

WASHINGTON DEFENDER ASSOCIATION
WASHINGTON ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

March 21, 2022

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Re: Veto Request SHB 1773

Dear Governor Inslee:

The Washington Defender Association (WDA) and the Washington Association of Criminal Defense Lawyers (WACDL) urge you to veto SHB 1773. As a state, we are experiencing a shortage of accessible crisis services and behavioral health treatment for those who want and need it: this shortage was seen in a great deal of proposed legislation this year (*see SHB 1286, 2SHB 1860 and 2SHB 1865*). Our organizations are very aware of the ongoing crisis in addressing mental health issues, but do not believe that violating due process and equal protection by 18 months of court-ordered mental health treatment and oversight is the solution.

SHB 1773 was written without input from those who will most be impacted by the elimination of their civil rights. The men, women, and children who live with mental illness were not included in the conversation about this legislation. In addition, the legislation does not consider the science that tells us that children are different than adults, instead treating children with mental health issues the same as adults.

Thousands of dollars will be spent on court processes, when those funds could be better utilized by increasing the number of treatment providers, expansion of Program for Assertive Community Treatment (PACT) Teams, clubhouses, and housing assistance. These expenditures instead will be used to further the stigmatization of those with mental illness by creating a longer period of court oversight (18 months) for these individuals than for those who require hospital level of care (maximum of 12 months if committed for 180 days to a state hospital).

Your veto of SHB 1773 will underscore your commitment to assisting those with mental health issues by using our state budget on services rather than on the panoply of court actions that will be required if this bill is signed. The people in our state who live with mental health issues should not be treated similarly to those who have committed a violent felony that results in a prison sentence. It is noteworthy that those facing an 18-month court-ordered treatment period are not afforded the same right to jury trial that those facing either 18 months of supervision following release from prison on a DOC sentence for a violent offense or those facing 12 months of court-ordered treatment following an 180 day commitment to a state hospital.

Our organizations would welcome being included in future discussions about how to address the challenges that those with serious mental health issues face and how we as a society can best serve those individuals.

For more information, please contact Christie Hedman at hedman@defensenet.org or Amy Hiroataka at amy@wacdl.org.

Sincerely,



Christie Hedman
Executive Director, WDA



Amy Hiroataka
Executive Director, WACDL