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HOUSE BILL 2835

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State of Washington

53rd Legislature

1994 Regular Session

By Representatives Flemming, Carlson, Roland, Quall, Voloria, Grant, Hansen, Dunshee, Van Luven, Long, Talcott, Brough, Tate, Caver, L. Johnson, Cooke, Karahalios, Dorn, R. Meyers, Silver, Schoesler and Basich

Read first time 01/26/94. Referred to Committee on Corrections.

1 AN ACT Relating to mentally ill offenders; adding a new section to  
2 chapter 72.23 RCW; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.23 RCW  
5 to read as follows:

6 (1) A public institution designated as a state hospital for the  
7 purpose of evaluating or treating accused or convicted mentally ill  
8 offenders shall designate and create a specified area of the facility  
9 that is designed and maintained as a secure area for the purpose of  
10 preventing escape of such patients while in the institution. As a  
11 minimum, the designated secure area shall have reinforced windows and  
12 double-door security or the patient ward environment. The open-air  
13 space shall be a continuous extension of the ward and shall have a  
14 continuous fence of sufficient strength, height, and capping to deter  
15 scaling, penetrating, or burrowing of a would-be escapee. The  
16 superintendent of the facility shall acknowledge in writing compliance  
17 with this section to the secretary of the department of corrections on  
18 or before December 31, 1994.

1 (2) A patient, while hospitalized as a mentally ill offender either  
2 as an accused or convicted individual, shall not be released from the  
3 confines of the designated secure ward with the following exceptions:

- 4 (a) For emergency life-saving measures;  
5 (b) For medically related treatment; or  
6 (c) For the conduct of criminal justice-related business.

7 (3) A patient, while hospitalized as a mentally ill offender either  
8 as an accused or convicted individual, shall not be released from the  
9 designated secure ward without the escort of either an authorized law  
10 enforcement officer or hospital security officer.

11 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of the  
13 state government and its existing public institutions, and shall take  
14 effect immediately.

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