

# FINAL BILL REPORT

## SB 6115

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Synopsis as Enacted

**Brief Description:** Concerning residential custody services for tribal youth.

**Sponsors:** Senators McCoy, Darneille, Keiser, Palumbo, Nelson, Lias, Van De Wege, Hunt, Chase, Saldaña, Kuderer and Hasegawa; by request of Department of Social and Health Services.

**Senate Committee on Human Services & Corrections**  
**House Committee on Community Development, Housing & Tribal Affairs**

**Background:** Washington is home to 29 federally-recognized Indian tribes. Tribes exercise sovereignty over tribal lands. Various laws and intergovernmental agreements recognize the authority of federally-recognized tribes to establish a tribal court.

There are 29 tribal courts in Washington, including two tribal courts of appeals. Tribal courts are courts of general jurisdiction which have broad jurisdiction over offenses committed by Indian youth and adults on tribal land. Tribal courts have in the past entered into residential service agreements with the Department of Social and Health Services (DSHS) to allow tribal youth offenders to be detained in juvenile rehabilitation (JR) facilities when the offender's sentence originated in tribal court. This service was interrupted on June 30, 2017, based on legal concerns about the authority to enter these agreements. These agreements were subsequently reinstated at the direction of the Governor.

The Interlocal Cooperation Act allows local government units to make efficient use of their powers by cooperating on the basis of mutual advantage to provide services and facilities in a manner that will accord best with geographic, economic, population, and other factors.

**Summary:** DSHS may contract with tribes to provide residential custody services in a state JR facility for youth adjudicated and sentenced in tribal court. Such services must be provided pursuant to a contract entered in compliance with the Interlocal Cooperation Act.

**Votes on Final Passage:**

Senate	48	0
House	97	0

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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.*

**Effective:** June 7, 2018