

HOUSE BILL REPORT

HB 2714

As Reported by House Committee On: Early Learning & Human Services

Title: An act relating to allowing youthful offenders who complete their sentences prior to age twenty-one equal access to a full continuum of rehabilitative and reentry services.

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 History:

Committee Activity:

Early Learning & Human Services: 2/3/14, 2/5/14 [DP].

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.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: Do pass. Signed by 9 members: Representatives Kagi, Chair; Freeman, Vice Chair; Goodman, Ortiz-Self, Roberts, Sawyer, Senn, Young and Zeiger.

Minority Report: Do not pass. Signed by 4 members: Representatives Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Fagan and MacEwen.

Staff: Luke Wickham (786-7146).

Background:

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.

Juvenile Decline.

Generally, juvenile courts have jurisdiction over youth alleged or proven to have committed an offense. However, youth 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 youth meets a certain criteria based on their age and the alleged offense.

Juvenile Confinement.

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

Youthful Offender Program.

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 the JRA. If the youth is expected to complete the term of confinement before age 21, that youth remains at the JRA. If the youth is expected to serve a term of confinement beyond age 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 offenders 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 the 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 confinement is placed in a facility operated by the DSHS for the treatment and rehabilitation of youthful offenders. If a 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 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.

Staff Summary of Public Testimony:

(In support) This bill came at the request of the JRA and codifies the practice they are using today with the youthful offender program. The JRA houses youth that have been declined to adult court through a memorandum of agreement with the DOC. This bill would allow youth to come to the JRA directly so that they have the full continuum of services that the JRA offers. These services include life skills, mentoring, and vocational programming. This bill will improve reentry for individuals leaving institutions. There are a few mechanical issues with the bill that need to be worked out. The DOC supports the conception of the bill. There is some clarification needed in the bill.

(Opposed) None.

Persons Testifying: Bonnie Glenn, Juvenile Rehabilitation Administration; and Amy Seidlitz, Department of Corrections.

Persons Signed In To Testify But Not Testifying: None.