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**SUBSTITUTE SENATE BILL 5105**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Carrell, Conway, Stevens, Schoesler, Becker, and Shin)

READ FIRST TIME 02/15/11.

1       AN ACT Relating to the conditional release of persons committed as  
2 criminally insane to their county of origin; and adding a new section  
3 to chapter 10.77 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION. **Sec. 1.** A new section is added to chapter 10.77 RCW  
6 to read as follows:

7       (1) In determining whether to support an application for  
8 conditional release on behalf of a person committed as criminally  
9 insane which would permit the person to reside outside of a state  
10 hospital, the secretary may not support a conditional release  
11 application to a location outside the person's county of origin unless  
12 it is determined by the secretary that the person's return to his or  
13 her county of origin would be inappropriate considering any court-  
14 issued protection orders, victim safety concerns, the availability of  
15 appropriate treatment, negative influences on the person, or the  
16 location of family or other persons or organizations offering support  
17 to the person.

18       (2) If the committed person is not conditionally released to his or

1 her county of origin, the department shall provide the law and justice  
2 council of the county in which the person is conditionally released  
3 with a written explanation.

4 (3) For purposes of this section, the offender's county of origin  
5 means the county of the court which ordered the person's commitment.

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