
**Juvenile Justice & Family Law
Committee**

ESSB 5719

Brief Description: Extending the community commitment disposition alternative pilot program.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senator Hargrove).

Brief Summary of Engrossed Substitute Bill

- Permits all counties to establish a Community Commitment Disposition Alternative Program.
- Requires any reintegration program that is developed as a part of the disposition alternative to meet the Washington State Institute for Public Policy's effectiveness standards.
- Requires that when the Community Commitment Disposition Alternative is revoked, and the remainder of the sentence is imposed, that the sentence be served at a Juvenile Rehabilitation Administration facility.

Hearing Date: 3/23/05

Staff: Sonja Hallum (786-7092).

Background:

A juvenile offender who is adjudicated of an offense may be given a sentence by the court based on the statutorily available sentencing options. The majority of the sentences imposed by the juvenile court are standard range sentences. Standard range sentences are calculated based on a grid system using the offender's prior criminal history and the seriousness of the current offense.

If the court finds that a standard range sentence is not appropriate in a specific case the court may impose a statutorily available alternative sentence. In 2003, ESSB 5903 was enacted and created several new sentencing options, including the Community Commitment Disposition Alternative which was created as a pilot program.

The Community Commitment Disposition Alternative permits a court to impose a sentence on the juvenile that allows the juvenile to remain in the community rather than being sent to a Juvenile Rehabilitation Administration (JRA) facility. The sentence may include a short period of

confinement in the local detention facility or an alternative to incarceration such as electronic monitoring or home detention.

In order to be eligible for the sentencing alternative, the court must find:

- The juvenile is subject to a standard range sentence of 15 to 36 weeks;
- The offender is ineligible for other sentencing alternatives such as a suspended disposition alternative, a manifest injustice sentence below the standard range, the chemical dependency alternative, or the mental health disposition alternative; and
- The juvenile is appropriate for the disposition alternative considering the juvenile's offense, prior criminal history, security classification, risk level and treatment needs.

In addition, the court must find one of the following:

- Placement in a local detention facility will facilitate a smoother reintegration to the youth's family and community;
- Placement in the local detention facility will allow a youth to benefit from locally provided programs, school, or employment; or
- Confinement in a JRA facility would negatively disrupt services, school, or employment or delay developing those services in the community.

If the court imposes the Community Commitment Disposition Alternative, the court will impose a sentence that may include up to one year of community supervision and confinement of up to 30 days in the local detention facility, or an alternative to detention such as electronic monitoring, county group care, day or evening reporting, or home detention.

If the juvenile fails to comply with the terms of the disposition alternative the court may impose sanctions, or may revoke community commitment disposition alternative and require the remainder of the sentence to be served in secure detention.

Summary of Bill:

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If the court imposes the Community Commitment Disposition Alternative, the court will impose a sentence including up to one year of community supervision and confinement of up to 30 days in the local detention facility, or an alternative to confinement such as electronic monitoring, county group care, day or evening reporting, or home detention.

If a reintegration program is developed, it must include delivery of programs which meet the Washington State Institute for Public Policy's effectiveness standard for juvenile accountability of programs.

If the juvenile fails to comply with the terms of the disposition alternative the court may impose sanctions of up to an additional 30 days detention. If the court finds that the cumulative violations require more than 30 days detention, the court may revoke the Community Commitment Disposition Alternative and require that the remainder of the original sentence be served at a JRA facility.

Each county establishing the Community Commitment Disposition Alternative Program must provide an interim report on the program to the Washington Association of Juvenile Court Administrators by November 1, 2006 and a final report by May 1, 2007.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on July 1, 2005.