

SENATE BILL REPORT

SB 5257

As of January 30, 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: Senators Kuderer, Palumbo and Billig.

Brief History:

Committee Activity: Human Services, Mental Health & Housing: 1/24/17.

Brief Summary of Bill

- Adds referred youth to the target group comprised of diverted and adjudicated juvenile offenders for funding community-based juvenile court programs.

SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

Staff: Melissa Burke-Cain (786-7755)

Background: In 1997, Washington enacted the Community Juvenile Accountability Act (CJAA). The CJAA intends to cost-effectively reduce crime through evidence-based programs in the juvenile courts. In 2009, the Legislature directed the Juvenile Rehabilitation Administration to administer block grant funding to local juvenile courts for evidence-based programs at the local level. A block grant committee comprised of representatives of the Administrative Office of the Courts, the Juvenile Rehabilitation Administration, the juvenile courts, and the Office of Financial Management, developed a block grant funding formula and guidelines for funded programs. Under current law, the guidelines must: target both diverted and adjudicated juvenile offenders, include assessment methods, maximize cost-effective service delivery, and draw from research showing the most effective prevention and intervention strategies, among other requirements. Diverted offenders are juveniles who have been charged with a criminal violation, but qualify for an alternative process that requires them to complete programs and services in their community that may reduce the

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.

chance of future criminal behavior. Juvenile courts use block grant funds to provide program services to reduce recidivism among juvenile offenders.

Summary of Bill: Block grant funding for community-based juvenile court programs must target referred and diverted youth as well as adjudicated juvenile offenders. Referred youth may be at-risk for criminal activity and are identified in their community for services to address mental health, substance abuse, family dysfunction, and other concerns that may reduce the risk of future involvement with the juvenile justice system.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: Ninety days following the end of the session in which the bill passes.

Staff Summary of Public Testimony: PRO: The referred youth that are added to the guidelines related to the juvenile in this bill are involved in the juvenile justice system, but have not been charged. The block grant funds are primarily state funds and the programs are intended for targeted interventions in the criminal justice system and to reduce reliance on secured detention. The programs the funds support encourage community-based services tailored to local needs and policies. For example, the average number of youths in secured detention in King county has been reduced from 200 down to 50. This bill would allow intervention even further upstream. An example of the type of situation that this bill would apply to is in parent-child domestic violence which are often youth against mother situations. In such cases, the child is booked following a mandatory arrest. Instead of withholding services until the youth is formally adjudicated, this bill would allow youth to by-pass formal adjudication while still providing family services, often extensive services, such as respite out-of-home placement. It would have a role in the restorative justice work that is being successfully implemented in King county. Community Juvenile Accountability Act funding would be very helpful with these intervention efforts. We are not asking for more money, we are asking for additional uses for the money so that interventions can be carried out further upstream in the child's juvenile justice system involvement.

CON: The juvenile court administrators are concerned that adding referred youth will adversely affect the allocation of funds between counties. What might be a gain to one county that chooses to use the funds for referred youth might work as a disadvantage for other counties who don't seek to use the funds the same way for policy reasons related to the particular county's needs. We have looked at whether referred youth can be separated out in the formula, but our concern is that referred youth cannot be easily pulled out of the allocation formula used for the block grants to the counties. We will try to work with King county, but are concerned that expanding use of funds in one county will dilute the amounts allocated to other counties that do not have the same intervention processes. Our issue is the potential effects on the county allotments. The block grant allotment uses a complicated formula. Smaller counties do not have the same resources that King county has, and the bill in its current form does not address the concerns about equitable funding. We will have to

figure out a way to make sure that block grant funds are equitably distributed in the state, especially as to the smaller counties.

Persons Testifying: PRO: Laura Inveen, Presiding Judge, King County Superior Court.

CON: Tom McBride, Washington Association of Juvenile Court Administrators; Tom Parker, Superior Court Judges Association.

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