

5544

Sponsor(s): 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 - DIGEST**

(SEE ALSO PROPOSED 1ST SUB)

Provides that, upon the arrest of a person at least twelve years of age and not more than twenty-one years of age for violating RCW 9.61.160 relating to threats to bomb or injure property, 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.

Provides that the person shall not be released within the seventy-two hours until after the person has been examined and evaluated by the county-designated mental health professional unless the court in its discretion releases the person sooner after a determination regarding probable cause or on probation bond or bail.

Provides that, upon the arrest of a person at least twelve years of age and not more than twenty-one years of age for violating RCW 9A.36.011 relating to assault in the first degree, RCW 9A.36.021 relating to assault in the second degree, RCW 9A.36.031 relating to assault in the third degree, or RCW 9A.36.080 relating to malicious harassment, 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.

Provides that the person shall not be released within the seventy-two hours until after the person has been examined and evaluated by the county-designated mental health professional unless the court in its discretion release the person sooner after a determination regarding probable cause or on probation bond or bail.

Provides that, upon the arrest of a person at least twelve years of age and not more than twenty-one years of age for violating RCW 9A.46.020 relating to felony harassment, 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.

Provides that the person shall not be released within the seventy-two hours until after the person has been examined and evaluated by the county-designated mental health professional unless the court in its discretion releases the person sooner after

a determination regarding probable cause or on probation bond or bail.