

SENATE BILL REPORT

SB 5167

AS REPORTED BY COMMITTEE ON WAYS & MEANS, MARCH 11, 1991

Brief Description: Amending the juvenile justice act.

SPONSORS: Senators Nelson, Rasmussen, Newhouse, Stratton, Roach, Niemi and Talmadge.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5167 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, L. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Jack Brummel (786-7428)

Hearing Dates: February 4, 1991; February 7, 1991; February 8, 1991

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5167 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Craswell, Vice Chairman; Bailey, Bauer, Bluechel, Cantu, Gaspard, Hayner, Johnson, L. Kreidler, Matson, Metcalf, Murray, Newhouse, Niemi, Owen, Saling, L. Smith, Talmadge, West, Williams, and Wojahn.

Staff: Cindi Holmstrom (786-7715)

Hearing Dates: March 8, 1991; March 11, 1991

BACKGROUND:

The state's juvenile justice system was reformed in 1977 with the passage of a new juvenile justice code. The reforms involved proportionate decision-making standards for intake and sentencing, the provision of full due-process rights, and the elimination of all court jurisdiction over non-criminal behavior. For sentencing purposes, juvenile offenders are assigned points based on their age, criminal history, and current offense and are categorized as minor or first offenders, middle offenders, or serious offenders.

Standard sentencing ranges provide that serious offenders shall receive confinement, middle offenders may receive confinement, and minor or first offenders do not receive confinement. Confinement means physical custody by the Department of Social and Health Services or the county in a facility operated by or under a contract with the state or the

county. A finding of manifest injustice allows the judge to sentence outside the standard range.

Juvenile offenders of any category may receive sentences which include community supervision for up to 12 months. Community supervision includes a fine, community service, attendance of information classes, counseling, or other services that do not include confinement.

SUMMARY:

The original bill was not considered.

EFFECT OF PROPOSED SUBSTITUTE:

A Juvenile Issues Task Force is created to review past legislation and study issues pertinent to juveniles. The task force has 29 members; ten members are legislators, two of which serve as co-chairs with a third co-chair appointed by the Governor. The remainder of the task force, appointed by the Governor, includes a variety of professionals and citizens involved in juvenile justice issues. The task force is to be funded by the Department of Social and Health Services and staffed by personnel available from the membership of the task force.

EFFECT OF PROPOSED SECOND SUBSTITUTE:

Language is added which makes the act contingent upon funding in the Omnibus Appropriations Act.

Appropriation: none

Revenue: none

Fiscal Note: requested January 23, 1991

TESTIMONY FOR:

The juvenile justice system works pretty good for serious and minor offenses. Middle offenders present a problem for the system which needs to be studied. The Blue Ribbon Task Force is important because the system could be improved to meet current needs.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Norm Maleng, King County Prosecuting Attorney; Judge Terrence Carroll, King County Superior Court; Judge Kelley Arnold, Pierce County Superintendent; Paul Trause, Jerry Wasson, DSHS; Harold Delia, King County Youth Services; Curt Sharar, Assoc. of Counties; Larry Fair, WA Council on Crime & Delinquency; Margaret Casey, WA State Catholic Conference, Children's Initiative