

ESB 5429 - H COMM AMD

By Committee on Human Services & Early Learning

ADOPTED 04/12/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 13.40.510 and 2017 3rd sp.s. c 6 s 621 are each
4 amended to read as follows:

5 (1) In order to receive funds under RCW 13.40.500 through
6 13.40.540, local governments may, through their respective agencies
7 that administer funding for consolidated juvenile services, submit
8 proposals that establish community juvenile accountability programs
9 within their communities. These proposals must be submitted to the
10 department for certification.

11 (2) The proposals must:

12 (a) Demonstrate that the proposals were developed with the input
13 of the local law and justice councils established under RCW
14 72.09.300;

15 (b) Describe how local community groups or members are involved
16 in the implementation of the programs funded under RCW 13.40.500
17 through 13.40.540;

18 (c) Include a description of how the grant funds will contribute
19 to the expected outcomes of the program and the reduction of youth
20 violence and juvenile crime in their community. Data approaches are
21 not required to be replicated if the networks have information that
22 addresses risks in the community for juvenile offenders.

23 (3) A local government receiving a grant under this section shall
24 agree that any funds received must be used efficiently to encourage
25 the use of community-based programs that reduce the reliance on
26 secure confinement as the sole means of holding juvenile offenders
27 accountable for their crimes. The local government shall also agree
28 to account for the expenditure of all funds received under the grant
29 and to submit to audits for compliance with the grant criteria
30 developed under RCW 13.40.520.

31 (4) The department, in consultation with the Washington
32 association of juvenile court administrators and the state law and

1 justice advisory council, shall establish guidelines for programs
2 that may be funded under RCW 13.40.500 through 13.40.540. The
3 guidelines must:

4 (a) Target referred and diverted (~~and~~) youth, as well as
5 adjudicated juvenile offenders;

6 (b) Include assessment methods to determine services, programs,
7 and intervention strategies most likely to change behaviors and norms
8 of juvenile offenders;

9 (c) Provide maximum structured supervision in the community.
10 Programs should use natural surveillance and community guardians such
11 as employers, relatives, teachers, clergy, and community mentors to
12 the greatest extent possible;

13 (d) Promote good work ethic values and educational skills and
14 competencies necessary for the juvenile offender to function
15 effectively and positively in the community;

16 (e) Maximize the efficient delivery of treatment services aimed
17 at reducing risk factors associated with the commission of juvenile
18 offenses;

19 (f) Maximize the reintegration of the juvenile offender into the
20 community upon release from confinement;

21 (g) Maximize the juvenile offender's opportunities to make full
22 restitution to the victims and amends to the community;

23 (h) Support and encourage increased court discretion in imposing
24 community-based intervention strategies;

25 (i) Be compatible with research that shows which prevention and
26 early intervention strategies work with juvenile offenders;

27 (j) Be outcome-based in that it describes what outcomes will be
28 achieved or what outcomes have already been achieved;

29 (k) Include an evaluation component; and

30 (l) Recognize the diversity of local needs.

31 (5) The state law and justice advisory council may provide
32 support and technical assistance to local governments for training
33 and education regarding community-based prevention and intervention
34 strategies.

35 (6) For purposes of this section and sections 2 and 3 of this
36 act, "referred youth" means a youth who:

37 (a) Was contacted by a law enforcement officer and the law
38 enforcement officer has probable cause to believe that he or she has
39 committed a crime;

1 (b) Was referred to a program that allows youth to enter before
2 being diverted or charged with a juvenile offense; and

3 (c) Would have been diverted or charged with a juvenile offense,
4 if not for the program to which he or she was referred.

5 NEW SECTION. Sec. 2. A new section is added to chapter 13.40
6 RCW to read as follows:

7 (1) The department shall provide, in compliance with RCW
8 43.01.036, an annual report on December 1st to the appropriate
9 committees of the legislature that includes a county by county
10 description of the youth served by the programs funded under RCW
11 13.40.500 through 13.40.540 including the number of youth in each of
12 those counties who were eligible for programs based on being a
13 referred youth as defined by RCW 13.40.510.

14 (2) This section expires July 1, 2021.

15 NEW SECTION. Sec. 3. (1) As of the effective date of this
16 section, the block grant oversight committee must implement a stop
17 loss policy when allocating funding under RCW 13.40.510. The stop
18 loss policy must limit the loss in funding for any juvenile court
19 from one year to the next. The block grant oversight committee must
20 establish a minimum base level of funding for juvenile courts with
21 lower numbers of at-risk youth ten years of age and over but under
22 eighteen years of age. The department of children, youth, and
23 families must report, in compliance with RCW 43.01.036, to the
24 legislature by December 1, 2019, about how funding is used for
25 referred youth and the impact of that use on overall use of funding.

26 (2) For purposes of this section, "block grant oversight
27 committee" means a committee established by the juvenile
28 rehabilitation division of the department of children, youth, and
29 families and the juvenile courts that provides block grant funding
30 formula oversight with equal representation from the juvenile
31 rehabilitation division of the department of children, youth, and
32 families and the juvenile courts. The purpose of this committee is to
33 assess the ongoing implementation of the block grant funding formula,
34 utilizing data-driven decision making and the most current available
35 information. The committee is cochaired by the juvenile
36 rehabilitation division of the department of children, youth, and

1 families and the juvenile courts, who have the ability to change
2 members of the committee as needed to achieve its purpose."

3 Correct the title.

EFFECT: Replaces the Department of Children, Youth, and Families (DCYF) with the block grant oversight committee as the entity required to implement a stop loss policy when allocating Community Juvenile Accountability Program funding.

The block grant oversight committee is defined to mean a committee established by the juvenile rehabilitation division of the DCYF and the juvenile courts that provides block grant funding formula oversight with equal representation from the juvenile rehabilitation division of the DCYF and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee is cochaired by the juvenile rehabilitation division of the DCYF and the juvenile courts, who have the ability to change members of the committee as needed to achieve its purpose.

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