

HOUSE BILL REPORT

HB 1358

As Reported By House Committee On:
Corrections

Title: An act relating to parole of juvenile offenders.

Brief Description: Revising parole procedures for juveniles.

Sponsors: Representatives Costa, Ballasiotes and Morris.

Brief History:

Committee Activity:

Corrections: 2/17/95, 2/21/95 [DP].

HOUSE COMMITTEE ON CORRECTIONS

Majority Report: Do pass. Signed by 7 members: Representatives Ballasiotes, Chairman; Blanton, Vice Chairman; Quall, Ranking Minority Member; Tokuda, Assistant Ranking Minority Member; Dickerson; Radcliff and Schoesler.

Minority Report: Do not pass. Signed by 3 members: Representatives Sherstad; Cole and Koster.

Staff: Rick Neidhardt (786-7841).

Background:

Parole for Juveniles

Under current law, a juvenile offender who is committed to a state institution may be required to comply with a program of parole. By statute, this term of parole may last up to 18 months. In practice, however, parole terms are much shorter, due to funding considerations. For certain juvenile sex offenders, a two-year term of parole is mandatory.

Parole Conditions

Parolees must refrain from possessing a firearm or using a deadly weapon and must refrain from committing new offenses.

The Department of Social and Health Services (DSHS) may also impose additional conditions on parole. The juvenile may be required to undergo medical or psychiatric treatment, report to a parole officer, go to school or vocational training, and remain within certain geographical boundaries.

Parole Violations

If the juvenile violates parole terms, the secretary can continue the same level of supervision, intensify reporting requirements, or impose additional conditions. Alternatively, the secretary can impose a period of confinement not to exceed 30 days.

If a juvenile violates parole by possessing a firearm or using a deadly weapon, the juvenile shall be confined for at least 30 days.

If the juvenile committed certain sex offenses, the secretary can return the juvenile to confinement for the remainder of the sentence range.

Some confusion exists about the possible 30 day term of confinement. Some counties evidently interpret this to mean a total of 30 days confinement for all violations committed during a term of parole. The statute, however, can be read as meaning that the juvenile may serve 30 days confinement for each violation.

Summary of Bill:

The bill makes a minimum term of parole mandatory, and it intensifies the types and degrees of supervision received by paroled juveniles.

Parole for Juveniles

Current law requiring certain sex offenders to serve 24 months of parole is retained; all other juveniles being released from custody with DSHS must serve a minimum of 12 months and a maximum of 18 months on parole.

Parole Conditions

The bill significantly intensifies parole conditions and supervision.

The secretary shall impose conditions on parole. These conditions shall include any of the following:

- Medical, psychiatric, or mental health treatment;
- Substance abuse treatment;
- Anger management counseling;

- Going to school, vocational training, or working;
- Remaining in a certain area and informing the department of address changes;
- Refraining from committing new offenses;
- No use of drugs or alcohol;
- Random drug or alcohol tests;
- Submit to searches by parole or law enforcement officers; and
- No associations with criminals or with codefendants.

Parole Monitoring

The bill imposes new, intensified monitoring conditions. Immediately upon release, the juvenile must submit to electronic home monitoring for between 30 and 90 days. After the electronic monitoring, the juvenile must comply with an additional period of intensive monitoring, including a curfew. This intensive monitoring shall last between 30 and 180 days.

Parole Violations

A juvenile violating parole can be confined for up to 30 days per violation. The juvenile can be returned to confinement for all or a portion of the remaining sentence range. This provision applies to all offenders, not just sex offenders. If the juvenile returns to confinement for all or a portion of the remaining sentence range, the department can impose another period of parole upon his or her release.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Intensive monitoring of juveniles on parole is important. Juvenile recidivism needs to be addressed with better after-care. Twenty to 30 percent of Juvenile Rehabilitation Administration's (JRA) population would benefit from more intensive parole. The bill makes sweeping changes to JRA's parole program. Some of the changes could be difficult to implement, and some are costly to implement. Additionally, the parole program could be improved by making sure the police and schools are informed about the juvenile's parole conditions.

Testimony Against: None.

Testified: Judge Rosemary Buckner, Superior Court Judges Association (pro); Steve Frank, citizen (pro, and proposing additional parole conditions); and Sid Sidorowicz, Juvenile Rehabilitation Administration (in favor of concept, but preferring a different bill).