

HOUSE BILL REPORT

ESHB 1901

*As Passed House
March 14, 1991*

Title: An act relating to juvenile justice.

Brief Description: Amending the juvenile justice act.

Sponsor(s): By House Committee on Judiciary (originally sponsored by Representatives Appelwick, Padden, Tate, Ludwig, R. Meyers, Riley, Forner, Inslee, Paris, H. Myers, Vance, Broback, D. Sommers, Holland, Rasmussen, Brough, Dorn, Wang, Winsley, Wynne, McLean, Wood, Moyer and Rayburn).

Brief History:

Reported by House Committee on:
Judiciary, March 1, 1991, DPS.
Passed House, March 14, 1991, 97-0.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1901 be substituted therefor, and the substitute bill do pass.*
Signed by 14 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Locke; R. Meyers; Mielke; H. Myers; Riley; D. Sommers; Tate; and Vance.

Staff: Pat Shelledy (786-7149).

Background: The Juvenile Justice Code of 1977 has not been comprehensively reviewed since its inception. Some juvenile justice professionals and legislators are recommending that the act be reviewed for its effectiveness as well as its interaction with other acts effecting juveniles, such as the Family Reconciliation Act, and the 1990 legislation concerning "at-risk" youth. Another area of concern is the racial disproportionality in the juvenile justice system.

Summary of Bill: A juvenile issues task force is created. The task force will review the operation of the 1977 Juvenile Justice Act, the Family Reconciliation Act, the 1990 "at-risk" youth legislation, and study related issues. The task force will report to the Legislature with recommendations for legislation by December 15, 1991.

The composition of the task force is as follows:

(1) Three co-chairs: one from the Senate, one from the House, and one appointed by the governor from among members of the task force;

(2) Eight legislators, in addition to the two co-chairs, two from each of the caucuses in both houses;

The governor will appoint the remaining task force members:

(3) Three superior court judges;

(4) Two prosecuting attorneys;

(5) Two juvenile public defenders;

(6) The secretary of the Department of Social and Health Services or a designee;

(7) Two juvenile court administrators;

(8) One police chief or county sheriff;

(9) One child psychologist;

(10) Two directors of a youth organization;

(11) One person from the Washington Council on Crime and Delinquency;

(12) One person from a parent's organization;

(13) One person from a crisis residential center;

(14) One juvenile court caseworker;

(15) One representative from the executive branch;

(16) One member of the mental health treatment community;

(17) One member from the substance abuse treatment community; and

(18) One child psychiatrist.

The Department of Social and Health Services must fund the task force. The staff for the task force must come from the membership of the task force, to the extent possible. The governor must ensure that the racial diversity of the task force membership appointed by the governor reflects the racial diversity of the juveniles served under the Family

Reconciliation Act, the 1977 Juvenile Justice Act, and the 1990 "at-risk" youth legislation.

The Department of Social and Health Services, in cooperation with the Commission on African American affairs, must contract for an independent study of the racial disproportionality in the juvenile justice system. The department must submit its preliminary report and recommendations to the juvenile justice task force by September 13, 1991, and a final report by December 1, 1991. The juvenile justice task force must use the information in developing its report to the Legislature.

Fiscal Note: Requested February 17, 1991.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: A comprehensive review of the juvenile justice system is necessary and of compelling urgency.

Testimony Against: None.

Witnesses: Testified on substitute bill: Norm Maleng, King County Prosecutor (in favor, but with recommendations for changes to the task force composition); Paul Trause, Department of Social and Health Services (in favor, but with recommendations for changes to the task force composition); and Margaret Casey, Washington State Catholic Conference and Children's Alliance (pro). Testified on original bill: Norm Maleng, King County Prosecutor (pro); Tim Hill, King County Executive (pro); Terry Carroll, King County Superior Court Judges (pro); Kelly Arnold, Pierce County Superior Court Judges (pro); Harold Delia, King County Juvenile Court Administrator (pro); Lois Smith, Juvenile Court Administrators Association (have not met yet to take a position); Larry Fehr, Washington Council on Crime and Delinquency (supports statewide task force, but recommends changes to composition); Peter Berliner, Executive Director, Children's Alliance (supports task force, but six-month deadline is unrealistic); and Dick Nord, citizen (pro - juvenile court system needs major revamping).