
**Community Development, Housing &
Tribal Affairs Committee**

HB 2373

Brief Description: Concerning residential custody services for tribal youth.

Sponsors: Representatives Kagi, Senn, Reeves, Appleton and Stonier; by request of Department of Social and Health Services.

Brief Summary of Bill

- Permits the Department of Social and Health Services to contract with a tribe to provide residential custody services in a rehabilitation facility for youth who have been sentenced by a tribal court.

Hearing Date: 1/16/18

Staff: Sean Flynn (786-7124).

Background:

The Department of Social and Health Services (Department) Juvenile Rehabilitation division administers a comprehensive program for the care and rehabilitation of at-risk juveniles who are sentenced by a juvenile court to a term of confinement for certain kinds of eligible offenses. The department operates two maximum security facilities and one medium security facility for such juvenile offenders and provides treatment and behavior services for youth at those facilities.

Federal law recognizes that Native American tribes retain the sovereign right of self-government that includes the power to make and enforce their own laws. Tribes retain assert certain criminal and civil jurisdiction that is exclusive or shared with federal or state authority. Washington has 29 federally recognized tribes, most of which have established tribal court systems. State courts generally recognize and enforce the orders, judgements and decrees of tribal courts.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Interlocal Cooperation Act allows state and local agencies to enter into contracts with other state and local agencies, as well as federal and tribal agencies, and other states. The agreements may include performance of a service, activity, or undertaking that each agency is authorized to perform.

Summary of Bill:

The Department may contract with a tribe located in the state to provide residential custody services in a rehabilitation facility for youth who have been sentenced by a tribal court. The contract must be in compliance with the Interlocal Cooperation Act.

Appropriation: None.

Fiscal Note: Requested on 1/15/18.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.