
SUBSTITUTE SENATE BILL 6685

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala, Brandland, Delvin, Rasmussen and McAuliffe)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to establishing a council on mentally ill
2 offenders; adding new sections to chapter 72.09 RCW; making an
3 appropriation; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.09 RCW
6 to read as follows:

7 (1) The council on mentally ill offenders is hereby established
8 within the department of corrections. The council shall be composed of
9 thirteen members, one of whom shall be the secretary of the department
10 of corrections or designee, who shall be designated as a cochairperson.
11 One member shall be the director of the health and recovery services
12 administration or designee, one the director of the juvenile
13 rehabilitation administration or designee, another a representative of
14 the Washington association of sheriffs and police chiefs, and nine
15 members shall be appointed as follows:

16 (a) The governor shall appoint five members, one representing
17 community mental health interests. A representative of the jail
18 commander's association, one current or former superior court judge,

1 one current or former court of limited jurisdiction judge, and one
2 other member with interest or expertise related to the treatment of
3 mentally ill offenders with co-occurring disorders.

4 (b) The president of the senate shall appoint two members, one
5 representing community mental health interests, and one member with
6 interest or expertise related to the treatment of mentally ill
7 offenders.

8 (c) The speaker of the house shall appoint two members, one
9 representing community mental health interests, and one member with
10 interest or expertise related to the treatment of mentally ill
11 offenders.

12 (2) The council shall select a cochairperson from among its
13 members. Seven members of the council shall constitute a quorum.

14 (3) The director of the health recovery services administration or
15 designee and the director of the juvenile rehabilitation administration
16 or designee shall serve as the liaisons with the department of social
17 and health services and any other departments within that agency
18 necessary to further the purposes of this section.

19 (4) Members of the council shall receive no compensation, but shall
20 be reimbursed for actual and necessary travel expenses and training
21 expenses incurred in the performance of their duties. For purposes of
22 compensation, attendance at meetings of the board and training shall be
23 deemed performance by a member of the duties of his or her state or
24 local government employment. The county or local municipality of the
25 judge or judges that participate in meetings shall be reimbursed in an
26 amount equal to the amount paid to a pro tem judge that substitutes in
27 court for the duly elected or appointed judge. The payment for the pro
28 tem judge shall be in addition to the other actual expenses incurred by
29 the judge in order to attend the meetings of the council including
30 travel and lodging expenses.

31 (5) The goal of the council is to investigate and promote cost-
32 effective approaches to meeting the long-term needs of adults and
33 juveniles with mental disorders who are likely to become offenders or
34 who have a history of offending. The council shall:

35 (a) Identify strategies for preventing adults and juveniles with
36 mental health needs from becoming offenders;

37 (b) Identify strategies for improving the cost-effectiveness of

1 services for adults and juveniles with mental health needs who have a
2 history of offending; and

3 (c) Identify incentives to encourage state and local criminal
4 justice, juvenile justice, and mental health programs to adopt cost-
5 effective approaches for serving adults and juveniles with mental
6 health needs who are likely to offend or who have a history of
7 offending.

8 (6) The council shall consider strategies that:

9 (a) Improve service coordination among state and local mental
10 health, criminal justice, and juvenile justice programs;

11 (b) Improve the ability of adult and juvenile offenders with mental
12 health needs to transition successfully between corrections-based,
13 juvenile justice-based, and community-based treatment programs;

14 (c) Improve access to prescription medications, medicare and
15 medicaid benefits, and community-based treatment programs; and

16 (d) Assist and guide the development of an electronic medical
17 records program that will permit all levels of corrections to share
18 information concerning the health care, treatment, and medications used
19 by any offender incarcerated in the state of Washington.

20 (7) The secretary of the department of corrections and the director
21 of mental health shall furnish for the use of the council facilities,
22 supplies, and personnel. The council may secure the assistance of any
23 state agency, department, or instrumentality in the course of its work,
24 including the advice and assistance of the attorney general and the
25 joint legislative audit and review committee.

26 (8)(a) The council on mentally ill offenders shall file with the
27 legislature, not later than December 31st of each year, except in 2006,
28 a report that provides details of the council's activities during the
29 preceding year. The report shall include recommendations for improving
30 the cost-effectiveness of mental health and criminal justice programs.

31 (b) After the first year of operation, the council may recommend to
32 the legislature and governor modifications to its jurisdiction,
33 composition, and membership that will further the purposes of this
34 section.

35 (9) The council on mentally ill offenders is authorized to apply
36 for any funds that may be available from the federal government or
37 other sources to further the purposes of this section.

1 (10)(a) For purposes of this section, the council shall address the
2 needs of adults and juveniles who meet the following criteria: Persons
3 who have been arrested, detained, incarcerated, or are at a significant
4 risk of being arrested, detained, or incarcerated, and who have a
5 mental disorder.

6 (b) The council may expand its purview to allow it to identify
7 strategies that are preventive in nature and could be directed to
8 identifiable categories of adults and juveniles that fall outside of
9 the criteria listed in (a) of this subsection.

10 (11) This section expires January 1, 2011.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09 RCW
12 to read as follows:

13 The department of corrections shall submit a biennium budget
14 request in an amount of not less than two hundred thousand dollars in
15 2007 and each biennium budget request thereafter that the council on
16 mentally ill offenders is operating and reporting as required to
17 support the activities and work of the council.

18 NEW SECTION. **Sec. 3.** The sum of one hundred thousand dollars, or
19 as much thereof as may be necessary, is appropriated for the biennium
20 ending June 30, 2007, from the general fund to the department of
21 corrections for the purposes of funding the council on mentally ill
22 offenders for the purposes of this act.

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