
Early Learning & Human Services Committee

HB 2714

Brief Description: Allowing youthful offenders who complete their sentences prior to age twenty-one equal access to a full continuum of rehabilitative and reentry services.

Sponsors: Representatives Pettigrew, Roberts, Moscoso, Appleton, Tarleton, Ortiz-Self, Reykdal, Gregerson, Freeman and Kagi.

Brief Summary of Bill

- Provides individuals who are anticipated to complete a term of confinement before turning age 21, the same treatment, housing options, transfer, and access to program resources as any other individual committed directly to that juvenile correctional facility.
- Allows individuals residing in a juvenile correctional facility the ability to be released to partial confinement for more than the final six months of confinement.

Hearing Date: 2/3/14

Staff: Luke Wickham (786-7146).

Background:

Juveniles alleged or proven to have committed an offense are defined as “respondents.” Generally, juvenile courts have jurisdiction over respondents. However, respondents can be declined to adult court through either a discretionary or automatic decline process. A discretionary decline involves a hearing in which a court has discretion to approve or deny decline of juvenile court. An automatic decline occurs when a respondent meets a certain criteria based on their age and the alleged offense.

Most respondents in juvenile court receive local sanctions, which can include up to 30 days of confinement in the juvenile detention center. The Juvenile Rehabilitation Administration (JRA)

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is a division of the Department of Social and Health Services (DSHS) and provides detention and other services for juvenile offenders who are not eligible for local sanctions. Confinement at JRA occurs when a term of confinement is greater than 30 days and includes a minimum and maximum term of confinement.

Individuals who are declined from juvenile court jurisdiction are placed under the authority of the Department of Corrections (DOC). The DOC then makes an independent assessment to determine whether the needs and correctional goals of the child could better be met by programs and the housing environment provided by a juvenile correctional institution. Law requires that youthful offenders under the jurisdiction of the DOC are housed separately from adult offenders. Declined youth are managed through a Youthful Offender Program jointly operated by the JRA and the DOC.

Under current practice, declined youth less than 18 years of age are housed at JRA. If the youth is expected to complete the term of confinement before the age of 21, that youth remains at JRA. If the youth is expected to serve a term of confinement beyond the age of 21, the case is reviewed when the youth is age 18 to determine if the youth is able to serve the remaining time at DOC.

No more than the final six months of an offender's term of confinement in the custody of the DOC may be served in partial confinement.

Summary of Bill:

Individuals who are transferred to adult criminal court and ordered to a term of confinement are in the custody of DSHS until the individual completes the term of confinement or turns age 21, at which time the individual is transferred to the DOC.

A youth adjudicated of a felony and ordered to a time of confinement is placed in a facility operated by DSHS for the treatment and rehabilitation of youthful offenders. If an youth turns age 21 and has time remaining in his or her time of confinement, that individual is transferred to the custody of the DOC.

If an individual is anticipated to complete his or her time of confinement before turning age 21, the child shall have the same treatment, housing options, transfer, and access to program resources as any other individual committed directly to that juvenile correctional facility.

Individuals residing in a juvenile correctional facility may be released to partial confinement for more than the final six months of confinement.

Appropriation: None.

Fiscal Note: Requested on January 30, 2014.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.