

SB 5218 - H COMM AMD

By Committee on Public Safety & Emergency Preparedness

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 71.09.080 and 1995 c 216 s 8 are each amended to read
4 as follows:

5 (1) Any person subjected to restricted liberty as a sexually
6 violent predator pursuant to this chapter shall not forfeit any legal
7 right or suffer any legal disability as a consequence of any actions
8 taken or orders made, other than as specifically provided in this
9 chapter.

10 (2) Any person committed or detained pursuant to this chapter shall
11 be prohibited from possessing or accessing a personal computer unless
12 the resident's individualized treatment plan states that access to a
13 computer is necessary or beneficial in bringing about a positive
14 response to a specific and certain phase or course of treatment. A
15 person who is prohibited from possessing or accessing a personal
16 computer under this subsection shall have access to a state-owned
17 computer in a computer lab located at the facility at times and for
18 periods determined by the facility considering the status of compliance
19 and need of the person and the resources available to the facility.

20 (3) Any person committed pursuant to this chapter has the right to
21 adequate care and individualized treatment. The department of social
22 and health services shall keep records detailing all medical, expert,
23 and professional care and treatment received by a committed person, and
24 shall keep copies of all reports of periodic examinations made pursuant
25 to this chapter. All such records and reports shall be made available
26 upon request only to: The committed person, his or her attorney, the
27 prosecuting attorney, the court, the protection and advocacy agency, or
28 another expert or professional person who, upon proper showing,
29 demonstrates a need for access to such records.

1 (~~(3)~~) (4) At the time a person is taken into custody or
2 transferred into a facility pursuant to a petition under this chapter,
3 the professional person in charge of such facility or his or her
4 designee shall take reasonable precautions to inventory and safeguard
5 the personal property of the persons detained or transferred. A copy
6 of the inventory, signed by the staff member making it, shall be given
7 to the person detained and shall, in addition, be open to inspection to
8 any responsible relative, subject to limitations, if any, specifically
9 imposed by the detained person. For purposes of this subsection,
10 "responsible relative" includes the guardian, conservator, attorney,
11 spouse, parent, adult child, or adult brother or sister of the person.
12 The facility shall not disclose the contents of the inventory to any
13 other person without consent of the patient or order of the court.

14 (~~(4)~~) (5) Nothing in this chapter prohibits a person presently
15 committed from exercising a right presently available to him or her for
16 the purpose of obtaining release from confinement, including the right
17 to petition for a writ of habeas corpus.

18 (~~(5)~~) (6) No indigent person may be conditionally released or
19 unconditionally discharged under this chapter without suitable
20 clothing, and the secretary shall furnish the person with such sum of
21 money as is required by RCW 72.02.100 for persons without ample funds
22 who are released from correctional institutions. As funds are
23 available, the secretary may provide payment to the indigent persons
24 conditionally released pursuant to this chapter consistent with the
25 optional provisions of RCW 72.02.100 and 72.02.110, and may adopt rules
26 to do so."

27 Correct the title.

EFFECT: Provides that any person committed or detained as a sexually violent predator is prohibited from possessing or accessing a personal computer unless the resident's individualized treatment plan states that access to a computer is necessary or beneficial to treatment.

Provides that, depending on the person's status of compliance and need, a person prohibited from accessing or possessing a personal computer must have access to a state-owned computer in a computer lab located at the facility, subject to the scheduling and resource

limitations of the facility.

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