
SUBSTITUTE SENATE BILL 6399

State of Washington

60th Legislature

2008 Regular Session

By Senate Human Services & Corrections (originally sponsored by Senators Carrell and Marr)

READ FIRST TIME 02/07/08.

1 AN ACT Relating to less restrictive alternatives; and amending RCW
2 71.09.092.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 71.09.092 and 1995 c 216 s 10 are each amended to read
5 as follows:

6 (1) Before the court may enter an order directing the conditional
7 release of a person committed under this chapter to a less restrictive
8 alternative, it must find the following: ~~((1))~~

9 (a) The person will be treated by a treatment provider who is
10 qualified to provide such treatment in the state of Washington under
11 chapter 18.155 RCW; ~~((2))~~

12 (b) The treatment provider has presented a specific course of
13 treatment and has agreed to assume responsibility for such treatment
14 and will report progress to the court on a regular basis, and will
15 report violations immediately to the court, the prosecutor, the
16 supervising community corrections officer, and the superintendent of
17 the special commitment center; ~~((3))~~

18 (c) Housing exists that is sufficiently secure to protect the
19 community, and the person or agency providing housing to the

1 conditionally released person has agreed in writing to accept the
2 person, to provide the level of security required by the court, and
3 immediately to report to the court, the prosecutor, the supervising
4 community corrections officer, and the superintendent of the special
5 commitment center if the person leaves the housing to which he or she
6 has been assigned without authorization; (~~(4)~~)

7 (d) The person is willing to comply with the treatment provider and
8 all requirements imposed by the treatment provider and by the court;
9 and (~~(5)~~)

10 (e) The person is willing to comply with supervision requirements
11 imposed by the department of corrections.

12 (2) In approving a treatment provider as provided in subsection (1)
13 of this section, the court shall give due deference to the provider
14 recommended by the department.

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