

# SENATE BILL REPORT

## SB 5191

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As of February 2, 1995

**Title:** An act relating to crimes committed by juveniles.

**Brief Description:** Revising provisions relating to crimes committed by juveniles.

**Sponsors:** Senators Smith, Roach, Haugen, McCaslin, Schow, Long, Rasmussen, Deccio, Hale and Palmer.

**Brief History:**

**Committee Activity:** Law & Justice: 2/2/95.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Lidia Mori (786-7755); Richard Rodger (786-7461)

**Background:** A number of significant changes were made to the laws pertaining to juvenile justice during the 1994 legislative session. At the conclusion of the session, juvenile court administrators, prosecuting attorneys, and superior court judges agreed to work together in an effort to continue to improve the system as it relates to juveniles.

**Summary of Bill:** A juvenile's parent, guardian, or custodian who is given notice through a summons of a detention hearing, adjudicatory hearing, or dispositional hearing is subject to juvenile court jurisdiction and is required to attend the juvenile's hearing. Contempt of court may be pursued if the person fails to attend without good reason.

Community truancy boards will be formed under the direction of school districts and will monitor truants and set conditions designed to improve school attendance.

The Department of Social and Health Services is directed to establish crisis residential centers (CRCs) so that the statewide total is at least 280 beds. CRCs will be operated to reasonably assure that juveniles placed there will not run away. A juvenile may reside in a CRC up to seven days. If reconciliation is not considered likely within that period, the person in charge files an at-risk youth petition.

The parent, guardian, or custodian of a minor may appeal the decision of a designated chemical dependency specialist or mental health professional when he or she declines to file a petition for commitment of the minor. A minor may be admitted for in-patient treatment without the minor's consent, upon application of the parent and with the concurring opinion of the professional person in charge of a facility that provides the type of treatment believed to be needed by the minor.

An offender must have a disposition of at least 30 weeks but not more than 40 weeks to be eligible for the juvenile offender basic training camp.

Courts may impose a manifest injustice length disposition under the special sex offender disposition alternative in order to require the offender to undergo a longer program of sex offender treatment in the community.

The court will make a finding of rehabilitative goals to be achieved by a juvenile when it enters a disposition that requires commitment of the juvenile to the Juvenile Rehabilitation Administration.

The Juvenile Disposition Standards Commission is replaced with the Juvenile Disposition Guidelines Committee. It evaluates existing disposition standards and recommends disposition standards for all offenses.

The age at which a child is presumed incapable of committing a crime is from eight years old to under ten. A juvenile may be classified as a "serious offender" at any age, and may receive a disposition of 30 to 40 weeks of confinement if he or she has between 0 and 249 points. Minor/first offenders who have less than 110 points can receive up to 12 months of community supervision, 150 hours of community service, and a fine of up to \$100. Under Option B, a judge may order up to 90 days of inpatient substance abuse treatment for a minor/first offender. A middle offender with less than 110 points can receive up to 12 months of community supervision, 150 hours of community service, a fine of up to \$100, and confinement of up to 30 days. Disposition for a middle offender with 110 to 249 points includes 30 to 40 weeks of confinement. A judge may utilize Option D and order 90 days of inpatient substance abuse treatment and up to 12 months of community supervision if a middle offender has less than 110 points.

**Appropriation:** None.

**Fiscal Note:** Requested on January 26, 1995.

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