

5544-S

Sponsor(s): Senate Committee on Education (originally sponsored by Senators Thibaudeau, Rasmussen, Regala, Costa and Winsley; by request of Governor Locke and Superintendent of Public Instruction)

Brief Description: Requiring mental health evaluation of minors committing specified crimes on school property.

**SB 5544-S - DIGEST**

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, upon the arrest of a person at least thirteen years of age and not more than twenty-one years of age for violating RCW 9.61.160 by making a threat to bomb, on public or private elementary or secondary school premises, school provided transportation, or areas of facilities while being used exclusively by public or private schools, the person shall be detained or confined in a juvenile or adult facility for up to seventy-two hours. The person shall not be released within the seventy-two hours until after the person has been examined and evaluated by the person or agency designated by the local regional support network unless the court in its discretion releases the person sooner after a determination regarding probable cause or on probation bond or bail.

Requires that, within twenty-four hours of the arrest, the arresting law enforcement agency shall refer the person to the person or agency designated by the local regional support network to conduct a mental health examination and evaluation and inform a parent or guardian of the person of the arrest, detention, and examination.

Provides that the person or agency designated by the local regional support network may, when appropriate, determine whether to refer the person to the county-designated mental health professional or the county-designated chemical dependency specialist for examination and evaluation for commitment proceedings in accordance with chapter 71.05, 71.34, or 70.96A RCW.

Provides that, upon the arrest of a person at least thirteen years of age and not more than twenty-one years of age for violating RCW 9A.48.020 relating to arson in the first degree or RCW 9A.48.030 relating to arson in the second degree, on public or private elementary or secondary school premises, school provided transportation, or areas of facilities while being used exclusively by public or private schools, the person shall be detained or confined in a juvenile or adult facility for up to seventy-two hours. The person shall not be released within the seventy-two hours until after the person has been examined and evaluated by the person or agency designated by the local regional support network unless the court in its discretion releases the person sooner after a determination regarding probable cause or on probation bond or bail.

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to conduct a mental health examination and evaluation and inform a parent or guardian of the person of the arrest, detention, and examination.

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