

WAC 388-880-031 Sex offender specific treatment program annual review evaluation. (1) Annually or as required by court order, the department must conduct an evaluation and examine the mental condition of each person civilly committed under chapter 71.09 RCW. The evaluation must be conducted by a professionally qualified person.

(2) Under RCW 71.09.070, the annual review evaluation must include consideration of whether:

(a) The person currently meets the definition of a sexually violent predator; and

(b) Conditional release to a less restrictive alternative is in the best interest of the person and conditions can be imposed that would adequately protect the community.

(3) The report of the department must be in the form of a declaration or certification in compliance with the requirements of chapter 5.50 RCW and will be prepared by a professionally qualified person as defined herein.

(4) The department will file this report with the court that civilly committed the person under chapter 71.09 RCW.

(5) A copy of this report will be served on the prosecuting agency involved in the initial hearing or commitment and upon the committed person and their counsel.

[Statutory Authority: RCW 71.09.070, 71.09.090, and 71.09.097. WSR 24-12-043, § 388-880-031, filed 5/30/24, effective 6/30/24. Statutory Authority: Chapter 71.09 RCW and RCW 72.01.090. WSR 10-13-130, § 388-880-031, filed 6/22/10, effective 7/23/10. Statutory Authority: RCW 71.09.040(4). WSR 03-23-022, § 388-880-031, filed 11/10/03, effective 12/11/03. Statutory Authority: Chapter 71.09 RCW, 2000 c 44, 2001 c 286. WSR 02-02-054, § 388-880-031, filed 12/27/01, effective 1/27/02.]