the duty to register by meeting those deadlines. See below for further explanation of this procedure under RCW 9A.44.142 regarding “adult” offenses, which applies equally to all convictions whether in adult or juvenile court.

C. What Does a Juvenile Have to Prove to Get off Registration?

1. What is the Burden of Proof for Juvenile Petitions?

Prior to 2001 the law in Washington made a distinction between offenses committed by juveniles 15 years or older at the time of the offense, and those under 15. The younger kids only had to show that they had been sufficiently rehabilitated by a preponderance of the evidence, while the older kids had to meet the standard applied to adult offenders of clear and convincing evidence.

In 2011 the Legislature changed this in SB 5204 to make the burden of proof a preponderance of the evidence for all petitions to strike registration for striking registration for offenses committed while a juvenile. (The burden of proof for petitions under the “adult” statute is still clear and convincing evidence.)

Under the 2011 amendments in SB 5204, 9A.44.143 will read: 
(c)The petitioner shows by a preponderance of the evidence that the petitioner is sufficiently rehabilitated to warrant removal from the 1central registry of sex offenders and kidnapping offenders.

2. What are the Factors the Court Considers in Deciding the Petition?
Prior to 2010 the statute provided very little guidance regarding what the petitioner had to demonstrate in order to prove they did not belong on the sex offender registry. In 2010 the Legislature adopted a rather exhaustive list of illustrative but not mandatory factors that the Court could consider, which focus on how well the offender has reintegrated into society. The Sex Offender Policy Board recommended these criteria based upon the literature regarding static and dynamic risk factors, and the precept that offenders who successfully reintegrate into the community are at generally low risk to reoffend.

RCW 9A.44.143 provides:
(4) In determining whether the petitioner is sufficiently rehabilitated to warrant removal from the registry, the following factors are provided as guidance to assist the court in making its determination:

(a) The nature of the registrable offense committed including the number of victims and the length of the offense history;
(b) Any subsequent criminal history;
(c) The petitioner's compliance with supervision requirements;
(d) The length of time since the charged incident(s) occurred;
(e) Any input from community corrections officers, law enforcement, or treatment providers;
(f) Participation in sex offender treatment;
(g) Participation in other treatment and rehabilitative programs;
(h) The offender's stability in employment and housing;
(i) The offender's community and personal support system;
(j) Any risk assessments or evaluations prepared by a qualified professional;
(k) Any updated polygraph examination;
(l) Any input of the victim;
(m) Any other factors the court may consider relevant.

D. Filing A Petition for Relief from the Duty to Register.

1. What cause number to use?

Most courts will allow you to bring the action under the original criminal cause number without any problems. Some Washington Courts, however, require that the
person file a new cause of action using a civil cause number. For petitions for persons with out of state and federal convictions you will have to use a civil cause number and pay filing fees if you cannot have those somehow waived.

2. **What venue do you file in?**

You must file the petition in the county where the client was originally convicted, not the county where they currently reside. Out of state and federal convictions were required to file in Thurston County until the 2011 amendments to the statute adopted in SB 5203, which now require those petitions to be filed in the county of residence for adult offenses. The law in Washington continues to require juvenile offenders with out of state convictions to file their petitions in Thurston County, though a proposal to change that to the county of residence has been made to the Legislature.

3. **Who do you serve?**

The statute provides that, “The prosecuting attorney of the county shall be named and served as the respondent in any such petition.” 9A.44.142(3). We recommend that you let the Prosecutor know you are planning to bring the petition early in the process so that they have time to search for their archived file and consider the materials you provide before the motion is filed. Prosecutors files are sometimes the best sources for both favorable and hurtful material, but whatever is there is going to be available to the State, so you might as well ask for it right away and know what you’re dealing with.

4. **Gathering the information to support your petition.**
Getting access to the records and reports that will support your petition can be difficult, but it is not impossible. Luckily there are a few resources that usually can get you access to the information you need.

**Court File.**

You should look closely at the Court file for any evaluations, progress reports, probation reports, discharge summaries, etc. that may be included.

**Public Records Act Request to the Local Sheriff.**

Every Sheriff has a file for each registered sex or kidnapping offender in their jurisdiction that should include any and all materials that were originally in the Prosecutor’s file and End of Sentence Review Committee file if the offender was released from a DOC or JRA facility, as well as treatment progress reports, original police reports, any evaluations or testing done on your client, etc. Make a PRA Act request to the Sheriff and you should receive this file for relatively little money.

**JRA Records.**

The Juvenile Rehabilitation Authority does a pretty good job of maintaining records for offenders who spend time in one of their facilities. We have sometimes experienced significant delays in getting JRA to respond to our requests, but they typically have a lot in their files that is worth waiting for. A JRA Release to obtain these records in required.

**DOC Records.**

DOC is not as good a historian as JRA, but they will occasionally have something. It is worth making the request if your client spent time in a DOC facility, did SOTP while in custody, or was supervised on their sex or kidnapping offense by DOC.
DOC also has their own release which must be signed by the person whose records you are seeking.

**Probation Records.**

Most probation records are destroyed after seven years, but sometimes you find things in these files. Also, contacting probation counselors can be helpful as often they will remember our client and occasionally have been willing to write letters of support for our petitions.

**Treatment Providers Records.**

Treatment providers are also a somewhat hit and miss source of documents and information. Sometimes they remember the client and will support the petition based on that. Some treatment providers will only support the petition if they meet with our client, and some want to meet with them several times before weighing in. Depending on the difficulty of the petition and how challenging the facts in the case are, participating in this process with the treatment provider may be a good use of time or a waste of time.

**Prosecutor’s File.**

Contacting the Prosecutor to let them know you are going to bring the petition, and encouraging them to see if they have a file in archives they can access early in the process, is one way to be sure you don’t get blindsided later. The Prosecutor’s file will often have probation reports, reports of violations, treatment progress reports, treatment discharge summaries, etc. that are important to your request. Make a Discovery request to the State for these materials to be sure you know what they have before you are in Court.

**Client’s Files.**
Client’s are sometimes pack rats, and if they aren’t their parents sometimes are. We always ask our client and their family for any records they may have kept.

**Letters of Support.**

Letters of support for our client are an excellent way to demonstrate to the Court that your client is a productive, loved and valued member of the community. Many sex offenders live relatively isolated lives because of the burdens of supervision, registration and community notification, while others will have extensive support systems. We encourage clients to get letters from spouses and intimate partners, parents and relatives, friends, employers, religious and civic leaders, AA and SA sponsors, etc. My recommendation is that you ask the letters to be sent to you by email so that it is easy for the sender and so that you can edit out any inflammatory or unhelpful comments that occasionally show up in these letters.

**Statement by Your Client.**

We strongly recommend that our client to write a personal statement for the Court if they are capable of doing that. A client’s description of their journey, and their successes, and their hopes for the future, can be a powerful way to make your client a real human being for the Court. Most of the client’s have been through some treatment and will have the skills to describe their errors and the steps they took to overcome those errors and to become a productive member of society. A statement that focuses on the burdens and disadvantages of registration is not always helpful, but one that portrays a positive outlook and a life based on prosocial values can be very helpful.

We also typically include a photograph of our client and his family together, particularly if he or she has a family, a spouse and/or children, all of whom are directly
affected by the petition. This makes our client a real person to the Court, and thus more sympathetic and human where you can offer a good picture.

II. RELIEF FROM THE DUTY TO REGISTER FOR ADULT SEX AND KIDNAPPING OFFENSES.

A. How Long Must a Person Register?

1. Lifetime Registration for SVPs and the use of force.

Most offenders convicted of sex or kidnapping offenses in adult court may petition the court to be relieved of registration, but there are offenders who will have a duty to register for the rest of their life under the current law in Washington. RCW 9A.44.142 provides,

(2)(a) A person may not petition for relief from registration if the person has been:
(i) Determined to be a sexually violent predator as defined in RCW 71.09.020;
(ii) Convicted as an adult of a sex offense or kidnapping offense that is a class A felony and that was committed with forcible compulsion on or after June 8, 2000; or

2. Lifetime Registrants CAN petition to be relieved of community notification.

Even those offenders who have been given lifetime registration have some recourse to the Courts for relief from the negative effects of registration and community notification. They can ask the Court to be relieved of community notification, effectively reducing their community notification risk level classification to a Level I from a higher Level.

RCW 9A.44.142 (d)(b) provides:

(b) Any person who may not be relieved of the duty to register may petition the court to be exempted from any community notification.
requirements that the person may be subject to fifteen years after the later of the entry of the judgment and sentence or the last date of release from confinement, including full-time residential treatment, pursuant to the conviction, if the person has spent the time in the community without being convicted of a disqualifying offense.

If our client has been in the community for fifteen consecutive years with no new disqualifying offenses, yet the underlying offense is too difficult for the Court to grant full relief from the duty to register, this is sometimes a good option. In these cases the Court can order that a person’s community notification risk level classification be reduced to a Level I from a II or III, thus getting the person off of the web site and eliminating neighborhood flyers and announcements when the person moves into a new community.

3. **Indefinite Registration for Class A, Repeat Offenders and Out of State Convictions.**

For more serious offenses, and out of state offenses, the law provides that registration will continue indefinitely, but is not necessarily lifetime registration. These persons are eligible to petition the court to be relieved of registration after specified periods of time in the community with no new disqualifying offenses.

**Class A and Repeat Offenders (Juvenile and Adult) Indefinite**

RCW 9A.44.140 sets the timeframes for registration requirements, and provides:

(1) For a person convicted in this state of a class A felony or an offense listed in RCW 9A.44.142(5), or a person convicted in this state of any sex offense or kidnapping offense who has one or more prior convictions for a sex offense or kidnapping offense, the duty to register shall continue indefinitely.

**Out of State and Federal Convictions Indefinite**

9A.44.140 goes on to say:

(4) For a person required to register for a federal or out-of-state conviction, the duty to register shall continue indefinitely.
However, out of state and federal offenders are eligible to petition the Court for relief from registration after fifteen consecutive years in the community with no new disqualifying offenses. 9A.44.142(1)(c).

4. Subsequent Offenses—What about repeat offenders?

Under the “adult” statute, 9A.44.142, a person with a prior sex offense can petition the court for relief from registration after being in the community for ten consecutive years with no new disqualifying offenses. The statute describes the duty of a person who has a prior sex offense as “indefinite,” not as “lifelong,” and only prohibits petitions by those who have been deemed sexually violent predators or who have committed their offenses since July 22, 2001 with forcible compulsion. Everyone else can petition after their ten years of good living in the community. RCW 9A.44.142 determines who may petition the court and says, (1) A person who is required to register under RCW 9A.44.130 may petition the superior court to be relieved of the duty to register:…..

(b) If the person is required to register for a conviction in this state and is not prohibited from petitioning for relief from registration under subsection (2) of this section, when the person has spent ten consecutive years in the community without being convicted of a disqualifying offense during that time period;

B. Automatic Expiration for Gross Misdemeanor, Class C and Class B Offenses.

For Gross Misdemeanor, Class C and Class B sex and kidnapping offenses the law provides a mechanism for the duty to register to automatically expire after a period of
time in the community with no new serious criminal convictions, which are called disqualifying offenses.

1. **Class B Offenses—Fifteen Years before Automatic Expiration.**

   9A.44.140 provides
   
   (2) For a person convicted in this state of a class B felony who does not have one or more prior convictions for a sex offense or kidnapping offense and whose current offense is not listed in RCW 9A.44.142(5), the duty to register shall end fifteen years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent fifteen consecutive years in the community without being convicted of a disqualifying offense during that time period.

   Note: A person convicted of a Class B offense is eligible to petition the Court to be relieved of registration after being in the community for ten years with no new disqualifying offenses, or they can wait fifteen years when it will expire automatically.

2. **Class C and Gross Misdemeanor Offenses—Ten Years Before Automatic Expiration.**

   9A.44.140 further provides,
   
   (3) For a person convicted in this state of a class C felony, a violation of RCW 9.68A.090 (CMIP) or 9A.44.096 (sexual misconduct with a minor 2) or an attempt, solicitation, or conspiracy to commit a class C felony, and the person does not have one or more prior convictions for a sex offense or kidnapping offense and the person’s current offense is not listed in RCW 9A.44.142(5), the duty to register shall end ten years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent ten consecutive years in the community without being convicted of a disqualifying offense during that time period.

3. **What is a Disqualifying Offense?**

   Prior to 2010 any new criminal conviction of any kind meant that the waiting periods for automatic relief from registration would restart those waiting periods, as the
law required ten or fifteen consecutive years in the community new no new criminal offenses of any kind. In 2010 the Legislature adopted a Sex Offender Policy Board recommendation to change this to require the waiting periods to restart only if the person committed a more serious offense, deemed a “disqualifying” offense.

RCW 9A.44.128 Definitions.
(3) "Disqualifying offense" means a conviction for:

Any offense that is a felony; a sex offense as defined in this section; a crime against children or persons as defined in RCW 43.43.830(5) and 9.94A.411(2)(a); an offense with a domestic violence designation as provided in RCW 10.99.020; permitting the commercial sexual abuse of a minor as defined in RCW 9.68A.103; or any violation of chapter 9A.88 RCW (indecent exposure, prostitution offenses).

Most misdemeanor offenses, including DUI, Theft, Trespass, Driving With License Suspended, etc. will not affect the automatic expiration of the duty to register.

4. Getting our Client off the Registration Rolls after the Duty “Automatically” Expires—It Won’t Happen Unless You Ask.

The law says a person’s duty to register “shall end” after the specified time periods in the community with no new disqualifying offenses, but that does not mean the person will actually be taken off the rolls when this happens. The problem is, nobody is checking to see who has earned the right to be removed from the list and who has not. A person must make an affirmative request to the local Sheriff to be taken off the rolls in order for this method of getting off the registration rolls to work. A mechanism for actually getting removed from the registration rolls when this time period had run was created in 2010 with the adoption of RCW 9A.44.141, which provides:

RCW 9A.44.141, Investigation—End of duty to register—Civil Liability.
(1) Upon the request of a person who is listed in the Washington state patrol central registry of sex offenders and kidnapping offenders, the
county sheriff shall investigate whether a person's duty to register has ended by operation of law pursuant to RCW 9A.44.140.

(a) Using available records, the county sheriff shall verify that the offender has spent the requisite time in the community and has not been convicted of a disqualifying offense.

(b) If the county sheriff determines the person's duty to register has ended by operation of law, the county sheriff shall request the Washington state patrol remove the person's name from the central registry.

(2) Nothing in this subsection prevents a county sheriff from investigating, upon his or her own initiative, whether a person's duty to register has ended by operation of law pursuant to RCW 9A.44.140.

If a person believes their duty to register has expired they should send a letter to the elected Sheriff for their county, certified mail, requesting that the Sheriff investigate and then remove them from the registration rolls. Pursuant to RCW 9A.44.141 the Sheriff then has a duty to investigate whether the person has been in the community with no new disqualifying offenses for the requisite period of time. If you are told no for any reason, or if you are just concerned about the process, feel free to consult an attorney to be sure that this request is handled properly.

C. Who May Petition to be Relieved of the Duty to Register Under the “Adult” Statute, 9A.44.142?

1. Juvenile Offenders with Prior Sex or Kidnapping Offenses after Ten Years.

The Juvenile statute (9A.44.143) does not allow juveniles who have subsequent sex or kidnapping offenses to petition under the more relaxed time periods and burden of proof provided under the juvenile statute, but they may petition under the “adult” statute nonetheless. 9A.44.142 applies to all convictions, not just those in adult court.

2. Washington state Class A and B offenders and repeat sex offenders after Ten Years.
9A.44.142 provides: (1) (b) If the person is required to register for a conviction in this state and is not prohibited from petitioning for relief from registration under subsection (2) of this section (SVPs and forcible compulsion), when the person has spent ten consecutive years in the community without being convicted of a disqualifying offense during that time period;

3. **Out of State and Federal Adult Offenders after Fifteen Years.**

9A.44.142 (1) (c) provides for a person to petition the court for relief from registration: If the person is required to register for a federal or out-of-state conviction, when the person has spent fifteen consecutive years in the community without being convicted of a disqualifying offense during that time period.

Note: The Juvenile statute, 9A.44.143, does not require that the offenses committed must have been committed in Washington state in the same way that the adult statute, 9A.44.412, does. Therefore, with out of state juvenile offenders convicted in a juvenile court in another state you can use RCW 9A.44.143 with it’s significantly shorter waiting period and lower burden of proof if they have no prior sex or kidnapping offenses.

D. **What does the Petitioner Have to Prove to Get off Registration under 9A.44.142?**

1. **What is the Burden of Proof Under the Adult Statute?**

Under the statute dealing with “adult” offenses the burden of proof is higher. The statute requires, (4)(a) The court may relieve a petitioner of the duty to register only if the petitioner shows by clear and convincing evidence that the petitioner is sufficiently
2. What does the Petitioner have to Prove to Get Relief under the Adult Statute?

The factors that the Court considers are identical to the factors listed above for juvenile offenders listed above in the section regarding juvenile registration.  

**NOTES**

1. Crimes Against Persons.
   A crime against children or persons as defined in RCW 43.43.830
   (5) "Crime against children or other persons" means a conviction of any of the following offenses: Aggravated murder; first or second degree murder; first or second degree kidnapping; first, second, or third degree assault; first, second, or third degree assault of a child; first, second, or third degree rape; first, second, or third degree rape of a child; first or second degree robbery; first degree arson; first degree burglary; first or second degree manslaughter; first or second degree extortion; indecent liberties; incest; vehicular homicide; first degree promoting prostitution; communication with a minor; unlawful imprisonment; simple assault; sexual exploitation of minors; first or second degree criminal mistreatment; endangerment with a controlled substance; child abuse or neglect as defined in RCW 26.44.020; first or second degree custodial interference; first or second degree custodial sexual misconduct; malicious harassment; first, second, or third degree child molestation; first or second degree sexual misconduct with a minor; *patronizing a juvenile prostitute; child abandonment; promoting pornography; selling or distributing erotic material to a minor; custodial assault; violation of child abuse restraining order; child buying or selling; prostitution; felony indecent exposure; criminal abandonment; or any of these crimes as they may be renamed in the future.
   A Crime Against Persons is further defined in 9.94A.411(2)(a) as:
   Aggravated Murder, 1st Degree Murder, 2nd Degree Murder, 1st Degree Manslaughter, 2nd Degree Manslaughter, 1st Degree Kidnapping, 2nd Degree Kidnapping, 1st Degree Assault, 2nd Degree Assault, 3rd Degree Assault, 1st Degree Assault of a Child, 2nd Degree Assault of a Child, 3rd Degree Assault of a Child, 1st Degree Rape, 2nd Degree Rape, 3rd Degree Rape, 1st Degree Rape of a Child, 2nd Degree Rape of a Child, 3rd Degree Rape of a Child, 1st Degree Robbery, 2nd Degree Robbery, 1st Degree Arson, 1st Degree Burglary, 1st Degree Identity Theft, 2nd Degree Identity Theft, 1st Degree Extortion, 2nd Degree Extortion, Indecent Liberties, Incest, Vehicular Homicide, Vehicular Assault, 1st Degree Child Molestation, 2nd Degree Child Molestation, 3rd Degree Child Molestation, 1st Degree Promoting Prostitution, Intimidating a Juror, Communication with a Minor for Immoral Purposes, Intimidating a Witness, Intimidating a Public Servant, Bomb Threat (if against person), Unlawful Imprisonment, Promoting a Suicide Attempt, Riot (if against person), Stalking, Custodial
Assault, Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145), Counterfeiting (if a violation of RCW 9.16.035(4)), Felony Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug (RCW 46.61.502(6)), Felony Physical Control of a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug (RCW 46.61.504(6))

ii  Factors Warranting Removal From Registration Rolls.
9A.44.142 (4) In determining whether the petitioner is sufficiently rehabilitated to warrant removal from the registry, the following factors are provided as guidance to assist the court in making its determination:
(a) The nature of the registrable offense committed including the number of victims and the length of the offense history;
(b) Any subsequent criminal history;
(c) The petitioner's compliance with supervision requirements;
(d) The length of time since the charged incident(s) occurred;
(e) Any input from community corrections officers, law enforcement, or treatment providers;
(f) Participation in sex offender treatment;
(g) Participation in other treatment and rehabilitative programs;
(h) The offender's stability in employment and housing;
(i) The offender's community and personal support system;
(j) Any risk assessments or evaluations prepared by a qualified professional;
(k) Any updated polygraph examination;
(l) Any input of the victim;
(m) Any other factors the court may consider relevant.