

SENATE BILL REPORT

SB 5972

As Passed Senate, March 14, 2001

Title: An act relating to clarifying the department of social and health services' parole program placement authority for all juvenile offenders under the age of twenty-one and committed to the department of social and health services.

Brief Description: Releasing juvenile offenders.

Sponsors: Senator Hargrove; by request of Department of Social and Health Services.

Brief History:

Committee Activity: Human Services & Corrections: 2/21/01 [DP].

Passed Senate: 3/14/01, 48-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Kohl-Welles, Long and Stevens.

Staff: Edith Rice (786-7444)

Background: The Department of Social and Health Services, Juvenile Rehabilitation Administration (JRA) requested this revision in the current statute to eliminate a potential loophole in the sentencing law. Juvenile offenders who have served their maximum sentence in an institution under a manifest injustice adjudication have challenged the authority of JRA to place them on parole.

Summary of Bill: The department's parole program placement authority for all juvenile offenders under the age of 21, including those who have served their maximum sentence in an institution under a manifest injustice adjudication is clarified. A manifest injustice adjudication is one in which a court has determined that a sentence within the juvenile offender sentencing standard range, or the chemical dependency disposition alternative would effectuate a manifest injustice. The court, as a result, must impose a disposition outside the standard range.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The language clarifies that the department has authority to place juveniles on parole status. It does not change the scope or intent of the current law.

Testimony Against: None.

Testified: Cheryl Stephani, Juvenile Rehabilitation Administration, Department of Social and Health Services (pro).