
SECOND SUBSTITUTE SENATE BILL 6002

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Long, Hargrove and Oke)

Read first time 03/10/97.

1 AN ACT Relating to supervision of mentally ill offenders; adding
2 new sections to chapter 71.24 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** (1) Many acute and chronically mentally ill
5 offenders are delayed in their release from Washington correctional
6 facilities due to their inability to access reasonable treatment and
7 living accommodations prior to the maximum expiration of their
8 sentences. Often the offender reaches the end of his or her sentence
9 and is released without any follow-up care, funds, or housing. These
10 delays are costly to the state, often lead to psychiatric relapse, and
11 result in unnecessary risk to the public.

12 These offenders rarely possess the skills or emotional stability to
13 maintain employment or even complete applications to receive
14 entitlement funding. Nation-wide only five percent of diagnosed
15 schizophrenics are able to maintain part-time or full-time employment.
16 Housing and appropriate treatment are difficult to obtain.

17 This lack of resources, funding, treatment, and housing creates
18 additional stress for the mentally ill offender, impairing self-control
19 and judgment. When the mental illness is instrumental in the

1 offender's patterns of crime, such stresses may lead to a worsening of
2 his or her illness, reoffending, and a threat to public safety.

3 (2) It is the intent of the legislature to create a pilot program
4 to provide for postrelease mental health care and housing for a select
5 group of mentally ill offenders entering community living, in order to
6 reduce incarceration costs, increase public safety, and enhance the
7 offender's quality of life.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 71.24 RCW
9 to read as follows:

10 (1) The secretary shall select and contract with a regional support
11 network to provide specialized access and services to mentally ill
12 offenders upon release from total confinement within the department of
13 corrections who have been identified by the department of corrections
14 and selected by the regional support network as high-priority clients
15 for services and who meet service program entrance criteria. The
16 program shall enroll no more than twenty-five offenders at any one
17 time, but shall seek to fill any vacancies that occur.

18 (2) Criteria shall include a determination by department of
19 corrections staff that:

20 (a) The offender suffers from a major mental illness and needs
21 continued mental health treatment;

22 (b) The offender's previous crime or crimes have been determined by
23 either the court or department of corrections staff to have been
24 substantially influenced by the offender's mental illness;

25 (c) It is believed the offender will be less likely to commit
26 further criminal acts if provided ongoing mental health care;

27 (d) The offender is unable or unlikely to obtain housing and/or
28 treatment from other sources for any reason;

29 (e) The offender has at least one year remaining before his or her
30 sentence expires but is within six months of release to community
31 housing and is currently housed within a work release facility or any
32 department of corrections' division of prisons facility; and

33 (f) The offender is willing to cooperate with such services or,
34 with active outreach and encouragement, may be induced to accept such
35 services.

36 (3) The regional support network shall provide specialized access
37 and services to the selected offenders. The services shall be aimed at
38 lowering the risk of recidivism. An oversight committee composed of a

1 representative of the department, a representative of the selected
2 regional support network, and a representative of the department of
3 corrections shall develop policies to guide the pilot program, provide
4 dispute resolution including making determinations as to when entrance
5 criteria or required services may be waived in individual cases, advise
6 the department of corrections and the regional support network on the
7 selection of eligible offenders, and set minimum requirements for
8 service contracts. The selected regional support network shall
9 implement the policies and service contracts. The following services
10 shall be provided:

11 (a) Intensive case management to include a full range of intensive
12 community support and treatment in client-to-staff ratios of not more
13 than ten offenders per case manager including: (i) A minimum of weekly
14 group and weekly individual counseling; (ii) home visits by the program
15 manager at least two times per month; and (iii) counseling focusing on
16 relapse prevention and past, current, or future behavior of the
17 offender.

18 (b) The case manager shall attempt to locate and procure housing
19 appropriate to the living and clinical needs of the offender and as
20 needed to maintain the psychiatric stability of the offender. The
21 entire range of emergency, transitional, and permanent housing and
22 involuntary hospitalization must be considered as available housing
23 options. A housing subsidy may be provided to offenders to defray
24 housing costs up to a maximum of six thousand six hundred dollars per
25 offender per year and be administered by the case manager. Additional
26 funding sources may be used to offset these costs when available.

27 (c) The case manager shall collaborate with the assigned prison,
28 work release, or community corrections staff during release planning,
29 prior to discharge, and in ongoing supervision of the offender while
30 under the authority of the department of corrections.

31 (d) Medications including the full range of psychotropic
32 medications including atypical antipsychotic medications may be
33 required as a condition of the program. Medication prescription,
34 medication monitoring, and counseling to support offender
35 understanding, acceptance, and compliance with prescribed medication
36 regimens must be included.

37 (e) A systematic effort to engage offenders to continuously involve
38 themselves in current and long-term treatment and appropriate
39 rehabilitative activities shall be made.

1 (f) Classes appropriate to the clinical and living needs of the
2 offender and appropriate to his or her level of understanding.

3 (g) The case manager shall assist the offender in the application
4 and qualification for entitlement funding, including medicaid, state
5 assistance, and other available government and private assistance at
6 any point that the offender is qualified and resources are available.

7 (h) The offender shall be provided access to daily activities such
8 as drop-in centers, prevocational and vocational training and jobs, and
9 volunteer activities.

10 (4) Once an offender has been selected into the pilot program, the
11 offender may remain in the program until the end of his or her sentence
12 or up to three years, whichever is longer.

13 (5) Specialized training in the management and supervision of high-
14 crime risk mentally ill offenders shall be provided to all
15 participating mental health providers by the department and the
16 department of corrections prior to their participation in the program
17 and as requested thereafter.

18 (6) The department shall indemnify and hold harmless the regional
19 support network and any mental health center, housing facility, or
20 other mental health provider from all claims or suits arising in any
21 manner from any acts committed by an enrolled offender during his or
22 her period of enrollment.

23 (7) The pilot program provided for in this section must be
24 providing services by July 1, 1998.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 71.24 RCW
26 to read as follows:

27 The department, in collaboration with the department of corrections
28 and the oversight committee created in section 2 of this act, shall
29 track outcomes and submit to the legislature a report of services and
30 outcomes by December 1, 1998, and annually thereafter as may be
31 necessary. The reports shall include the following: (1) A statistical
32 analysis regarding the reoffense and reinstitutionalization rate by the
33 enrollees in the program set forth in section 2 of this act; (2) a
34 quantitative description of the services provided in the program set
35 forth in section 2 of this act; and (3) recommendations for any needed
36 modifications in the services and funding levels to increase the
37 effectiveness of the program set forth in section 2 of this act. By
38 December 1, 2003, the department shall certify the reoffense rate for

1 enrollees in the program authorized by section 2 of this act to the
2 office of financial management and the appropriate legislative
3 committees. If the reoffense rate exceeds fifteen percent, the
4 authorization for the department to conduct the program under section
5 2 of this act is terminated on January 1, 2004.

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