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**SUBSTITUTE HOUSE BILL 2605**

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**State of Washington**

**55th Legislature**

**1998 Regular Session**

**By** House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Ballasiotes, Radcliff, Benson, Constantine, Cooper, Lantz, Robertson, Hatfield, Hankins, Scott, Dunn, Backlund, Costa, McDonald, Mitchell, Thompson, Quall and Delvin)

Read first time 02/04/98. Referred to Committee on .

1 AN ACT Relating to safety of group homes; and adding new sections  
2 to chapter 74.13 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW  
5 to read as follows:

6 As used in sections 2 through 4 of this act, "group home" means a  
7 facility housing juveniles convicted of or adjudicated as responsible  
8 for criminal conduct and placed in the facility as a condition of  
9 sentencing.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13 RCW  
11 to read as follows:

12 (1) Before placing a group home in a community, the department must  
13 hold a public hearing on the subject of the placement of the group home  
14 in order to allow the community to comment on the issue. The type of  
15 notice required of the department is the same notice that is required  
16 by the local municipality or county of developers who build in the  
17 municipality or county. The process must provide for broad  
18 dissemination of proposals and alternatives, public meetings after

1 community notification, opportunity for written public comments, and  
2 consideration of and response to public comments.

3 (2) Before the department places a group home in an area, the local  
4 legislative authority shall establish a group home advisory board of  
5 concerned citizens to monitor and provide input on the decisions  
6 surrounding the placement of a group home. The group home advisory  
7 board shall work with the local police agencies and the group home  
8 operator to help lessen any negative impact the placement of the  
9 facility might have on the neighborhood in which it is located. The  
10 group home advisory board shall serve to improve communications between  
11 the group home operator and neighborhood organizations.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.13 RCW  
13 to read as follows:

14 (1) The department must by rule adopt strict security requirements  
15 for staff who work at group homes. In no event may a person who has a  
16 felony conviction within the past five years be allowed to work at or  
17 staff a group home.

18 (2) All group homes must meet at least the following minimum  
19 security requirements:

20 (a) Have an alarm system designed to monitor residents and notify  
21 the staff and local police if there has been an escape or if a resident  
22 has taken an unauthorized leave of the premises;

23 (b) Have doors and windows that are in good condition and have  
24 operative locks; and

25 (c) Have procedures for monitoring or supervising the residents'  
26 transit, in order to prevent or minimize the chance of escape or  
27 unauthorized activity during such transit.

28 (3) Local police agencies may make unannounced visits to group  
29 homes to check security and check the treatment and status of the  
30 occupants.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.13 RCW  
32 to read as follows:

33 (1) The division of juvenile rehabilitation shall create a program  
34 to facilitate the immediate retrieval and sharing of juvenile offender  
35 information and records among the department, the group home staff, the  
36 local police department, other police departments in Washington state  
37 or any other states that have had contact with the juvenile offender,

1 the current and former school districts attended by the resident, any  
2 juvenile courts that have had contact with the resident, and any  
3 correctional facilities that have had custody of the resident.

4 (2) The department of corrections, the division of juvenile  
5 rehabilitation, all police departments within the state, all school  
6 districts within the state, and all juvenile courts within the state  
7 shall enter into an interagency agreement for the purpose of sharing  
8 information about juvenile offenders. The agreement must specify the  
9 conditions under which summary criminal history information is to be  
10 made available to appropriate school personnel, and the conditions  
11 under which records are made available to appropriate department, group  
12 home, police, and juvenile court personnel.

13 (3) The primary purpose of the information sharing program is to  
14 allow all interested parties to have full access to the resident's  
15 arrest and conviction information in order to determine if the resident  
16 meets the criteria for admission to a group home, or if the resident's  
17 record indicates that he or she should be placed in a more secure  
18 facility in order to safeguard the community.

19 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.13 RCW  
20 to read as follows:

21 (1) The law enforcement unit of each public or private primary or  
22 secondary educational institution shall keep records of any serious  
23 disciplinary problems reported to, or disciplinary actions taken by,  
24 the institution concerning any student who attends the institution.

25 (2) The records required by subsection (1) of this section shall be  
26 designated as "law enforcement unit records," and shall be shared and  
27 made available pursuant to section 4 of this act.

28 (3) For the purposes of keeping records under this section, a  
29 public or private primary or secondary educational institution may  
30 establish or designate a "law enforcement unit" on an ad hoc or as-  
31 needed basis.

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