

SENATE BILL REPORT

HB 1983

As Passed Senate - Amended, April 6, 2017

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

Committee Activity: Human Services, Mental Health & Housing: 3/22/17, 3/28/17 [DPA].

Floor Activity:

Passed Senate - Amended: 4/06/17, 47-2.

Brief Summary of Bill (As Amended by Senate)

- Three or more eastern Washington counties may jointly operate a juvenile detention facility if the total combined population of the participating counties is greater than 200,000.
- Allows a county that withdraws from a consortium to rejoin the consortium at a later time if a majority of the consortium members approve.
- Clarifies that the bill only applies to an existing consortium and not any other juvenile facilities.

SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

Majority Report: Do pass as amended.

Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Carlyle, Hunt, Padden and Walsh.

Staff: Melissa Burke-Cain (786-7755)

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.

Background: 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.

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.

Since 1999, Martin Hall has been operated for the consortium by Community, Counseling, and Correctional Services, Incorporated, a nonprofit corporation based in Butte, Montana. The building contains 24,000 square feet of space, including 44 juvenile detention cells able to house approximately 63 youths. Martin Hall also contains 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 Amended Bill: Three or more eastern Washington counties may jointly operate a juvenile detention facility if the total combined population of the participating counties is greater than 200,000. If a county participating in a consortium authorized in the bill withdraws from participation, the withdrawing county may rejoin the consortium at a later time so long as a majority of the consortium members agree. The changes in the law apply only to an existing consortium and not broadly to other facilities.

Appropriation: None.

Fiscal Note: Not requested.

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

Effective Date: Ninety days after adjournment of session 8 in which bill is passed.

Staff Summary of Public Testimony on House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The Martin Hall consortium facility is currently underutilized by the nine consortium counties and occupied well below its maximum capacity. Spokane county has remodeled its existing juvenile detention facility and does not expect to have a need in the near future to use the Martin Hall facility for additional detention beds. Under current law, the total population base to support the consortium is 500,000. The participating consortium counties other than Spokane county are low population density rural counties. If Spokane leaves the consortium, the remaining counties may not have a sufficient population base to meet the population requirement for the consortium to continue. By reducing the required population base for the consortium to 200,000, as the bill proposes, the nine counties participating in the Martin Hall facility consortium would have some flexibility that is not in the current law as they go forward to decide about the future of the consortium agreement. With the required population reduced to 200,000, the remaining members could retain the consortium or alter the way they provide detention services with smaller, more local detention facilities. Each county has different juvenile detention needs. The costs to the consortium counties of maintaining the Martin Hall facility at full staffing and facility operations given its underutilized state, may make the current consortium arrangements unsustainable in the future.

Persons Testifying: PRO: Representative Mary Dye, Prime Sponsor; Mike Burgess, Spokane County.

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