

2 **2SSB 6002** - H COMM AMD

3 By Committee on Criminal Justice & Corrections

4 ADOPTED AS AMENDED 4/14/97

5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. **Sec. 1.** (1) Many acute and chronically mentally ill  
8 offenders are delayed in their release from Washington correctional  
9 facilities due to their inability to access reasonable treatment and  
10 living accommodations prior to the maximum expiration of their  
11 sentences. Often the offender reaches the end of his or her sentence  
12 and is released without any follow-up care, funds, or housing. These  
13 delays are costly to the state, often lead to psychiatric relapse, and  
14 result in unnecessary risk to the public.

15 These offenders rarely possess the skills or emotional stability to  
16 maintain employment or even complete applications to receive  
17 entitlement funding. Nation-wide only five percent of diagnosed  
18 schizophrenics are able to maintain part-time or full-time employment.  
19 Housing and appropriate treatment are difficult to obtain.

20 This lack of resources, funding, treatment, and housing creates  
21 additional stress for the mentally ill offender, impairing self-control  
22 and judgment. When the mental illness is instrumental in the  
23 offender's patterns of crime, such stresses may lead to a worsening of  
24 his or her illness, reoffending, and a threat to public safety.

25 (2) It is the intent of the legislature to create a pilot program  
26 to provide for postrelease mental health care and housing for a select  
27 group of mentally ill offenders entering community living, in order to  
28 reduce incarceration costs, increase public safety, and enhance the  
29 offender's quality of life.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 71.24 RCW  
31 to read as follows:

32 (1) The secretary shall select and contract with a regional support  
33 network or private provider to provide specialized access and services  
34 to mentally ill offenders upon release from total confinement within  
35 the department of corrections who have been identified by the

1 department of corrections and selected by the regional support network  
2 or private provider as high-priority clients for services and who meet  
3 service program entrance criteria. The program shall enroll no more  
4 than twenty-five offenders at any one time, or a number of offenders  
5 that can be accommodated within the appropriated funding level, and  
6 shall seek to fill any vacancies that occur.

7 (2) Criteria shall include a determination by department of  
8 corrections staff that:

9 (a) The offender suffers from a major mental illness and needs  
10 continued mental health treatment;

11 (b) The offender's previous crime or crimes have been determined by  
12 either the court or department of corrections staff to have been  
13 substantially influenced by the offender's mental illness;

14 (c) It is believed the offender will be less likely to commit  
15 further criminal acts if provided ongoing mental health care;

16 (d) The offender is unable or unlikely to obtain housing and/or  
17 treatment from other sources for any reason; and

18 (e) The offender has at least one year remaining before his or her  
19 sentence expires but is within six months of release to community  
20 housing and is currently housed within a work release facility or any  
21 department of corrections' division of prisons facility.

22 (3) The regional support network or private provider shall provide  
23 specialized access and services to the selected offenders. The  
24 services shall be aimed at lowering the risk of recidivism. An  
25 oversight committee composed of a representative of the department, a  
26 representative of the selected regional support network or private  
27 provider, and a representative of the department of corrections shall  
28 develop policies to guide the pilot program, provide dispute resolution  
29 including making determinations as to when entrance criteria or  
30 required services may be waived in individual cases, advise the  
31 department of corrections and the regional support network or private  
32 provider on the selection of eligible offenders, and set minimum  
33 requirements for service contracts. The selected regional support  
34 network or private provider shall implement the policies and service  
35 contracts. The following services shall be provided:

36 (a) Intensive case management to include a full range of intensive  
37 community support and treatment in client-to-staff ratios of not more  
38 than ten offenders per case manager including: (i) A minimum of weekly  
39 group and weekly individual counseling; (ii) home visits by the program

1 manager at least two times per month; and (iii) counseling focusing on  
2 relapse prevention and past, current, or future behavior of the  
3 offender.

4 (b) The case manager shall attempt to locate and procure housing  
5 appropriate to the living and clinical needs of the offender and as  
6 needed to maintain the psychiatric stability of the offender. The  
7 entire range of emergency, transitional, and permanent housing and  
8 involuntary hospitalization must be considered as available housing  
9 options. A housing subsidy may be provided to offenders to defray  
10 housing costs up to a maximum of six thousand six hundred dollars per  
11 offender per year and be administered by the case manager. Additional  
12 funding sources may be used to offset these costs when available.

13 (c) The case manager shall collaborate with the assigned prison,  
14 work release, or community corrections staff during release planning,  
15 prior to discharge, and in ongoing supervision of the offender while  
16 under the authority of the department of corrections.

17 (d) Medications including the full range of psychotropic  
18 medications including atypical antipsychotic medications may be  
19 required as a condition of the program. Medication prescription,  
20 medication monitoring, and counseling to support offender  
21 understanding, acceptance, and compliance with prescribed medication  
22 regimens must be included.

23 (e) A systematic effort to engage offenders to continuously involve  
24 themselves in current and long-term treatment and appropriate  
25 habilitative activities shall be made.

26 (f) Classes appropriate to the clinical and living needs of the  
27 offender and appropriate to his or her level of understanding.

28 (g) The case manager shall assist the offender in the application  
29 and qualification for entitlement funding, including medicaid, state  
30 assistance, and other available government and private assistance at  
31 any point that the offender is qualified and resources are available.

32 (h) The offender shall be provided access to daily activities such  
33 as drop-in centers, prevocational and vocational training and jobs, and  
34 volunteer activities.

35 (4) Once an offender has been selected into the pilot program, the  
36 offender shall remain in the program until the end of his or her  
37 sentence or unless the offender is released from the pilot program  
38 earlier by the department of corrections.

1 (5) Specialized training in the management and supervision of high-  
2 crime risk mentally ill offenders shall be provided to all  
3 participating mental health providers by the department and the  
4 department of corrections prior to their participation in the program  
5 and as requested thereafter.

6 (6) The pilot program provided for in this section must be  
7 providing services by July 1, 1998.

8 NEW SECTION. **Sec. 3.** The department shall indemnify and hold  
9 harmless the regional support network, private provider, and any mental  
10 health center, housing facility, or other mental health provider from  
11 all claims or suits arising in any manner from any acts committed by an  
12 enrolled offender during his or her period of enrollment.

13 NEW SECTION. **Sec. 4.** A new section is added to chapter 71.24 RCW  
14 to read as follows:

15 The department, in collaboration with the department of corrections  
16 and the oversight committee created in section 2 of this act, shall  
17 track outcomes and submit to the legislature a report of services and  
18 outcomes by December 1, 1998, and annually thereafter as may be  
19 necessary. The reports shall include the following: (1) A statistical  
20 analysis regarding the reoffense and reinstitutionalization rate by the  
21 enrollees in the program set forth in section 2 of this act; (2) a  
22 quantitative description of the services provided in the program set  
23 forth in section 2 of this act; and (3) recommendations for any needed  
24 modifications in the services and funding levels to increase the  
25 effectiveness of the program set forth in section 2 of this act. By  
26 December 1, 2003, the department shall certify the reoffense rate for  
27 enrollees in the program authorized by section 2 of this act to the  
28 office of financial management and the appropriate legislative  
29 committees. If the reoffense rate exceeds fifteen percent, the  
30 authorization for the department to conduct the program under section  
31 2 of this act is terminated on January 1, 2004.

32 NEW SECTION. **Sec. 5.** If specific funding for the purposes of this  
33 act, referencing this act by bill or chapter number, is not provided by  
34 June 30, 1997, in the omnibus appropriations act, this act is null and  
35 void.

1        NEW SECTION.    **Sec. 6.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected."

5        Correct the title.

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