

**RCW 72.05.405 Juveniles in community facility—Infraction policy**

**—Return to institution upon serious violation—Definitions by rule.**

The department shall adopt an infraction policy for juveniles placed in community facilities. The policy shall require written documentation by the department and service providers of all infractions and violations by juveniles of conditions set by the department. Any juvenile who commits a serious infraction or a serious violation of conditions set by the department must be returned to an institution. The secretary shall not return a juvenile to a community facility until a new risk assessment has been completed and the secretary reasonably believes that the juvenile can adhere to the conditions set by the department. The department must define the terms "serious infraction" and "serious violation" in rule, which must include the commission of any criminal offense excluding unlawful use or possession of a controlled substance or use or possession of an alcoholic beverage. The department shall adopt and implement rules based on empirically validated best practices to appropriately address offenses involving unlawful use or possession of a controlled substance and unlawful use or possession of alcohol committed by individuals placed in juvenile community facilities. [2019 c 468 § 2; 1998 c 269 § 6.]

**Intent—Finding—Effective date—1998 c 269:** See notes following RCW 72.05.020.