

SENATE BILL REPORT

SB 5184

As Reported By Senate Committee On:
Human Services & Corrections, February 24, 2005

Title: An act relating to law enforcement services at residential habilitation centers and state hospitals.

Brief Description: Authorizing reimbursement for law enforcement service costs.

Sponsors: Senators Franklin, Carrell, Brandland, Regala and Rasmussen.

Brief History:

Committee Activity: Human Services & Corrections: 2/15/05, 2/24/05 [DPS-WM].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5184 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Fara Daun (786-7459)

Background: Existing law provides for the creation of an institutional impact account from which the secretary of the Department of Social and Health Services (DSHS) and the secretary of the Department of Corrections (DOC) may reimburse political subdivisions, to the extent funds are available from the account, for criminal justice costs incurred directly as a result of crimes committed by offenders residing in a defined institution. An institution means any state institution for the confinement of offenders committed under chapters 10.64, 10.77, 71.06, and 13.40 RCW. Currently there are no offenders committed to any state institution under Chapter 71.06.

There have been negotiations between the Department of Social and Health Services (DSHS) and the City of Lakewood regarding reimbursement for criminal justice costs for persons civilly confined at Western State Hospital. These negotiations have not resulted in an agreement.

Summary of Substitute Bill: When a state hospital is located within the limits of a city or town, and that city or town has recurrent law enforcement costs associated with the state hospital the city or town may request reimbursement from DSHS. DSHS and the city or town must negotiate in good faith to a contract including a written protocol governing mutual communications and law enforcement responses to the facility. DSHS may not agree to reimburse more than one-half the law enforcement costs and reimbursement must be limited to available funds.

Substitute Bill Compared to Original Bill: The original bill was not considered.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 14, 2005.

Committee/Commission/Task Force Created: No.

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

Testimony For: The existing law provides dollars for fire protection and \$800K for state patrol investigations. Prisons are self-contained so police requests are quite rare and consequently they are not comparable to Western State Hospital (WSH). The calls in 2004 were lower than in 2002 or 2003 but higher than in 2001. WSH has worked with the police to reduce the number of calls and has instituted some changes including sending some calls through a switchboard. Many of the responses are for hang-ups and abandoned calls and welfare checks but the police must respond to determine that there is not a problem. The police have reduced their responses to calls for assaults, sex offenses, rapes, and escapes at WSH. WSH represents about 3 percent of their total call volume. The Lakewood Police Department would like a funding approach other than reimbursement after the fact so that they can plan and set staffing levels.

Testimony Against: None.

Who Testified: PRO: Senator Rosa Franklin, prime sponsor; Robert Mack, City of Lakewood; Larry Saunders, Lakewood Police Department.