

HOUSE BILL REPORT

HB 2901

As Reported By House Committee On:

Law & Justice

Title: An act relating to requiring a juvenile offender to remain in the presence of a parent.

Brief Description: Requiring a juvenile offender to remain in the presence of a parent.

Sponsors: Representatives Lambert, Cooke, D. Sommers, Hargrove, Johnson, Clements, Koster, Sherstad, D. Schmidt, Thompson, Boldt, Carrell, Mulliken, McMahan and Goldsmith.

Brief History:

Committee Activity:

Law & Justice: 1/30/96, 2/1/96 [DPS].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Campbell; Carrell; Lambert; McMahan; Smith and Sterk.

Minority Report: Do not pass. Signed by 8 members: Representatives Dellwo, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Chappell; Cody; Morris; Murray; Robertson and Veloria.

Staff: Edie Adams (786-7180).

Background: In general, the juvenile court has exclusive original jurisdiction over juveniles under age 18 who are charged with an offense, traffic infraction, or violation.

The Juvenile Justice Act specifies disposition standards for juveniles adjudicated of an offense. Possible dispositions include commitment to the Department of Social and Health Services, community supervision, community service, or a fine.

Summary of Substitute Bill: In entering a disposition order for a juvenile found to have committed an offense, the court may order the juvenile to remain continuously

in the presence of the juvenile's parent for a period or periods that the court considers reasonable. "In the presence of" means within range of sight or hearing, or other limitations the court considers reasonable. This disposition may be ordered in addition to any other dispositional term or condition imposed on the juvenile.

A parent of a juvenile under juvenile court jurisdiction is subject to the jurisdiction of the juvenile court for purposes of enforcing an order that the juvenile remain continuously in the presence of the parent.

Substitute Bill Compared to Original Bill: The original bill did not provide a definition of "in the presence of."

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill will promote family responsibility and harmony by allowing a parent to play a greater role in the process when a child has committed an offense.

Testimony Against: The bill is impractical. The court may not know if there is actual or potential abuse of the child by the parent at the time of the disposition. The parents might have too much responsibility for other children to monitor a child adjudicated of an offense.

Testified: Representative Lambert, prime sponsor; and Deborah Ruggles, Washington Coalition of Sexual Assault Programs (with concerns).