

Benton County Office of Public Defense Operational Policies

6.3 – Funding for Special Sex Offender Sentencing Alternative

Policy Description

This policy pertains to approval of funding for an evaluation to determine a client's amenability to the Special Sex Offender Sentencing Alternative ("SSOSA"), Chapter 9.94A.670 RCW.

Applicability

This policy applies to all instances where public funding is sought to obtain an evaluation to determine a defendant's amenability to a SSOSA sentence and applies equally to contract and staff public defenders, and private attorneys seeking funding for clients who cannot afford it.

Procedures

The following procedure shall be followed whenever the attorney of record in a public defense case (or any case where publicly funded services are approved) determines that it is appropriate to seek funding for a SSOSA amenability evaluation ("SSOSA Evaluation").

- 1) Prior to contacting BFOPD to seek funding for a SSOSA Evaluation the attorney of records shall ensure that the court has entered an order, pursuant to RCW 9.94A.670(3) finding the defendant has met the statutory criteria, and directing an evaluation.
- 2) The funding request shall be in the form of an email to OPDAuthorizations@co.benton.wa.us, **must include a copy of the signed order directing the evaluation**, and must include the following information:
 - a) Case name and number
 - b) Requested evaluator
 - c) Funding amount requested
- 3) The attorney of record shall be permitted to choose the provider of his or her choice (as long as they are qualified and certified by DSHS to provide the services). However, the maximum funding limit shall not exceed **\$1,400 absent extenuating need and justification**.

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