

FINAL BILL REPORT

SHB 1718

C 236 L 11
Synopsis as Enacted

Brief Description: Concerning offenders with developmental disabilities or traumatic brain injuries.

Sponsors: House Committee on Ways & Means (originally sponsored by Representatives Roberts, Moeller, Dammeier and Green).

House Committee on Public Safety & Emergency Preparedness
House Committee on Ways & Means
Senate Committee on Human Services & Corrections

Background:

Mental Health Courts. Counties may operate mental health courts, which have a special docket designed to reduce recidivism and symptoms of mental illness for nonviolent, mentally ill offenders. Mental health courts aim to increase the likelihood of a mentally ill offender's successful rehabilitation through treatment, periodic reviews, and other rehabilitation services. Minimum requirements for participation in mental health court are that the offender: (1) would benefit from psychiatric treatment; (2) does not have a prior conviction for a serious violent or sex offense; and (3) is not currently charged with a sex offense, a serious violent offense, an offense during which the offender used a firearm, or an offense during which the offender caused substantial or great bodily harm or death to another.

House Bill 2078 Work Group. During the 2009 interim, a work group made up of representatives from the Department of Corrections (DOC), jails, advocates for persons with intellectual and developmental disabilities and traumatic brain injuries (TBI), and others met to address the special needs of persons with intellectual and developmental disabilities and TBI when they come into contact with local and state correctional facilities. The work group published a report in August 2010 that provided a sample screening tool, a model policy, and training materials.

Developmental Disabilities. Developmental disability (DD) is defined by statute to mean a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another condition that requires similar treatment, that began before the person turned age 18, that will continue indefinitely, and that constitutes a substantial limitation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary:

Mental Health Courts. Counties may establish and operate mental health courts to reduce recidivism and symptoms of mental illness for nonviolent offenders with DD or TBI. Among the requirements for participation is that the offender would benefit from psychiatric treatment or treatment related to his or her DD or TBI.

Transfer to a Correctional Facility. When a jail determines that a person in custody may have a DD or TBI and the person is transferred to a DOC facility or another jail, jail staff must make every reasonable effort to communicate the nature of the disability and any necessary accommodations to the receiving facility's staff.

Votes on Final Passage:

House	97	0	
Senate	45	0	(Senate amended)
House	97	0	(House concurred)

Effective: July 22, 2011