

FINAL BILL REPORT

ESSB 5719

FULL VETO

Brief Description: Extending the community commitment disposition alternative pilot program.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senator Hargrove).

Senate Committee on Human Services & Corrections

House Committee on Juvenile Justice & Family Law

Background: In 2003, the legislature passed a law that changed certain aspects of juvenile sentencing. Part of that law established a pilot program for a community commitment disposition alternative.

Under the pilot program, the community commitment disposition alternative is available to juvenile offenders, subject to a standard range commitment of 15 to 36 weeks, who are ineligible for certain other disposition alternatives.

In order to impose the community commitment disposition alternative, the court must find that one of the following circumstances exists. First, the court could find that keeping the youth in detention close to home would facilitate a smoother reintegration after the youth returns home. Second, the court could find that detention close to home would allow the youth to benefit from local services, such as family intervention programs, school, employment, and drug and alcohol or mental health counseling. Finally, the court could find that confinement in a facility operated by the Department of Social and Health Services would result in a negative disruption to local services, school, or employment or impede or delay developing those services and support systems in the community.

The community commitment disposition alternative places limits on the amount of time that a juvenile can spend in secure county detention and sets out other placement alternatives, such as home detention, electronic home monitoring, county group care, and day or evening reporting.

The pilot program expires July 1, 2005.

Summary: The community commitment disposition alternative is expanded to allow any county or group of counties to establish a program to implement the community commitment disposition alternative. The program in a particular county or group of cooperating counties is limited to 10 beds.

The period of time that a juvenile offender may be confined in secure county detention between the date of disposition and the initial release date is reduced to 30 days or less. No more than 30 days may be spent in secure county detention, unless the juvenile violates the terms of the program. The community commitment disposition alternative must include delivery of programs which meet the Washington Institute for Public Policy's effectiveness standards for juvenile accountability programs.

If a youth violates the terms of the program, the court may impose a range of sanctions including up to an additional 30 days in secure county detention. If, in the opinion of the court, the juvenile's cumulative violations would require more than 30 days of secure detention, the court must revoke the community commitment disposition alternative and order the disposition's execution at a Juvenile Rehabilitation Administration (JRA) facility. Time not served in either secure county detention or at JRA may be served in alternative placements set out in the act. The court retains jurisdiction for purposes of community supervision upon release from JRA.

Requirements are set out for the data that must be collected by the counties establishing a program under the act and reported to the Washington Association of Juvenile Court Administrators. The Washington Association of Juvenile Court Administrators is charged with analyzing the data and reporting to the legislature.

The sunset clause is eliminated.

An emergency clause is added.

Votes on Final Passage:

Senate	46	0	
House	96	0	(House amended)
Senate			(Senate refused to concur)
House	98	0	(House receded)