

FINAL BILL REPORT

SSB 5097

FULL VETO

Brief Description: Concerning juveniles with developmental disabilities who are in correctional detention centers, juvenile correction institutions or facilities, and jails.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Delvin, Kohl-Welles, McAuliffe and Chase).

Senate Committee on Human Services & Corrections

House Committee on Early Learning & Human Services

House Committee on Health & Human Services Appropriations & Oversight

Background: When any youth enters the Juvenile Rehabilitation Administration (JRA) system, JRA evaluates the youth for various vulnerabilities and places the youth in accordance with those vulnerabilities. JRA does not use a specific screening tool with youth who are, or are suspected of being, developmentally disabled. JRA does notify the Division of Developmental Disabilities (DDD) when a youth with developmental disabilities is to be released in order to determine whether that youth is eligible to receive any services provided by DDD.

Summary: Within available resources, a workgroup is established to address issues relating to juveniles with developmental disabilities who are confined in juvenile detention or correctional facilities. The workgroup is to be chaired by representatives of the Developmental Disabilities Council (DDC) and the Washington Association of Juvenile Court Administrators (WAJCA) and a representative of JRA. The following are members of the workgroup:

- a representative of the Washington Association of Sheriffs and Police Chiefs;
- a representative of the Division of Developmental Disabilities within DSHS;
- a representative of Disability Rights Washington;
- a representative of the Office of Superintendent of Public Instruction;
- consumer advocates;
- a representative of the Washington State Defenders Association; and
- representatives of other interested organizations as identified by the DDC, WAJCA, and JRA, including parents of developmentally disabled youth.

By December 1, 2011, the workgroup is to develop recommendations and report to the appropriate committees of the Legislature relating to the following:

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.

- How to expeditiously review and determine eligibility for developmental disability services provided by DSHS before a juvenile is released from detention or a correctional facility.
- The appropriate role for DSHS in providing potential confinement alternatives for persons with developmental disabilities, and consultation and technical assistance to juvenile facilities in their efforts to provide reasonable accommodations for persons with developmental disabilities confined in their facilities or institutions. The fiscal impact to DSHS of providing consultation and technical assistance must be included with this recommendation.
- How to increase the appropriate use of the court's authority under RCW 13.40 to order secure confinement alternatives.
- The establishment of new options under Title 13 RCW to divert juveniles with developmental disabilities from the justice system while maintaining public safety.
- The feasibility of developing and adopting law enforcement training for responding to juveniles with developmental disabilities similar to the crisis intervention training currently provided to law enforcement officer responding to alleged criminal behavior by persons with mental illness.
- The feasibility of adopting standardized statewide screening and application practices and forms designed to facilitate the application by juveniles who are likely to qualify for medical assistance services by the DDD within DSHS.
- The feasibility and need for developing a screening tool and training for juvenile justice staff to be used to identify persons with developmental disabilities.

By September 1, 2012, if recommended, the workgroup is to develop the following:

- a simple screening tool that can be used by juvenile detention and correctional facilities as part of their intake and classification system to help identify juveniles with the most common types of developmental disability;
- a model policy for the use of the screening tool;
- a cost-effective means to provide concise training to juvenile detention, corrections and probation, and parole staff on the use of the tool;
- information on best practices and training regarding appropriate accommodations for developmentally disabled persons during their confinement; and
- a practical guide for families and juvenile justice staff that has comprehensive information about programs and services available to developmentally disabled youth who are referred to the juvenile justice system.

The workgroup expires on January 1, 2013.

Votes on Final Passage:

Senate	49	0	
House	92	0	(House amended)
Senate	48	0	(Senate concurred)

Effective: