

# SENATE BILL REPORT

## SHB 2372

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As Reported By Senate Committee On:  
Human Services & Corrections, February 23, 2000

**Title:** An act relating to detention of children in secure facilities.

**Brief Description:** Regulating detention of children within secure facilities.

**Sponsors:** House Committee on Children & Family Services (originally sponsored by Representatives Kagi, D. Sommers, Carrell, Cody, Edwards, Kenney, Wolfe, Lovick and Schual-Berke).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/22/2000, 2/23/2000 [DPA].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Patterson, Sheahan, Stevens and Zarelli.

**Staff:** Jennifer Strus (786-7484)

**Background:** There are currently several secure crisis residential centers (CRCs) located in juvenile detention facilities as well as several that are free standing facilities. Since their inception, the occupancy rate for secure CRCs has been at about 60 percent. Since the Department of Social and Health Services (DSHS) pays for these beds whether or not they are occupied, and some youth held in contempt must wait for an available bed before serving their contempt sentence, some interested persons believed that allowing the use of secure CRC beds for contempt purposes would be beneficial.

**Summary of Amended Bill:** When a child under the court's jurisdiction pursuant to a Children in Need Services (CHINS), at-risk youth (ARY) or truancy petition is held in contempt for violating a condition of the court order, the juvenile may be confined to a secure CRC to serve his or her contempt sentence. The only secure CRC in which a youth may serve his or her sentence is one that is located within a juvenile detention facility. No youth can serve a contempt sentence in a secure CRC that is a free standing facility located outside a juvenile detention facility.

No more than 50 percent of the capacity of a secure CRC may be used for youth held in contempt. If a secure CRC bed is occupied by a youth who has been held in contempt, and a runaway needs to be admitted, the youth being held in contempt must be immediately moved to the detention facility to serve his/her period of confinement.

The department does not have to attend hearings, provide transportation, case management or other services to youth held in contempt and confined to a secure CRC unless the

department was otherwise ordered to do so under a CHINS, ARY or truancy petition. In any contract between DSHS and a CRC, no payment for a bed occupied by a youth held in contempt shall occur.

The act expires on June 30, 2002.

**Amended Bill Compared to Substitute Bill:** The section providing that runaways have priority for secure CRC beds over youth held in contempt is clarified. A cap is added on how many secure CRC beds can be devoted to youth held in contempt. DSHS is not obligated to provide services to any youth held in contempt and placed in a secure CRC unless otherwise ordered to under a CHINS, ARY or truancy proceeding.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** It gives courts greater flexibility in the use of secure CRC beds.

**Testimony Against:** Allowing only the secure CRC beds located in juvenile detention facilities to be used for confinement of youth held in contempt is too restrictive.

**Testified:** PRO: Rep. Ruth Kagi, prime sponsor (original bill); Phil Jans, Chelan County Juvenile Court Administrator.