

# HOUSE BILL REPORT

## SSB 6570

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### As Reported by House Committee On:

Criminal Justice & Corrections

**Title:** An act relating to notification to coworkers of employment of sexually violent predator.

**Brief Description:** Revising the requirements of notification to coworkers when a sexually violent predator is employed.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Long, Hargrove, Oke, Haugen and Rasmussen).

### Brief History:

#### Committee Activity:

Criminal Justice & Corrections: 2/26/02, 2/27/02 [DP].

#### Brief Summary of Substitute Bill

- Narrows the class of persons an employer must notify of a sexually violent predator's status to coworkers with whom the person is likely to have regular contact.

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## HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 7 members: Representatives O'Brien, Chair; Lovick, Vice Chair; Ballasiotes, Ranking Minority Member; Ahern, Kagi, Kirby and Morell.

**Staff:** Jim Morishima (786-7191).

### Background:

Under the Community Protection Act of 1990, a sexually violent predator may be civilly committed upon the expiration of his or her criminal sentence. A sexually violent predator is a person who has been convicted of, charged with and found not guilty by reason of insanity of, or found to be incompetent to stand trial for a crime of sexual violence and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory acts of sexual violence if not confined to a secure

facility. Sexually violent predators are committed to the custody of the Department of Social and Health Services (DSHS) and confined at the Special Commitment Center for control, care, and individualized treatment.

A person who has been civilly committed is statutorily entitled to an annual review of his or her mental condition, including consideration of whether conditional release to a less restrictive alternative (LRA) is in the best interest of the person and would adequately protect the community. Under a recent decision by the Washington Supreme Court, the person is also entitled to consideration of an LRA at his or her probable cause and commitment hearings.

An employer of a person who is conditionally released to an LRA must notify all other employees of the conditionally released person's status.

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**Summary of Substitute Bill:**

An employer of a person who is conditionally released to an LRA must notify coworkers with whom the person is likely to have regular contact of the conditionally released person's status.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill will enhance public safety. If the employer is large or in multiple locations, notifying all employees might be impractical and unnecessary. The current law may present a barrier to employment for offenders.

**Testimony Against:** None.

**Testified:** Tim Brown, Department of Social and Health Services.