

6151-S

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

Brief Description: Revising provisions relating to high-risk sex offenders. (REVISED FOR ENGROSSED: Revising provisions relating to sex offenders.)

SB 6151-S.3E - DIGEST

(DIGEST AS ENACTED)

Declares that the legislature intends the following omnibus bill to address the management of sex offenders in the civil commitment and criminal justice systems for purposes of public health, safety, and welfare. Provisions address siting of and continued operation of facilities for persons civilly committed under chapter 71.09 RCW and sentencing of persons who have committed sex offenses. Other provisions address the need for sex offender treatment providers with specific credentials. Additional provisions address the continued operation or authorized expansion of criminal justice facilities at McNeil Island, because these facilities are impacted by the civil facilities on McNeil Island for persons committed under chapter 71.09 RCW.

Declares that the secretary is authorized to site, construct, occupy, and operate a secure community transition facility on McNeil Island for persons authorized to petition for a less restrictive alternative under RCW 71.09.090(1) and who are conditionally released and a special commitment center on McNeil Island with up to four hundred four beds as a total confinement facility under chapter 71.09 RCW, subject to appropriated funding for those purposes. The secure community transition facility shall be authorized for the number of beds needed to ensure compliance with the orders of the superior courts under this chapter and the federal district court for the western district of Washington. The total number of beds shall be comprised of fifteen transitional beds and nine long-term beds.

Authorizes the secretary to operate a correctional facility on McNeil Island for the confinement of sex offenders and other offenders sentenced by the courts, and to make necessary repairs, renovations, additions, and improvements to state property for that purpose, notwithstanding any local comprehensive plans, development regulations, permitting requirements, or any other local laws. Operation of the correctional facility and other state facilities authorized by this section and other law includes access to adequate docking facilities on state-owned tidelands at the town of Steilacoom.

Provides that, beginning on the effective date of this act, the state shall immediately enter into negotiations for a mitigation agreement with: (1) The county in which the secure community transition facility established pursuant to this act is located; (2) each community in which the persons from that facility will reside or regularly spend time in pursuant to court orders for regular work or education, or to receive social services, or will

regularly be transported through to reach those other communities; and (3) educational institutions in the communities identified in this act. The negotiations must be toward an agreement that will provide state funding, as appropriated for this purpose, in an amount adequate to mitigate anticipated or realized increased costs resulting from any increased risks to public safety brought about by the presence of sexually violent predators in those communities due to the siting of the secure community transition facility established pursuant to section 201(1) of this act.

Provides that the department of social and health services shall, by August 1, 2001, and prior to operating the secure community transition facility established pursuant to this act, hold at least three public hearings in the affected communities within the county where the facility is located.

Declares that the purpose of the public hearings is to seek input from county and city officials, local law enforcement officials, and the public regarding operations and security measures needed to adequately protect the community from any increased risk to public safety brought about by the presence of persons conditionally released from the special commitment center in these communities due to the siting of the facility. The department shall ensure that persons have a full opportunity to speak to the issues to be addressed during each hearing.

Provides that by August 1, 2001, the department must provide the appropriate committees of the legislature with a transportation plan to address the issues of coordinating the movement of residents of the secure community transition facility established pursuant to this act between McNeil Island and the mainland with the movement of others who must use the same docks or equipment within the funds appropriated for this purpose.

Requires that if the department does not provide a separate vessel for transporting residents of the secure community transition facility established in this act between McNeil Island and the mainland, the plan shall include at least the following components: (1) The residents shall be separated from minors and vulnerable adults, except vulnerable adults who have been found to be sexually violent predators.

(2) The residents shall not be transported during times when children are normally coming to and from the mainland for school.

Repeals RCW 9.95.0011 and 9.95.145.