

SB 6308 - H AMD 1513

By Representative Kirby

WITHDRAWN 03/05/2010

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

3 "Sec. 1. RCW 71.09.080 and 2009 c 409 s 7 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, or as otherwise authorized by law.

10 (2) Any person committed pursuant to this chapter has the right to
11 adequate care and individualized treatment. Any person committed
12 pursuant to this chapter who is not participating in treatment or who
13 is participating in an initial or introductory phase of treatment,
14 including orientation, evaluation, or treatment readiness, is
15 prohibited from possessing or accessing a personal computer. A person
16 who is prohibited from possessing or accessing a personal computer
17 under this subsection shall be permitted to access a limited
18 functioning device only capable of word processing and limited data
19 storage.

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

29 ((+3+)) (4) At the time a person is taken into custody or
30 transferred into a facility pursuant to a petition under this chapter,

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

12 ~~((+4))~~ (5) Nothing in this chapter prohibits a person presently
13 committed from exercising a right presently available to him or her for
14 the purpose of obtaining release from confinement, including the right
15 to petition for a writ of habeas corpus.

16 ~~((+5))~~ (6) No indigent person may be conditionally released or
17 unconditionally discharged under this chapter without suitable
18 clothing, and the secretary shall furnish the person with such sum of
19 money as is required by RCW 72.02.100 for persons without ample funds
20 who are released from correctional institutions. As funds are
21 available, the secretary may provide payment to the indigent persons
22 conditionally released pursuant to this chapter consistent with the
23 optional provisions of RCW 72.02.100 and 72.02.110, and may adopt rules
24 to do so.

25 ~~((+6))~~ (7) If a civil commitment petition is dismissed, or a trier
26 of fact determines that a person does not meet civil commitment
27 criteria, the person shall be released within twenty-four hours of
28 service of the release order on the superintendent of the special
29 commitment center, or later by agreement of the person who is the
30 subject of the petition."

31 Correct the title.

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