

**WAC 388-880-050 Rights of a person court-detained or civilly committed to the special commitment center.** (1) During a person's period of detention or commitment, the department must:

(a) Provide access to the person and the person's records in accordance with RCW 71.09.080(3) and WAC 388-880-044; and

(b) When a resident requests review of their SCC records to the SCC records department, the SCC records department will compile all records and schedule a time and location for the resident to review those records.

(2) A person the court detains for evaluation or commits to the SCC will:

(a) Receive adequate care, individualized treatment, and discharge planning;

(b) Be permitted to wear the person's own clothing and maintain the person's own possessions except when:

(i) Required to wear state issued clothing during an escorted leave from the secure facility;

(ii) Doing so would impact the health, safety, or security of the facility, self, or others;

(iii) Limiting the quantity of the person's personal possessions to within facility limitations, or for the protection of property within the TCF or SCTF;

(c) Be permitted to accumulate and spend a reasonable amount of money in the person's SCC resident trust account, while residing in the TCF;

(d) Have access to approved visitors;

(e) Have access to a telephone to make and receive confidential calls within SCC limitations; and

(f) Have access to letter writing material and to:

(i) Receive and send correspondence through the mail within SCC policies; and

(ii) Send written communication regarding the fact of the person's detention or commitment.

(3) A person the court commits to the SCC will have the following procedural rights to:

(a) Have reasonable access to an attorney and be informed of the name and address of the person's designated attorney;

(b) Petition the court for release from the SCC; and

(c) Receive annual written notice of the person's right to petition the committing court for release. The department's written notice and waiver must:

(i) Include the option to voluntarily waive the right to petition the committing court for release; and

(ii) Annually be forwarded to the committing court by the department.

[Statutory Authority: RCW 71.09.070, 71.09.090, and 71.09.097. WSR 24-12-043, § 388-880-050, filed 5/30/24, effective 6/30/24. Statutory Authority: Chapter 71.09 RCW and RCW 72.01.090. WSR 10-13-130, § 388-880-050, filed 6/22/10, effective 7/23/10. Statutory Authority: RCW 71.09.040(4). WSR 03-23-022, § 388-880-050, filed 11/10/03, effective 12/11/03. Statutory Authority: Chapter 71.09 RCW, 2000 c 44, 2001 c 286. WSR 02-02-054, § 388-880-050, filed 12/27/01, effective 1/27/02. WSR 99-21-001, recodified as § 388-880-050, filed 10/6/99, effective 10/6/99. Statutory Authority: RCW 71.09.030 and 71.09.050. WSR 93-17-027 (Order 3609), § 275-155-050, filed 8/11/93, effective

9/11/93. Statutory Authority: 1990 c 3. WSR 90-17-120 (Order 3054), § 275-155-050, filed 8/21/90, effective 9/21/90.]