

RCW 10.77.110 Acquittal of crime. (1) If a defendant is acquitted of a crime by reason of insanity, and it is found that he or she is not a substantial danger to other persons, and does not present a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall direct the defendant's release. If it is found that such defendant is a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall order his or her hospitalization, or any appropriate alternative treatment less restrictive than detention in a state mental hospital, pursuant to the terms of this chapter.

If it is found that such defendant is not a substantial danger to other persons, and does not present a substantial likelihood of committing criminal acts jeopardizing public safety or security, but that he or she is in need of control by the court or other persons or institutions, the court shall direct the defendant's conditional release.

(2) (a) Upon placement of the defendant under control by the court or other persons and institutions or placement of the defendant on conditional release, or upon application by the prosecuting attorney at any subsequent time during which the court retains supervision of the defendant, the court may enter a separate no-contact order to protect any victim of the defendant's conduct in addition to the defendant's order of commitment. The maximum term of the no-contact order shall be the defendant's maximum term of commitment, or until the defendant's release under RCW 10.77.200, whichever comes sooner. The clerk's office shall provide a written certified copy of the no-contact order to the victim.

(b) The no-contact order shall contain the court's directives and shall state that a violation of the order is a criminal offense under chapter 7.105 RCW and will subject the person who violates the order to arrest, and that any assault, drive-by shooting, or reckless endangerment that is a violation of the order is a felony.

(c) Any willful violation of a no-contact order issued under this section is punishable under RCW 7.105.450.

(d) For the purpose of this subsection, "victim" has the same meaning as in RCW 9.94A.030.

(3) Whenever an order is issued, modified, or terminated under this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system. [2024 c 137 s 1; 2000 c 94 s 14; 1998 c 297 s 39; 1989 c 420 s 6; 1983 c 25 s 1; 1979 ex.s. c 215 s 4; 1974 ex.s. c 198 s 10; 1973 1st ex.s. c 117 s 11.]

Effective dates—Severability—Intent—1998 c 297: See notes following RCW 71.05.010.