



**WASHINGTON
ASSOCIATION OF DESIGNATED
CRISIS RESPONDERS**

www.wadcr.org

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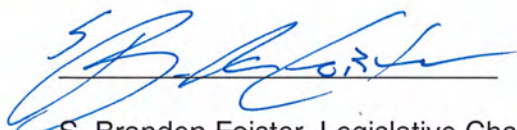
Esteemed Senators & Members of the Behavioral Health Sub-Committee,

We the members of the WADCRCR Association wanted to share our feedback and concerns over Senate Bill 5720 Based on our reading, this bill would substantially expand the criteria for initial detention for Mental Disorder and Substance Abuse. Under the bill, it is proposed to add “substantial pain” to the definition of danger to others. It is our opinion that this terminology lacks statutory precedent which DCRs must use while in the field to determine whether to detain. the addition of the proposed language would make the definition of danger to others much more subjective and overly broad.

Within the same vein, we find the substitution of the language “Manifests a severe deterioration from Safe Behavior” for the previous “Manifests a severe deterioration in Baseline Functioning” is concerning. Many citizens of Washington State live with the experience of mental illness daily. While their norm may not match those of some of their peers, they nonetheless have a baseline of functioning that allows them to navigate society. Following the statute and caselaw, DCRs currently assess the individual’s baseline functioning rather than someone else’s values & expectations of that person to avoid the ever-present danger of imposing a majoritarian value with regards to functioning on a minority- an individual with mental illness. We are concerned that removing consideration of the respondent’s baseline in favor of a subjective determination of whether the respondent has strayed from the majoritarian determination of what is “safe” could easily lead to a violation of the individual’s right to autonomy and unnecessarily infringe on their civil rights.

Additionally, we are opposed to the requirement in this senate bill that a copy of the “written Order of Apprehension” be entered into the Washington Crime Information Center Database. The language doesn’t clarify whether it is the Order of Apprehension & Detention issued by a Superior Court Judge or the Custody Authorization issued by the DCR to Law enforcement. Regardless, we contend that this would continue a gross violation of the civil liberties of a citizen of the state of Washington suffering from mental illness or a substance use disorder. This is tantamount to someone being labeled a criminal on the basis that they were experiencing a behavioral I health crisis- a label which will be present in background checks for employment, rental histories and a variety of other tasks of living a productive life, requiring them to disclose that they suffer from mental illness or substance use disorder.

In summary, we of the WADCR Association are concerned that if this bill be ratified and implemented in its current form, it would have the net effect of further eroding the civil liberties of Washington State Citizens suffering from mental illness and substance use by expanding civil commitment criteria. Additionally, this could result in an escalation of the over burdening of local and county resources which under the Governor's plan to return the care of our states most fragile consumers to their home communities are already struggling to cope. Thank you for this opportunity to provide feedback, and for your consideration of our concerns.



S. Brandon Foister, Legislative Chair
WADCR



Carola Schmid, President
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