

# HOUSE BILL REPORT

## SHB 2756

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**As Passed House:**  
February 15, 2008

**Title:** An act relating to logging the telephone calls of residents of the special commitment center.

**Brief Description:** Logging the telephone calls of residents of the special commitment center.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Kelley, Green, Wallace, Rodne, McCune, Goodman, VanDeWege, Lantz, Seaquist, Hurst and Simpson).

**Brief History:**

**Committee Activity:**

Human Services: 1/29/08, 1/31/08 [DP];  
Appropriations: 2/8/08, 2/11/08 [DPS].

**Floor Activity:**

Passed House: 2/15/08, 94-0.

**Brief Summary of Substitute Bill**

- Requires the Department of Social and Health Services to maintain a log of telephone calls made by residents of the Special Commitment Center.

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### HOUSE COMMITTEE ON HUMAN SERVICES

**Majority Report:** Do pass. Signed by 8 members: Representatives Dickerson, Chair; Roberts, Vice Chair; Ahern, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Bailey, Darneille, McCoy and O'Brien.

**Staff:** Jim Morishima (786-7191).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 33 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander,

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Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Chandler, Cody, Conway, Darneille, Ericks, Fromhold, Grant, Green, Haigh, Hinkle, Hunt, Kagi, Kenney, Kessler, Kretz, Linville, McDonald, McIntire, Morrell, Pettigrew, Priest, Ross, Schmick, Schual-Berke, Seaquist, Sullivan and Walsh.

**Staff:** Alex MacBain (786-7288).

**Background:**

The Community Protection Act of 1990 allows a sexually violent predator to be civilly committed. A sexually violent predator is defined as person who:

- has been convicted of, or charged with, a crime of sexual violence; and
- 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) for control, care, and individualized treatment. Most sexually violent predators are currently housed at the Special Commitment Center (SCC) on McNeil Island. Because they are civilly committed (as opposed to criminally committed), residents of the SCC are not subject to as many restrictions as persons confined pursuant to a criminal conviction. For example, residents of the SCC generally have free access to the telephone during the day. The DSHS currently does not log the telephone calls of residents of the SCC.

**Summary of Substitute Bill:**

The DSHS is required to maintain a log of phone calls made by residents of the SCC. The log must indicate the date and time when each phone call was made, the length of the call, the name of the resident who made the call, and the number called. The DSHS may contract with a private organization to maintain the log. The log is exempt from public inspection and copying.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony:** (Human Services)

(In support) This is a very simple bill. There has been some concern that residents of the SCC are making phone calls that they should not. Other states have this type of provision in place and it can be implemented simply. The requirements of this bill could be bid out to a contractor who could do this at low-cost to the state. The bill is sensitive to the fact that this is civil commitment; this is only a log, not monitoring.

(Opposed) None.

**Staff Summary of Public Testimony:** (Appropriations)

None.

**Persons Testifying:** (Human Services) Representative Kelley, prime sponsor.

**Persons Testifying:** (Appropriations) None.

**Persons Signed In To Testify But Not Testifying:** (Human Services) None.

**Persons Signed In To Testify But Not Testifying:** (Appropriations) None.