

HOUSE BILL ANALYSIS

SSB 6207

Brief Description: Authorizing the secretary of the department of social and health services to adopt rules to carry out the purposes of the sexually violent predator law.

Sponsors: Senators Hargrove and Long.

Hearing: February 18, 2000

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

BACKGROUND:

Under chapter 71.09 RCW, a sexually violent predator may be civilly committed upon expiration of his or her criminal sentence. A sexually violent predator is a person who has been convicted of (or 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) for control, care, and treatment until the person's mental disorder has so changed that they are safe either to be released or transferred to a less restrictive alternative. Sexually violent predators are currently housed at the Special Commitment Center on the grounds of the McNeil Island Corrections Center.

The secretary of DSHS has certain obligations under chapter 71.09 RCW and is authorized to promulgate rules regarding specific aspects of the sexually violent predator system, such as rules establishing the professional qualifications necessary for persons conducting evaluations of whether an offender is a sexually violent predator and rules regarding escorted leave. The secretary may not adopt rules without specific statutory authority (RCW 43.20A.075).

SUMMARY OF BILL:

The secretary of DSHS is specifically authorized to adopt rules as appropriate to implement the statutes relating to the civil commitment of sexually violent predators.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: The bill contains an emergency clause and takes effect immediately.