

**HOUSE BILL ANALYSIS**  
**2509**

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**Title:** An act relating to standards for juvenile detention facilities.

**Brief Description:** Assigning to the juvenile justice advisory committee responsibility to oversee operation of juvenile detention facilities.

**Sponsors:** Representatives Wolfe, Dickerson, O'Brien, and Romero.

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**HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS**

**Hearing Date:** January 27, 1998.

**Prepared By:** Yvonne Walker, Research Analyst (786-7841).

**Background:** Oversight of Detention Facilities. Detention facilities are operated by a governing unit primarily designed, staffed, and used for the housing of juveniles under the age of eighteen years old charged with a criminal offense prior to trial or sentencing and for the housing of juveniles for purposes of punishment and correction after sentencing. Detention facilities also include county group homes, inpatient substance abuse programs, juvenile basic training camps, and electronic monitoring. Detention facilities are used for dependent and delinquent children coming under the jurisdiction of the juvenile court and serves to keep the juvenile and adult population separate and apart.

Each county superior court has initial responsibility for administering the county's juvenile detention services, except (1) by local court rule and agreement with the county legislative authority, these services may be administered by the county legislative authority; (2) when a consortium of three or more counties, located in eastern Washington and having a combined population in excess of 530,000, jointly operates a juvenile correctional facility, the county legislative authorities may adopt ordinances prescribing alternative administration of the facility; and (3) in any county with a population of one million or more detention services shall be administered by a board of managers appointed by the judges of the superior court.

It is state policy that all county juvenile detention facilities provide a humane, safe, and rehabilitative environment and that unadjudicated youth remain in the community whenever possible. Counties are responsible for developing and implementing detention intake standards and risk assessment standards to determine whether detention is warranted for a youth and if so whether the juvenile should be placed in secure, nonsecure, or home detention.

Governor's Juvenile Justice Advisory Committee (GJJAC). The Governor's Juvenile Justice Advisory Committee (part of the Department of Social and Health Services) is the state planning agency established under Title II of the federal Juvenile Justice and Delinquency Prevention Act of 1974. This act requires participating states to provide for an adequate system of monitoring

adult jails, juvenile detention facilities, juvenile correctional facilities, and non-secure facilities (ie. mental health or drug/alcohol programs).

The state must assure that juveniles are not jailed with adults, that juveniles are separated by sight and sound from adults when juveniles are held in adult jails; and that juveniles who have not committed criminal offenses (such as runaways, and dependent or neglected children) are not placed in secure confinement.

Each year the GJJAC works with the Juvenile Court Administrators of the eighteen detention facilities to collect and analyze data on juveniles detained and the risk factors which may have lead to delinquency. Based on the data analyzes the GJJAC selects program areas for funding and makes recommendations for improving the state's juvenile justice system. This information is presented in an annual report to the Governor and Legislature.

Conditions for Receiving State Funds. Counties with juvenile detention facilities that are in compliance with the state's minimum standards may be eligible to receive state funds. These counties making application for state funds must have standards of operations in place that include: Intake and admissions, medical and health care, communication, correspondence, visiting and telephone use, security and control, sanitation and hygiene, juvenile rights, rules and discipline, property, juvenile records, safety and emergency procedures, programming, release and transfer, training and staff development, and food service. The Department of Social and Health Services is responsible for the distribution of funds relating to county juvenile detention facilities.

**Summary:**

The Governor's Juvenile Justice Advisory Committee (GJJAC) is responsible for central oversight over all juvenile detention facilities. The committee must routinely review, audit, and inspect all juvenile facilities operated by counties to ensure that detention facilities are in compliance with the GJJAC's established standards.

Oversight of Detention Facilities & the Governor's Juvenile Justice Advisory Committee (GJJAC). By December 31, 1998, the GJJAC must develop standards of operation, in consultation with the juvenile court administrators and county commissioners, for juvenile detention facilities. On the basis of an initial inspection, the GJJAC must determine the current level of compliance with these standards.

No later than ninety days after the GJJAC adopts recommended standards, county commissioners must adopt standards, pursuant to mandatory and discretionary standards developed by the GJJAC for the regulation of juvenile detention facilities. Counties are required to amend, within one year, the operation of detention facilities in order to come into compliance with the GJJAC's standards of operation. All detention facilities must keep a copy of the standards and latest inspection report available for inspection at all times.

The GJJAC is responsible for annually reviewing the standards and inspecting each facility. An annual report on the conditions in juvenile detention facilities must be submitted to the governor and the legislature.

Conditions for Receiving State Funds. Counties operating juvenile detention facilities and making application for state funds must have standards of operations in place that are approved by the Governor's Juvenile Justice Advisory Committee.

**Rules Authority:** No.

**Fiscal Note:** Requested

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