

5216-S

Sponsor(s): Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Stevens and Hargrove)

Brief Description: Authorizing agreements to change the number of experts or professional persons who must examine a person for the state under chapter 10.77 RCW. Revised for 1st Substitute: Revising forensic competency and sanity examinations.

SB 5216-S - DIGEST

(SUBSTITUTED FOR - SEE 2ND SUB)

Provides that, whenever there is reason to doubt the competency of a defendant who is not charged with a most serious offense, as defined in RCW 9.94A.030, the court on its own motion or on the motion of any party shall request the secretary to designate a qualified expert or professional person to examine, in a local jail or detention or correctional facility or in an appropriate community setting, and report upon the mental condition of the defendant.

Provides that, upon agreement of the parties, the court may designate one expert or professional person to conduct the examination and report on the mental condition of the defendant.

Requires the report of the examination regarding competency to include the following: (1) A description of the nature of the examination;

(2) A diagnosis of the mental condition of the defendant;

(3) An opinion as to competency; and

(4) An opinion as to whether the defendant should be evaluated by a county designated mental health professional under chapter 71.05 RCW, and an opinion as to whether the defendant is a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions.