
SUBSTITUTE HOUSE BILL 2440

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Corrections (originally sponsored by Representative R. Meyers)

Read first time 02/04/94.

1 AN ACT Relating to the juvenile disposition standards commission;
2 amending RCW 13.40.025 and 13.40.027; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that juvenile violence
5 and crime are serious problems. The legislature finds that the current
6 system for establishing juvenile disposition standards and related
7 statutes for juvenile offenders must be improved. The legislature
8 further finds that the juvenile disposition standards commission will
9 benefit from additional representation from organizations concerned
10 with juvenile justice. The legislature finds that an independent
11 juvenile disposition standards commission will improve the
12 effectiveness and efficiency of the juvenile justice. The legislature
13 finds that a closer connection between the juvenile disposition
14 standards commission and the sentencing guidelines commission will
15 assist the juvenile disposition standards commission in performing its
16 increased responsibilities. Authorizing the juvenile disposition
17 standards commission to access staff of the sentencing guidelines
18 commission will permit the juvenile disposition standards commission to
19 take advantage of an already operating system and economies of scale.

1 **Sec. 2.** RCW 13.40.025 and 1986 c 288 s 8 are each amended to read
2 as follows:

3 (1) There is established a juvenile disposition standards
4 commission to propose disposition standards to the legislature in
5 accordance with RCW 13.40.030 and perform the other responsibilities
6 set forth in this chapter.

7 (2) ~~((The commission shall be composed of the secretary or the
8 secretary's designee and the following nine members))~~ The voting
9 membership of the commission shall be appointed by the governor,
10 subject to confirmation by the senate. The voting membership shall
11 consist of the following:

12 (a) ~~((A))~~ Two superior court judges;

13 (b) ~~((a))~~ Two prosecuting ~~((attorney))~~ or deputy prosecuting
14 attorneys;

15 (c) A law enforcement officer;

16 (d) An administrator of juvenile court services;

17 (e) ~~((a))~~ Two public defenders actively practicing in juvenile
18 court;

19 (f) A county legislative official or county executive; ~~((and))~~

20 (g) Three other persons who have demonstrated significant interest
21 in the adjudication and disposition of juvenile offenders; and

22 (h) The secretary of the department or the secretary's designee.

23 In addition to the voting members, the governor shall appoint,
24 subject to confirmation by the senate, one member from each of the two
25 largest caucuses of both the senate and the house of representatives,
26 who shall be nonvoting members.

27 In making the appointments, the governor shall seek the
28 recommendations of the association of superior court judges in respect
29 to the members who ~~((is a))~~ are superior court judges; of Washington
30 prosecutors in respect to the prosecuting ~~((attorney))~~ or deputy
31 prosecuting attorney members; of the Washington association of sheriffs
32 and police chiefs in respect to the member who is a law enforcement
33 officer; of juvenile court administrators in respect to the member who
34 is a juvenile court administrator; and of the state bar association in
35 respect to the public defender member; and of the Washington
36 association of counties in respect to the member who is either a county
37 legislative official or county executive.

38 (3) The ~~((secretary or the secretary's designee))~~ governor shall
39 ~~((serve as chairman))~~ designate the chair of the commission.

1 (4) The secretary shall serve on the commission during the
2 secretary's tenure as secretary of the department. The term of the
3 remaining members of the commission shall be three years. The initial
4 terms shall be determined by lot conducted at the commission's first
5 meeting as follows: (a) Four members shall serve ~~((a two-year))~~ one-
6 year terms; ~~((and))~~ (b) four members shall serve ~~((a three-year))~~ two-
7 year terms; and (c) four members shall serve three-year terms. The
8 members of the legislature shall serve two-year terms, or until they
9 cease to be members of the house from which they were appointed,
10 whichever happens first. In the event of a vacancy, the appointing
11 authority shall designate a new member to complete the remainder of the
12 unexpired term.

13 (5) Commission members shall be reimbursed for travel expenses as
14 provided in RCW 43.03.050 and 43.03.060. Members shall be compensated
15 in accordance with RCW 43.03.240.

16 (6) The commission shall meet at least once every three months.

17 (7) At least twice annually, the commission shall conduct a joint
18 meeting with the sentencing guidelines commission.

19 **Sec. 3.** RCW 13.40.027 and 1993 c 415 s 9 are each amended to read
20 as follows:

21 (1) It is the responsibility of the commission to: (a)(i) Evaluate
22 the effectiveness of existing disposition standards and related
23 statutes in implementing policies set forth in RCW 13.40.010 generally,
24 (ii) specifically review the guidelines relating to the confinement of
25 minor and first offenders as well as the use of diversion, and (iii)
26 review the application of current and proposed juvenile sentencing
27 standards and guidelines for potential adverse impacts on the
28 sentencing outcomes of racial and ethnic minority youth; (b) solicit
29 the comments and suggestions of the juvenile justice community
30 concerning disposition standards; ~~((and))~~ (c) study the efficacy of
31 disposition alternatives such as deferred adjudication and suspended
32 dispositions; and (d) make recommendations to the legislature regarding
33 disposition alternatives and revisions or modifications of the
34 disposition standards in accordance with RCW 13.40.030. The
35 evaluations and recommendations shall be submitted to the legislature
36 on December 1st of each ~~((even-numbered))~~ year ~~((thereafter))~~.

37 (2) ~~((It is the responsibility of the department to:—(a) Provide~~
38 ~~the commission with available data concerning the implementation of the~~

1 ~~disposition standards and related statutes and their effect on the~~
2 ~~performance of the department's responsibilities relating to juvenile~~
3 ~~offenders; (b) at the request of the commission, provide technical and~~
4 ~~administrative assistance to the commission in the performance of its~~
5 ~~responsibilities; and (c) provide the commission and legislature with~~
6 ~~recommendations for modification of the disposition standards.)~~ The
7 commission shall (a) serve as a clearinghouse and information center
8 for the collection, preparation, analysis, and dissemination of
9 information on state and local juvenile disposition practices; (b)
10 develop and maintain a computerized sentencing information system
11 consisting of offender, offense, history, and disposition information
12 entered from judgment and disposition forms for all juvenile offenders;
13 and (c) conduct ongoing research regarding disposition guidelines, use
14 of commitment, detention, plea bargaining, and other matters relating
15 to the improvement of the juvenile justice system.

16 (3) The commission shall use the staff, resources, and executive
17 officer of the sentencing guidelines commission. The office of
18 financial management shall determine the number of additional staff
19 needed to supplement the staff of the sentencing guidelines commission
20 in order to provide the juvenile disposition standards commission with
21 a research staff of sufficient size and with sufficient resources to
22 accomplish its duties.

23 (4) The commission may request from the office of financial
24 management, the administrator for the courts, and the department of
25 social and health services such data, information, and data processing
26 assistance as it may need to accomplish its duties, and such services
27 shall be provided without cost to the commission. The department of
28 social and health services and other organizations or individuals shall
29 provide the commission and the legislature with recommendations for
30 modification of the disposition standards.

31 (5) The commission shall conduct a study to determine the capacity
32 of rehabilitative facilities and programs that are or will be
33 available. While the commission need not consider such capacity in
34 arriving at its recommendations, the commission shall project whether
35 the implementation of its recommendations would result in exceeding
36 such capacity. If the commission finds that this result would probably
37 occur, then the commission shall prepare an additional list of standard
38 sentences that shall be consistent with such capacity.

- 1 (6) The commission shall study the existing juvenile justice code
2 and from time to time make recommendations to the legislature for
3 modification.
- 4 (7) The commission shall adopt its own bylaws.

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