

1906-S

Sponsor(s): House Committee on Criminal Justice & Corrections
(originally sponsored by Representatives Costa, Ballasiotes, Quall,
Blalock, Linville, Cole and Tokuda)

Brief Title: Revising sentencing of mentally ill defendants.

HB 1906-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, if the court determines that the defendant may be chronically mentally ill, gravely disabled, or seriously disturbed as defined in RCW 71.05.020 and 71.24.025, although the defendant has not established a defense of insanity as defined in RCW 9A.12.010, the court shall order the department to complete a presentence report before imposing a sentence.

Provides that, as part of a community placement or community supervision sentence, the court may order the offender to undergo mental health evaluation or participate in available outpatient mental health treatment, or both, if the court determines that strong grounds exist for assessing the offender as chronically mentally ill, gravely disabled, or seriously disturbed as defined in RCW 71.05.020 and 71.24.025, and that this condition is likely to have influenced the offense.

Requires that, if the offender's failure to receive care essential for health and safety presents a risk of serious physical harm or probable harmful consequences, the civil detention and commitment procedures described in chapter 71.05 RCW shall be invoked in preference to incarceration in a local or state correctional facility.