

HOUSE BILL REPORT

HB 2498

As Reported By House Committee On:
Criminal Justice & Corrections
Appropriations

Title: An act relating to licensing of and sanctions for violating conditions of the juvenile offender basic training camp program.

Brief Description: Revising sanctions for violating conditions of the juvenile offender basic training camp program.

Sponsors: Representatives O'Brien and Ballasiotes; by request of Department of Social and Health Services.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 1/26/00 [DP];
Appropriations: 2/3/00, 2/3/00 [DP].

Brief Summary of Bill

- Allows juveniles who violate parole after completing the basic training camp program to be returned to confinement for the remainder of their original sentence.
- Permits the basic training camp program to be extended in certain circumstances.
- Exempts the program from the licensing requirements applicable to agencies caring for children.
- Removes the requirement to adopt rules for operation of the program.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 6 members: Representatives Ballasiotes, Republican Co-Chair; O'Brien, Democratic Co-Chair; Lovick, Democratic Vice Chair; B. Chandler; Constantine and Kagi.

Minority Report: Do not pass. Signed by 2 members: Representatives Cairnes, Republican Vice Chair and Koster.

Staff: Jean Ann Quinn (786-7310).

Background:

The juvenile offender basic training camp is a medium-security program for juvenile offenders. It provides education, prevocational training, work-based learning, work ethic skills, conflict resolution, substance abuse and anger management counseling, and intensive physical training. The program is currently managed by the Department of Social and Health Services (DSHS) through a contract with a private provider. DSHS is required to adopt rules for program operation and for the continued supervision of offenders who have completed the program. Juvenile offenders who have a disposition of not more than 65 weeks of confinement, and who are not violent offenders or sex offenders, are eligible for the program. Offenders who are admitted into the program are required to spend 120 days of their disposition in the basic training camp. Upon successful completion of the 120 day program, the offender serves the remainder of his or her disposition on intensive parole in the community. If the offender violates a condition of his or her parole, the secretary of DSHS can order that the offender serve a term of confinement not to exceed 30 days.

DSHS is responsible for the licensing of agencies caring for children, expectant mothers, and developmentally disabled individuals. An agency includes, generally, any person, corporation, association, or other facility that receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or that arranges for the placement of these individuals for foster care or adoption. It does not include blood relatives, or agencies operated by a unit of local, state, or the federal government. The secretary is responsible for adopting minimum requirements for licensing applicable to each of the various categories of agencies to be licensed. Licenses are generally issued for a period of three years.

Summary of Bill:

The secretary of DSHS may extend the 120 day period in the basic training camp program for up to 30 days if an offender needs additional time to complete the program. If an offender who has completed the basic training camp program violates

a condition of his or her parole, the secretary may return the offender to confinement for the remainder of the sentence range.

Maximum or medium security programs for juvenile offenders operated by DSHS, or under contract with DSHS, including the juvenile offender basic training camp program, are exempt from the licensing requirements applicable to agencies caring for children.

DSHS no longer is required to adopt rules for the operation of the program and the after care component, but instead must develop standards for these purposes.

Appropriation: None.

Fiscal Note: Received on January 26, 2000.

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

Testimony For: There are a few youth every year who are chronic parole offenders. These offenders should have their parole revoked and be held responsible for their original sentences. Some youths are not able to make it through the goals of the program in 120 days. This would give them the chance to complete the program. State run juvenile correctional facilities are currently exempt from licensing requirements. The only medium or maximum security facility not run by the state is the basic training camp. It would not be a wise use of resources to require DSHS to create a separate category of licensing just for this facility when there is already adequate supervision and oversight of the program through the Juvenile Rehabilitation Administration.

Testimony Against: None.

Testified: (In favor) Sid Sidorowicz, Department of Social and Health Services.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 30 members: Representatives Huff, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; D. Schmidt, Republican Vice Chair; Alexander; Benson; Boldt; Clements; Cody; Crouse; Gombosky; Grant; Kagi; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; Mastin; McIntire; McMorris; Parlette; Regala; Ruderman; Sullivan; Sump; Tokuda and Wensman.

Staff: Dave Johnson (786-7154).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Criminal Justice & Corrections: No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This is a good bill that will improve public safety.

Testimony Against: None.

Testified: Representative Al O'Brien, prime sponsor.