

***Criminal Justice & Corrections  
Committee***

***HB 2110***

***Brief Description:*** *Prohibiting housing sexually violent predators in facilities not authorized by the legislature.*

***Sponsors:*** *Representatives Marine, Mielke, Campbell, Bush and Ahern.*

***Brief Summary of Bill***

- *Prohibits the court from conditionally releasing a sexually violent predator to less restrictive alternative housing unless the Legislature approves the housing or the housing meets criteria established by the Legislature for this purpose.*

***Hearing Date:*** *2/21/01*

***Staff:*** *Jean Ann Quinn (786-7310).*

***Background:***

*Under the Community Protection Act of 1990, a sexually violent predator may be civilly committed upon the expiration of his or her criminal sentence. A sexually violent predator is a person who has been convicted of, charged with and found not guilty by reason of insanity of, or found to be incompetent to stand trial for, a crime of sexual violence and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory acts of sexual violence if not confined to a secure facility. Sexually violent predators are committed to the custody of the Department of Social and Health Services (DSHS) and confined at the Special Commitment Center (SCC) for control, care, and individualized treatment.*

*A person who has been civilly committed is entitled to an annual review of his or her mental condition, including consideration of whether conditional release to a less restrictive alternative (LRA) is in the best interest of the person, and would adequately protect the community. Before the court can order that a person be conditionally released to an LRA, the court must also find that: (1) the person will be treated by a certified sex offender*

*treatment provider; (2) the treatment provider has developed a specific course of treatment for the person, has agreed to assume responsibility for the treatment, will make progress reports to the court, and will report any violations; (3) the person is willing to comply with treatment and supervision requirements; and (4) housing exists that is sufficiently secure to protect the community. If a person does not comply with a condition of his or her conditional release, he or she can be immediately taken into custody and the conditional release revoked.*

***Summary of Bill:***

*The court may not conditionally release a person from the SCC to a less restrictive alternative unless: (1) the Legislature has approved the housing; or (2) the court finds that the housing meets criteria established by the Legislature for the housing of sexually violent predators on conditional release.*

***Appropriation:*** None.

***Fiscal Note:*** Not Requested.

***Effective Date:*** The bill contains an emergency clause and takes effect immediately.