
SENATE BILL 6554

State of Washington

56th Legislature

2000 Regular Session

By Senators Long, Hargrove, Costa and Winsley

Read first time 01/19/2000. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to less restrictive alternative mental health
2 commitments; amending RCW 71.05.285; and adding a new section to
3 chapter 71.05 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 71.05 RCW
6 to read as follows:

7 The legislature intends that courts consider certain factors when
8 determining whether to continue a less restrictive alternative mental
9 health commitment. The intent of the legislature in this act is to
10 clarify the holding in *In re Detention of R.W.*, No. 23062-3-II
11 (December 3, 1999) that courts are to consider the prior history or
12 pattern of decompensation of the committed person when deciding whether
13 or not to continue the commitment.

14 **Sec. 2.** RCW 71.05.285 and 1997 c 112 s 23 are each amended to read
15 as follows:

16 ((~~For the purposes of~~)) In determining whether continued less
17 restrictive alternative commitment under the process provided in RCW
18 71.05.280 and 71.05.320(2) is appropriate, ((~~in determining whether or~~

1 ~~not the person is gravely disabled,~~) great weight shall be given to
2 evidence of a prior history or pattern of decompensation and
3 discontinuation of treatment resulting in: (1) Repeated
4 hospitalizations; or (2) repeated peace officer interventions resulting
5 in juvenile offenses, criminal charges, diversion programs, or jail
6 admissions. Such evidence may be used to provide a factual basis for
7 concluding that the individual would not receive, if released, such
8 care as is essential for his or her health or safety.

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