

SENATE BILL REPORT

SHB 1201

As of March 20, 2009

Title: An act relating to the community integration assistance program.

Brief Description: Establishing the community integration assistance program.

Sponsors: House Committee on Human Services (originally sponsored by Representatives O'Brien, Dickerson, Hurst and Appleton).

Brief History: Passed House: 3/09/09, 97-0.

Committee Activity: Human Services & Corrections: 3/19/09.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Kevin Black (786-7747)

Background: Since 2000 the Department of Corrections (DOC) has been responsible for identifying offenders in confinement who are reasonably believed to be dangerous to themselves or others, and who have a mental disorder. Prior to release, an interdisciplinary team involving DOC, the Department of Social and Health Services (DSHS), and other parties reviews these offenders to determine whether the offender should be referred for civil commitment, and to develop a plan for delivery of treatment and support services to the offender upon release. Offenders are selected to receive special case management services for up to five years, including coordination of mental health services, assistance with unfunded medical expenses, obtaining chemical dependency treatment, housing, employment services, or training. Selection of offenders is based on opportunity to enhance public safety. An offender can only participate in this program if there is a contractor willing to provide services in the region in which the offender is to be released.

This program is referred to by varying names. DOC refers to the program as the Dangerous Mentally Ill Offender Program. DSHS refers to the program as the Community Integration Assistance Program. The Washington Institute for Public Policy (WSIPP) has evaluated the program. In a report released in February 2009, WSIPP found that participation in the program reduces overall new felony recidivism rates by 42 percent, and generates \$1.64 in benefits for taxpayers and victims for every dollar spent in the program.

A mental health advance directive (MHAD) is a written document in which the principal declares instructions or preferences regarding mental health treatment measures to be taken

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in the event that the principal loses the capacity to make rational treatment decisions on his or her own behalf. The principal may also appoint an agent to make treatment decisions for him or her. A MHAD may be made revocable or irrevocable at the election of the principal. An irrevocable MHAD may be altered by the principal if the principal currently has capacity, but not during a period of incapacity.

Summary of Bill: The program for mentally ill offenders who are believed to be dangerous is named the Offender Reentry Community Safety Program.

As part of the process of developing a release plan for offenders identified by the Offender Reentry Community Safety Program, the offender must be offered assistance in executing a MHAD, after being fully informed of the benefits, scope, and purposes of such directive.

Appropriation: None.

Fiscal Note: Available. No fiscal impact.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This will make it easier to restore a potentially dangerous person to a state of competency after they are released from prison. Although we support the bill, we are concerned that it not be applied in a coercive manner, and would be happy to offer technical assistance.

Persons Testifying: PRO: Representative O'Brien, prime sponsor; David Lord, Disability Rights Washington.