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**SUBSTITUTE SENATE BILL 6587**

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**State of Washington**

**55th Legislature**

**1998 Regular Session**

**By** Senate Committee on Human Services & Corrections (originally sponsored by Senators Long, Hargrove, Zarelli, Thibaudeau, Kohl and Oke)

Read first time 02/06/98.

1 AN ACT Relating to a task force on offenders who have a mental  
2 illness; creating new sections; providing an expiration date; and  
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature intends to enhance public  
6 safety and the provision of mental health services to offenders who  
7 have a mental illness. The legislature recognizes that hundreds of  
8 convicted criminal offenders are released into the community each year  
9 and that many of these offenders pose a substantial danger to the  
10 public due to their ongoing mental illness. Some of these offenders  
11 present a significant risk to people's lives, health, and safety,  
12 absent effective long-term monitoring, control, and treatment of their  
13 mental illness.

14 By enacting chapter 342, Laws of 1997, the legislature began with  
15 a narrowly focused pilot project involving no more than twenty-five  
16 seriously mentally ill offenders. Recent studies by the University of  
17 Washington and others suggest that there is a large and growing  
18 population of offenders who have a mental illness with a broad array of  
19 mental disorders who may not have sufficient access to mental health

1 services and who therefore pose a threat to public safety once released  
2 into the community.

3 The intent of the legislature is to find answers to many questions  
4 surrounding convicted persons who have a mental illness both in total  
5 confinement and after release from total confinement.

6 NEW SECTION. **Sec. 2.** (1) There is created a task force on  
7 offenders who have a mental illness. The membership of the task force  
8 shall include: (a) Four members of the senate, not more than two of  
9 whom shall be of the same political party; (b) four members of the  
10 house of representatives, not more than two of whom shall be of the  
11 same political party; (c) a representative of the office of the  
12 governor; (d) two representatives of the department of corrections; (e)  
13 two representatives of the department of social and health services;  
14 (f) two representatives of county government; (g) a representative of  
15 municipal government; (h) a representative of the membership of an  
16 association dedicated to the provision of defense in criminal  
17 proceedings; (i) two representatives of prosecuting attorneys; (j) a  
18 representative of an association which advocates for persons who have  
19 a mental illness; (k) a representative of an association which  
20 advocates for the families of persons who have a mental illness; (l) a  
21 representative of the attorney general; (m) a representative of  
22 superior court judges; (n) a representative of district and municipal  
23 court judges; (o) two representatives of regional support networks; (p)  
24 a person who has a mental illness; and (q) a representative of an  
25 association of sheriffs and police chiefs. The task force shall select  
26 a legislative member as its chair.

27 (2) The governor shall appoint the members of the task force  
28 identified in subsection (1)(c), (d), (e), (j), (k), and (p) of this  
29 section.

30 (3) The task force shall examine the following regarding persons  
31 with a mental illness who have been convicted of a criminal offense and  
32 who pose a serious risk to public safety:

33 (a) Current procedures for identification of persons convicted of  
34 crimes who, due to their mental illness pose a serious threat to public  
35 safety;

36 (b) The quantity and quality of mental health services provided,  
37 immediately prior to and following release to the community, to persons

1 in a correctional facility who are identified as being dangerous and  
2 mentally ill;

3 (c) The degree of freedom of movement and activities that dangerous  
4 offenders who have a mental illness should have in their communities  
5 following their release from jurisdiction of the court or department of  
6 corrections;

7 (d) Appropriate living conditions and restrictions, considering the  
8 nature of the illness and degree of risk to public safety;

9 (e) Appropriate methods of assuring security and apprehension of  
10 dangerous offenders who have a mental illness and who present an  
11 immediate threat to public safety or who may be in violation of  
12 conditions imposed on them by the court;

13 (f) Improved coordination of services by the departments of  
14 corrections and social and health services, including a recommendation  
15 of how to better serve persons who are diagnosed with both drug and  
16 alcohol problems and mental illness;

17 (g) Methods of improving efficiencies and reducing costs in  
18 delivery of mental health services;

19 (h) Appropriate changes in: Training of persons who supervise or  
20 deliver mental health services to offenders who have a mental illness,  
21 who are in corrections or in the community, to assure that effective  
22 techniques and equipment are employed which have been demonstrated to  
23 reduce recidivism and enhance public safety. A mechanism to annually  
24 assess the effectiveness of these approaches shall be identified;

25 (i) Establishment of documentation procedures for data bases, case  
26 tracking, management reporting, and aggregation of data for evaluation  
27 and accountability purposes;

28 (j) Existing methods of providing civil law controls of dangerous  
29 offenders who have a mental illness and determine whether changes in  
30 such controls would improve public safety without violation of due  
31 process or other liberty interests. The task force shall make  
32 recommendations regarding such changes; and

33 (k) Whether barriers to information sharing between public agencies  
34 exist that impair the delivery of services and how such barriers can be  
35 removed or reduced.

36 (4) The task force shall not limit its consideration of  
37 correctional control tools and mental health treatment methodologies to  
38 those currently employed within this state but shall examine any  
39 methodology which it deems reasonably likely to improve mental health

1 services and increase public safety. In such examination, reduction of  
2 reoffense rates shall be given strong consideration.

3 (5) The task force shall begin its deliberations no later than May  
4 1, 1998. The task force shall issue its final report and  
5 recommendations no later than December 1, 1998.

6 NEW SECTION. **Sec. 3.** Nonlegislative members shall be reimbursed  
7 for travel expenses as provided in RCW 43.03.050 and 43.03.060.  
8 Legislative members shall be reimbursed as provided in RCW 44.04.120.

9 NEW SECTION. **Sec. 4.** This act expires December 31, 1998.

10 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and takes effect  
13 immediately.

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