

2SHB 1743 - H AMD 251

By Representative Goodman

NOT CONSIDERED 01/05/2018

1 Strike everything after the enacting clause and insert the
2 following:

3
4 "NEW SECTION. **Sec. 1.** (1) The legislature acknowledges that
5 transferring youth to the adult criminal justice system is not
6 effective in reducing future criminal behavior. Youth incarcerated in
7 the adult criminal justice system are more likely to recidivate than
8 their counterparts housed in juvenile facilities. The legislature
9 intends to enhance community safety by emphasizing rehabilitation of
10 juveniles convicted under the adult criminal justice system. The
11 legislature would like to modify current policy to allow juveniles
12 adjudicated as adults, also known as youthful offenders, to be served
13 and housed within the facilities of the juvenile rehabilitation
14 administration up until their twenty-fifth birthday if serving a
15 sentence beyond his or her twenty-first birthday. This emphasis on
16 rehabilitation up to age twenty-five reflects similar programming in
17 other states, which has significantly reduced recidivism of youthful
18 offenders. For purposes of this section, "youthful offender" means an
19 individual convicted in adult court for an offense that was committed
20 while the individual was under age eighteen.

21 (2) To lay the foundation for the implementation of the
22 legislative goals outlined in subsection (1) of this section, the
23 department of social and health services must prepare a report
24 outlining the different options for housing youthful offenders in a
25 juvenile rehabilitation facility until age twenty-five. As part of
26 this process, the department of social and health services shall
27 seek guidance from the department of justice office of juvenile

1 justice and delinquency prevention regarding the ability to house
2 youthful offenders in juvenile rehabilitation facilities until age
3 twenty-five without violating the juvenile justice and delinquency
4 prevention act, 42 U.S.C. Sec. 5633. This report shall be delivered
5 to the governor and the appropriate committees of the legislature by
6 December 1, 2017, and shall include a description of the following:

7 (a) The communication with the department of justice office of
8 juvenile justice and delinquency prevention and all information
9 provided by that office regarding housing youthful offenders in
10 juvenile rehabilitation facilities until age twenty-five without
11 violating the juvenile justice and delinquency prevention act, 42
12 U.S.C. Sec. 5633;

13 (b) The facility or facilities that would be used to house
14 youthful offenders in juvenile rehabilitation facilities until age
15 twenty-five; and

16 (c) The fiscal implications of housing youthful offenders in
17 juvenile rehabilitation facilities until age twenty-five.

18 (3) This section expires July 1, 2018."

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20 Correct the title.

EFFECT: Replaces the underlying bill with the following:

- A requirement that the DSHS provide a report to the Governor and Legislature that describes the options for housing individuals convicted in adult court for offenses committed while the individual was under age 18 in juvenile rehabilitation facilities until age 25.
- A requirement that DSHS seek guidance from the Department of Justice Office of Juvenile Justice and Delinquency Prevention regarding the ability to house individuals convicted in adult court for offenses committed while under age 18 in juvenile rehabilitation facilities until age 25 without violating the Juvenile Justice and Delinquency Prevention Act and include a description of this communication in its report to the Governor and Legislature.

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