

5122-S

Sponsor(s): Senate Committee on Human Services & Corrections  
(originally sponsored by Senators Costa, Long and Hargrove)

Brief Description: Revising procedures and standards for commitment of sexually violent predators.

**SB 5122-S.E - DIGEST**

(DIGEST AS ENACTED)

Finds that presentation of evidence related to conditions of a less restrictive alternative that are beyond the authority of the court to order, and that would not exist in the absence of a court order, reduces the public respect for the rule of law and for the authority of the courts.

Finds that the decision in *In re the Detention of Casper Ross*, No. 23523-4-II, Aug. 18, 2000 (6 P.3d 625), is contrary to the legislature's intent.

Declares that the legislature here clarifies that it intends, and has always intended, in any proceeding under chapter 71.09 RCW that the court and jury be presented only with conditions that would exist or that the court would have the authority to order in the absence of a finding that the person is a sexually violent predator.

Provides that the department of social and health services shall, in consultation with interested stakeholders, develop recommendations for improving the procedures used to notify victims when a sexually violent predator is conditionally released to a less restrictive alternative under chapter 71.09 RCW, while at the same time maintaining the confidentiality of victim information.

Declares that this act applies to all individuals currently committed or awaiting commitment under chapter 71.09 RCW either on, before, or after the effective date of this act, whether confined in a secure facility or on conditional release.