
SENATE BILL 5719

State of Washington

59th Legislature

2005 Regular Session

By Senator Hargrove

Read first time 02/03/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to the community commitment disposition alternative
2 pilot program; amending RCW 13.40.169; providing an effective date; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 13.40.169 and 2003 c 378 s 5 are each amended to read
6 as follows:

7 Any charter county with a population of not more than seventy
8 thousand shall establish a pilot program to implement the community
9 commitment disposition alternative contained in this section. The
10 pilot (~~(project)~~) program shall be limited to (~~(five)~~) ten beds. Any
11 county or group of cooperating counties may establish a program to
12 implement the community commitment disposition alternative under this
13 section. Any program shall be limited to ten beds. If a county does
14 not have a program but is a member of a group of cooperating counties
15 that has established a program to implement the community commitment
16 disposition alternative under this section, a court in that county may
17 impose a community commitment disposition alternative as provided in
18 this section.

1 (1) When the offender is subject to a standard range commitment of
2 15 to 36 weeks and is ineligible for a suspended disposition
3 alternative, a manifest injustice disposition below the standard range,
4 special sex offender disposition alternative, chemical dependency
5 disposition alternative, or mental health disposition alternative, the
6 court in a county with a pilot program under this section may impose a
7 community commitment disposition alternative and:

8 (a) Retain juvenile court jurisdiction over the youth;

9 (b) Confine the youth in a county detention facility, or another
10 alternative to secure detention as defined in subsection (4) of this
11 section, for a period of time not to exceed ((thirty days)) the length
12 of the original disposition; and

13 (c) Impose a term of postrelease community supervision for up to
14 one year.

15 If the youth receives a standard range disposition, the court shall
16 set the release date within the standard range. The court shall
17 determine the release date (~~((prior to expiration of sixty percent of~~
18 ~~the juvenile's minimum term of confinement))~~ at the time of the
19 disposition. The initial release date shall not exceed thirty days in
20 secure detention after disposition.

21 (2) The court may impose this community commitment disposition
22 alternative if the court finds the following:

23 (a) Placement in a local detention facility in close proximity to
24 the youth's family or local support systems will facilitate a smoother
25 reintegration to the youth's family and community;

26 (b) Placement in the local detention facility will allow the youth
27 to benefit from locally provided family intervention programs and other
28 research-based treatment programs, school, employment, and drug and
29 alcohol or mental health counseling; or

30 (c) Confinement in a facility operated by the department would
31 result in a negative disruption to local services, school, or
32 employment or impede or delay developing those services and support
33 systems in the community.

34 (3) The court shall consider the youth's offense, prior criminal
35 history, security classification, risk level, and treatment needs and
36 history when determining whether the youth is appropriate for the
37 community commitment disposition alternative. If the court finds that

1 a community commitment disposition alternative is appropriate, the
2 court shall order the youth into secure detention while the details of
3 the reintegration program are developed.

4 (4) Upon approval of the treatment and community reintegration
5 plan, the court may order the youth to serve the term of confinement in
6 one or more of the following placements or combination of placements:
7 Secure detention, an alternative to secure detention such as electronic
8 home monitoring, county group care, day or evening reporting, or home
9 detention. The court may order the youth to serve time in detention on
10 weekends or intermittently. The court shall set periodic reviews to
11 review the youth's progress in the program. At least (~~fifty percent~~)
12 thirty days of the term of confinement shall be served in secure
13 detention.

14 (5) If the youth violates the conditions of the community
15 commitment program, the court may impose sanctions under RCW 13.40.200
16 or modify the terms of the reintegration plan and order the youth to
17 serve all or a portion of the remaining confinement term in secure
18 detention or another alternative to secure detention as defined in
19 subsection (4) of this section. A maximum of fifty percent of the
20 original disposition may be served in a secure detention facility.

21 (6) A county may enter into interlocal agreements with other
22 counties to develop joint community commitment programs or to allow one
23 county to send a youth appropriate for this alternative to another
24 county that has a community commitment program.

25 (7) Implementation of this alternative is subject to available
26 state funding for the costs of the community commitment program,
27 including costs of detention and community supervision, treatment
28 programs, and administration.

29 (8) Each county or group of cooperating counties establishing a
30 program to implement the community commitment disposition alternative
31 under this act shall provide an interim report on a program to the
32 Washington association of juvenile court administrators by November 1,
33 2006, and a final report by May 1, 2007. Each report shall include,
34 but is not limited to, the number of offenders eligible for the
35 program, the number of offenders sentenced to the program, evaluation
36 and treatment costs for each participant, administrative costs, costs
37 of detention, supervision, and other related costs, and whether an
38 offender has reoffended after participation in the program. The

1 Washington association of juvenile court administrators shall submit an
2 interim report on each of the (~~the pilot~~) programs established in this
3 section to the legislature and appropriate committees by December 31,
4 (~~2004~~) 2006, and submit a final report to the legislature and the
5 appropriate committees by June 30, (~~2005~~) 2007.

6 (~~This section expires July 1, 2005.~~)

7 NEW SECTION. Sec. 2. This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and takes effect
10 July 1, 2005.

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