

# HOUSE BILL REPORT

## HB 2803

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As Reported By House Committee On:  
Corrections

**Title:** An act relating to juvenile offenders.

**Brief Description:** Prohibiting the department of social and health services from limiting county's abilities to commit juvenile offenders.

**Sponsors:** Representatives Morris, Long, Johanson, Chappell, Campbell, Brough, Fuhrman, Rayburn, Jones, Lemmon, Silver, Moak, Quall, Karahalios and Springer.

**Brief History:**

Reported by House Committee on:  
Corrections, February 3, 1994, DP.

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### HOUSE COMMITTEE ON CORRECTIONS

**Majority Report:** Do pass. Signed by 6 members: Representatives Morris, Chair; Mastin, Vice Chair; Long, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; L. Johnson and Moak.

**Minority Report:** Without recommendation. Signed by 1 member: Representative G. Cole.

**Staff:** Kristen Lichtenberg (786-7156).

**Background:**

**Middle Offender's Presumptive Ranges**

The standard range for a middle offender includes 30 days or less of detention time if the offender has fewer than 110 points. If the middle offender's point total exceeds 110, the standard range includes detention commitment to the Division of Juvenile Rehabilitation (DJR).

To avoid committing to DJR a middle offender with more than 110 points, the court can order determinate disposition of community service under Option B. Under Option B the court can also impose up to 30 days of confinement. To impose this confinement, the court must state aggravating or mitigating factors.

**The Department's Policy**

By statute, distribution of Consolidated Juvenile Services funds to counties can be conditioned on the county's effectiveness at reducing commitments to DJR for offenders whose standard range does not include commitment. To reduce commitments to state facilities, DJR has established a policy that assigns bed targets to counties. If counties, in the statewide aggregate, exceed their collective target after the first year, DJR will reduce counties' spending authority for the next six months. This policy does not apply to serious or restricted offenders. Consequently, it primarily discourages commitment of middle offenders whose standard ranges include commitment to DJR. However, to avoid incurring financial penalties, counties may choose to retain serious offenders and be "credited" with additional bed savings.

**Summary of Bill:** The bill removes from the statute the authority to condition Consolidated Juvenile Service's funds on the county's ability to reduce commitments to DJR.

The bill prohibits caps and other limits on a county's ability to commit juvenile offenders to DJR.

**Fiscal Note:** Requested January 26, 1994.

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

**Testimony For:** (Neutral) Both the state and the counties are having problems providing services, due to universal resource shortages.

**Testimony Against:** The policy was implemented to permit counties to access all available funds: Consolidated Juvenile Services, Option B, and the Special Sex Offender Disposition Alternative. The state and the counties have reached a consensus that commitment caps are an appropriate method of managing the flow of funds. The policy does not affect commitment of serious or restricted offenders. Eliminating the bed cap policy would require a return to the former rigid categorical structure for fund disbursement.

**Witnesses:** Sid Sidorowicz, Department of Social & Health Services Division of Juvenile Rehabilitation (con); and Lois Smith, Juvenile Court Administrators (neutral).