

# SENATE BILL REPORT

## 2SHB 1280

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As of March 28, 2017

**Title:** An act relating to including referred and diverted youth in establishing community juvenile accountability program guidelines.

**Brief Description:** Including referred and diverted youth in establishing community juvenile accountability program guidelines.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Kagi and Fey).

**Brief History:** Passed House: 3/06/17, 64-34.

**Committee Activity:** Human Services, Mental Health & Housing: 3/27/17.

### Brief Summary of Bill

- Expands the target population of community juvenile accountability programs to include referred youth.
- Requires the Department of Social and Health Services to report on the number of individuals eligible for community juvenile accountability programs based on being a referred youth.

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** The Community Juvenile Accountability Act (CJAA) allows local governments to submit proposals for funding community juvenile accountability programs in their communities. These proposals must be submitted to the Juvenile Rehabilitation Administration (JRA) of the Department of Social and Health Services (DSHS). A Community Juvenile Accountability Program (CJAP) proposal must include:

- a demonstration that the proposal was developed with the input of the community public health and safety networks, and the local law and justice councils;
- a description of how local community groups or members are involved in the implementation of programs; and
- a description of how the grant funds will contribute to the expected outcomes of the program and the reduction of youth violence and juvenile crime in the community.

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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.*

Local governments that receive CJAP funding must agree that the funds they receive be used efficiently to encourage the use of community-based programs that reduce the reliance on juvenile offender secure confinement. The JRA, in consultation with the Washington Association of Juvenile Court Administrators, the state law and justice advisory council, and the family policy council, establishes CJAP guidelines. These guidelines must:

- target diverted and adjudicated juvenile offenders;
- include assessment methods to determine services, programs, and intervention strategies;
- provide maximum structured supervision in the community;
- promote work ethic values and educational skills and competencies;
- maximize the efficient delivery of treatment services that reduce risk factors associated with committing juvenile offenses;
- maximize reintegration of the juvenile offenders into the community after release;
- maximize a juvenile offender's ability to make restitution to the victims;
- support an encourage increased court discretion in imposing community-based intervention;
- be compatible with research;
- be outcome-based;
- include an evaluation component; and
- recognize the diversity of local needs.

The CJAA required the Washington State Institute for Public Policy (WSIPP) to develop standards for measuring the effectiveness of juvenile accountability programs funded by the CJAP. WSIPP has evaluated the effectiveness of several juvenile justice programs including the Coordination of Services Program, Aggression Replacement Therapy, Family Integrated Transitions, Functional Family Therapy, and Multisystemic Therapy.

**Summary of Bill:** The target population of community juvenile accountability programs is expanded to include referred youth, in addition to the existing target populations that include diverted and adjudicated juvenile offenders.

Referred youth are defined and include youth who: (1) were contacted by law enforcement who have probable cause to believe the youth committed a crime; (2) are referred to a program; and (3) if not for that program, would have been diverted or charged with a crime.

The DSHS is required to provide an annual report to the Legislature on December 1st for the next three years that includes the number of youth who were eligible for community juvenile accountability programs based on being a referred youth.

**Appropriation:** None.

**Fiscal Note:** Available

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which the bill is passed.

**Staff Summary of Public Testimony:** PRO: Currently, a youth has to be charged before becoming eligible for the community accountability program services. This bill would allow the youth to receive program services without being charged and creating a record. Counties are concerned that expanding this target group to include referred youth under the current formula for block grants will cause some counties to lose funds while others gain funds based on the number of referred youth coming into the program. To address the funding concern, the proposed house budget has proviso language providing a 2 percent stop-loss per year for affected counties. There has been significant work done to find ways to help reform juvenile justice with more early prevention using models that allow more services upstream. Testimony suggested the Superior Court Judges Association and the Juvenile Court Administrators Associations have changed their opposition to the bill to support for the bill with the proposed changes defining "referred youth" and adding a stop-loss mechanism for counties included in budget proviso. Many tribal youth have successfully been through the community accountability program. Without the early intervention services, the chances of recidivism go up. While it is an advantage to have the services, having a record established by a deferred or adjudicated case impairs the chance for college admission and jobs. It would be helpful to allow these services without the need for the youth to be charged with a crime.

**Persons Testifying:** PRO: Representative Ruth Kagi, Prime Sponsor; April Putney, King County; Helen Fenrich, Tulalip Tribes.

**Persons Signed In To Testify But Not Testifying:** No one.