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HOUSE BILL 2803

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State of Washington

53rd Legislature

1994 Regular Session

By Representatives Morris, Long, Johanson, Chappell, Campbell, Brough, Fuhrman, Rayburn, Jones, Lemmon, Silver, Moak, Quall, Karahalios and Springer

Read first time 01/24/94. Referred to Committee on Corrections.

1 AN ACT Relating to juvenile offenders; amending RCW 13.06.050; and  
2 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 a public safety  
5 risk is created by the department's current policy of conditioning  
6 counties' receipt of state funds on compliance with quasi-caps on  
7 juvenile offender commitments. Further, this policy prevents juvenile  
8 offenders from receiving necessary rehabilitative services.

9 **Sec. 2.** RCW 13.06.050 and 1993 c 415 s 7 are each amended to read  
10 as follows:

11 No county shall be entitled to receive any state funds provided by  
12 this chapter until its application and plan are approved, and unless  
13 and until the minimum standards prescribed by the department of social  
14 and health services are complied with and then only on such terms as  
15 are set forth in this section. In addition, any county making  
16 application for state funds under this chapter that also operates a  
17 juvenile detention facility must have standards of operations in place  
18 that include: Intake and admissions, medical and health care,

1 communication, correspondence, visiting and telephone use, security and  
2 control, sanitation and hygiene, juvenile rights, rules and discipline,  
3 property, juvenile records, safety and emergency procedures,  
4 programming, release and transfer, training and staff development, and  
5 food service.

6 (1) The distribution of funds to a county or a group of counties  
7 shall be based on criteria including but not limited to the county's  
8 per capita income, regional or county at-risk populations, juvenile  
9 crime or arrest rates, rates of poverty, size of racial minority  
10 populations, and existing programs~~((, and the effectiveness and  
11 efficiency of consolidating local programs towards reducing commitments  
12 to state correctional facilities for offenders whose standard range  
13 disposition does not include commitment of the offender to the  
14 department and reducing reliance on other traditional departmental  
15 services))~~.

16 (2) The department may not place caps on commitments to the  
17 department or otherwise limit a county's ability to commit juvenile  
18 offenders to the department. The department's disbursement of funds under  
19 this chapter may not be conditioned on the number of juveniles  
20 committed to the department.

21 (3) The secretary will reimburse a county upon presentation and  
22 approval of a valid claim pursuant to the provisions of this chapter  
23 based on actual performance in meeting the terms and conditions of the  
24 approved plan and contract. Funds received by participating counties  
25 under this chapter shall not be used to replace local funds for  
26 existing programs.

27 ~~((+3))~~ (4) The secretary, in conjunction with the human rights  
28 commission, shall evaluate the effectiveness of programs funded under  
29 this chapter in reducing racial disproportionality. The secretary  
30 shall investigate whether implementation of such programs has reduced  
31 disproportionality in counties with initially high levels of  
32 disproportionality. The analysis shall indicate which programs are  
33 cost-effective in reducing disproportionality in such areas as  
34 alternatives to detention, intake and risk assessment standards  
35 pursuant to RCW 13.40.038, alternatives to incarceration, and in the  
36 prosecution and adjudication of juveniles. The secretary shall report

1 his or her findings to the legislature by December 1, 1994, and  
2 December 1 of each year thereafter.

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