

**SENATE BILL REPORT**

**SB 6118**

**AS OF JANUARY 19, 1994**

**Brief Description:** Creating an alternative and intensive youthful offender system.

**SPONSORS:** Senators Nelson, Schow, Sellar, West, Winsley, Oke, Deccio, McDonald, Anderson, McCaslin and Moyer

**SENATE COMMITTEE ON LAW & JUSTICE**

**Staff:** Lidia Mori (786-7755)

**Hearing Dates:** January 20, 1994

**BACKGROUND:**

Juveniles under the age of 18 that commit crimes are dealt with in the juvenile court system unless a special hearing is held at which the state must convince the juvenile court to decline jurisdiction so that the offender will be tried as adult in superior court. Serious offenders that are convicted of crimes of violence interact with offenders that have been convicted of less serious crimes. There is concern that these disparate categories intermingle, are subject to the same procedures and are able to receive the same services.

**SUMMARY:**

The Department of Corrections (DOC) is directed to develop and implement a youthful offender system as a sentencing option for offenders under the age of 18 who are no longer under juvenile jurisdiction but have not had a prior sentence to the DOC or to the youthful offender system. The court must first impose a sentence to the DOC and then suspend the sentence on the condition that the offender complete a sentence to the youthful offender system. A sentence to the youthful offender system must be for at least one year and not more than five years with a mandatory period of community supervision of one year. The community supervision will be administered by the adult community supervision staff of DOC and will consist of highly structured surveillance, monitoring, educational and treatment programs. When the sentence is successfully fulfilled, including the community supervision, the sentence to the DOC is completed.

An offender in the youthful offender system may be transferred to another facility for vocational or training services, if the offender poses a danger to self or others, or is mentally ill or developmentally disabled. The offender may also be transferred if he or she has been convicted of a class A felony, has attained the age of 18, or cannot successfully complete the sentence to the youthful offender system. The

Indeterminate Sentence Review Board will review a transfer determination before it occurs. If an offender is returned to superior court for revocation, the court will impose the original sentence to the DOC.

The youthful offender program will employ a merit system such that privileges like television, radio, cigarettes and access to snacks must be earned. There will be no earned early release time credits in the youthful offender system.

The youthful offender system will be based on principles such as self-discipline and clear consequences for inappropriate behavior, physical training, educational and work programs, the use of staff models and mentors, the development of appropriate problem solving skills, the promotion of new group cultures for positive peer influence, and the opportunity to gradually reenter the community.

DOC is encouraged to contract with a private or public entity for the provision of services and facilities for the youthful offender system. By January 1, 1995, DOC is directed to develop and implement a monitoring and evaluation process for the youthful offender system and submit a report to the Legislature. DSHS is required to independently monitor and evaluate the youthful offender system. A prosecuting attorney in the state must maintain records regarding which juveniles prosecutors intend to try as adults, which juveniles are sentenced to the youthful offender system, and what offenses have been committed by the juveniles.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested