

HOUSE BILL REPORT

HB 1246

As Reported by House Committee On:
Human Services & Early Learning

Title: An act relating to including referred and diverted youth in establishing community juvenile accountability program guidelines.

Brief Description: Including referred and diverted youth in establishing community juvenile accountability program guidelines.

Sponsors: Representatives Goodman, Eslick, Stokesbary, Fey, Lovick, Appleton, Frame and Tharinger.

Brief History:

Committee Activity:

Human Services & Early Learning: 1/25/19, 1/29/19 [DPS].

Brief Summary of Substitute Bill

- Expands community juvenile accountability program (CJAP) funding to include youth referred to programs who would have been diverted or prosecuted in the absence of that program.
- Requires the Department of Children, Youth, and Families (DCYF) to implement a stop loss policy for CJAP funding.
- Requires the DCYF to provide an annual report on CJAP funding and a one-time report on funding provided to counties for referred youth.

HOUSE COMMITTEE ON HUMAN SERVICES & EARLY LEARNING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Senn, Chair; Callan, Vice Chair; Frame, Vice Chair; Dent, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Corry, Goodman, Griffey, Kilduff, Klippert, Lovick and Ortiz-Self.

Staff: Luke Wickham (786-7146).

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.

Background:

Community Juvenile Accountability Act.

The Community Juvenile Accountability Act (CJAA) was enacted in 1997 as part of an omnibus juvenile justice bill. The CJAA allows local governments to submit proposals for funding community juvenile accountability programs in their communities. These proposals must be submitted to the Juvenile Rehabilitation (JR) division of the Department of Social and Health Services (DSHS). The JR functions of the DSHS will transfer to the Department of Children, Youth, and Families (DCYF) on July 1, 2019.

A Community Juvenile Accountability Program (CJAP) proposal must include:

- a demonstration that the proposal was developed with the input of the community public health and safety networks, and the local law and justice councils;
- a description of how local community groups or members are involved in the implementation of programs; and
- a description of how the grant funds will contribute to the expected outcomes of the program and the reduction of youth violence and juvenile crime in the community.

Local governments that receive CJAP funding must agree that the funds they receive be used efficiently to encourage the use of community-based programs that reduce the reliance on juvenile offender secure confinement.

The JR division, in consultation with the Washington Association of Juvenile Court Administrators, the state law and justice advisory council, and the family policy council, establishes CJAP guidelines. These guidelines must:

- target diverted and adjudicated juvenile offenders;
- include assessment methods to determine services, programs, and intervention strategies;
- provide maximum structured supervision in the community;
- promote work ethic values and educational skills and competencies;
- maximize the efficient delivery of treatment services that reduce risk factors associated with committing juvenile offenses;
- maximize reintegration of the juvenile offenders into the community after release;
- maximize a juvenile offender's ability to make restitution to the victims;
- support and encourage increased court discretion in imposing community-based intervention;
- be compatible with research;
- be outcome-based;
- include an evaluation component; and
- recognize the diversity of local needs.

Washington State Institute for Public Policy Juvenile Justice Program Evaluations.

The CJAA required the Washington State Institute for Public Policy (Institute) to develop standards for measuring the effectiveness of juvenile accountability programs funded by the CJAP. The Institute has evaluated the effectiveness of several juvenile justice programs including the Coordination of Services Program, Aggression Replacement Therapy, Family Integrated Transitions, Functional Family Therapy, and Multisystemic Therapy.

Summary of Substitute Bill:

The guidelines for CJAP funding are expanded to include referred youth, who are defined to include a youth who:

- was contacted by a law enforcement officer who has probable cause to believe the youth committed a crime;
- was referred to a program that allows youth to enter before being diverted or charged with a juvenile offense; and
- would have been diverted or charged with a juvenile offense if not for the program.

The DCYF must provide an annual report on December 1, 2019, that includes a county-by-county description of the youth served by the CJAP.

The DCYF must implement a stop loss policy when allocating CJAP funding. The block grant oversight committee must establish a minimum base level of funding for juvenile courts with lower numbers of at-risk youth ages 10-17. The DCYF must provide a report to the Legislature by December 1, 2019, regarding how funding is used for referred youth and the impact of that use on overall funding.

Substitute Bill Compared to Original Bill:

The substitute bill maintained the requirement that the DCYF implement a stop loss policy, but eliminated the specific requirement under the stop loss policy that funding formula changes may not result in a funding loss for any juvenile court of more than 2 percent from one year to the next.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The idea behind this bill is to intervene early so that kids will have a chance to engage in services. Juvenile court administrators support this bill. This is a terrific bill that helps move services up in the process before detention. The 2 percent stop loss provision addresses the concern that big counties may take too much of this funding. However, it may not be a good idea to put a specific percentage in statute, and it may be better to put the stop loss policy in a budget proviso. The smaller counties know that this is good policy but are nervous about the possibility of losing funding. The stop-loss policy helps address that concern.

(Opposed) None.

Persons Testifying: Representative Goodman, prime sponsor; and Tom McBride, Washington Association of Juvenile Court Administrators.

Persons Signed In To Testify But Not Testifying: None.