
Criminal Justice & Corrections Committee

HB 2298

Brief Description: Designing demonstration projects to improve treatment and management and reduce recidivism rates of mentally ill offenders.

Sponsors: Representatives O'Brien, Kirby, Edwards and Ogden.

Brief Summary of Bill

- Requires the Department of Social and Health Services (DSHS) to establish a task force to study ways to improve the treatment of the state's mentally ill offender population.
- Requires the task force to design a demonstration project for two participating counties that may be used in the future as a model for providing treatment and management of mentally ill offenders.

Hearing Date: 1/16/02

Staff: Yvonne Walker (786-7841).

Background:

Over the last several years, the Legislature, based upon recommendations from various local and state mental health agencies, has made statutory changes focusing on the process of public safety, increasing the sharing of information, and ensuring additional opportunities for the treatment of mentally ill offenders and those offenders with the co-occurring disorders of being both mentally ill and chemically dependent.

In the 1999-2001 biennial budget, the Legislature directed the Joint Legislative Audit and Review Committee (JLARC) to review Washington's community mental health system. At the conclusion of JLARC's review several recommendations were made to improve services. Two of those recommendations suggested that: 1) Washington's mental health system should make the coordination of services for clients with multiple needs (such as mental illness and chemical dependency) more effective and 2) the state oversight efforts should concentrate more on collecting outcome measures that show client improvements

resulting from the public resources that are spent on mental health.

Summary of Bill:

The Legislature finds that there are a number of offenders incarcerated in jail who suffer from mental illness or have a co-occurring disorder of both mental illness and chemical dependency, however only a small percentage of these offenders have access to treatment. As a result these offenders often present a risk to their own safety as well to others. The Legislature further states that new cooperative approaches such as demonstration projects based on partnerships between state and local government can help reduce the number of offenders that cycle repeatedly through the system.

The secretary of the DSHS must establish a mentally ill offender task force to study ways, through a demonstration project to improve the treatment, management, and reduction of criminal activity within the mentally ill offender population. The DSHS must select two counties to participate in the demonstration project. One county must be from western Washington and contain a population of at least 180,000 but not more than 220,000 people. The second county must be from eastern Washington and must contain a population of at least 50,000 but no more than 250,000 people.

Task Force Membership. The task force is composed of the members or designees from the following agencies: the assistant secretary of the DSHS Medical Assistance Administration; the assistant secretary of the DSHS Juvenile Rehabilitation Administration; the director of the DSHS Mental Health Division; the director of the DSHS Division of Alcohol and Substance Abuse; and the secretary of the Department of Corrections. In addition, the task force must also include the following individuals from each of the two counties selected to participate in the study: the director of the regional support network, or his or her designee; the county chemical dependency coordinator; the county jail administrator, or his or her designee; the county sheriff, or his or her designee; a judge of the superior, district, or municipal court from each of the counties; the county prosecutor, or his or her designee; a member of the criminal defense bar; the director of probation services; and an individual representing persons with mental illness.

Task Force Duties. The task force must design demonstration projects for the participating two counties that may be used in the future as a model for providing treatment and management of mentally ill offenders and those offenders possessing co-occurring disorders. The demonstration projects must include a partnership between the state and counties and include the following goals and the capacity to evaluate these goals:

- A mechanism to identify and track mentally ill offenders statewide;
- Ways to divert mentally ill offenders from the criminal justice system into appropriate treatment;
- In coordination with current commitment proceedings, access to evaluation and treatment for offenders that are mentally ill or co-dependent, who have been charged with or convicted of a crime and are awaiting trial or sentencing or are serving a sentence in a jail, including adequate discharge planning to ensure access to appropriate treatment and medication upon release from jail;
- Ways to reduce recidivism rates among offenders who are mentally ill or possess co-occurring disorders; and

- Ways to provide wrap-around services such as housing, transportation, and vocational services to mentally ill offenders.

Implementation Plan. The task force must develop a plan to implement the goals and evaluation measures that they are required to accomplish. Other issues to be addressed by the task force and included in the implementation plan include, but are not limited to, the following:

- Providing mechanisms on ways to share information among mental health and substance abuse treatment providers and the criminal justice system in a way that continues to protect each offender's privacy, yet aids in providing coordinated treatment and management to the offender;
- Helping each offender to gain access to medical assistance benefits (if eligible under existing medical assistance rules as part of his or her pre-discharge plan from jail);
- Identifying further ways to enhance coordination and maximize the value of existing mental health, substance abuse, and criminal justice resources to better serve and manage offenders that are mentally ill or have multiple needs that include both a mental illness and a chemical dependency; and
- Identifying both public and private resources to fund the demonstration project.

The implementation plan must be submitted to the appropriate committees of the Legislature and the Governor by December 15, 2002.

Appropriation: The sum of \$ 50,000.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.