

HOUSE BILL REPORT

2SSB 5167

*As Reported By House Committee on:
Judiciary*

Title: An act relating to juvenile justice.

Brief Description: Amending the juvenile justice act.

Sponsor(s): Senate Committee on Ways & Means (originally sponsored by Senators Nelson, Rasmussen, Newhouse, Stratton, Roach, Niemi and Talmadge).

Brief History:

Reported by House Committee on:
Judiciary, April 5, 1991, DPA.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *Do pass as amended.* Signed by 18 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

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 Amended 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.

Amended Bill Compared to Second Substitute Bill: The task force membership is modified to add one additional public defender for juveniles for a total of two; add one child psychiatrist; and add one director of a youth organization for a total of two directors. The scope of the task force review is clarified to identify that the 1990 "at-risk" youth legislation shall be reviewed as well as the 1977 Juvenile Justice Act, the Family Reconciliation Act, and related issues. Language regarding the governor's obligation to ensure that the task force membership reflects the ethnic and cultural diversity of the state and a balance of interests is rewritten, to provide that the governor shall ensure that the racial diversity of the task force membership appointed by the governor reflects the racial diversity of juveniles served under the Family Reconciliation Act, the 1977 Juvenile Justice Act, and the 1990 "at-risk" youth legislation. The deadline to report is extended from December 1, 1991 to December 15, 1991. An emergency clause is added. The study on the racial disproportionality of the juvenile justice system is added.

Fiscal Note: Available.

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

Testimony For: The composition of the House version is preferred.

Testimony Against: None.

Witnesses: Margaret Casey, Children's Alliance (pro, with suggestion to adopt the House version).