

REPORT TO THE LEGISLATURE

Violations, Penalties, and Actions Relating to Persons on Conditional Release to a Secure Community Transition Facility

RCW 71.09.325 (4)

December 31, 2021

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TABLE OF CONTENTS

Introduction.....	1
Current Status	1
Serious Violation Explanation.....	1
Service Providers.....	1
Violations	2
Table 1. Serious Violation Data	2

Introduction

RCW 71.09.325(4) directs the Department of Social and Health Services (DSHS), on an annual basis, to compile information in writing on all violations, penalties, and actions by the department to remove persons from a secure community transition facility (SCTF), and contract terminations. The report is issued on an annual basis to the Office of Financial Management and the appropriate committees of the legislature.

This report addresses violations that occurred between September 1, 2020, and September 30, 2021.

The Special Commitment Center (SCC) and the transition treatment teams closely monitor the treatment progress and activity of residents who have court-ordered conditional releases to an SCTF.

A resident that has been returned to custody for evaluation and recommended action still receives a final order from the court of commitment. The judge that oversees the case can remands the resident to the total confinement facility, re-release them to their original LRA, or re-release them to a differing LRA.

Current Status

From September 2020 to September 2021 there were 24 residents in SCTFs on court-ordered LRAs. In the reporting period, two residents were returned and remain at the SCC Total Confinement Facility on McNeil due to serious violations of their LRA conditions.

Serious Violation Explanation

RCW 71.09.325 (1) any conditionally released person who commits a serious violation of conditions shall be returned to the Special Commitment Center, unless arrested by a law enforcement officer, and the court shall be notified immediately and shall initiate proceedings under RCW 71.09.098.

If an action occurs and a resident is returned to the TCF, a court hearing is requested to determine if the resident will be revoked or returned to the community.

Service Providers

During this reporting period, there were no sanctions issued to service providers.

Violations

*NOTE: Violating court order terms does not always negate the need for SCC to continue paying stipends or for residents rent. Each resident has variations in their court order that allow or limit the Special Commitment Center from refusing to pay expenses while a resident resides on island.

We categorize our violations based on type:

- Failure to follow GPS Guidelines
- Failure to follow Directives
- Misuse of Phone
- Failure to follow Travel Itinerary and Guidelines
- Failure to follow Treatment
- Unapproved Contact
- Failure to follow Internet/Computer Guidelines
- Other – these are categorized as technical violations of the court order that may be beyond a resident’s control (i.e. an SOTP provider retiring suddenly or losing housing due to circumstances).

Table 1. Serious Violation Data

Resident	Date	Serious Violation Description	Outcome
6A	3/29/2021	Violation #1 Failure to comply with SOTP's treatment plan Violation #2 Failure to notify CS, SCC, SOTP of violation behavior	Recommend revocation
4A	7/14/2021	Violation #1 Failing to comply with the rules and procedures of the Secure Community Transition Facility-Pierce County (SCTF-PC)	Returned to TCF. Recommend revocation.

Between the two SCTF locations, there were a total of 16 general violations and 3 serious violations. These violations were committed by a total of 11 residents, with only 2 residents having serious violations that resulted in their return to the total confinement facility.