
HOUSE BILL 2298

State of Washington

57th Legislature

2002 Regular Session

By Representatives O'Brien, Kirby, Edwards and Ogden

Read first time 01/14/2002. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to demonstration projects to improve treatment and
2 management and reduce recidivism rates of mentally ill offenders;
3 creating new sections; and making an appropriation.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that there are
6 significant numbers of persons in jail in Washington state who suffer
7 from mental illness or have co-occurring mental illness and chemical
8 dependency. Despite these significant numbers, only a very small
9 percentage of jail inmates with mental health needs have access to
10 treatment services while in jail. Without access to needed treatment,
11 mentally ill offenders in jail present a risk to their own safety and
12 well-being, as well as a risk to the safety of others.

13 (2) The legislature further finds that demonstration project models
14 based on a partnership between state and local government have the
15 potential to identify innovative and cost-effective approaches to
16 improve services to, and management of, mentally ill offenders. These
17 new approaches can reduce the risk of mentally ill individuals cycling
18 repeatedly through the criminal justice, mental health involuntary
19 commitment, hospital emergency room, and mental health and substance

1 abuse treatment systems. Innovative approaches may require some
2 flexibility on the part of the department of social and health services
3 in its administration of mental health, substance abuse, and medical
4 assistance programs.

5 (3) The legislature intends to further state and local cooperative
6 efforts by initiating an implementation planning process.

7 NEW SECTION. **Sec. 2.** (1) The secretary of the department of
8 social and health services shall designate two counties, one in western
9 Washington with a population of at least one hundred eighty thousand,
10 but not more than two hundred twenty thousand, and one in eastern
11 Washington, with a population of at least fifty thousand, but not more
12 than two hundred fifty thousand, for demonstration projects to improve
13 the treatment and management of and reduce criminal activity of
14 mentally ill offenders.

15 (2) The department of social and health services shall establish a
16 mentally ill offender task force whose membership includes:

17 (a) The assistant secretary of the department of social and health
18 services medical assistance administration, or his or her designee;

19 (b) The assistant secretary of the department of social and health
20 services juvenile rehabilitation administration, or his or her
21 designee;

22 (c) The director of the department of social and health services
23 mental health division, or his or her designee;

24 (d) The director of the department of social and health services
25 division of alcohol and substance abuse, or his or her designee;

26 (e) The secretary of the department of corrections, or his or her
27 designee; and

28 (f) From each of the counties designated under subsection (1) of
29 this section:

30 (i) The director of the regional support network whose service area
31 includes that county, or his or her designee;

32 (ii) The county chemical dependency coordinator;

33 (iii) The county jail administrator, or his or her designee;

34 (iv) The county sheriff, or his or her designee;

35 (v) A judge of the superior, district, or municipal court of the
36 county;

37 (vi) The county prosecutor, or his or her designee;

38 (vii) A member of the criminal defense bar;

1 (viii) The director of probation services; and
2 (ix) An individual representing persons with mental illness.
3 (3) The task force shall develop a plan to implement section 3 of
4 this act. The implementation plan must be submitted to appropriate
5 committees of the legislature and the governor by December 15, 2002,
6 and must include any recommendations for changes to state statutes or
7 regulations necessary to meet the goals of, and fully implement,
8 regional mentally ill offender demonstration projects.

9 NEW SECTION. **Sec. 3.** (1) The mentally ill offender task force
10 shall design demonstration projects for the two counties designated in
11 section 2 of this act that can serve as models for appropriate
12 treatment and management of mentally ill, and mentally ill and
13 chemically dependent, offenders through a partnership between the state
14 and counties.

15 (2) The demonstration projects must have the following goals and
16 include the capacity to measure and evaluate the extent to which these
17 goals are met:

18 (a) Identification and tracking of mentally ill offenders across
19 service systems;

20 (b) Diversion of nonviolent mentally ill individuals, or mentally
21 ill and chemically dependent individuals, from the criminal justice
22 system into appropriate treatment programs;

23 (c) In coordination with RCW 10.77.090, access to evaluation and
24 treatment for mentally ill, or mentally ill and chemically dependent,
25 offenders, who have been charged with, or convicted of, a crime and are
26 awaiting trial or sentencing or are serving a sentence in a city,
27 county, or regional jail, including adequate pre-discharge planning to
28 ensure access to appropriate treatment and medication upon release from
29 jail;

30 (d) Reduction of recidivism rates of mentally ill, and mentally ill
31 and chemically dependent, offenders; and

32 (e) Linkage to appropriate services for mentally ill offenders,
33 such as housing, transportation, and vocational services.

34 (3) Issues to be addressed by the task force and included in the
35 implementation plan include, but are not limited to:

36 (a) Mechanisms to share information among mental health and
37 substance abuse treatment providers and the criminal justice system in

1 a manner that adequately protects individuals' privacy, yet facilitates
2 coordinated treatment and management;

3 (b) Access to medical assistance benefits as a part of pre-discharge
4 planning for offenders who would be eligible under existing medical
5 assistance rules upon release from jail;

6 (c) Identification of opportunities to better coordinate and
7 maximize the value of existing mental health, substance abuse, and
8 criminal justice resources to better serve and manage mentally ill, and
9 mentally ill and chemically dependent, offenders; and

10 (d) Identification of public and private resources to fund the
11 demonstration projects.

12 NEW SECTION. **Sec. 4.** The sum of fifty thousand dollars, or as
13 much thereof as may be necessary, is appropriated for the biennium
14 ending June 30, 2003, from the general fund--state to the department of
15 social and health services for the purposes of this act.

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