

# HOUSE BILL REPORT

## HB 2242

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As Passed Legislature

**Title:** An act relating to youthful offender placement.

**Brief Description:** Authorizing the department of corrections to transfer juveniles under age eighteen to juvenile correctional institutions.

**Sponsors:** Representatives Leonard, Cooke, Wolfe, Morris, L. Johnson, J. Kohl, Roland, Karahalios and Springer; by request of Department of Corrections and Department of Social and Health Services.

**Brief History:**

Reported by House Committee on:  
Corrections, January 19, 1994, DPA;  
Appropriations, February 2, 1994, DP(w/oCOR AMD)s;  
Passed House, February 12, 1994, 89-3;  
Passed Legislature.

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### HOUSE COMMITTEE ON CORRECTIONS

**Majority Report:** Do pass as amended. Signed by 9 members: Representatives Morris, Chair; Mastin, Vice Chair; Long, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; G. Cole; L. Johnson; Moak; Ogden; and Padden.

**Staff:** Antonio Sanchez (786-7383).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass without amendment by Committee on Corrections. Signed by 24 members: Representatives Sommers, Chair; Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dunshee; Foreman; Jacobsen; Leonard; Linville; H. Myers; Peery; Rust; Sehlin; Sheahan; Stevens; Talcott; Wang; Wineberry and Wolfe.

**Staff:** John Woolley (786-7154).

**Background:** The number of felony juvenile offenders under the age of 18 is increasing rapidly. One out of every four

violent crimes is committed by a young person under the age of 18. There has been a 300 percent increase in hospital admissions for gunshot injuries involving juveniles since 1985. This rapid escalation of juvenile violent crime is not just an urban phenomena. Virtually every county in Washington is experiencing exponential rises in rates of juvenile violence, regardless of size or location.

Currently, any child under the age of 16 who is convicted of a felony crime and is committed for a term of confinement in an adult correctional facility can be transferred to a juvenile institution until the age of 18. This determination is made jointly by the secretary of the Department of Corrections and the secretary of the Department of Social and Health Services.

The average cost per year in Washington State for incarcerating an individual in an adult correctional facility is approximately \$27,000. Juvenile institutional costs are approximately \$48,000 per person per year.

**Summary of Bill:** The age at which a juvenile offender can be transferred from an adult correctional institution to a juvenile correctional institution is raised from age 16 to age 18. The age at which a juvenile offender must be returned to an adult correctional facility is raised from age 18 to age 21.

The secretary of the Department of Corrections is required to make an independent assessment and evaluation of the juvenile offender prior to placing him or her in a juvenile facility. A juvenile felony offender committed to an adult correctional facility can be placed in a juvenile institution when the secretary of the Department of Corrections, with the consent of the secretary of the Department of Social and Health Services, determines the transfer is in the best interest of the juvenile offender.

Both the secretary of the Department of Corrections and the secretary of the Department of Social and Health Services are required to regularly review the juvenile offender's progress to determine which corrections system is the most appropriate institutional environment to house the juvenile offender.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Corrections) This bill would provide greater protection for vulnerable youth.

(Appropriations) The bill is supported by both the Department of Corrections and the Department of Social and Health Services in its original form. It will allow juvenile rehabilitation to hold people, when appropriate, longer in juvenile rehabilitation correctional facilities. Not all cases are referred to juvenile rehabilitation that are eligible; it is a selective process, focusing on the immature or those who will be preyed upon in adult facilities. Those that are sent to juvenile facilities are initially housed in maximum security units and kept at the same security level that they would be kept if they were in an adult facility. The amendment to the bill as passed the Corrections Committee should not be passed.

**Testimony Against:** (Corrections) None.

(Appropriations) None.

**Witnesses:** (Corrections) James Thatcher, Chief of Classifications; and Ruben Cedeno, Director of Offender Programs, Department of Corrections.

(Appropriations) James Thatcher, Chief of Classifications, Department of Corrections; and Carol Porter, Superintendent, Maple Lane Juvenile Correctional Facility.