

SENATE BILL REPORT

SSB 5123

As Passed Senate, February 16, 2001

Title: An act relating to the crime of escape when committed by sexually violent predators.

Brief Description: Revising the crime of escape as it relates to persons committed to the department of social and health services.

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

Brief History:

Committee Activity: Human Services & Corrections: 1/25/01, 1/31/01 [DPS].
Passed Senate: 2/16/01, 43-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5123 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Kohl-Welles, Long and Stevens.

Staff: Fara Daun (786-7459)

Background: Under present law, the crime of escape includes sexually violent predators on less restrictive alternatives who leave the state without authorization. It does not cover the situation of a sexually violent predator who leaves the state with authorization, but fails to return at the required time. This situation has not occurred.

Currently, the crime of escape does not include persons committed under Chapter 10.77 RCW for sex, violent or felony harassment offenses.

Summary of Bill: Sexually violent predators and persons civilly committed under Chapter 10.77 RCW for sex, violent, and felony harassment offenses who have been conditionally released on less restrictive alternatives and leave or remain absent from the state without authorization are guilty of escape in the second degree.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The escape statute should also cover persons committed to the state hospital as not guilty by reason of insanity for sex, violent and harassment offenses.

Testimony Against: None.

Testified: Martha Harden, Superior Court Judges Association (pro).

House Amendment(s): The crime of "escape by a sexually violent predator" is created as a class B felony ranked at level 10, and the provision related to sexually violent predators is removed from the elements of escape in the second degree. Provisions in the elements of second degree escape for those persons civilly confined as not guilty by reason of insanity are not retained.