

# SENATE BILL REPORT

## EHB 2570

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As Reported By Senate Committee On:  
Human Services & Corrections, February 26, 1998

**Title:** An act relating to community residential facilities for juvenile offenders.

**Brief Description:** Ordering a study of community residential facilities.

**Sponsors:** Representatives Ballasiotes, O'Brien, Radcliff, Lambert, Dunshee, Costa and Mitchell.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/24/98, 2/26/98 [DPA].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl, Schow and Stevens.

**Staff:** Fara Daun (786-7459)

**Background:** The Juvenile Rehabilitation Administration (JRA) has jurisdiction over juveniles committed to the department for confinement when the sentence exceeds 30 days. JRA operates several institutions and seven residential group care facilities providing 110 beds across the state of Washington. JRA also contracts with 19 private group homes for 212 beds. JRA uses residential group care facilities as a community placement option to facilitate a juvenile's successful transition back to the community and non-offender status.

In September of 1997, a 17-year-old resident in a JRA community placement group home walked away from his job and raped and murdered a 12-year-old babysitter during a burglary. The subsequent investigation revealed that JRA did not have vital information to assess the risk this juvenile posed to the community. The investigation also raised questions about consistency and adequacy in policies regarding:

- (1) Security, staffing, and operation of JRA group homes;
- (2) Offender intake and assessment procedures;
- (3) Employee background check and hiring practices;
- (4) Violations and infractions by juveniles in community facilities; and
- (5) Community notification of and participation in siting and offender placement.

The Governor's Juvenile Justice Advisory Committee (GJJAC) of the Department of Social and Health Services (DSHS) 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 an adequate system of monitoring adult jails, juvenile detention facilities, juvenile correctional facilities, and non-secure facilities. The GJJAC works with

juvenile court administrators to collect and analyze data on juveniles detained and the risk factors which may have led to delinquency.

State policy requires all county juvenile detention facilities to provide a humane, safe, and rehabilitative environment. It is state policy for 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 or nonsecure facility, or in home detention.

**Summary of Amended Bill:** The Washington State Institute for Public Policy (WSIPP) will conduct a special study of JRA residential group care facilities used for community placement of juveniles committed to the department for confinement.

WSIPP must contact residents, law enforcement, courts, probation departments, schools, and employers in the community where the residential group care facility is located.

WSIPP must study and make recommendations regarding at least the following areas:

- (1) Security, staffing, and operation of JRA group homes;
- (2) Offender intake and assessment procedures;
- (3) Employee background check and hiring practices;
- (4) Violations and infractions by juveniles in community facilities; and
- (5) Community notification of and participation in siting and offender placement.

An initial status report of the progress of the study must be presented to the House Criminal Justice and Corrections Committee and the Senate Human Services and Corrections Committee by May 1, 1998. The department must present a final report to those committees no later than September 1, 1998.

By December 31, 1998, WSIPP must also conduct a study of juvenile detention standards and submit a report of its recommendations with a cost analysis for their implementation to the Legislature and the Governor.

The study must: (1) include a survey of current and proposed standards for all existing and planned detention facilities; (2) document the degree to which current detention standards comply with those recommended by the American Correctional Association and those delineated by the state; and (3) document any concerns, problems, or issues regarding current standard that have a direct impact on the safety and health of offenders, staff, and the community.

**Amended Bill Compared to Original Bill:** The amended bill places both studies with WSIPP. It also does not require it to be done within existing funds.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** JRA has already started the process and it can be completed by the due date. It would be helpful to have the information in the study prior to establishing community placement oversight committees. JRA prefers the Senate version of the study, in part because it does not require the study to be conducted within existing funds.

**Testimony Against:** None.

**Testified:** Representative Ida Ballasiotes, prime sponsor (pro); Sid Sidorowicz, JRA (pro).