

PIERCE COUNTY JUVENILE COURT

5501 SIXTH AVENUE, TACOMA, WA 98406

PROCESS FOR PETITION TO LIFT SEX OFFENDER REGISTRATION  
REQUIREMENTS

IN THIS PACKET YOU WILL FIND:

- a) Summary of the applicable law – Revised Code of Washington
- b) Instructions for Petition to lift sex offender registration requirement
- c) List of polygraphers
- d) Blank Petition to Lift Sex Offender Registration

This packet will provide you with the necessary information to file a Petition to lift sex offender registration requirement imposed as part of a juvenile criminal offense. This packet is appropriate for use in Pierce County only. If you were adjudicated in other counties, you must make this Petition before the court in the county where the adjudication took place. In order to request that a sex offender registration requirement be lifted you must file a Petition with the Court. The enclosed document is provided for your convenience.

**The court clerk, prosecutor and other court officials are not permitted to give legal advice.** You may wish to seek advice from your attorney or contact Department of Assigned Counsel (253-798-6062) if you require further assistance.

**THE ORIGINAL PETITION IS FILED WITH THE PIERCE COUNTY JUVENILE COURT CLERK AND SHOULD BE FILLED OUT USING BLUE INK SO THAT THE ORIGINAL DOCUMENT IS EASILY IDENTIFIED.**

Completely fill out a Petition to Lift Juvenile Sex Offender/Kidnap Offender Registration requirement. **Print all information clearly.** You are the respondent. In your own words, explain why you believe the registration requirement should be lifted. Sign and date the Petition.

If the court grants your Petition to lift the registration requirement, you will need to mail or personally deliver a copy of the Court order to the Pierce County Sheriff's Department on the first floor of the County City Building, 930 Tacoma Avenue South, Tacoma, Washington.

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TACOMA, WASHINGTON 98406

WHAT YOU NEED TO KNOW ABOUT  
**LIFTING SEX OFFENDER REGISTRATION**

RCW 9A.44.145 requires the Washington State Patrol (WSP) to notify sex/kidnapping offender registrants of any change to registration requirements. Further, the WSP is required to notify individuals convicted of a sex offense or kidnap offense as a juvenile of their ability to petition the court for relief from the registration requirement as provided in RCW 9A.44.140.

**Summary:** A person convicted of a sex offense/kidnap offense as a juvenile may petition the superior court for relief from the duty to register. RCW 9A.44.143. The court must consider whether the petitioner meets the legal requirements of this statute, as well as consider relevant conduct by the petitioner since the date of the offense. The standards differ depending on the age of the petitioner when the offense occurred, and/or the class of the adjudicated offense. Please review the applicable law as it applies to your case. (RCW 9A.44.143). If the legal requirements are met, the court must then determine whether the petitioner has proved by a preponderance of the evidence that he/she has been sufficiently rehabilitated to warrant removal from the central registry of sex/kidnap offenders. Factors considered by the court include those listed in RCW 9A.44.143(5).

**This does not apply to juveniles who were prosecuted in adult court.**

## PIERCE COUNTY JUVENILE COURT

### PROTOCOL FOR LIFTING SEX OFFENDER REGISTRATION

Juvenile respondents setting Petitions to lift sex/kidnap offender registration requirements are encouraged to address the following issues in the petition, in addition to the statutory requirements of RCW 9A.44.143.

1. Proof of successful completion of SSODA or treatment required as part of disposition. If disposition resulted in a sentence to RA (juvenile prison) instead of SSODA, proof of completed sex offender treatment at RA.
2. Any criminal history subsequent to this disposition.
3. Proof of recent polygraph (within 3 months of petition) showing no deception with a focus on questions addressing sexual behavior. The polygrapher should be court approved. Recommendations for polygrapher can be obtained from defense counsel, the Clerk's office, law enforcement, or prosecutor's office. Include the polygraph and polygrapher's qualifications with the petition.
  - a. Rick Minnch, Polygrapher – 253 874 3458
  - b. Marty Gunderson, Polygrapher – 360 280 5881
  - c. Brooks Raymond, Polygrapher – 425 306 6538
4. Compliance with all registration requirements.

A hearing date will be given approximately 30 days from the filing date. Hearings are set on Mondays at 1:30 in the afternoon. If the court grants the Petition, the clerk will provide a certified copy of the order. A fee will be charged for the certified copy. **Payment must be in the form of cash.** The petitioner must provide a certified copy of the order to the Pierce County Sheriff's Department.



**Relief from Registration**

(Fill out section A or B. Also fill out section C.)

**A. Conviction in Adult Court:**

**10 Consecutive Years Without Disqualifying Conviction - RCW 9A.44.142(1)(b).** I am required to register for a conviction in this state and I have spent 10 consecutive years in the community without being convicted of a disqualifying offense during that time period, and I have not been:

1. determined to be a sexually violent predator as defined in chapter 71.09 RCW; or
2. convicted as an adult of a sex offense or kidnapping offense that is a class A felony that was committed with forcible compulsion on or after June 8, 2000.

**15 Consecutive Years Without Disqualifying Conviction - RCW 9A.44.142(1)(c).** I am required to register for a federal, tribal, or out-of-state conviction, and I have spent 15 consecutive years in the community without being convicted of a disqualifying offense during that time period.

and, if required, I have not been:

1. determined to be a sexually violent predator as defined in chapter 71.09 RCW; or
2. convicted as an adult of a sex offense or kidnapping offense that is a class A felony that was committed with forcible compulsion on or after June 8, 2000.

**B. Sex or Kidnapping Offense Committed Under Age 18:**

I qualify because of  Adjudication in juvenile court or  Adult conviction but crime committed prior to age 18 and juvenile jurisdiction lost only by passage of time (Note: Offenders subject to adult convictions after an RCW 13.40.110 decline hearing or pursuant to RCW 13.04.030 exclusive adult jurisdiction do not qualify for waiver under RCW 9A.44.143.)

**Class "A" Felony at Age 15 or Older – RCW 9A.44.143(2):**

1. I am requesting waiver from registration for class "A" felony sex or kidnapping offense(s) committed when I was 15 years of age or older;
2. At least 60 months (5 years) have passed since I was adjudicated and released from confinement, whichever is later;
3. I have no additional sex offense or kidnapping convictions or adjudications within 60 months (5 years) of filing this petition;
4. I have no convictions or adjudications for failure to register within 60 months (5 years) of filing this petition; and
5. I have not been determined to be a sexually violent predator as defined in chapter 71.09 RCW.

**Class "A" Felony Under Age 15 or Any Other Type – RCW 9A.44.143(3):**

1. I am requesting waiver from registration for class "A" felony sex or kidnapping offense(s) I committed when I was 14 years of age or younger; or, for sex or kidnapping offense(s), other than a class "A" felony offense, I committed when I was 17 years of age or younger;
2. At least 24 months (2 years) have passed since I was adjudicated and released from confinement, whichever is later;

3. I have no additional sex offense or kidnapping convictions or adjudications within 24 months (2 years) of filing this petition; and
4. I have no convictions or adjudications for failure to register within 24 months (2 years) of filing this petition.
5. I have not been determined to be a sexually violent predator as defined in chapter 71.09 RCW.

**C. I Base my Request on this Information – RCW 9A.44.142(4) and 9A.44.143(5):**

I understand that I must prove to the judge that I am sufficiently rehabilitated to end my duty to register. I want the judge to consider the following evidence before deciding whether to grant or deny my motion. (Check the boxes that apply and attach copies of the papers you want the court to consider):

- Criminal history report;
- Information about compliance with supervision requirements;
- Input from community corrections officers, juvenile parole or probation officers, law enforcement, or treatment providers;
- Information about participation in sex offender treatment;
- Information about participation in other treatment and rehabilitative programs
- Information about stability in employment and housing;
- Information about community and personal support system;
- Risk assessments or evaluations prepared by a qualified professional;
- Updated polygraph examination;
- Any input of the victim.
- Other. Explain what you are attaching: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I understand the court may consider input from other sources such as my community corrections officer, treatment provider, law enforcement and the victim of my crime.

**Exemption from Community Notification, Only**

- Exemption from Community Notification Requirements: RCW 9A.44.142(2)(b).** I am not eligible to be relieved of the duty to register. I am eligible to be exempted from any community notification requirements to which I am subject. I have been in the community without being convicted of a disqualifying offense for **15 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.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (City) \_\_\_\_\_, (State) \_\_\_\_\_, on (Date) \_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioning Party

\_\_\_\_\_  
Print or Type Name