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SENATE BILL 6002

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State of Washington

55th Legislature

1997 Regular Session

By Senators Long, Hargrove and Oke

Read first time 02/25/97. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to supervision of mentally ill offenders; adding a  
2 new section to chapter 71.24 RCW; creating new sections; and making an  
3 appropriation.

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

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

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

18 This lack of resources, funding, treatment, and housing creates  
19 additional stress for the mentally ill offender, impairing self-control

1 and judgment. When the mental illness is instrumental in the  
2 offender's patterns of crime, such stresses may lead to a worsening of  
3 his or her illness, reoffending, and a threat to public safety.

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

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

11 (1) The secretary shall assure that a selected county community  
12 health program provides specialized access and services to up to  
13 twenty-five mentally ill offenders upon release from total confinement  
14 within the department of corrections who have been identified by the  
15 department of corrections as high-priority clients for services and  
16 meet service program entrance criteria.

17 (2) Criteria shall include a determination by department of  
18 corrections staff that:

19 (a) The offender needs continued mental health treatment;

20 (b) The offender's previous crime or crimes has been determined by  
21 either the court or department of corrections staff to have been  
22 substantially influenced by their mental illness;

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

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

27 (e) The offender is within six months of release to community  
28 housing and currently housed within a work release facility or any  
29 department of corrections' division of prisons facility; and

30 (f) The offender is willing to cooperate with such services or,  
31 with active outreach and encouragement, may be induced to accept such  
32 services.

33 (3) Specialized access and services shall be provided to the  
34 highest risk offenders in this group by mental health centers. These  
35 services include those aimed at lowering the risk of recidivism. Such  
36 services require that the department and the department of corrections  
37 jointly develop, and the department implement, service contracts with

1 mental health centers through the regional support network. The  
2 following services shall be provided:

3 (a) Intensive case management to include a full range of intensive  
4 community support and treatment in client-to-staff ratios of not more  
5 than ten offenders per case manager including: (i) A minimum of weekly  
6 group and individual counseling; (ii) home visits by the program  
7 manager at least one time per month; and (iii) counseling focusing on  
8 past, current, or future behavior of the offender.

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

18 (c) The program manager shall collaborate with the assigned  
19 prisons, work release, or community corrections staff during release  
20 planning, prior to discharge, and in ongoing supervision of the  
21 offender if remaining under department of corrections' authority.

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

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

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

33 (g) The program manager shall assist the offender in the  
34 application and qualification for entitlement funding to include  
35 Medicaid, state assistance, and other available government and private  
36 assistance at any point that the offender is qualified and resources  
37 are available.

1 (h) The offender shall be provided access to daily activities such  
2 as drop-in centers, prevocational and vocational training and jobs,  
3 volunteer activities, and day treatment.

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

9 NEW SECTION. **Sec. 3.** The pilot program provided for in section 2  
10 of this act shall be providing services by July 1, 1998.

11 NEW SECTION. **Sec. 4.** The department of social and health  
12 services, in collaboration with the department of corrections and the  
13 regional support network, shall track outcomes and submit to the  
14 legislature a report of services and outcomes by December 1, 1998, and  
15 annually thereafter. The reports shall describe the effectiveness of  
16 the services in preventing subsequent reoffending and  
17 reinstitutionalization by enrollees and include a quantitative  
18 description of services provided. It shall further include  
19 recommendations for any needed modifications in these services to  
20 increase effectiveness.

21 NEW SECTION. **Sec. 5.** The sum of five hundred thousand dollars, or  
22 as much thereof as may be necessary, is appropriated for the biennium  
23 ending June 30, 1999, from the general fund to the department of social  
24 and health services for the purposes of this act.

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