
SENATE BILL 6399

State of Washington

60th Legislature

2008 Regular Session

By Senators Carrell and Marr

Read first time 01/16/08. Referred to Committee on Human Services & Corrections.

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 Before the court may enter an order directing conditional release
7 to a less restrictive alternative, it must find the following: (1) The
8 person will be treated by a treatment provider who is qualified to
9 provide such treatment in the state of Washington under chapter 18.155
10 RCW; (2) the treatment provider has presented a specific course of
11 treatment and has agreed to assume responsibility for such treatment
12 and will report progress to the court on a regular basis, and will
13 report violations immediately to the court, the prosecutor, the
14 supervising community corrections officer, and the superintendent of
15 the special commitment center; (3) housing exists that is sufficiently
16 secure to protect the community, and the person or agency providing
17 housing to the conditionally released person has agreed in writing to
18 accept the person, to provide the level of security required by the
19 court, and immediately to report to the court, the prosecutor, the

1 supervising community corrections officer, and the superintendent of
2 the special commitment center if the person leaves the housing to which
3 he or she has been assigned without authorization; (4) the person is
4 willing to comply with the treatment provider and all requirements
5 imposed by the treatment provider and by the court; and (5) the person
6 is willing to comply with supervision requirements imposed by the
7 department of corrections. With regard to approving the location of
8 treatment, the court may not override the recommendation of the
9 department, the prosecutor, the supervising community corrections
10 officer, the provider, and the superintendent of the special commitment
11 center, unless doing so is determined by the court in writing as
12 necessary to adequately protect the community. If the respondent seeks
13 treatment in a different location, his or her request must be approved
14 by the department, the prosecutor, the supervising community
15 corrections officer, the provider, and the superintendent of the
16 special commitment center prior to resubmittal to the court.

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