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HOUSE BILL 2509

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State of Washington                      55th Legislature                      1998 Regular Session

By Representatives Wolfe and Dickerson

Read first time . Referred to Committee on .

1            AN ACT Relating to standards for juvenile detention facilities;  
2 amending RCW 13.04.037 and 13.06.050; adding a new section to chapter  
3 13.40 RCW; and creating a new section.

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

5            **Sec. 1.** RCW 13.04.037 and 1977 ex.s. c 291 s 7 are each amended to  
6 read as follows:

7            The ~~((administrator))~~ county commissioners shall ~~((after~~  
8 ~~consultation with the state planning agency established under Title II~~  
9 ~~of the federal juvenile justice and delinquency prevention act of 1974~~  
10 ~~(P.L. No. 93-415; 42 U.S.C. 5611 et seq.)~~ following a public hearing,  
11 ~~and after approval of the body responsible for administering the~~  
12 ~~juvenile court, and no later than one hundred eighty days after the~~  
13 ~~effective date of chapter 291, Laws of 1977 ex. sess.,))~~ adopt  
14 standards, pursuant to mandatory and discretionary standards developed  
15 by the governor's juvenile justice advisory committee in consultation  
16 with the juvenile court administrators and county commissioners, for  
17 the regulation ~~((and government))~~ of detention facilities for  
18 juveniles. ~~((Such standards may be revised from time to time,~~  
19 ~~according to the procedure outlined in this section.))~~ County

1 commissioners shall adopt standards no later than ninety days after the  
2 governor's juvenile justice advisory committee adopts recommended  
3 standards. Counties shall amend within one year the operation of  
4 detention facilities in accordance with these standards of operation.  
5 Each detention facility shall keep a copy of ~~((such))~~ the standards and  
6 latest inspection report available for inspection at all times. ~~((Such~~  
7 ~~standards shall be reviewed and the))~~ The governor's juvenile justice  
8 advisory committee shall review the standards annually. The detention  
9 facilities shall be inspected annually by the ~~((administrator))~~  
10 governor's juvenile justice advisory committee.

11 The governor's juvenile justice advisory committee is the state  
12 planning agency established under Title II of the federal juvenile  
13 justice and delinquency prevention act of 1974 (P.L. No. 93-415; 42  
14 U.S.C. 5611 et seq.).

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

17 No county shall be entitled to receive any state funds provided by  
18 this chapter until its application and plan are approved, and unless  
19 and until the minimum standards prescribed by the department of social  
20 and health services are complied with and then only on such terms as  
21 are set forth in this section. In addition, any county making  
22 application for state funds under this chapter that also operates a  
23 juvenile detention facility must have standards of operations in place,  
24 approved by the governor's juvenile justice advisory committee, that  
25 include: Intake and admissions, medical and health care,  
26 communication, correspondence, visiting and telephone use, security and  
27 control, sanitation and hygiene, juvenile rights, rules and discipline,  
28 property, juvenile records, safety and emergency procedures,  
29 programming, release and transfer, training and staff development, and  
30 food service.

31 (1) The distribution of funds to a county or a group of counties  
32 shall be based on criteria including but not limited to the county's  
33 per capita income, regional or county at-risk populations, juvenile  
34 crime or arrest rates, rates of poverty, size of racial minority  
35 populations, existing programs, and the effectiveness and efficiency of  
36 consolidating local programs towards reducing commitments to state  
37 correctional facilities for offenders whose standard range disposition

1 does not include commitment of the offender to the department and  
2 reducing reliance on other traditional departmental services.

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

9 (3) The secretary, in conjunction with the human rights commission,  
10 shall evaluate the effectiveness of programs funded under this chapter  
11 in reducing racial disproportionality. The secretary shall investigate  
12 whether implementation of such programs has reduced disproportionality  
13 in counties with initially high levels of disproportionality. The  
14 analysis shall indicate which programs are cost-effective in reducing  
15 disproportionality in such areas as alternatives to detention, intake  
16 and risk assessment standards pursuant to RCW 13.40.038, alternatives  
17 to incarceration, and in the prosecution and adjudication of juveniles.  
18 The secretary shall report his or her findings to the legislature by  
19 December 1, 1994, and December 1 of each year thereafter.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.40 RCW  
21 to read as follows:

22 (1) The governor's juvenile justice advisory committee shall have  
23 central oversight over all juvenile detention facilities. The  
24 committee shall routinely review, audit, and inspect all juvenile  
25 facilities operated by counties to ensure that detention facilities are  
26 in compliance with the governor's juvenile justice advisory committee's  
27 established standards.

28 (2) By December 31, 1998, the governor's juvenile justice advisory  
29 committee shall develop standards of operation for juvenile detention  
30 facilities. On the basis of an initial inspection, the governor's  
31 juvenile justice advisory committee shall determine the current level  
32 of compliance with these standards.

33 (3) The governor's juvenile justice advisory committee shall report  
34 to the governor and the legislature annually on the conditions in  
35 juvenile detention facilities.

36 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this  
37 act, referencing this act by bill or chapter number, is not provided by

1 June 30, 1998, in the omnibus appropriations act, this act is null and  
2 void.

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