

SENATE BILL REPORT

SB 5974

As Reported By Senate Committee On:
Human Services & Corrections, February 23, 2007

Title: An act relating to the chemical dependency disposition alternative.

Brief Description: Revising provisions concerning the juvenile chemical dependency disposition alternative.

Sponsors: Senator Hargrove.

Brief History:

Committee Activity: Human Services & Corrections: 2/20/07, 2/23/07 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5974 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Indu Thomas (786-7459)

Background: Juveniles who commit criminal offenses are subject to the provisions of the Juvenile Justice Act. In 1997, the Legislature made comprehensive changes to the sentencing options under the Juvenile Justice Act, and a new disposition option, the Chemical Dependency Disposition Alternative (CDDA), was created for juveniles who are chemically dependent and would benefit from treatment.

Summary of Bill: The maximum term of inpatient treatment under the CDDA is extended from 90 to 120 days.

When confinement is ordered, the court may grant credit for time served or to be served in a voluntary substance abuse or mental health inpatient treatment facility.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Human Services & Corrections): Expressly indicates that the provisions permitting credit for time served apply only to youths detained at local detention facilities and not those committed to juvenile rehabilitation administration.

Appropriation: None.

Fiscal Note: Available.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: The current statute authorizes the Court to order in-patient treatment not to exceed 90 days in length. Judicial officers often see a recommendation for 120 days or more of treatment particularly where methamphetamine is the drug of choice. The change proposed to the statute would authorize treatment not to exceed 120 days instead of 90 days. In addition it would be very helpful if the Court had discretion to grant credit for time served where the juvenile participated in a voluntary inpatient substance abuse treatment program, whether or not the program was paid for and/or operated by the county. The funding sources for these treatment programs are generally covered in two ways; insurance or through the Juvenile Court Sentencing Alternative funds. This bill does not change the funding sources.

OTHER: The Juvenile Rehabilitation Administration has concerns regarding an unintended impact on the state juvenile justice system.

Persons Testifying: PRO: Martha Harden Cesar, Superior Court Judges Association & Washington Association Juvenile Court Administrators.

OTHER: Cheryl Sullivan-Colglazier, Juvenile Rehabilitation Administration of the Department of Social and Health Services.