



Washington State Senate

102 Irv Newhouse Building
PO Box 40428
Olympia, WA 98504-0428

Senator Steve O'Ban
28th Legislative District

Phone: (360) 786-7654
FAX: (360) 786-7527
E-mail: steve.oban@leg.wa.gov

September 8, 2017

The Honorable Jay Inslee
Office of the Governor
Legislative Building, Room 201
Olympia, Washington 98504

RE: Lawrence David Butterfield's release from Western State Hospital

Dear Governor Inslee:

I am writing to express concern about the plan to release Lawrence David Butterfield from Western State Hospital to a location in the City of Lakewood. In recent days, I have received reports stating this release will occur in early September perhaps now on September 11th and that the release plan is currently being examined. According to my information, Mr. Butterfield was committed to the hospital as criminally insane in 1977 following charges of assault with intent to kill, and has been subsequently civilly committed numerous times as incompetent to stand trial and unrestorable pursuant to charges of murder committed in 2010. Mr. Butterfield is from Lewis County.

The proposed release of Mr. Butterfield raises a number of questions relating to community safety and correct legal procedure, including:

- Does Mr. Butterfield's condition render him safe to release to the community in his present state?
- Has the state employed sufficient safeguards, in coordination with law enforcement and community behavioral health agencies, to provide for ongoing monitoring of Mr. Butterfield's health status and compliance with necessary treatment? and
- Have all legal procedures been followed to ensure that any proposed release of Mr. Butterfield is legally appropriate, situated in the correct legal jurisdiction and placement setting, and subject to appropriate court, law enforcement, and behavioral health provider monitoring and supervision?

Without sufficient information to answer each of these questions, I urge you to indefinitely suspend discharge planning for Mr. Butterfield for further review of legal, equitable, and public safety considerations, including but not limited to the following:

- Does RCW 10.77.152 apply, requiring the department to develop and support a release option for Mr. Butterfield in his home county?

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Governor Jay Inslee

RE: Lawrence David Butterfield

- Is supervision in the community by the Department of Corrections appropriate, or is notification to Corrections personnel required by RCW 71.05.132?
- Is a conditional release under RCW 71.05.340 sufficient to provide community oversight and structure, or do circumstances call for application for a less restrictive alternative court order under RCW 71.05.320, providing judicial oversight and one year (renewable) of community monitoring, prior to release?
- Has Western State Hospital complied with law enforcement, victim, and witness notifications under RCW 10.77.205?
- Has Western State Hospital provided notice to the Public Safety Review Panel pursuant to RCW 10.77.270(4)?

I, and other public officials representing Lakewood, expect to be notified well in advance if in the future your department intends to release Mr. Butterfield in Pierce County. Thank you for your attention to this matter.

Sincerely,



Senator Steve O'Ban, Chair

Senate Human Services, Mental Health, and Housing Committee

28th Legislative District

Cc: Rep. Christine Kilduff, 28th District
Rep. Dick Muri, 28th District
Prosecutor Mark Lindquist
Mayor Don Anderson, City of Lakewood
Chief Mike Zaro, Lakewood Police Department
John Caulfield, Lakewood City Manager
Victoria Cantore, Office of the Governor, Senior Policy Advisor
David Westbrook, Office of the Governor, Director of Outreach
Bill Moss, Department of Social and Health Services, Acting Secretary
Carla Reyes, Behavioral Health Administration, Department of Social and Health Services
Marylouise Jones, Western State Hospital, Acting CEO