
**Juvenile Justice & Family Law
Committee**

HB 1710

Brief Description: Requiring that custodial assaults at juvenile rehabilitation facilities and institutions be reported to law enforcement.

Sponsors: Representatives Upthegrove, Dickerson, Kagi, Delvin, Pettigrew, Chase and Kenney.

Brief Summary of Bill

- Requires the Juvenile Rehabilitation Administration to adopt rules establishing what behavior constitutes a custodial assault and requires that all custodial assaults be reported to law enforcement.

Hearing Date: 2/18/03

Staff: Sonja Hallum (786-7092).

Background:

The Juvenile Rehabilitation Administration (JRA) is a division of the Department of Social and Health Services. The JRA operates five secure residential corrections facilities which house youthful offenders from throughout the state. There are three institutions, one forestry camp, and a basic training camp. These facilities offer basic education, vocational training, health care, offense-specific treatment, and recreational programs.

The county juvenile courts commit the most serious offenders in Washington to the JRA. The JRA clients have either been adjudicated for at least one violent offense, or a large number of various offenses.

In Washington, it is a crime to commit an assault upon a corrections officer. A person is guilty of a custodial assault if he or she assaults a full or part-time staff member or volunteer, educational personnel, personal service provider, vendor or agent, or community corrections officer at any corrections institution or detention facility who is performing official duties at the time of the assault. Behavior which would be classified as a gross misdemeanor assault may be classified as a Class C felony assault when the assault is

inflicted upon a corrections officer.

Washington recognizes three definitions of assault: (1) an attempt, with unlawful force, to inflict bodily injury upon another; (2) an unlawful touching with criminal intent; and (3) putting another in apprehension of harm whether or not the actor intends to inflict or is incapable of inflicting that harm. Under this definition, a wide range of intentional behaviors may constitute an assault.

The JRA does not currently have a uniform written policy defining what behaviors would constitute an assault and must be reported to law enforcement.

Summary of Bill:

The JRA is required to adopt rules establishing what behavior constitutes a custodial assault. If a custodial assault is committed against a JRA employee, the JRA is required to report the incident to law enforcement.

Appropriation: None.

Fiscal Note: Requested on February 17, 2003.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.