

# HOUSE BILL REPORT

## HB 1983

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### As Amended by the Senate

**Title:** An act relating to reducing the population requirement in a consortium of counties in order to operate a juvenile correctional facility.

**Brief Description:** Reducing the population requirement in a consortium of counties in order to operate a juvenile correctional facility.

**Sponsors:** Representatives Dye, Riccelli and Dent.

**Brief History:**

**Committee Activity:**

Early Learning & Human Services: 2/15/17, 2/17/17 [DP].

**Floor Activity:**

Passed House: 2/28/17, 98-0.

Senate Amended.

Passed Senate: 4/6/17, 47-2.

**Brief Summary of Bill**

- Decreases the population size from 530,000 to 200,000 for a consortium of three or more counties in eastern Washington that may prescribe for alternative administration of a juvenile correctional facility.

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### HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

**Majority Report:** Do pass. Signed by 13 members: Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame, Goodman, Griffey, Kilduff, Klippert, Lovick, McCaslin, Muri and Ortiz-Self.

**Staff:** Luke Wickham (786-7146).

**Background:**

Juvenile Detention.

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*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.*

Counties with a population of 50,000 or more must maintain a juvenile detention facility. Juveniles may not be confined in a jail or holding facility for adults except when the confinement is separate from the sight and sound of adult inmates for:

- a period not exceeding 24 hours excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is available; or
- not more than 6 hours pursuant to a lawful detention in the course of an investigation.

Juveniles who have been transferred to an adult court may be confined in a jail or holding facility for adults.

Juvenile probation counselor and detention services are generally administered by the county superior courts. However, when the county legislative authority provides for alternative administration of the juvenile correctional facility by ordinance, these services may be administered by a county legislative authority if a consortium of three or more counties east of the Cascade mountains with a population greater than 530,000 jointly operates a juvenile correctional facility.

#### Martin Hall Consortium.

The Martin Hall Juvenile Detention Facility (Martin Hall) is located on the Eastern State Hospital campus in Medical Lake, Washington, in Spokane County. In 1995 nine Washington counties entered into an interlocal agreement to jointly operate and utilize a juvenile correctional facility. In 1996 this consortium of counties leased Martin Hall from the State of Washington for 50 years, with an option for an additional 50 years. Adams, Asotin, Douglas, Ferry, Lincoln, Pend Oreille, Stevens, Spokane, and Whitman counties are included in the Martin Hall Consortium.

Martin Hall began operation in 1999 and is operated by Community, Counseling, and Correctional Services, Incorporated. The building contains 24,000 square feet of space, including 44 juvenile detention cells, central and private visiting rooms, a booking area, medical clinic, laundry, administration and education wings, and indoor exercise, intake and support spaces. Martin Hall also contracts with several counties in Montana for juvenile detention services.

#### **Summary of Bill:**

The population size is decreased from 530,000 to 200,000 for a consortium of three or more counties in eastern Washington that may prescribe for alternative administration of a juvenile correctional facility.

#### **EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment limits the consortium of three or more counties, located east of the Cascade Mountains, whose combined population exceeds two hundred thousand that may jointly prescribe for alternative juvenile correctional facility administration to the existing consortium. The amendment also allows counties that leave the consortium of counties jointly prescribing alternative juvenile correctional facility administration to rejoin the consortium so long as a majority of the consortium members agree.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**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 was brought by the members of the consortium who were looking for flexibility and efficiencies. This is a local control issue. This bill passed the House of Representatives unanimously last year and was only unable to advance in the Senate based on time constraints. This bill allows counties to negotiate locally. Spokane very rarely utilizes Martin Hall. The goal is to keep youth out of detention facilities altogether. Even if the consortium agrees to allow Spokane County to leave the consortium, state law would prevent that agreement. This is not Spokane County leaving the other counties "high and dry." The Martin Hall consortium agreement requires unanimous participant approval any changes to the consortium. If the opportunity arises for Spokane County to leave the consortium and there is unanimous agreement, state law should not prevent that arrangement.

(Opposed) None.

**Persons Testifying:** Representative Dye, prime sponsor; Shelly O'Quinn, Spokane County Commissioner's Office; Wes McCart, Stevens County Commissioner's Office; and Scott Hutsell, Lincoln County Commissioner's Office.

**Persons Signed In To Testify But Not Testifying:** None.