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SENATE BILL 6587

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State of Washington

55th Legislature

1998 Regular Session

By Senators Long, Hargrove, Zarelli, Thibaudeau, Kohl and Oke

Read first time 01/22/98. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to a task force on mentally ill offenders; creating  
2 new sections; providing an expiration date; and declaring an emergency.

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

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

12 By enacting chapter 342, Laws of 1997, the legislature began with  
13 a narrowly focused pilot project involving no more than twenty-five of  
14 only the most seriously mentally ill offenders at any one time. Recent  
15 studies by the University of Washington and others suggest that there  
16 is a large and growing population of mentally ill offenders with a  
17 broad array of mental disorders who may not have sufficient access to  
18 mental health services and who therefore pose a threat to public safety  
19 once released into the community.

1       The intent of the legislature is to find answers to many questions  
2 surrounding convicted mentally ill offenders both in total confinement  
3 and after release from total confinement.

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

23       (2) The task force shall examine the following regarding mentally  
24 ill persons convicted of a criminal offense who pose a serious risk to  
25 public safety:

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

29       (b) The quantity and quality of mental health services provided to  
30 persons confined in a correctional facility who are dangerous and  
31 mentally ill;

32       (c) The degree of freedom of movement and activities that dangerous  
33 mentally ill offenders should have in their communities following their  
34 release from jurisdiction of the court or department of corrections;

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

37       (e) Appropriate methods of assuring security and apprehension of  
38 dangerous mentally ill offenders who present an immediate threat to

1 public safety or who may be in violation of conditions imposed on them  
2 by the court;

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

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

9 (h) Appropriate changes in: Training of persons who deliver mental  
10 health services to, or monitor mentally ill offenders; facilities and  
11 equipment; and ways to provide continual quality assurance in these  
12 areas;

13 (i) Establishment of documentation procedures for data bases, case  
14 tracking, management reporting, and aggregation of data for evaluation  
15 and accountability purposes;

16 (j) Existing methods of providing civil law controls of mentally  
17 ill persons and whether these are appropriate for dangerous mentally  
18 ill offenders or whether changes in such controls would improve public  
19 safety without violation of due process or other liberty interests.  
20 The task force shall make recommendations regarding such changes; and

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

24 (3) The task force shall not limit its consideration of  
25 correctional control tools and mental health treatment methodologies to  
26 those currently employed within this state but shall examine any  
27 methodology which it deems reasonably likely to improve mental health  
28 services and increase public safety. In such examination, reduction of  
29 reoffense rates shall be given strong consideration.

30 (4) The task force shall begin its deliberations no later than May  
31 1, 1998. The task force shall issue its final report and  
32 recommendations no later than December 1, 1998.

33 NEW SECTION. **Sec. 3.** Nonlegislative members shall be reimbursed  
34 for travel expenses as provided in RCW 43.03.050 and 43.03.060.  
35 Legislative members shall be reimbursed as provided in RCW 44.04.120.

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

1        NEW SECTION.    **Sec. 5.**    This act is necessary for the immediate  
2    preservation of the public peace, health, or safety, or support of the  
3    state government and its existing public institutions, and takes effect  
4    immediately.

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