

HOUSE BILL REPORT

SB 6287

As Passed House:

March 5, 2002

Title: An act relating to the status of persons who commit criminal offenses while civilly detained or committed under chapter 71.09 RCW.

Brief Description: Clarifying the status of persons who commit criminal offenses while civilly detained or committed under chapter 71.09 RCW.

Sponsors: By Senators Long and Hargrove.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/22/02 [DP].

Floor Activity:

Passed House: 3/5/02, 96-0.

Brief Summary of Bill

- Clarifies that sexually violent predators who commit crimes while civilly committed, will be returned to the custody of the Department of Social and Health Services (DSHS) after the completion of their criminal sentences.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 7 members: Representatives O'Brien, Chair; Lovick, Vice Chair; Ballasiotes, Ranking Minority Member; Ahern, Kagi, Kirby and Morell.

Staff: Jim Morishima (786-7191).

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 DSHS and confined at the Special Commitment Center for control, care, and individualized treatment.

Summary of Bill:

A civilly committed sexually violent predator who is convicted of a crime while civilly committed must be returned to the jurisdiction of the DSHS after completion of the criminal sentence or release from confinement in a Department of Corrections facility. This does not apply if the offender is sentenced to life without the possibility of release.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill will prevent us from having to re-commit a person who commits a crime while civilly committed. The current law is unclear with respect to what happens to these people. This bill makes it clear.

Testimony Against: None.

Testified: Senator Long, prime sponsor.