

SENATE BILL REPORT

SB 5130

As Reported By Senate Committee On:
Human Services & Corrections, February 24, 2005

Title: An act relating to transporting residents of secure community transition facilities.

Brief Description: Transporting residents of secure community transition facilities.

Sponsors: Senators Carrell, Franklin, Kastama and Rasmussen.

Brief History:

Committee Activity: Human Services & Corrections: 2/22/05, 2/24/05 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5130 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Fara Daun (786-7459)

Background: When a person is civilly committed as a sexually violent predator and conditionally released to a less restrictive alternative at the secure community transition facility located on McNeil Island, the Department of Social and Health Services (DSHS) must provide a copy of each resident's conditional release court order to each law enforcement agency and city through which they will regularly travel or in which they will regularly participate in employment, education, and social services. Persons at this facility may not leave the facility without an escort.

Summary of Substitute Bill: DSHS must develop a transportation route plan for those residents of the secure community transition facility on McNeil Island who are permitted to leave the island. They must provide it to each law enforcement agency and city through which the resident will regularly travel or in which he or she will regularly participate in employment, education, and social services

An escort must notify the law enforcement agencies who were notified of the route plan, before deviating from a plan, during transportation, or as soon thereafter as can be safely accomplished.

Substitute Bill Compared to Original Bill: The original bill was not considered.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: The bill requires accountability and improves public safety. It is needed because there was an incident in which a resident and his escort were not at the place where the Lakewood police expected them to be at the time they were expected to be there.

Testimony Against: Although the substitute is less onerous than the original, it imposes substantial burdens on DSHS without improving public safety. The purpose of secure community transition facilities is the transition back into the community and this bill would pose additional obstacles to that. It is not acceptable for escorts to make ad hoc changes to trip plans and there is already accountability with law enforcement through a hotline for law enforcement on which all trip changes are posted, the existing radio contact with the facility, and the fact that the residents are on GPS monitoring while in the community. The facility currently makes deviation reports for 15 minute delays, accidents enroute and any unplanned stop. The creation of a misdemeanor for escorts who don't report according to the section will create additional barriers to hiring and retaining staff to work with this population.

Who Testified: PRO: Senator Mike Carrell, prime sponsor.

CON: Dr. Henry Richards, Superintendent, Special Commitment Center, DSHS.