

2 **SHB 2702 - H AMD 0149 ADOPTED 2/17/92**

3 By Representative Broback

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5 On page 8, after line 3, insert the following:

6 "Sec. 8. RCW 10.77.205 and 1990 c 3 s 104 are each amended to read
7 as follows:

8 (1)(a) At the earliest possible date, and in no event later than
9 ten days before conditional release, final discharge, authorized
10 furlough pursuant to RCW 10.77.163, or transfer to a less-restrictive
11 facility than a state mental hospital, the superintendent shall send
12 written notice of the conditional release, final discharge, authorized
13 furlough, or transfer of a person who has been found not guilty of a
14 sex ((~~or~~)), violent, or felony harassment offense by reason of insanity
15 and who is now in the custody of the department pursuant to this
16 chapter, to the following:

17 (i) The chief of police of the city, if any, in which the person
18 will reside; and

19 (ii) The sheriff of the county in which the person will reside.

20 (b) The same notice as required by (a) of this subsection shall be
21 sent to the following, if such notice has been requested in writing
22 about a specific person committed under this chapter:

23 (i) The victim of the crime for which the person was committed or
24 the victim's next of kin if the crime was a homicide;

25 (ii) Any witnesses who testified against the person in any court
26 proceedings; and

27 (iii) Any person specified in writing by the prosecuting attorney.

1 Information regarding victims, next of kin, or witnesses requesting the
2 notice, information regarding any other person specified in writing by
3 the prosecuting attorney to receive the notice, and the notice are
4 confidential and shall not be available to the person committed under
5 this chapter.

6 (c) In addition to the notice requirements of (a) and (b) of this
7 subsection, the superintendent shall comply with RCW 10.77.163.

8 (2) If a person who has been found not guilty of a sex ~~((or))~~
9 violent, or felony harassment offense by reason of insanity and who is
10 committed under this chapter escapes, the superintendent shall
11 immediately notify, by the most reasonable and expedient means
12 available, the chief of police of the city and the sheriff of the
13 county in which the person resided immediately before the person's
14 arrest. If previously requested, the superintendent shall also notify
15 the witnesses and the victim, if any, of the crime for which the person
16 was committed or the victim's next of kin if the crime was a homicide.
17 The superintendent shall also notify appropriate persons pursuant to
18 RCW 10.77.165. If the person is recaptured, the secretary shall send
19 notice to the persons designated in this subsection as soon as possible
20 but in no event later than two working days after the department learns
21 of such recapture.

22 (3) If the victim, the victim's next of kin, or any witness is
23 under the age of sixteen, the notice required by this section shall be
24 sent to the parents or legal guardian of the child.

25 (4) The department shall send the notices required by this chapter
26 to the last address provided to the department by the requesting party.
27 The requesting party shall furnish the department with a current
28 address.

29 (5) For purposes of this section the following terms have the
30 following meanings:

1 (a) "Violent offense" means a violent offense under RCW 9.94A.030;

2 (b) "Sex offense" means a sex offense under RCW 9.94A.030;

3 (c) "Next of kin" means a person's spouse, parents, siblings, and
4 children;

5 (d) "Authorized furlough" means a furlough granted after compliance
6 with RCW 10.77.163;

7 (e) "Felony harassment offense" means a crime of harassment as
8 defined in RCW 9A.46.060 that is a felony."

9 "Sec. 9. RCW 71.05.425 and 1990 c 3 s 109 are each amended to read
10 as follows:

11 (1)(a) Except as provided in subsection (2) of this section, at the
12 earliest possible date, and in no event later than ten days before
13 conditional release, final discharge, authorized leave under RCW
14 71.05.325(2), or transfer to a less-restrictive facility than a state
15 mental hospital, the superintendent shall send written notice of
16 conditional release, final discharge, authorized leave, or transfer of
17 a person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following
18 dismissal of a sex ~~((or))~~, violent, or felony harassment offense
19 pursuant to RCW 10.77.090(3) to the following:

20 (i) The chief of police of the city, if any, in which the person
21 will reside; and

22 (ii) The sheriff of the county in which the person will reside.

23 (b) The same notice as required by (a) of this subsection shall be
24 sent to the following, if such notice has been requested in writing
25 about a specific person committed under RCW 71.05.280(3) or
26 71.05.320(2)(c) following dismissal of a sex ~~((or))~~, violent, or felony
27 harassment offense pursuant to RCW 10.77.090(3):

28 (i) The victim of the sex ~~((or))~~, violent ((crime)), or felony
29 harassment offense that was dismissed pursuant to RCW 10.77.090(3)

1 preceding commitment under RCW 71.05.280(3) or 71.05.320(2)(c) or the
2 victim's next of kin if the crime was a homicide;

3 (ii) Any witnesses who testified against the person in any court
4 proceedings; and

5 (iii) Any person specified in writing by the prosecuting attorney.
6 Information regarding victims, next of kin, or witnesses requesting the
7 notice, information regarding any other person specified in writing by
8 the prosecuting attorney to receive the notice, and the notice are
9 confidential and shall not be available to the person committed under
10 this chapter.

11 (2) If a person committed under RCW 71.05.280(3) or 71.05.320(2)(c)
12 following dismissal of a sex ~~((or))~~, violent, or felony harassment
13 offense pursuant to RCW 10.77.090(3) escapes, the superintendent shall
14 immediately notify, by the most reasonable and expedient means
15 available, the chief of police of the city and the sheriff of the
16 county in which the person resided immediately before the person's
17 arrest. If previously requested, the superintendent shall also notify
18 the witnesses and the victim of the sex ~~((or))~~, violent ~~((crime))~~, or
19 felony harassment offense that was dismissed pursuant to RCW
20 10.77.090(3) preceding commitment under RCW 71.05.280(3) or
21 71.05.320(2) or the victim's next of kin if the crime was a homicide.
22 In addition, the secretary shall also notify appropriate parties
23 pursuant to RCW 71.05.410. If the person is recaptured, the
24 superintendent shall send notice to the persons designated in this
25 subsection as soon as possible but in no event later than two working
26 days after the department learns of such recapture.

27 (3) If the victim, the victim's next of kin, or any witness is
28 under the age of sixteen, the notice required by this section shall be
29 sent to the parent or legal guardian of the child.

1 (4) The superintendent shall send the notices required by this
2 chapter to the last address provided to the department by the
3 requesting party. The requesting party shall furnish the department
4 with a current address.

5 (5) For purposes of this section the following terms have the
6 following meanings:

7 (a) "Violent offense" means a violent offense under RCW 9.94A.030;

8 (b) "Sex offense" means a sex offense under RCW 9.94A.030;

9 (c) "Next of kin" means a person's spouse, parents, siblings, and
10 children;

11 (d) "Felony harassment offense" means a crime of harassment as
12 defined in RCW 9A.46.060 that is a felony."

13 Renumber the remaining sections consecutively and correct any
14 internal references accordingly.

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18 On page 1, line 2 of the title, after "9.61.230," strike "and
19 9.94A.155" and insert "9.94A.155, 10.77.205, and 71.05.425"