

6214-S2

Sponsor(s): Senate Committee on Ways & Means (originally sponsored by Senators Long, Hargrove, McDonald, Deccio, Franklin, Stevens, Strannigan, Wood, Schow, Swecker, Hale, Sellar, Thibaudeau, Haugen, Winsley and Oke)

Brief Title: Revising provisions relating to commitment of mentally ill persons.

**SB 6214-S2 - DIGEST**

(DIGEST AS ENACTED)

Declares an intent of the legislature to: (1) Clarify that it is the nature of a person's current conduct, current mental condition, history, and likelihood of committing future acts that pose a threat to public safety or himself or herself, rather than simple categorization of offenses, that should determine treatment procedures and level;

(2) improve and clarify the sharing of information between the mental health and criminal justice systems; and

(3) provide additional opportunities for mental health treatment for persons whose conduct threatens himself or herself or threatens public safety and has led to contact with the criminal justice system.

Recognizes that a person can be incompetent to stand trial, but does not present a likelihood of serious harm. The legislature does not intend to create a presumption that a person who is found incompetent to stand trial presents a likelihood of serious harm requiring civil commitment.

Repeals 71.05.015 and 71.05.080.

Directs the Washington state institute for public policy to conduct an evaluation of this act.

Requires the evaluation to be presented to the legislature on or before November 15, 2003.

Directs the joint legislative audit and review committee to conduct an evaluation of the efficiency and effectiveness of this act in meeting its state goals.

Directs the joint legislative audit and review committee to prepare an interim report of its findings which shall be delivered to the appropriate legislative committees of the house of representatives and the senate no later than September 1, 2000.

Directs the joint legislative audit and review committee to prepare a final report of its findings which shall be delivered to the appropriate legislative committees of the house of representatives and the senate no later than January 1, 2001.

Provides that the act shall be null and void if appropriations are not approved.

VETO MESSAGE ON SB 6214-S2

April 2, 1998

To the Honorable President and Members,  
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 55 and 60, Second Substitute Senate Bill No. 6214 entitled:

"AN ACT Relating to mental illness;"

2SSB 6214 broadens the Involuntary Treatment Act (ITA) commitment standards to take greater account of a history of violence. Among other things, it requires greater information sharing between treatment providers and criminal justice agencies, and creates mechanisms to protect public safety in the context of ITA treatment.

Section 55 of 2SSB 6214 would require the Department of Corrections to report annually to legislative fiscal committees on the efficacy of the regional support networks in implementing this legislation, including information on their administrative costs. While such reporting has value, DOC has neither the audit authority, the specialized expertise, nor the funding to perform this task. The bill already requires evaluations and reports by the Joint Legislative Audit and Review Committee and the Washington State Institute for Public Policy.

Section 60 would cause the entire act to expire on June 30, 2001. "Sunset" provisions can be valuable, but this would be too soon. This complex new law will be difficult to implement and may well require revision in the years to come. The studies required by the Institute for Public Policy and the Joint Legislative Audit and Review Committee can help identify problems and opportunities for improvement.

For these reasons, I have vetoed sections 55 and 60 of Second Substitute Senate Bill No. 6214.

With the exception of sections 55 and 60, Second Substitute Senate Bill No. 6214 is approved.

Respectfully submitted,  
Gary Locke  
Governor