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SENATE BILL 5567

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State of Washington

59th Legislature

2005 Regular Session

By Senators Kohl-Welles, Esser, Prentice, Stevens, Thibaudeau, Rasmussen and McAuliffe

Read first time 01/28/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to investments in cost-effective intervention  
2 programs for juvenile justice-involved youth; adding new sections to  
3 chapter 70.190 RCW; adding a new section to chapter 43.135 RCW;  
4 creating new sections; providing an effective date; and declaring an  
5 emergency.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that there are youth  
8 and family-focused intervention services that have been proven through  
9 rigorous evaluation in the state of Washington and elsewhere to  
10 significantly reduce violence and crime and save more public safety  
11 dollars than they cost. Under current state laws, no local government  
12 acting alone has the financial incentive to invest in these cost-  
13 effective services because the savings accrue to multiple levels of  
14 government with the largest savings going to the state. It is the  
15 intent of the legislature to create incentives for local government  
16 investments in cost-effective intervention services that reduce crime  
17 by reimbursing local governments with a portion of the cost savings  
18 that accrue to the state as the result of local investments in such  
19 services.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 70.190 RCW  
2 to read as follows:

3        (1) The department of community, trade, and economic development  
4 shall establish a reinvesting in youth program that awards grants to  
5 counties for implementing research-based early intervention services  
6 that target juvenile justice-involved youth and reduce crime, subject  
7 to the availability of amounts appropriated for this specific purpose.

8        (2) Effective July 1, 2005, and continuing through June 30, 2007,  
9 a reinvesting in youth pilot program shall be established. The pilot  
10 program will test methods for reinvestment of state savings that result  
11 from local investments in evidenced-based services for juvenile  
12 justice-involved youth. Participation in the pilot program shall be  
13 limited to three counties or groups of counties including at least one  
14 charter county with a population of over five hundred thousand  
15 residents and at least one county or group of counties with a combined  
16 population of three hundred thousand residents or less. Effective July  
17 1, 2007, all counties shall become eligible to apply for participation  
18 in the program.

19        (3) At a minimum, intervention service models must meet the  
20 following criteria in order to be funded in the reinvesting in youth  
21 program:

22        (a) There must be scientific evidence from at least one rigorous  
23 evaluation study of the specific service model that measures recidivism  
24 reduction;

25        (b) There must be evidence that the specific service model's  
26 results can be replicated outside of an academic research environment;

27        (c) The evaluation or evaluations of the service model must permit  
28 dollar cost estimates of both benefits and costs so that the benefit-  
29 cost ratio of the model can be calculated;

30        (d) The public taxpayer benefits to all levels of state and local  
31 government must exceed the service model costs;

32        (e) For the pilot program established during the 2005-2007  
33 biennium, only the following intervention service models shall be  
34 considered eligible for reimbursement: (i) Functional family therapy,  
35 (ii) multisystemic therapy, and (iii) aggression replacement training.

36        Every two years beginning in 2006 for use in FY 2008, the  
37 Washington state institute for public policy shall update the list of  
38 service models that are eligible for reimbursement. The institute

1 shall use a technical working group comprised of representatives from  
2 the house of representatives, the senate, the governor's office of  
3 financial management, the department of social and health services, the  
4 department of community, trade, and economic development, the family  
5 policy council, the juvenile court administrator's association, and the  
6 Washington association of counties to review and provide comments on  
7 its preliminary findings.

8 (4) For the pilot program established in subsection (2) of this  
9 section, calculation of state and local savings shall be based on  
10 recidivism reduction and cost savings calculations contained in the  
11 most recent study by the Washington state institute for public policy;  
12 provided, that if a jurisdiction is able to demonstrate results based  
13 on an institute-approved evaluation, the results of that evaluation  
14 will be used.

15 (5) Every four years beginning in 2006 for use in FY 2008, the  
16 Washington state institute for public policy shall use methodologies  
17 similar to those used in previous studies to update the calculation of  
18 savings accruing to the state and to local governments based on  
19 estimated reductions in caseloads and avoided costs reasonably  
20 attributable to selected research-based programs. The institute shall  
21 use the technical working group described in subsection (3) of this  
22 section to review and provide comments on its preliminary findings.

23 Reimbursements to counties for state cost savings shall be based on  
24 the following:

25 (a)(i) For the purposes of calculating state and local government  
26 savings, the following categories of expenditures shall be included:  
27 Superior courts, county prosecutors, local juvenile detention, juvenile  
28 rehabilitation administration detention, juvenile court probation,  
29 juvenile rehabilitation parole, adult jail-local and prison, state  
30 community supervision-local sentence, and corrections-postprison  
31 supervision.

32 (ii) Capital costs and crime victim costs shall be excluded from  
33 the calculation of state and local government savings.

34 (b) For charter counties with a population of over five hundred  
35 thousand that are included in the pilot program established in  
36 subsection (2) of this section, state payments to a county in a  
37 particular year shall be based on the number of youth engaged by the  
38 selected program during the previous five years and the estimated state

1 cost avoidance in the payment year attributable to the recidivism  
2 reduction estimated for those youth. The state shall pay no more than  
3 the percentage of current year service model costs (including the costs  
4 for staff, administration, training, fees, and quality assurance) that  
5 is equal to the state's estimated percentage share of total state and  
6 local government current year cost avoidance resulting from service  
7 model interventions during the previous five years.

8 (c) For counties with a population of five hundred thousand or less  
9 that are included in the pilot program established in subsection (2) of  
10 this section, state payments to a county in a particular year shall be  
11 based on the number of youth engaged by the selected service model  
12 during the year times the average service model cost per youth  
13 (including the costs for staff, administration, staff training, fees,  
14 and quality assurance) multiplied by a percentage which is equal to the  
15 state's estimated percentage share of state and local government cost  
16 avoidance attributable to those youth during the next five years.

17 (d) Every four years beginning in 2006 for use in FY 2008, the  
18 department of community, trade, and economic development shall update  
19 the factors addressed by this subsection that set the relationship  
20 between the amount of reimbursement and the quantity and quality of  
21 service provided. The department shall use a technical working group  
22 consisting of representatives from the house of representatives, the  
23 senate, the governor's office of financial management, the department  
24 of social and health services, the family policy council, the  
25 Washington state institute for public policy, the juvenile court  
26 administrator's association, and the Washington association of counties  
27 to review and provide comments on its preliminary findings.

28 (6) The department of community, trade, and economic development  
29 shall review county applications for funding through the reinvesting in  
30 youth program and shall select the counties that will be awarded grants  
31 with funds appropriated to implement this section. The department, in  
32 consultation with the Washington state institute for public policy,  
33 shall develop guidelines to determine which counties will be awarded  
34 funding in accordance with the reinvesting in youth program. At a  
35 minimum, counties must meet the following criteria in order to  
36 participate in the reinvesting in youth program:

37 (a) Counties must demonstrate contributions from nonstate sources

1 to selected research-based services at least proportional to the local  
2 government share of state and local government cost avoidance;

3 (b) Counties must demonstrate that state funds allocated pursuant  
4 to this section are used only for the selected research-based services;

5 (c) Counties must participate fully in the state quality assurance  
6 program established in section 5 of this act to ensure fidelity of  
7 program implementation. If no state quality assurance program is in  
8 effect for a particular selected research-based service, the county  
9 must submit a quality assurance plan for state approval with its grant  
10 application. Failure to demonstrate continuing compliance with quality  
11 assurance plans shall be grounds for termination of state funding; and

12 (d) Counties that submit joint applications must submit for  
13 approval by the department of community, trade, and economic  
14 development multicounty plans for efficient program delivery.

15 (7) Nothing in this section creates an entitlement for a county or  
16 group of counties to receive funding under this program.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.190 RCW  
18 to read as follows:

19 (1) The reinvesting in youth account is created in the state  
20 treasury. Moneys in the account shall be spent only after  
21 appropriation. Expenditures from the account may be used to reimburse  
22 local governments for the implementation of the reinvesting in youth  
23 program established in accordance with section 2 of this act.

24 (2) Revenues to the reinvesting in youth account consist of  
25 revenues appropriated to or deposited in the account.

26 (3) The department of community, trade, and economic development  
27 shall review and monitor the expenditures made by any county or group  
28 of counties that is funded, in whole or in part, with funds provided  
29 through the reinvesting in youth account. Counties shall repay any  
30 funds that are not spent in accordance with this act.

31 (4) For the fiscal biennium beginning July 1, 2005, the state  
32 treasurer shall transfer nine hundred ninety-seven thousand dollars  
33 from the general fund into the reinvesting in youth account.

34 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.135 RCW  
35 to read as follows:

1 RCW 43.135.035(4) does not apply to the transfers established in  
2 section 3 of this act.

3 NEW SECTION. **Sec. 5.** A new section is added to chapter 70.190 RCW  
4 to read as follows:

5 The department of community, trade, and economic development shall  
6 contract with the department of social and health services juvenile  
7 rehabilitation administration for the establishment of a state quality  
8 assurance program. The juvenile rehabilitation administration shall  
9 monitor the implementation of intervention programs reimbursed pursuant  
10 to this act and shall evaluate adherence to program design. The  
11 juvenile rehabilitation administration shall report any failures to  
12 comply with its quality assurance standards to the department of  
13 community, trade, and economic development.

14 NEW SECTION. **Sec. 6.** The Washington state institute for public  
15 policy shall estimate the costs and benefits resulting from the  
16 implementation of the reinvesting in youth program and provide a report  
17 to the appropriate committees of the legislature, the governor, and to  
18 the department of community, trade, and economic development on  
19 December 1, 2007, and every four years thereafter.

20 NEW SECTION. **Sec. 7.** This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and takes effect  
23 July 1, 2005.

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