
HOUSE BILL 2064

State of Washington

66th Legislature

2019 Regular Session

By Representatives Frame, Ortiz-Self, Goodman, Callan, Senn, Thai, and Davis

Read first time 02/15/19. Referred to Committee on Human Services & Early Learning.

1 AN ACT Relating to juvenile justice; amending RCW 13.40.020,
2 13.04.030, 13.40.0357, 13.40.110, 13.40.300, and 43.20C.020; adding
3 new sections to chapter 72.05 RCW; adding new sections to chapter
4 13.40 RCW; creating a new section; and providing expiration dates.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature intends to expand the
7 programming available to individuals serving a term of confinement in
8 juvenile rehabilitation institutions to improve rehabilitation and
9 public safety outcomes. The legislature also intends to correct
10 sentencing and jurisdictional requirements related to chapter 162,
11 Laws of 2018 (Engrossed Second Substitute Senate Bill No. 6160).

12 The legislature further intends to refine requirements for
13 juvenile justice program funding for juvenile courts to improve the
14 performance monitoring and technical assistance provided to juvenile
15 courts.

16 The legislature intends to include rehabilitation services
17 specially designed for individuals ages eighteen through twenty-five
18 with criminal justice experience in the inventory of evidence-based,
19 research-based, and promising practices produced by the Washington
20 state institute for public policy and the evidence-based practice
21 institute at the University of Washington.

1 To further improve outcomes for individuals served by the
2 juvenile justice system and those providing those services, the
3 legislature encourages the department of children, youth, and
4 families to implement trauma informed practices in the training and
5 responses provided to employees working in juvenile rehabilitation.
6 The legislature further encourages the department of children, youth,
7 and families to expand access to postsecondary education for
8 individuals serving a term of confinement with the department of
9 children, youth, and families.

10 **Sec. 2.** RCW 13.40.020 and 2018 c 82 s 3 are each amended to read
11 as follows:

12 For the purposes of this chapter:

13 (1) "Assessment" means an individualized examination of a child
14 to determine the child's psychosocial needs and problems, including
15 the type and extent of any mental health, substance abuse, or co-
16 occurring mental health and substance abuse disorders, and
17 recommendations for treatment. "Assessment" includes, but is not
18 limited to, drug and alcohol evaluations, psychological and
19 psychiatric evaluations, records review, clinical interview, and
20 administration of a formal test or instrument;

21 (2) "Community-based rehabilitation" means one or more of the
22 following: Employment; attendance of information classes; literacy
23 classes; counseling, outpatient substance abuse treatment programs,
24 outpatient mental health programs, anger management classes,
25 education or outpatient treatment programs to prevent animal cruelty,
26 family and youth development programs, or other services including,
27 when appropriate, restorative justice programs; or attendance at
28 school or other educational programs appropriate for the juvenile as
29 determined by the school district. Placement in community-based
30 rehabilitation programs is subject to available funds;

31 (3) "Community-based sanctions" may include one or more of the
32 following:

33 (a) A fine, not to exceed five hundred dollars;

34 (b) Community restitution not to exceed one hundred fifty hours
35 of community restitution;

36 (4) "Community restitution" means compulsory service, without
37 compensation, performed for the benefit of the community by the
38 offender as punishment for committing an offense. Community
39 restitution may be performed through public or private organizations

1 or through work crews and may be performed while an individual is
2 serving confinement;

3 (5) "Community supervision" means an order of disposition by the
4 court of an adjudicated youth not committed to the department or an
5 order granting a deferred disposition. A community supervision order
6 for a single offense may be for a period of up to two years for a sex
7 offense as defined by RCW 9.94A.030 and up to one year for other
8 offenses. As a mandatory condition of any term of community
9 supervision, the court shall order the juvenile to refrain from
10 committing new offenses. As a mandatory condition of community
11 supervision, the court shall order the juvenile to comply with the
12 mandatory school attendance provisions of chapter 28A.225 RCW and to
13 inform the school of the existence of this requirement. Community
14 supervision is an individualized program comprised of one or more of
15 the following:

- 16 (a) Community-based sanctions;
- 17 (b) Community-based rehabilitation;
- 18 (c) Monitoring and reporting requirements;
- 19 (d) Posting of a probation bond;

20 (e) Residential treatment, where substance abuse, mental health,
21 and/or co-occurring disorders have been identified in an assessment
22 by a qualified mental health professional, psychologist,
23 psychiatrist, or chemical dependency professional and a funded bed is
24 available. If a child agrees to voluntary placement in a state-funded
25 long-term evaluation and treatment facility, the case must follow the
26 existing placement procedure including consideration of less
27 restrictive treatment options and medical necessity.

28 (i) A court may order residential treatment after consideration
29 and findings regarding whether:

- 30 (A) The referral is necessary to rehabilitate the child;
- 31 (B) The referral is necessary to protect the public or the child;
- 32 (C) The referral is in the child's best interest;

33 (D) The child has been given the opportunity to engage in less
34 restrictive treatment and has been unable or unwilling to comply; and

35 (E) Inpatient treatment is the least restrictive action
36 consistent with the child's needs and circumstances.

37 (ii) In any case where a court orders a child to inpatient
38 treatment under this section, the court must hold a review hearing no
39 later than sixty days after the youth begins inpatient treatment, and

1 every thirty days thereafter, as long as the youth is in inpatient
2 treatment;

3 (6) "Confinement" means physical custody by the department of
4 children, youth, and families in a facility operated by or pursuant
5 to a contract with the state, or physical custody in a detention
6 facility operated by or pursuant to a contract with any county. The
7 county may operate or contract with vendors to operate county
8 detention facilities. The department may operate or contract to
9 operate detention facilities for juveniles committed to the
10 department. Pretrial confinement or confinement of less than thirty-
11 one days imposed as part of a disposition or modification order may
12 be served consecutively or intermittently, in the discretion of the
13 court;

14 (7) "Court," when used without further qualification, means the
15 juvenile court judge(s) or commissioner(s);

16 (8) "Criminal history" includes all criminal complaints against
17 the respondent for which, prior to the commission of a current
18 offense:

19 (a) The allegations were found correct by a court. If a
20 respondent is convicted of two or more charges arising out of the
21 same course of conduct, only the highest charge from among these
22 shall count as an offense for the purposes of this chapter; or

23 (b) The criminal complaint was diverted by a prosecutor pursuant
24 to the provisions of this chapter on agreement of the respondent and
25 after an advisement to the respondent that the criminal complaint
26 would be considered as part of the respondent's criminal history. A
27 successfully completed deferred adjudication that was entered before
28 July 1, 1998, or a deferred disposition shall not be considered part
29 of the respondent's criminal history;

30 (9) "Department" means the department of children, youth, and
31 families;

32 (10) "Detention facility" means a county facility, paid for by
33 the county, for the physical confinement of a juvenile alleged to
34 have committed an offense or an adjudicated offender subject to a
35 disposition or modification order. "Detention facility" includes
36 county group homes, inpatient substance abuse programs, juvenile
37 basic training camps, and electronic monitoring;

38 (11) "Diversion unit" means any probation counselor who enters
39 into a diversion agreement with an alleged youthful offender, or any
40 other person, community accountability board, youth court under the

1 supervision of the juvenile court, or other entity with whom the
2 juvenile court administrator has contracted to arrange and supervise
3 such agreements pursuant to RCW 13.40.080, or any person, community
4 accountability board, or other entity specially funded by the
5 legislature to arrange and supervise diversion agreements in
6 accordance with the requirements of this chapter. For purposes of
7 this subsection, "community accountability board" means a board
8 comprised of members of the local community in which the juvenile
9 offender resides. The superior court shall appoint the members. The
10 boards shall consist of at least three and not more than seven
11 members. If possible, the board should include a variety of
12 representatives from the community, such as a law enforcement
13 officer, teacher or school administrator, high school student,
14 parent, and business owner, and should represent the cultural
15 diversity of the local community;

16 (12) "Foster care" means temporary physical care in a foster
17 family home or group care facility as defined in RCW 74.15.020 and
18 licensed by the department, or other legally authorized care;

19 (13) "Institution" means a juvenile facility established pursuant
20 to chapters 72.05 and 72.16 through 72.20 RCW;

21 (14) "Intensive supervision program" means a parole program that
22 requires intensive supervision and monitoring, offers an array of
23 individualized treatment and transitional services, and emphasizes
24 community involvement and support in order to reduce the likelihood a
25 juvenile offender will commit further offenses;

26 (15) "Juvenile," "youth," and "child" mean any individual who is
27 under the chronological age of eighteen years and who has not been
28 previously transferred to adult court pursuant to RCW 13.40.110,
29 unless the individual was convicted of a lesser charge or acquitted
30 of the charge for which he or she was previously transferred pursuant
31 to RCW 13.40.110 or who is not otherwise under adult court
32 jurisdiction;

33 (16) "Juvenile offender" means any juvenile who has been found by
34 the juvenile court to have committed an offense, including a person
35 eighteen years of age or older over whom jurisdiction has been
36 extended under RCW 13.40.300;

37 (17) "Labor" means the period of time before a birth during which
38 contractions are of sufficient frequency, intensity, and duration to
39 bring about effacement and progressive dilation of the cervix;

1 (18) "Local sanctions" means one or more of the following: (a)
2 0-30 days of confinement; (b) 0-12 months of community supervision;
3 (c) 0-150 hours of community restitution; or (d) \$0-\$500 fine;

4 (19) "Manifest injustice" means a disposition that would either
5 impose an excessive penalty on the juvenile or would impose a
6 serious, and clear danger to society in light of the purposes of this
7 chapter;

8 (20) "Monitoring and reporting requirements" means one or more of
9 the following: Curfews; requirements to remain at home, school, work,
10 or court-ordered treatment programs during specified hours;
11 restrictions from leaving or entering specified geographical areas;
12 requirements to report to the probation officer as directed and to
13 remain under the probation officer's supervision; and other
14 conditions or limitations as the court may require which may not
15 include confinement;

16 (21) "Offense" means an act designated a violation or a crime if
17 committed by an adult under the law of this state, under any
18 ordinance of any city or county of this state, under any federal law,
19 or under the law of another state if the act occurred in that state;

20 (22) "Physical restraint" means the use of any bodily force or
21 physical intervention to control a juvenile offender or limit a
22 juvenile offender's freedom of movement in a way that does not
23 involve a mechanical restraint. Physical restraint does not include
24 momentary periods of minimal physical restriction by direct person-
25 to-person contact, without the aid of mechanical restraint,
26 accomplished with limited force and designed to:

27 (a) Prevent a juvenile offender from completing an act that would
28 result in potential bodily harm to self or others or damage property;

29 (b) Remove a disruptive juvenile offender who is unwilling to
30 leave the area voluntarily; or

31 (c) Guide a juvenile offender from one location to another;

32 (23) "Postpartum recovery" means (a) the entire period a woman or
33 youth is in the hospital, birthing center, or clinic after giving
34 birth and (b) an additional time period, if any, a treating physician
35 determines is necessary for healing after the youth leaves the
36 hospital, birthing center, or clinic;

37 (24) "Probation bond" means a bond, posted with sufficient
38 security by a surety justified and approved by the court, to secure
39 the offender's appearance at required court proceedings and
40 compliance with court-ordered community supervision or conditions of

1 release ordered pursuant to RCW 13.40.040 or 13.40.050. It also means
2 a deposit of cash or posting of other collateral in lieu of a bond if
3 approved by the court;

4 (25) "Respondent" means a juvenile who is alleged or proven to
5 have committed an offense;

6 (26) "Restitution" means financial reimbursement by the offender
7 to the victim, and shall be limited to easily ascertainable damages
8 for injury to or loss of property, actual expenses incurred for
9 medical treatment for physical injury to persons, lost wages
10 resulting from physical injury, and costs of the victim's counseling
11 reasonably related to the offense. Restitution shall not include
12 reimbursement for damages for mental anguish, pain and suffering, or
13 other intangible losses. Nothing in this chapter shall limit or
14 replace civil remedies or defenses available to the victim or
15 offender;

16 (27) "Restorative justice" means practices, policies, and
17 programs informed by and sensitive to the needs of crime victims that
18 are designed to encourage offenders to accept responsibility for
19 repairing the harm caused by their offense by providing safe and
20 supportive opportunities for voluntary participation and
21 communication between the victim, the offender, their families, and
22 relevant community members;

23 (28) "Restraints" means anything used to control the movement of
24 a person's body or limbs and includes:

25 (a) Physical restraint; or

26 (b) Mechanical device including but not limited to: Metal
27 handcuffs, plastic ties, ankle restraints, leather cuffs, other
28 hospital-type restraints, tasers, or batons;

29 (29) "Screening" means a process that is designed to identify a
30 child who is at risk of having mental health, substance abuse, or co-
31 occurring mental health and substance abuse disorders that warrant
32 immediate attention, intervention, or more comprehensive assessment.
33 A screening may be undertaken with or without the administration of a
34 formal instrument;

35 (30) "Secretary" means the secretary of the department;

36 (31) "Services" means services which provide alternatives to
37 incarceration for those juveniles who have pleaded or been
38 adjudicated guilty of an offense or have signed a diversion agreement
39 pursuant to this chapter;

1 (32) "Sex offense" means an offense defined as a sex offense in
2 RCW 9.94A.030;

3 (33) "Sexual motivation" means that one of the purposes for which
4 the respondent committed the offense was for the purpose of his or
5 her sexual gratification;

6 (34) "Surety" means an entity licensed under state insurance laws
7 or by the state department of licensing, to write corporate,
8 property, or probation bonds within the state, and justified and
9 approved by the superior court of the county having jurisdiction of
10 the case;

11 (35) "Transportation" means the conveying, by any means, of an
12 incarcerated pregnant youth from the institution or detention
13 facility to another location from the moment she leaves the
14 institution or detention facility to the time of arrival at the other
15 location, and includes the escorting of the pregnant incarcerated
16 youth from the institution or detention facility to a transport
17 vehicle and from the vehicle to the other location;

18 (36) "Violation" means an act or omission, which if committed by
19 an adult, must be proven beyond a reasonable doubt, and is punishable
20 by sanctions which do not include incarceration;

21 (37) "Violent offense" means a violent offense as defined in RCW
22 9.94A.030;

23 (38) "Youth court" means a diversion unit under the supervision
24 of the juvenile court.

25 (39) "Community juvenile accountability act advisory committee"
26 means a committee consisting of an equal number of representatives
27 from the department and juvenile courts. The purpose of the committee
28 is to provide oversight and structure to the juvenile courts in an
29 effort to provide a continuum of research-based programs consistent
30 with state law. The committee is cochaired by a representative from
31 the department and a representative from the juvenile courts.

32 **Sec. 3.** RCW 13.04.030 and 2018 c 162 s 2 are each amended to
33 read as follows:

34 (1) Except as provided in this section, the juvenile courts in
35 this state shall have exclusive original jurisdiction over all
36 proceedings:

37 (a) Under the interstate compact on placement of children as
38 provided in chapter 26.34 RCW;

1 (b) Relating to children alleged or found to be dependent as
2 provided in chapter 26.44 RCW and in RCW 13.34.030 through 13.34.161;

3 (c) Relating to the termination of a parent and child
4 relationship as provided in RCW 13.34.180 through 13.34.210;

5 (d) To approve or disapprove out-of-home placement as provided in
6 RCW 13.32A.170;

7 (e) Relating to juveniles alleged or found to have committed
8 offenses, traffic or civil infractions, or violations as provided in
9 RCW 13.40.020 through 13.40.230, unless:

10 (i) The juvenile court transfers jurisdiction of a particular
11 juvenile to adult criminal court pursuant to RCW 13.40.110;

12 (ii) The statute of limitations applicable to adult prosecution
13 for the offense, traffic or civil infraction, or violation has
14 expired;

15 (iii) The alleged offense or infraction is a traffic, fish,
16 boating, or game offense, or traffic or civil infraction committed by
17 a juvenile sixteen years of age or older and would, if committed by
18 an adult, be tried or heard in a court of limited jurisdiction, in
19 which instance the appropriate court of limited jurisdiction shall
20 have jurisdiction over the alleged offense or infraction, and no
21 guardian ad litem is required in any such proceeding due to the
22 juvenile's age. If such an alleged offense or infraction and an
23 alleged offense or infraction subject to juvenile court jurisdiction
24 arise out of the same event or incident, the juvenile court may have
25 jurisdiction of both matters. The jurisdiction under this subsection
26 does not constitute "transfer" or a "decline" for purposes of RCW
27 13.40.110 (1) or (2) or (e)(i) of this subsection. Courts of limited
28 jurisdiction which confine juveniles for an alleged offense or
29 infraction may place juveniles in juvenile detention facilities under
30 an agreement with the officials responsible for the administration of
31 the juvenile detention facility in RCW 13.04.035 and 13.20.060;

32 (iv) The alleged offense is a traffic or civil infraction, a
33 violation of compulsory school attendance provisions under chapter
34 28A.225 RCW, or a misdemeanor, and a court of limited jurisdiction
35 has assumed concurrent jurisdiction over those offenses as provided
36 in RCW 13.04.0301; or

37 (v) The juvenile is sixteen or seventeen years old on the date
38 the alleged offense is committed and the alleged offense is:

39 (A) A serious violent offense as defined in RCW 9.94A.030;

1 (B) A violent offense as defined in RCW 9.94A.030 and the
2 juvenile has a criminal history consisting of: One or more prior
3 serious violent offenses; two or more prior violent offenses; or
4 three or more of any combination of the following offenses: Any class
5 A felony, any class B felony, vehicular assault, or manslaughter in
6 the second degree, all of which must have been committed after the
7 juvenile's thirteenth birthday and prosecuted separately; or

8 (C) Rape of a child in the first degree.

9 (I) In such a case the adult criminal court shall have exclusive
10 original jurisdiction, except as provided in (e)(v)(C)(II) and (III)
11 of this subsection.

12 (II) The juvenile court shall have exclusive jurisdiction over
13 the disposition of any remaining charges in any case in which the
14 juvenile is found not guilty in the adult criminal court of the
15 charge or charges for which he or she was transferred, or is
16 convicted in the adult criminal court of ~~((a lesser included))~~ an
17 offense that is not also an offense listed in (e)(v) of this
18 subsection. The juvenile court shall maintain residual juvenile court
19 jurisdiction up to age twenty-five if the juvenile has turned
20 eighteen years of age during the adult criminal court proceedings but
21 only for the purpose of returning a case to juvenile court for
22 disposition pursuant to RCW 13.40.300(3)(d). ~~((However, once the case
23 is returned to juvenile court, the court may hold a decline hearing
24 pursuant to RCW 13.40.110 to determine whether to retain the case in
25 juvenile court for the purpose of disposition or return the case to
26 adult criminal court for sentencing.))~~

27 (III) The prosecutor and respondent may agree to juvenile court
28 jurisdiction and waive application of exclusive adult criminal
29 jurisdiction in (e)(v)(A) through (C) of this subsection and remove
30 the proceeding back to juvenile court with the court's approval.

31 If the juvenile challenges the state's determination of the
32 juvenile's criminal history under (e)(v) of this subsection, the
33 state may establish the offender's criminal history by a
34 preponderance of the evidence. If the criminal history consists of
35 adjudications entered upon a plea of guilty, the state shall not bear
36 a burden of establishing the knowing and voluntariness of the plea;

37 (f) Under the interstate compact on juveniles as provided in
38 chapter 13.24 RCW;

1 (g) Relating to termination of a diversion agreement under RCW
2 13.40.080, including a proceeding in which the divertee has attained
3 eighteen years of age;

4 (h) Relating to court validation of a voluntary consent to an
5 out-of-home placement under chapter 13.34 RCW, by the parent or
6 Indian custodian of an Indian child, except if the parent or Indian
7 custodian and child are residents of or domiciled within the
8 boundaries of a federally recognized Indian reservation over which
9 the tribe exercises exclusive jurisdiction;

10 (i) Relating to petitions to compel disclosure of information
11 filed by the department of social and health services pursuant to RCW
12 74.13.042; and

13 (j) Relating to judicial determinations and permanency planning
14 hearings involving developmentally disabled children who have been
15 placed in out-of-home care pursuant to a voluntary placement
16 agreement between the child's parent, guardian, or legal custodian
17 and the department of social and health services and the department
18 of children, youth, and families.

19 (2) The family court shall have concurrent original jurisdiction
20 with the juvenile court over all proceedings under this section if
21 the superior court judges of a county authorize concurrent
22 jurisdiction as provided in RCW 26.12.010.

23 (3) The juvenile court shall have concurrent original
24 jurisdiction with the family court over child custody proceedings
25 under chapter 26.10 RCW and parenting plans or residential schedules
26 under chapters 26.09 (~~and 26.26~~), 26.26A, or 26.26B RCW as provided
27 for in RCW 13.34.155.

28 (4) A juvenile subject to adult superior court jurisdiction under
29 subsection (1)(e)(i) through (v) of this section, who is detained
30 pending trial, may be detained in a detention facility as defined in
31 RCW 13.40.020 pending sentencing or a dismissal.

32 **Sec. 4.** RCW 13.40.0357 and 2018 c 162 s 3 are each amended to
33 read as follows:

34 **DESCRIPTION AND OFFENSE CATEGORY**

1	JUVENILE	JUVENILE DISPOSITION
2	DISPOSITIO	CATEGORY FOR
3	N	ATTEMPT, BAILJUMP,
4	OFFENSE	CONSPIRACY, OR
5	CATEGORY DESCRIPTION (RCW CITATION)	SOLICITATION
6	Arson and Malicious Mischief	
7	A Arson 1 (9A.48.020)	B+
8	B Arson 2 (9A.48.030)	C
9	C Reckless Burning 1 (9A.48.040)	D
10	D Reckless Burning 2 (9A.48.050)	E
11	B Malicious Mischief 1 (9A.48.070)	C
12	C Malicious Mischief 2 (9A.48.080)	D
13	D Malicious Mischief 3 (9A.48.090)	E
14	E Tampering with Fire Alarm Apparatus	
15	(9.40.100)	E
16	E Tampering with Fire Alarm Apparatus with	
17	Intent to Commit Arson (9.40.105)	E
18	A Possession of Incendiary Device (9.40.120)	B+
19	Assault and Other Crimes Involving	
20	Physical Harm	
21	A Assault 1 (9A.36.011)	B+
22	B+ Assault 2 (9A.36.021)	C+
23	C+ Assault 3 (9A.36.031)	D+
24	D+ Assault 4 (9A.36.041)	E
25	B+ Drive-By Shooting (9A.36.045) committed	
26	at age 15 or under	C+
27	A++ Drive-By Shooting (9A.36.045) committed ((A+))	
28	at age 16 or 17	<u>A</u>
29	D+ Reckless Endangerment (9A.36.050)	E
30	C+ Promoting Suicide Attempt (9A.36.060)	D+
31	D+ Coercion (9A.36.070)	E
32	C+ Custodial Assault (9A.36.100)	D+
33	Burglary and Trespass	
34	B+ Burglary 1 (9A.52.020) committed at age	
35	15 or under	C+

1	A-	Burglary 1 (9A.52.020) committed at age	
2		16 or 17	B+
3	B	Residential Burglary (9A.52.025)	C
4	B	Burglary 2 (9A.52.030)	C
5	D	Burglary Tools (Possession of) (9A.52.060)	E
6	D	Criminal Trespass 1 (9A.52.070)	E
7	E	Criminal Trespass 2 (9A.52.080)	E
8	C	Mineral Trespass (78.44.330)	C
9	C	Vehicle Prowling 1 (9A.52.095)	D
10	D	Vehicle Prowling 2 (9A.52.100)	E
11		Drugs	
12	E	Possession/Consumption of Alcohol	
13		(66.44.270)	E
14	C	Illegally Obtaining Legend Drug	
15		(69.41.020)	D
16	C+	Sale, Delivery, Possession of Legend Drug	
17		with Intent to Sell (69.41.030(2)(a))	D+
18	E	Possession of Legend Drug	
19		(69.41.030(2)(b))	E
20	B+	Violation of Uniform Controlled	
21		Substances Act - Narcotic,	
22		Methamphetamine, or Flunitrazepam Sale	
23		(69.50.401(2) (a) or (b))	B+
24	C	Violation of Uniform Controlled	
25		Substances Act - Nonnarcotic Sale	
26		(69.50.401(2)(c))	C
27	E	Possession of Marihuana <40 grams	
28		(69.50.4014)	E
29	C	Fraudulently Obtaining Controlled	
30		Substance (69.50.403)	C
31	C+	Sale of Controlled Substance for Profit	
32		(69.50.410)	C+
33	E	Unlawful Inhalation (9.47A.020)	E

1	B	Violation of Uniform Controlled	
2		Substances Act - Narcotic,	
3		Methamphetamine, or Flunitrazepam	
4		Counterfeit Substances (69.50.4011(2) (a)	
5		or (b))	B
6	C	Violation of Uniform Controlled	
7		Substances Act - Nonnarcotic Counterfeit	
8		Substances (69.50.4011(2) (c), (d), or (e))	C
9	C	Violation of Uniform Controlled	
10		Substances Act - Possession of a Controlled	
11		Substance (69.50.4013)	C
12	C	Violation of Uniform Controlled	
13		Substances Act - Possession of a Controlled	
14		Substance (69.50.4012)	C
15		Firearms and Weapons	
16	B	Theft of Firearm (9A.56.300)	C
17	B	Possession of Stolen Firearm (9A.56.310)	C
18	E	Carrying Loaded Pistol Without Permit	
19		(9.41.050)	E
20	C	Possession of Firearms by Minor (<18)	
21		(9.41.040(2)(a) ((i+v)) (<u>v</u>))	C
22	D+	Possession of Dangerous Weapon	
23		(9.41.250)	E
24	D	Intimidating Another Person by use of	
25		Weapon (9.41.270)	E
26		Homicide	
27	A+	Murder 1 (9A.32.030)	A
28	A+	Murder 2 (9A.32.050)	B+
29	B+	Manslaughter 1 (9A.32.060)	C+
30	C+	Manslaughter 2 (9A.32.070)	D+
31	B+	Vehicular Homicide (46.61.520)	C+
32		Kidnapping	
33	A	Kidnap 1 (9A.40.020)	B+
34	B+	Kidnap 2 (9A.40.030)	C+
35	C+	Unlawful Imprisonment (9A.40.040)	D+
36		Obstructing Governmental Operation	

1	D	Obstructing a Law Enforcement Officer (9A.76.020)	E
2			
3	E	Resisting Arrest (9A.76.040)	E
4	B	Introducing Contraband 1 (9A.76.140)	C
5	C	Introducing Contraband 2 (9A.76.150)	D
6	E	Introducing Contraband 3 (9A.76.160)	E
7	B+	Intimidating a Public Servant (9A.76.180)	C+
8	B+	Intimidating a Witness (9A.72.110)	C+
9		Public Disturbance	
10	C+	Criminal Mischief with Weapon (9A.84.010(2)(b))	D+
11			
12	D+	Criminal Mischief Without Weapon (9A.84.010(2)(a))	E
13			
14	E	Failure to Disperse (9A.84.020)	E
15	E	Disorderly Conduct (9A.84.030)	E
16		Sex Crimes	
17	A	Rape 1 (9A.44.040)	B+
18	B++	Rape 2 (9A.44.050) committed at age 14 or under	B+
19			
20	A-	Rape 2 (9A.44.050) committed at age 15 through age 17	B+
21			
22	C+	Rape 3 (9A.44.060)	D+
23	B++	Rape of a Child 1 (9A.44.073) committed at age 14 or under	B+
24			
25	A-	Rape of a Child 1 (9A.44.073) committed at age 15	B+
26			
27	B+	Rape of a Child 2 (9A.44.076)	C+
28	B	Incest 1 (9A.64.020(1))	C
29	C	Incest 2 (9A.64.020(2))	D
30	D+	Indecent Exposure (Victim <14) (9A.88.010)	E
31			
32	E	Indecent Exposure (Victim 14 or over) (9A.88.010)	E
33			
34	B+	Promoting Prostitution 1 (9A.88.070)	C+
35	C+	Promoting Prostitution 2 (9A.88.080)	D+
36	E	O & A (Prostitution) (9A.88.030)	E

1	B+	Indecent Liberties (9A.44.100)	C+
2	B++	Child Molestation 1 (9A.44.083) committed	
3		at age 14 or under	B+
4	A-	Child Molestation 1 (9A.44.083) committed	
5		at age 15 through age 17	B+
6	B	Child Molestation 2 (9A.44.086)	C+
7	C	Failure to Register as a Sex Offender	
8		(9A.44.132)	D
9		Theft, Robbery, Extortion, and Forgery	
10	B	Theft 1 (9A.56.030)	C
11	C	Theft 2 (9A.56.040)	D
12	D	Theft 3 (9A.56.050)	E
13	B	Theft of Livestock 1 and 2 (9A.56.080 and	
14		9A.56.083)	C
15	C	Forgery (9A.60.020)	D
16	A	Robbery 1 (9A.56.200) committed at age	
17		15 or under	B+
18	A++	Robbery 1 (9A.56.200) committed at age	((A+))
19		16 or 17	<u>A</u>
20	B+	Robbery 2 (9A.56.210)	C+
21	B+	Extortion 1 (9A.56.120)	C+
22	C+	Extortion 2 (9A.56.130)	D+
23	C	Identity Theft 1 (9.35.020(2))	D
24	D	Identity Theft 2 (9.35.020(3))	E
25	D	Improperly Obtaining Financial	
26		Information (9.35.010)	E
27	B	Possession of a Stolen Vehicle (9A.56.068)	C
28	B	Possession of Stolen Property 1	
29		(9A.56.150)	C
30	C	Possession of Stolen Property 2	
31		(9A.56.160)	D
32	D	Possession of Stolen Property 3	
33		(9A.56.170)	E
34	B	Taking Motor Vehicle Without Permission 1	
35		(9A.56.070)	C
36	C	Taking Motor Vehicle Without Permission 2	
37		(9A.56.075)	D

1	B	Theft of a Motor Vehicle (9A.56.065)	C
2		Motor Vehicle Related Crimes	
3	E	Driving Without a License (46.20.005)	E
4	B+	Hit and Run - Death (46.52.020(4)(a))	C+
5	C	Hit and Run - Injury (46.52.020(4)(b))	D
6	D	Hit and Run-Attended (46.52.020(5))	E
7	E	Hit and Run-Unattended (46.52.010)	E
8	C	Vehicular Assault (46.61.522)	D
9	C	Attempting to Elude Pursuing Police	
10		Vehicle (46.61.024)	D
11	E	Reckless Driving (46.61.500)	E
12	D	Driving While Under the Influence	
13		(46.61.502 and 46.61.504)	E
14	B+	Felony Driving While Under the Influence	
15		(46.61.502(6))	B
16	B+	Felony Physical Control of a Vehicle While	
17		Under the Influence (46.61.504(6))	B
18		Other	
19	B	Animal Cruelty 1 (16.52.205)	C
20	B	Bomb Threat (9.61.160)	C
21	C	Escape 1 ¹ (9A.76.110)	C
22	C	Escape 2 ¹ (9A.76.120)	C
23	D	Escape 3 (9A.76.130)	E
24	E	Obscene, Harassing, Etc., Phone Calls	
25		(9.61.230)	E
26	A	Other Offense Equivalent to an Adult Class	
27		A Felony	B+
28	B	Other Offense Equivalent to an Adult Class	
29		B Felony	C
30	C	Other Offense Equivalent to an Adult Class	
31		C Felony	D
32	D	Other Offense Equivalent to an Adult Gross	
33		Misdemeanor	E
34	E	Other Offense Equivalent to an Adult	
35		Misdemeanor	E

V Violation of Order of Restitution,
 Community Supervision, or Confinement
 (13.40.200)²

V

¹Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses and the standard range is established as follows:

1st escape or attempted escape during 12-month period - 28 days confinement

2nd escape or attempted escape during 12-month period - 8 weeks confinement

3rd and subsequent escape or attempted escape during 12-month period - 12 weeks confinement

²If the court finds that a respondent has violated terms of an order, it may impose a penalty of up to 30 days of confinement.

JUVENILE SENTENCING STANDARDS

This schedule must be used for juvenile offenders. The court may select sentencing option A, B, C, or D.

OPTION A

JUVENILE OFFENDER SENTENCING GRID

STANDARD RANGE

	A++	129 to 260 weeks for all category A++ offenses				
	A+	180 weeks to ((age-21)) <u>the maximum age of juvenile court jurisdiction</u> for all category A+ offenses				
	A	103-129 weeks for all category A offenses				
	A-	30-40 weeks	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks
	B++	15-36 weeks	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks
CURRENT	B+	15-36 weeks	15-36 weeks	52-65 weeks	80-100 weeks	103-129 weeks
OFFENSE	B	LS	LS	15-36 weeks	15-36 weeks	52-65 weeks
CATEGORY	C+	LS	LS	LS	15-36 weeks	15-36 weeks
	C	LS	LS	LS	LS	15-36 weeks
	D+	LS	LS	LS	LS	LS
	D	LS	LS	LS	LS	LS
	E	LS	LS	LS	LS	LS
PRIOR		0	1	2	3	4 or more

1 ADJUDICATIONS

2 NOTE: References in the grid to days or weeks mean periods of
3 confinement. "LS" means "local sanctions" as defined in RCW
4 13.40.020.

5 (1) The vertical axis of the grid is the current offense
6 category. The current offense category is determined by the offense
7 of adjudication.

8 (2) The horizontal axis of the grid is the number of prior
9 adjudications included in the juvenile's criminal history. Each prior
10 felony adjudication shall count as one point. Each prior violation,
11 misdemeanor, and gross misdemeanor adjudication shall count as 1/4
12 point. Fractional points shall be rounded down.

13 (3) The standard range disposition for each offense is determined
14 by the intersection of the column defined by the prior adjudications
15 and the row defined by the current offense category.

16 (4) RCW 13.40.180 applies if the offender is being sentenced for
17 more than one offense.

18 (5) A current offense that is a violation is equivalent to an
19 offense category of E. However, a disposition for a violation shall
20 not include confinement.

21 OR

22 **OPTION B**

23 **SUSPENDED DISPOSITION ALTERNATIVE**

24 (1) If the offender is subject to a standard range disposition
25 involving confinement by the department, the court may impose the
26 standard range and suspend the disposition on condition that the
27 offender comply with one or more local sanctions and any educational
28 or treatment requirement. The treatment programs provided to the
29 offender must be either research-based best practice programs as
30 identified by the Washington state institute for public policy or the
31 joint legislative audit and review committee, or for chemical
32 dependency treatment programs or services, they must be evidence-
33 based or research-based best practice programs. For the purposes of
34 this subsection:

35 (a) "Evidence-based" means a program or practice that has had
36 multiple site random controlled trials across heterogeneous
37 populations demonstrating that the program or practice is effective
38 for the population; and

1 (b) "Research-based" means a program or practice that has some
2 research demonstrating effectiveness, but that does not yet meet the
3 standard of evidence-based practices.

4 (2) If the offender fails to comply with the suspended
5 disposition, the court may impose sanctions pursuant to RCW 13.40.200
6 or may revoke the suspended disposition and order the disposition's
7 execution.

8 (3) An offender is ineligible for the suspended disposition
9 option under this section if the offender:

10 (a) Is adjudicated of an A+ or A++ offense;

11 (b) Is fourteen years of age or older and is adjudicated of one
12 or more of the following offenses:

13 (i) A class A offense, or an attempt, conspiracy, or solicitation
14 to commit a class A offense;

15 (ii) Manslaughter in the first degree (RCW 9A.32.060);

16 (iii) Assault in the second degree (RCW 9A.36.021), extortion in
17 the first degree (RCW 9A.56.120), kidnapping in the second degree
18 (RCW 9A.40.030), drive-by shooting (RCW 9A.36.045), vehicular
19 homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), or
20 manslaughter 2 (RCW 9A.32.070); or

21 (iv) Violation of the uniform controlled substances act (RCW
22 69.50.401(2) (a) and (b)), when the offense includes infliction of
23 bodily harm upon another or when during the commission or immediate
24 withdrawal from the offense the respondent was armed with a deadly
25 weapon;

26 (c) Is ordered to serve a disposition for a firearm violation
27 under RCW 13.40.193;

28 (d) Is adjudicated of a sex offense as defined in RCW 9.94A.030;
29 or

30 (e) Has a prior option B disposition.

31 **OR**

32 **OPTION C**

33 **CHEMICAL DEPENDENCY/MENTAL HEALTH DISPOSITION ALTERNATIVE**

34 If the juvenile offender is subject to a standard range
35 disposition of local sanctions or 15 to 36 weeks of confinement and
36 has not committed a B++ or B+ offense, the court may impose a
37 disposition under RCW 13.40.160(4) and 13.40.165.

38 **OR**

OPTION D
MANIFEST INJUSTICE

If the court determines that a disposition under option A, B, or C would effectuate a manifest injustice, the court shall impose a disposition outside the standard range under RCW 13.40.160(2).

Sec. 5. RCW 13.40.110 and 2018 c 162 s 4 are each amended to read as follows:

(1) Discretionary decline hearing - The prosecutor, respondent, or the court on its own motion may, before a hearing on the information on its merits, file a motion requesting the court to transfer the respondent for adult criminal prosecution and the matter shall be set for a hearing on the question of declining jurisdiction only if:

(a) The respondent is, at the time of proceedings, at least fifteen years of age or older and is charged with a serious violent offense as defined in RCW 9.94A.030; (~~(e)~~)

(b) The respondent is, at the time of proceedings, fourteen years of age or younger and is charged with murder in the first degree (RCW 9A.32.030), and/or murder in the second degree (RCW 9A.32.050); or

(c) The respondent is under age eighteen and: (i) Is charged with custodial assault under RCW 9A.36.100; (ii) has a criminal history which includes a prior conviction for custodial assault; and (iii) is serving a minimum juvenile sentence to age twenty-one or longer.

(2) Mandatory decline hearing - Unless waived by the court, the parties, and their counsel, a decline hearing shall be held when the information alleges an escape by the respondent and the respondent is serving a minimum juvenile sentence to age twenty-one.

(3) The court after a decline hearing may order the case transferred for adult criminal prosecution upon a finding that the declination would be in the best interest of the juvenile or the public. The court shall consider the relevant reports, facts, opinions, and arguments presented by the parties and their counsel.

(4) When the respondent is transferred for criminal prosecution or retained for prosecution in juvenile court, the court shall set forth in writing its finding which shall be supported by relevant facts and opinions produced at the hearing.

1 **Sec. 6.** RCW 13.40.300 and 2018 c 162 s 7 are each amended to
2 read as follows:

3 (1) Except as provided in subsection (2) of this section, a
4 juvenile offender may not be committed by the juvenile court to the
5 department of children, youth, and families for placement in a
6 juvenile correctional institution beyond the juvenile offender's
7 twenty-first birthday.

8 (2) A juvenile offender convicted of an A++ juvenile disposition
9 category offense listed in RCW 13.40.0357, or found to be armed with
10 a firearm and sentenced to an additional twelve months pursuant to
11 RCW 13.40.193(3)(b), may be committed by the juvenile court to the
12 department of children, youth, and families for placement in a
13 juvenile correctional institution up to the juvenile offender's
14 twenty-fifth birthday, but not beyond.

15 (3) A juvenile may be under the jurisdiction of the juvenile
16 court or the authority of the department of children, youth, and
17 families beyond the juvenile's eighteenth birthday only if prior to
18 the juvenile's eighteenth birthday:

19 (a) Proceedings are pending seeking the adjudication of a
20 juvenile offense and the court by written order setting forth its
21 reasons extends jurisdiction of juvenile court over the juvenile
22 beyond his or her eighteenth birthday, except:

23 (i) If the court enters a written order extending jurisdiction
24 under this subsection, it shall not extend jurisdiction beyond the
25 juvenile's twenty-first birthday;

26 (ii) If the order fails to specify a specific date, it shall be
27 presumed that jurisdiction is extended to age twenty-one; and

28 (iii) If the juvenile court previously extended jurisdiction
29 beyond the juvenile's eighteenth birthday, and that period of
30 extension has not expired, the court may further extend jurisdiction
31 by written order setting forth its reasons;

32 (b) The juvenile has been found guilty after a fact finding or
33 after a plea of guilty and an automatic extension is necessary to
34 allow for the imposition of disposition;

35 (c) Disposition has been held and an automatic extension is
36 necessary to allow for the execution and enforcement of the court's
37 order of disposition, subject to the following:

38 (i) If an order of disposition imposes commitment to the
39 department, then jurisdiction is automatically extended to include a

1 period of up to twelve months of parole, in no case extending beyond
2 the offender's twenty-first birthday, except;

3 (ii) If an order of disposition imposes a commitment to the
4 department for a juvenile offender convicted of an A++ juvenile
5 disposition category offense listed in RCW 13.40.0357, or found to be
6 armed with a firearm and sentenced to an additional twelve months
7 pursuant to RCW 13.40.193(3)(b), then jurisdiction for parole is
8 automatically extended to include a period of up to twenty-four
9 months of parole, in no case extending beyond the offender's twenty-
10 fifth birthday;

11 (d) While proceedings are pending in a case in which jurisdiction
12 is vested in the adult criminal court pursuant to RCW 13.04.030, the
13 juvenile turns eighteen years of age and is subsequently found not
14 guilty of the charge for which he or she was transferred, or is
15 convicted in the adult criminal court of (~~a lesser included~~) an
16 offense that is not also an offense listed under RCW
17 13.04.030(1)(e)(v), and an automatic extension is necessary to impose
18 the juvenile disposition as required by RCW
19 13.04.030(1)(e)(v)(C)(II); or

20 (e) Pursuant to the terms of RCW 13.40.190 and 13.40.198, the
21 juvenile court maintains jurisdiction beyond the juvenile offender's
22 twenty-first birthday for the purpose of enforcing an order of
23 restitution or penalty assessment.

24 (4) Except as otherwise provided herein, in no event may the
25 juvenile court have authority to extend jurisdiction over any
26 juvenile offender beyond the juvenile offender's twenty-first
27 birthday.

28 (5) Notwithstanding any extension of jurisdiction over a person
29 pursuant to this section, the juvenile court has no jurisdiction over
30 any offenses alleged to have been committed by a person eighteen
31 years of age or older.

32 **Sec. 7.** RCW 43.20C.020 and 2014 c 225 s 66 are each amended to
33 read as follows:

34 The department of social and health services and the department
35 of children, youth, and families shall accomplish the following in
36 consultation and collaboration with the Washington state institute
37 for public policy, the evidence-based practice institute at the
38 University of Washington, a university-based child welfare
39 partnership and research entity, other national experts in the

1 delivery of evidence-based services, and organizations representing
2 Washington practitioners:

3 (1) (~~By September 30, 2012,~~) The Washington state institute for
4 public policy, the University of Washington evidence-based practice
5 institute, in consultation with the department of social and health
6 services, the department of children, youth, and families, and the
7 health care authority, shall publish descriptive definitions of
8 evidence-based, research-based, and promising practices in the areas
9 of child welfare, juvenile rehabilitation, rehabilitation services
10 specially designed for individuals ages eighteen through twenty-five
11 with criminal justice experience, and children's mental health
12 services.

13 (a) In addition to descriptive definitions, the Washington state
14 institute for public policy and the University of Washington
15 evidence-based practice institute must prepare an inventory of
16 evidence-based, research-based, and promising practices for
17 prevention and intervention services that will be used for the
18 purpose of completing the baseline assessment described in subsection
19 (2) of this section. The inventory shall be periodically updated as
20 more practices are identified.

21 (b) In identifying evidence-based and research-based services,
22 the Washington state institute for public policy and the University
23 of Washington evidence-based practice institute must:

24 (i) Consider any available systemic evidence-based assessment of
25 a program's efficacy and cost-effectiveness; and

26 (ii) Attempt to identify assessments that use valid and reliable
27 evidence.

28 (c) Using state, federal, or private funds, the departments shall
29 prioritize the assessment of promising practices identified in (a) of
30 this subsection with the goal of increasing the number of such
31 practices that meet the standards for evidence-based and research-
32 based practices.

33 (2) (~~By June 30, 2013,~~) The department of social and health
34 services, the department of children, youth, and families, and the
35 health care authority shall complete a baseline assessment of
36 utilization of evidence-based and research-based practices in the
37 areas of child welfare, juvenile rehabilitation, and children's
38 mental health services. The assessment must include prevention and
39 intervention services provided through medicaid fee-for-service and

1 healthy options managed care contracts. The assessment shall include
2 estimates of:

3 (a) The number of children receiving each service;

4 (b) For juvenile rehabilitation and child welfare services, the
5 total amount of state and federal funds expended on the service;

6 (c) For children's mental health services, the number and
7 percentage of encounters using these services that are provided to
8 children served by behavioral health organizations and children
9 receiving mental health services through medicaid fee-for-service or
10 healthy options;

11 (d) The relative availability of the service in the various
12 regions of the state; and

13 (e) To the extent possible, the unmet need for each service.

14 ~~((3) (a) By December 30, 2013, the department and the health care~~
15 ~~authority shall report to the governor and to the appropriate fiscal~~
16 ~~and policy committees of the legislature on recommended strategies,~~
17 ~~timelines, and costs for increasing the use of evidence-based and~~
18 ~~research-based practices. The report must distinguish between a~~
19 ~~reallocation of existing funding to support the recommended~~
20 ~~strategies and new funding needed to increase the use of the~~
21 ~~practices.~~

22 ~~(b) The department shall provide updated recommendations to the~~
23 ~~governor and the legislature by December 30, 2014, and by December~~
24 ~~30, 2015.~~

25 ~~(4) (a) The report required under subsection (3) of this section~~
26 ~~must include recommendations for the reallocation of resources for~~
27 ~~evidence-based and research-based practices and substantial increases~~
28 ~~above the baseline assessment of the use of evidence-based and~~
29 ~~research-based practices for the 2015-2017 and the 2017-2019 biennia.~~
30 ~~The recommendations for increases shall be consistent with subsection~~
31 ~~(2) of this section.~~

32 ~~(b) If the department or health care authority anticipates that~~
33 ~~it will not meet its recommended levels for an upcoming biennium as~~
34 ~~set forth in its report, it must report to the legislature by~~
35 ~~November 1st of the year preceding the biennium. The report shall~~
36 ~~include:~~

37 ~~(i) The identified impediments to meeting the recommended levels;~~

38 ~~(ii) The current and anticipated performance level; and~~

39 ~~(iii) Strategies that will be undertaken to improve performance.~~

1 ~~(5) Recommendations made pursuant to subsections (3) and (4) of~~
2 ~~this section must include strategies to identify programs that are~~
3 ~~effective with ethnically diverse clients and to consult with tribal~~
4 ~~governments, experts within ethnically diverse communities, and~~
5 ~~community organizations that serve diverse communities.)~~

6 NEW SECTION. **Sec. 8.** A new section is added to chapter 72.05
7 RCW to read as follows:

8 Subject to the availability of amounts appropriated for this
9 specific purpose, the department shall provide secure internet access
10 to individuals serving a term of confinement with the department. The
11 department shall develop rules to determine which individuals are
12 eligible to use this secure internet and for ensuring that the secure
13 internet used by individuals serving a term of confinement with the
14 department is used appropriately.

15 NEW SECTION. **Sec. 9.** A new section is added to chapter 72.05
16 RCW to read as follows:

17 (1) Subject to the availability of amounts appropriated for this
18 specific purpose, the department shall develop and implement in
19 coordination with the consolidated technology services agency under
20 chapter 43.105 RCW site testing to provide individuals serving a term
21 of confinement with the department with access to digital learning
22 through secure laptops.

23 (2) The site testing in this section must focus on providing
24 individuals serving a term of confinement with the department with
25 opportunities for credit retrieval, coursework leading toward high
26 school graduation or the equivalent, and vocational education
27 including certification.

28 (3) The department shall design the components of the site
29 testing under this section by October 1, 2019, and shall implement
30 the site testing from October 1, 2019, until July 1, 2021.

31 (4) The department shall provide a report to the legislature in
32 compliance with RCW 43.01.036 by December 1, 2020, that includes a
33 description of the site testing, the number of individuals serving a
34 term of confinement with the department participating in the site
35 testing, outcomes achieved by the site testing, and recommendations
36 regarding expansion of the service.

37 (5) This section expires December 1, 2021.

1 NEW SECTION. **Sec. 10.** A new section is added to chapter 72.05
2 RCW to read as follows:

3 (1) Subject to the availability of amounts appropriated for this
4 specific purpose, the department shall provide mobile construction
5 preapprenticeship training programs and postsecondary education
6 opportunities to individuals serving a term of confinement with the
7 department. The preapprenticeship training programs under this
8 section must provide technical training with hands-on work
9 experience.

10 (2) The department shall provide an annual report to the
11 legislature in compliance with RCW 43.01.036 on December 1, 2020,
12 regarding the preapprenticeship programs and postsecondary education
13 opportunities provided to individuals serving a term of confinement
14 with the department and any recommendations to support or expand
15 these programs.

16 (3) This section expires July 1, 2021.

17 NEW SECTION. **Sec. 11.** A new section is added to chapter 72.05
18 RCW to read as follows:

19 (1) The department shall convene a background check work group
20 to:

21 (a) Explore barriers imposed by background check requirements in
22 state law including RCW 43.43.830 and in policy that prevent
23 individuals with criminal history from providing mentoring to
24 individuals serving a term of confinement with the department; and

25 (b) Consider whether an individual's certificate of restoration
26 of opportunity under RCW 9.97.020 could be used to allow individuals
27 with criminal history to provide mentoring to individuals serving a
28 term of confinement with the department.

29 (2) The department shall convene the first meeting of the
30 background check work group by August 31, 2019, and include:

31 (a) Representatives from the department;

32 (b) Individuals with previous or current experience with the
33 juvenile justice system; and

34 (c) Representatives from a mentorship program that pairs mentors
35 who have experience in the juvenile justice system and have
36 successfully transformed their lives with young people currently
37 involved with the juvenile justice system.

38 (3) The work group established under this section shall provide a
39 report to the legislature by December 1, 2019, and in compliance with

1 RCW 43.01.036 that outlines recommendations regarding changes to
2 state law or policy that could support mentoring programs for
3 individuals serving a term of confinement with the department.

4 (4) This section expires July 1, 2020.

5 NEW SECTION. **Sec. 12.** A new section is added to chapter 13.40
6 RCW to read as follows:

7 (1) The department shall establish and convene an employment
8 pathways work group to outline a workforce framework for individuals
9 served by the juvenile rehabilitation division of the department. The
10 first meeting of the work group established under this section must
11 occur by August 31, 2019, and include:

- 12 (a) Representatives from the department;
13 (b) Individuals with previous or current experience with the
14 juvenile justice system; and
15 (c) Workforce representatives including workforce development
16 councils and agency partners.

17 (2) The work group shall provide a report to the legislature by
18 December 1, 2019, that includes recommendations regarding a plan to:

- 19 (a) Provide compensation to individuals receiving services through
20 the juvenile rehabilitation division of the department; and (b)
21 implement specific work-based learning positions that provide minimum
22 wage compensation.

23 NEW SECTION. **Sec. 13.** A new section is added to chapter 13.40
24 RCW to read as follows:

25 (1) Subject to the availability of amounts appropriated for this
26 specific purpose, the University of Washington shall convene an
27 interdisciplinary work group to develop recommendations for updating
28 policies that support the effective use of evidence-based services in
29 juvenile justice, child welfare, children's mental health, and youth
30 substance abuse and prevention services. The work group convened
31 under this section must include representatives from:

- 32 (a) The Washington state institute for public policy;
33 (b) The Washington state center for court research of the
34 administrative office of the courts;
35 (c) The community juvenile accountability act advisory committee
36 cochairs;
37 (d) The Washington association of juvenile court administrators;

- 1 (e) The alcohol and drug abuse institute at the University of
2 Washington;
- 3 (f) The department of children, youth, and families;
- 4 (g) The health care authority;
- 5 (h) Legislators;
- 6 (i) The office of innovation, alignment, and accountability under
7 RCW 43.216.035;
- 8 (j) Individuals under age twenty-five with current or previous
9 experience in the juvenile justice system;
- 10 (k) Community advocates; and
- 11 (l) Content experts internal and external to Washington state.
- 12 (2) The University of Washington must submit the findings and
13 recommendations of the work group to the governor and the legislature
14 by November 1, 2020.
- 15 (3) This section expires July 1, 2021.

--- END ---