

SENATE BILL REPORT

SHB 1505

As Reported by Senate Committee On:
Human Services & Corrections, March 20, 2009

Title: An act relating to a diversion program for sexually exploited juveniles.

Brief Description: Authorizing diversion for sexually exploited juveniles.

Sponsors: House Committee on Human Services (originally sponsored by Representatives Dickerson, Dammeier, Green, Appleton, Roberts, Carlyle, Morrell, Orwall, Nelson, Johnson and Hasegawa).

Brief History: Passed House: 2/23/09, 97-0.

Committee Activity: Human Services & Corrections: 3/19/09, 3/20/09 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Kauffman.

Staff: Jennifer Strus (786-7316)

Background: A prosecutor must divert a case rather than file one, even if there are sufficient facts to file a case, if the alleged offense is a misdemeanor or gross misdemeanor violation and it is the offender's first offense. When a case is diverted, the juvenile enters into a "diversion agreement" to complete certain conditions. The diversion agreement may be entered into with another person, a community accountability board, a youth court, or any other entity except a law enforcement official or entity. If an offender has two or more diversion agreements already, the prosecutor must file the charges.

Summary of Bill: The prosecutor may divert a case in which a juvenile is alleged to have committed prostitution or prostitution loitering regardless of the juvenile's offender history of previous diversions. In exchange for diversion, the juvenile must agree to participate in a program that provides wraparound services, including housing, integrated mental health and chemical dependency services, education, and employment training.

The Administrative Office of the Courts must compile data regarding (1) the number of juveniles whose cases are diverted into the comprehensive program; (2) whether the juveniles

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complete their diversion agreements; and (3) whether juveniles who have been diverted have been subsequently arrested or committed subsequent offenses. A report must be provided to the Governor and Legislature by November 1, 2010.

This bill expires on July 1, 2011.

Appropriation: None.

Fiscal Note: Available.

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: There were a number of stakeholders from various professions that met during the interim to discuss what should be done about juvenile prostitution, particularly in Pierce and King Counties. The group discussed a variety of options and chose the option that appears in the bill. The King County program is funded through the .10 of a cent mental health tax, and a group is searching for private money to fund the program it would like to start in Pierce County. There is no guarantee that this program will work which is why the bill has an expiration date.

Every one of the juvenile prostitutes has a pimp and the pimps treat these girls very poorly. Even if the girls are arrested, there are no programs to refer them to try to get them off the streets. That is why this bill is so desperately needed.

Persons Testifying: PRO: Representative Dickerson, prime sponsor; Joanna Arlow, Washington Association of Sheriffs and Police Chiefs; Terri Kimball, city of Seattle.