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**Juvenile Justice & Family Law  
Committee**

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**HB 2380**

**Brief Description:** Changing provisions relating to segregation of children offenders from adult offenders.

**Sponsors:** Representatives Dickerson, Eickmeyer, O'Brien, Kenney, Rockefeller, Ruderman, Kagi, Darneille, Tokuda, Chase, Lovick and Haigh.

**Brief Summary of Bill**

- Allows a youthful offender in an adult correctional facility who has reached the age of 18 to remain in the separate housing unit for offenders under 18 if the offender's needs would be better met there and the programs or housing environment will not be substantially affected.

**Hearing Date:** 1/29/02

**Staff:** Trudes Hutcheson (786-7384).

**Background:**

Generally, the juvenile court has jurisdiction over an offender who is 17 years of age or younger. However, juveniles who are 16 or 17 years old and who commit certain violent felonies must be tried as adults. The adult criminal court may also assert jurisdiction over other juvenile offenders when the juvenile court exercises its discretion to decline jurisdiction.

Prior to 1997, juveniles convicted as adults ("youthful offenders") were not separated from adults in the correctional facility. In 1997, the Legislature amended the statute to require that offenders under the age of 18 who are convicted as adults and committed to an adult correctional facility must be separated from offenders 18 years and older, until he or she reaches the age 18.

The Department of Corrections established youthful offender programs in the Clallam Bay Corrections Center for males and in the Washington Corrections Center for Women for females.

The DOC must provide youthful offenders in the adult system education that will assist them in getting a high school diploma or GED. Clallam Bay also offers youthful offenders other programs.

**Summary of Bill:**

A youthful offender in an adult correctional facility who has reached the age of 18 may remain in the separate housing unit for offenders under 18 if the secretary of the Department of Corrections determines that: (a) the offender's needs and correctional goals could continue to be better met by the programs and housing environment that is separate from offenders 18 years and older; and (b) the programs or housing environment for offenders under the age of 18 will not be substantially affected by the offender's continued placement.

The offender may remain placed in the housing unit until such time the secretary determines that the offender's needs and correctional goals are no longer better met in that environment, but in no case past the offender's twenty-first birthday.

**Appropriation:** None.

**Fiscal Note:** Requested on January 23, 2002.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.