

HOUSE BILL REPORT

HB 1070

As Passed Legislature

Title: An act relating to the juvenile offender basic training camp program.

Brief Description: Revising provisions relating to the juvenile offender basic training camp program.

By Representatives Delvin, Dickerson, Ogden, Conway, Haigh, Kagi and Hurst; by request of Department of Social and Health Services.

Brief History:

Committee Activity:

Juvenile Justice: 1/23/01, 2/7/01 [DP];

Appropriations: 2/21/01, 2/26/01 [DP].

Floor Activity:

Passed House: 3/9/01, 96-0.

Passed Senate: 4/9/01, 48-0.

Passed Legislature.

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.

HOUSE COMMITTEE ON JUVENILE JUSTICE

Majority Report: Do pass. Signed by 8 members: Representatives Delvin, Republican Co-Chair; Dickerson, Democratic Co-Chair; Eickmeyer, Democratic Vice Chair; Marine, Republican Vice Chair; Armstrong, Carrell, Darneille and Tokuda.

Staff: Jean Ann Quinn (786-7310).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 31 members: Representatives Sehlin, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; Lisk, Republican Vice Chair; Alexander, Benson, Boldt, Buck, Clements, Cody, Cox, Dunshee, Fromhold, Gombosky, Grant, Kagi, Keiser, Kenney, Kessler, Lambert, Linville, McIntire, Mulliken, Pearson, Pflug, Ruderman, D. Schmidt, Schual-Berke, Talcott and Tokuda.

Staff: Bernard Dean (786-7130).

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 in a regimented environment. The camp is currently managed by the Department of Social and Health Services (DSHS) through a contract with a private provider. The 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 camp. The court can recommend that an eligible offender be placed in the basic training camp; however, the Juvenile Rehabilitation Administration (JRA) decides whether to place an offender in the program following a complete evaluation. An offender who is admitted to the program is required to spend 120 days of his or her disposition in the basic training camp. If an offender does not meet the standards of the program, the offender is returned to the institution for the remainder of the original disposition. Upon successful completion of the 120 day program, the offender serves the remainder of the original disposition on intensive parole in the community. If the offender violates a condition of his or her parole, the secretary of the DSHS can order sanctions, including a term of confinement not to exceed 30 days.

The 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:

The secretary of the DSHS may extend the 120 day period in the basic training camp program for up to 40 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 original disposition.

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

The 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: Available.

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

Testimony For: (Juvenile Justice) This bill would strengthen JRA's ability to work with youth who are making progress in the program, but are unable to keep up with their own platoon. It would give those youth additional time to complete the program and graduate. Also, although the parole revocation portion of the bill would probably be used infrequently, it is necessary for those youth who are not complying with the conditions of their parole and for whom graduated sanctions have been unsuccessful. The bill also clarifies that the boot camp is not required to be licensed by the Division of Licensed Resources. Currently this is a grey area. Any allegations of abuse or neglect at the boot camp would still be investigated by Child Protective Services.

Testimony For: (Appropriations) This bill would allow juvenile offenders to stay in the basic training camp for an additional 40 days to accomplish their tasks. It would give the Juvenile Rehabilitation Administration the flexibility to keep juvenile offenders in the camp if they are sick or if they do not complete the training requirements within the 120 days. The measure would also hold juvenile offenders accountable when they consistently violate parole conditions after completing the basic training camp. The expanded authority granted to the Juvenile Rehabilitation Administration under this measure would only be used in limited circumstances.

Testimony Against: (Juvenile Justice) None.

Testimony Against: (Appropriations) None.

Testified: (Juvenile Justice) Cheryl Stephani, Department of Social and Health Services, Juvenile Rehabilitation Administration.

Testified: (Appropriations) Representative Jerome Delvin, prime sponsor; Representative Mary Lou Dickerson; and Cheryl Stephani, Department of Social and Health Services, Juvenile Rehabilitation Administration.