

**E2SSB 5278** - H COMM AMD

By Committee on Early Learning & Human Services

**NOT CONSIDERED 04/27/2025**

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that the youth of  
4 Washington state are among its most valuable resources and that the  
5 principles enumerated in RCW 13.40.010 are reaffirmed. Overcrowding  
6 is preventing institutions from carrying out the rehabilitation of  
7 youthful offenders.

8 Furthermore, the legislature recognizes the need for the  
9 department to safely manage the populations of its institutions and  
10 protect both youth in its care and state employees.

11 **Sec. 2.** RCW 13.40.020 and 2024 c 117 s 4 are each amended to  
12 read as follows:

13 For the purposes of this chapter:

14 (1) "Assessment" means an individualized examination of a child  
15 to determine the child's psychosocial needs and problems, including  
16 the type and extent of any mental health, substance abuse, or co-  
17 occurring mental health and substance abuse disorders, and  
18 recommendations for treatment. "Assessment" includes, but is not  
19 limited to, drug and alcohol evaluations, psychological and  
20 psychiatric evaluations, records review, clinical interview, and  
21 administration of a formal test or instrument;

22 (2) "Community-based rehabilitation" means one or more of the  
23 following: Employment; attendance of information classes; literacy  
24 classes; counseling, outpatient substance abuse treatment programs,  
25 outpatient mental health programs, anger management classes,  
26 education or outpatient treatment programs to prevent animal cruelty,  
27 or other services including, when appropriate, restorative justice  
28 programs; or attendance at school or other educational programs  
29 appropriate for the juvenile as determined by the school district.  
30 Placement in community-based rehabilitation programs is subject to  
31 available funds;

1 (3) "Community-based sanctions" may include community restitution  
2 not to exceed 150 hours of community restitution;

3 (4) "Community restitution" means compulsory service, without  
4 compensation, performed for the benefit of the community by the  
5 offender as punishment for committing an offense. Community  
6 restitution may be performed through public or private organizations  
7 or through work crews;

8 (5) "Community supervision" means an order of disposition by the  
9 court of an adjudicated youth not committed to the department or an  
10 order granting a deferred disposition. A community supervision order  
11 for a single offense may be for a period of up to two years for a sex  
12 offense as defined by RCW 9.94A.030 and up to one year for other  
13 offenses. As a mandatory condition of any term of community  
14 supervision, the court shall order the juvenile to refrain from  
15 committing new offenses. As a mandatory condition of community  
16 supervision, the court shall order the juvenile to comply with the  
17 mandatory school attendance provisions of chapter 28A.225 RCW and to  
18 inform the school of the existence of this requirement. Community  
19 supervision is an individualized program comprised of one or more of  
20 the following:

21 (a) Community-based sanctions;

22 (b) Community-based rehabilitation;

23 (c) Monitoring and reporting requirements;

24 (d) Posting of a probation bond;

25 (e) Residential treatment, where substance abuse, mental health,  
26 and/or co-occurring disorders have been identified in an assessment  
27 by a qualified mental health professional, psychologist,  
28 psychiatrist, co-occurring disorder specialist, or substance use  
29 disorder professional and a funded bed is available. If a child  
30 agrees to voluntary placement in a state-funded long-term evaluation  
31 and treatment facility, the case must follow the existing placement  
32 procedure including consideration of less restrictive treatment  
33 options and medical necessity.

34 (i) A court may order residential treatment after consideration  
35 and findings regarding whether:

36 (A) The referral is necessary to rehabilitate the child;

37 (B) The referral is necessary to protect the public or the child;

38 (C) The referral is in the child's best interest;

39 (D) The child has been given the opportunity to engage in less  
40 restrictive treatment and has been unable or unwilling to comply; and

1 (E) Inpatient treatment is the least restrictive action  
2 consistent with the child's needs and circumstances.

3 (ii) In any case where a court orders a child to inpatient  
4 treatment under this section, the court must hold a review hearing no  
5 later than 60 days after the youth begins inpatient treatment, and  
6 every 30 days thereafter, as long as the youth is in inpatient  
7 treatment;

8 (6) "Community transition services" means a therapeutic and  
9 supportive community-based custody option in which:

10 (a) A person serves a portion of their term of confinement  
11 residing in the community, outside of department institutions and  
12 community facilities;

13 (b) The department supervises the person in part through the use  
14 of technology that is capable of determining or identifying the  
15 monitored person's presence or absence at a particular location;

16 (c) The department provides access to developmentally  
17 appropriate, trauma-informed, racial equity-based, and culturally  
18 relevant programs to promote successful reentry; and

19 (d) The department prioritizes the delivery of available  
20 programming from individuals who share characteristics with the  
21 individual being served related to: Race, ethnicity, sexual identity,  
22 and gender identity;

23 (7) "Confinement" means physical custody by the department of  
24 children, youth, and families in a facility operated by or pursuant  
25 to a contract with the state, or physical custody in a detention  
26 facility operated by or pursuant to a contract with any county. The  
27 county may operate or contract with vendors to operate county  
28 detention facilities. The department may operate or contract to  
29 operate detention facilities for juveniles committed to the  
30 department. Pretrial confinement or confinement of less than 31 days  
31 imposed as part of a disposition or modification order may be served  
32 consecutively or intermittently, in the discretion of the court;

33 (8) "Court," when used without further qualification, means the  
34 juvenile court judge(s) or commissioner(s);

35 (9) "Criminal history" includes all criminal complaints against  
36 the respondent for which, prior to the commission of a current  
37 offense:

38 (a) The allegations were found correct by a court. If a  
39 respondent is convicted of two or more charges arising out of the

1 same course of conduct, only the highest charge from among these  
2 shall count as an offense for the purposes of this chapter; or

3 (b) The criminal complaint was diverted by a prosecutor pursuant  
4 to the provisions of this chapter on agreement of the respondent and  
5 after an advisement to the respondent that the criminal complaint  
6 would be considered as part of the respondent's criminal history. A  
7 successfully completed deferred adjudication that was entered before  
8 July 1, 1998, or a deferred disposition shall not be considered part  
9 of the respondent's criminal history;

10 (10) "Custodial interrogation" means express questioning or other  
11 actions or words by a law enforcement officer which are reasonably  
12 likely to elicit an incriminating response from an individual and  
13 occurs when reasonable individuals in the same circumstances would  
14 consider themselves in custody;

15 (11) "Department" means the department of children, youth, and  
16 families;

17 (12) "Detention facility" means a county facility, paid for by  
18 the county, for the physical confinement of a juvenile alleged to  
19 have committed an offense or an adjudicated offender subject to a  
20 disposition or modification order. "Detention facility" includes  
21 county group homes, inpatient substance abuse programs, juvenile  
22 basic training camps, and electronic monitoring;

23 (13) "Diversion unit" means any probation counselor who enters  
24 into a diversion agreement with an alleged youthful offender, or any  
25 other person, community accountability board, youth court under the  
26 supervision of the juvenile court, or other entity with whom the  
27 juvenile court administrator has contracted to arrange and supervise  
28 such agreements pursuant to RCW 13.40.080, or any person, community  
29 accountability board, or other entity specially funded by the  
30 legislature to arrange and supervise diversion agreements in  
31 accordance with the requirements of this chapter. For purposes of  
32 this subsection, "community accountability board" means a board  
33 comprised of members of the local community in which the juvenile  
34 offender resides. The superior court shall appoint the members. The  
35 boards shall consist of at least three and not more than seven  
36 members. If possible, the board should include a variety of  
37 representatives from the community, such as a law enforcement  
38 officer, teacher or school administrator, high school student,  
39 parent, and business owner, and should represent the cultural  
40 diversity of the local community;

1 (14) "Foster care" means temporary physical care in a foster  
2 family home or group care facility as defined in RCW 74.15.020 and  
3 licensed by the department, or other legally authorized care;

4 (15) "Institution" means a juvenile facility established pursuant  
5 to chapters 72.05 and 72.16 through 72.20 RCW;

6 (16) "Intensive supervision program" means a parole program that  
7 requires intensive supervision and monitoring, offers an array of  
8 individualized treatment and transitional services, and emphasizes  
9 community involvement and support in order to reduce the likelihood a  
10 juvenile offender will commit further offenses;

11 (17) "Juvenile," "youth," and "child" mean any individual who is  
12 under the chronological age of 18 years and who has not been  
13 previously transferred to adult court pursuant to RCW 13.40.110,  
14 unless the individual was convicted of a lesser charge or acquitted  
15 of the charge for which he or she was previously transferred pursuant  
16 to RCW 13.40.110 or who is not otherwise under adult court  
17 jurisdiction;

18 (18) "Juvenile offender" means any juvenile who has been found by  
19 the juvenile court to have committed an offense, including a person  
20 18 years of age or older over whom the juvenile court has  
21 jurisdiction under RCW 13.40.300;

22 (19) "Labor" means the period of time before a birth during which  
23 contractions are of sufficient frequency, intensity, and duration to  
24 bring about effacement and progressive dilation of the cervix;

25 (20) "Local sanctions" means one or more of the following: (a)  
26 0-30 days of confinement; (b) 0-12 months of community supervision;  
27 or (c) 0-150 hours of community restitution;

28 (21) "Manifest injustice" means a disposition that would either  
29 impose an excessive penalty on the juvenile or would impose a  
30 serious, and clear danger to society in light of the purposes of this  
31 chapter;

32 (22) "Monitoring and reporting requirements" means one or more of  
33 the following: Curfews; requirements to remain at home, school, work,  
34 or court-ordered treatment programs during specified hours;  
35 restrictions from leaving or entering specified geographical areas;  
36 requirements to report to the probation officer as directed and to  
37 remain under the probation officer's supervision; and other  
38 conditions or limitations as the court may require which may not  
39 include confinement;

1 (23) "Offense" means an act designated a violation or a crime if  
2 committed by an adult under the law of this state, under any  
3 ordinance of any city or county of this state, under any federal law,  
4 or under the law of another state if the act occurred in that state;

5 (24) "Physical restraint" means the use of any bodily force or  
6 physical intervention to control a juvenile offender or limit a  
7 juvenile offender's freedom of movement in a way that does not  
8 involve a mechanical restraint. Physical restraint does not include  
9 momentary periods of minimal physical restriction by direct person-  
10 to-person contact, without the aid of mechanical restraint,  
11 accomplished with limited force and designed to:

12 (a) Prevent a juvenile offender from completing an act that would  
13 result in potential bodily harm to self or others or damage property;

14 (b) Remove a disruptive juvenile offender who is unwilling to  
15 leave the area voluntarily; or

16 (c) Guide a juvenile offender from one location to another;

17 (25) "Postpartum recovery" means (a) the entire period a woman or  
18 youth is in the hospital, birthing center, or clinic after giving  
19 birth and (b) an additional time period, if any, a treating physician  
20 determines is necessary for healing after the youth leaves the  
21 hospital, birthing center, or clinic;

22 (26) "Probation bond" means a bond, posted with sufficient  
23 security by a surety justified and approved by the court, to secure  
24 the offender's appearance at required court proceedings and  
25 compliance with court-ordered community supervision or conditions of  
26 release ordered pursuant to RCW 13.40.040 or 13.40.050. It also means  
27 a deposit of cash or posting of other collateral in lieu of a bond if  
28 approved by the court;

29 (27) "Rated bed capacity" means the number of in-residence  
30 individuals at a juvenile rehabilitation institution pursuant to RCW  
31 13.40.460(9) that should not be exceeded in order to provide  
32 treatment aligned with juvenile justice standards;

33 (28) "Respondent" means a juvenile who is alleged or proven to  
34 have committed an offense;

35 (~~(28)~~) (29) "Restitution" means financial reimbursement by the  
36 offender to the victim, and shall be limited to easily ascertainable  
37 damages for injury to or loss of property, actual expenses incurred  
38 for medical treatment for physical injury to persons, lost wages  
39 resulting from physical injury, and costs of the victim's counseling  
40 reasonably related to the offense. Restitution shall not include

1 reimbursement for damages for mental anguish, pain and suffering, or  
2 other intangible losses. Nothing in this chapter shall limit or  
3 replace civil remedies or defenses available to the victim or  
4 offender;

5 ~~((29))~~ (30) "Restorative justice" means practices, policies,  
6 and programs informed by and sensitive to the needs of crime victims  
7 that are designed to encourage offenders to accept responsibility for  
8 repairing the harm caused by their offense by providing safe and  
9 supportive opportunities for voluntary participation and  
10 communication between the victim, the offender, their families, and  
11 relevant community members;

12 ~~((30))~~ (31) "Restraints" means anything used to control the  
13 movement of a person's body or limbs and includes:

14 (a) Physical restraint; or

15 (b) Mechanical device including but not limited to: Metal  
16 handcuffs, plastic ties, ankle restraints, leather cuffs, other  
17 hospital-type restraints, tasers, or batons;

18 ~~((31))~~ (32) "Risk assessment tool" means the statistically  
19 valid tool used by the department to inform release or placement  
20 decisions related to security level, release within the sentencing  
21 range, community facility eligibility, community transition services  
22 eligibility, and parole. The "risk assessment tool" is used by the  
23 department to predict the likelihood of successful reentry and future  
24 criminal behavior;

25 ~~((32))~~ (33) "Screening" means a process that is designed to  
26 identify a child who is at risk of having mental health, substance  
27 abuse, or co-occurring mental health and substance abuse disorders  
28 that warrant immediate attention, intervention, or more comprehensive  
29 assessment. A screening may be undertaken with or without the  
30 administration of a formal instrument;

31 ~~((33))~~ (34) "Secretary" means the secretary of the department;

32 ~~((34))~~ (35) "Services" means services which provide  
33 alternatives to incarceration for those juveniles who have pleaded or  
34 been adjudicated guilty of an offense or have signed a diversion  
35 agreement pursuant to this chapter;

36 ~~((35))~~ (36) "Sex offense" means an offense defined as a sex  
37 offense in RCW 9.94A.030;

38 ~~((36))~~ (37) "Sexual motivation" means that one of the purposes  
39 for which the respondent committed the offense was for the purpose of  
40 the respondent's sexual gratification;

1       (~~(37)~~) (38) "Surety" means an entity licensed under state  
2 insurance laws or by the state department of licensing, to write  
3 corporate, property, or probation bonds within the state, and  
4 justified and approved by the superior court of the county having  
5 jurisdiction of the case;

6       (~~(38)~~) (39) "Transportation" means the conveying, by any means,  
7 of an incarcerated pregnant youth from the institution or detention  
8 facility to another location from the moment she leaves the  
9 institution or detention facility to the time of arrival at the other  
10 location, and includes the escorting of the pregnant incarcerated  
11 youth from the institution or detention facility to a transport  
12 vehicle and from the vehicle to the other location;

13       (~~(39)~~) (40) "Violation" means an act or omission, which if  
14 committed by an adult, must be proven beyond a reasonable doubt, and  
15 is punishable by sanctions which do not include incarceration;

16       (~~(40)~~) (41) "Violent offense" means a violent offense as  
17 defined in RCW 9.94A.030;

18       (~~(41)~~) (42) "Youth court" means a diversion unit under the  
19 supervision of the juvenile court.

20       **Sec. 3.** RCW 13.40.460 and 2017 3rd sp.s. c 6 s 616 are each  
21 amended to read as follows:

22       The secretary or the secretary's designee shall manage and  
23 administer the department's juvenile rehabilitation responsibilities,  
24 including but not limited to the operation of all state institutions  
25 or facilities used for juvenile rehabilitation.

26       The secretary or the secretary's designee shall:

27       (1) Prepare a biennial budget request sufficient to meet the  
28 confinement and rehabilitative needs of the juvenile rehabilitation  
29 program, as forecast by the office of financial management;

30       (2) Create by rule a formal system for inmate classification.  
31 This classification system shall consider:

32       (a) Public safety;

33       (b) Internal security and staff safety;

34       (c) Rehabilitative resources both within and outside the  
35 department;

36       (d) An assessment of each offender's risk of sexually aggressive  
37 behavior as provided in RCW 13.40.470; and

38       (e) An assessment of each offender's vulnerability to sexually  
39 aggressive behavior as provided in RCW 13.40.470;



1 (3) Develop agreements with local jurisdictions to develop  
2 regional facilities with a variety of custody levels;

3 (4) Adopt rules establishing effective disciplinary policies to  
4 maintain order within institutions;

5 (5) Develop a comprehensive diagnostic evaluation process to be  
6 used at intake, including but not limited to evaluation for substance  
7 addiction or abuse, literacy, learning disabilities, fetal alcohol  
8 syndrome or effect, attention deficit disorder, and mental health;

9 (6) Develop placement criteria:

10 (a) To avoid assigning youth who present a moderate or high risk  
11 of sexually aggressive behavior to the same sleeping quarters as  
12 youth assessed as vulnerable to sexual victimization under RCW  
13 13.40.470(1)(c); and

14 (b) To avoid placing a juvenile offender on parole status who has  
15 been assessed as a moderate to high risk for sexually aggressive  
16 behavior in a department community residential program with another  
17 child who is: (i) Dependent under chapter 13.34 RCW, or an at-risk  
18 youth or child in need of services under chapter 13.32A RCW; and (ii)  
19 not also a juvenile offender on parole status;

20 (7) Develop a plan to implement, by July 1, 1995:

21 (a) Substance abuse treatment programs for all state juvenile  
22 rehabilitation facilities and institutions;

23 (b) Vocational education and instruction programs at all state  
24 juvenile rehabilitation facilities and institutions; and

25 (c) An educational program to establish self-worth and  
26 responsibility in juvenile offenders. This educational program shall  
27 emphasize instruction in character-building principles such as:  
28 Respect for self, others, and authority; victim awareness;  
29 accountability; work ethics; good citizenship; and life skills;  
30 ((and))

31 (8)(a) The department shall develop uniform policies related to  
32 custodial assaults consistent with RCW 72.01.045 and 9A.36.100 that  
33 are to be followed in all juvenile rehabilitation facilities; and

34 (b) The department will report assaults in accordance with the  
35 policies developed in (a) of this subsection;

36 (9)(a) Promulgate rules related to the rated bed capacity of  
37 juvenile rehabilitation institutions under its control, and revise  
38 those rules as necessary.

1 (b) The rated bed capacity number established by the department  
2 for each juvenile rehabilitation institution must include the  
3 following conditions:

4 (i) Single occupancy rooms;

5 (ii) 10 percent of facility beds reserved for intensive  
6 management unit beds and for flexibility of movement;

7 (iii) Appropriate bathroom and shower ratio to youth;

8 (iv) Adequate education space to ensure that all youth can  
9 maintain a full class schedule; and

10 (v) Adequate indoor and outdoor recreation space to safely manage  
11 population groups;

12 (10) Before a transfer to the department of corrections occurs  
13 under RCW 72.01.410(2)(c), take discretionary action to reduce the  
14 in-residence population of any juvenile rehabilitation institution  
15 when the secretary concludes that the in-residence population exceeds  
16 105 percent of rated bed capacity under this chapter or chapter 72.01  
17 RCW, on a case-by-case basis, in the following descending order with  
18 highest priority for the secretary to:

19 (a) Transfer a sufficient number of persons from a community  
20 facility to placement in community transition services; and

21 (b) Transfer a sufficient number of persons from the juvenile  
22 rehabilitation institution to community facilities or community  
23 transition services to reduce the in-residence population;

24 (11) Monitor the number of persons residing in each institution,  
25 and when that number reaches 90 percent of rated bed capacity, begin  
26 planning and identifying methods to avoid exceeding rated bed  
27 capacity at each juvenile rehabilitation institution including, but  
28 not limited to:

29 (a) Notifying individuals who may be released or transferred to  
30 community transition services or community facilities;

31 (b) Discussing with the department of corrections any early  
32 release options under section 10 of this act for individuals  
33 convicted in adult court of offenses that occurred before turning 18;  
34 and

35 (c) Notifying county juvenile court administrators, the  
36 legislature, and the governor of current rated bed capacity and any  
37 measures or plans to reduce the population of a juvenile institution  
38 to maintain a population that is at or below the rated bed capacity.  
39 The department shall submit an annual report to the legislature and  
40 the governor, in compliance with RCW 43.01.036, on the number of

1 transfers that occurred in the prior 12 months, the reason for each  
2 transfer, the age of the person transferred, information about which  
3 department of corrections facilities people were transferred to, and  
4 the outcome of each transfer hearing under RCW 13.40.280; and

5 (12) Engage in transfer or transition planning for any individual  
6 leaving a juvenile institution, including but not limited to  
7 situations where an individual transfers to a department of  
8 corrections facility, transfers to a different juvenile institution,  
9 is placed on community transition services, placed in a community  
10 facility, or releases to the community. The transition planning  
11 required under this section must include, but is not limited to:

12 (a) Planning for medical and behavioral health needs;

13 (b) Planning for vocational training; and

14 (c) Family notification.

15 **Sec. 4.** RCW 72.65.200 and 1981 c 137 s 35 are each amended to  
16 read as follows:

17 (1) The secretary may permit a prisoner to participate in any  
18 work release plan or program but only if the participation is  
19 authorized pursuant to the prisoner's sentence or pursuant to RCW  
20 9.94A.728. This section shall become effective July 1, 1984.

21 (2) The secretary, with the consent of the secretary of the  
22 department of children, youth, and families, may directly transfer a  
23 person who is in the custody of the department pursuant to RCW  
24 72.01.410 from the custody of the department of children, youth, and  
25 families and place the person in the custody of the department in a  
26 work release program if, under section 5 of this act, the secretary  
27 of the department of children, youth, and families concludes that the  
28 in-residence population of any secure juvenile rehabilitation  
29 institution exceeds 105 percent of the rated bed capacity as  
30 described in RCW 13.40.460(9). The person shall meet eligibility  
31 criteria for direct transfer to a work release program under section  
32 5 of this act.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 13.40  
34 RCW to read as follows:

35 (1) In accordance with RCW 13.40.460(10), the secretary may take  
36 any of the actions outlined in this section when the secretary  
37 concludes that the in-residence population of any secure juvenile

1 rehabilitation institution exceeds 105 percent of the rated bed  
2 capacity as described in RCW 13.40.460(9), on a case-by-case basis.

3 (2) (a) When the secretary concludes that the in-residence  
4 population of any secure juvenile rehabilitation institution exceeds  
5 105 percent of the rated bed capacity as described in RCW  
6 13.40.460(9), the secretary may transfer a sufficient number of  
7 persons from community facilities to community transition services  
8 under RCW 13.40.205 and 72.01.412.

9 (b) After taking steps outlined in (a) of this subsection to  
10 transfer individuals to community transition services, if the  
11 secretary concludes that the in-residence population of any secure  
12 juvenile rehabilitation institution exceeds 105 percent of the rated  
13 bed capacity as described in RCW 13.40.460(9), the secretary may  
14 transfer a sufficient number of persons from the secure juvenile  
15 rehabilitation institution to community facilities or community  
16 transition services to reduce the in-residence population at the  
17 secure juvenile rehabilitation institution to 95 percent of rated bed  
18 capacity.

19 (c) The following persons shall not be transferred from a secure  
20 juvenile rehabilitation institution to a community facility under  
21 this subsection:

22 (i) A person that is deemed a high risk to reoffend;

23 (ii) A person that would be better served by the services  
24 provided at an institution; or

25 (iii) A person who would be unable to comply with residential  
26 disciplinary standards established by the department.

27 (d) When placing a person at a community facility under this  
28 section, the requirements of RCW 72.05.420 (1)(b) do not apply, and  
29 the notice requirements in RCW 13.40.215(1) (a) and (b) may be less  
30 than 30 days.

31 (3) (a) Pursuant to RCW 72.65.200, and with the consent of the  
32 secretary of the department of corrections, when the secretary of the  
33 department concludes that the in-residence population of any secure  
34 juvenile rehabilitation institution exceeds 105 percent of the rated  
35 bed capacity as described in RCW 13.40.460(9), the secretary may  
36 transfer a sufficient number of persons, who are in the custody of  
37 the department pursuant to RCW 72.01.410, from the secure juvenile  
38 rehabilitation institution to a work release facility operated by the  
39 department of corrections to reduce the in-residence population at

1 the secure juvenile rehabilitation institution to 95 percent of rated  
2 bed capacity.

3 (b) To be eligible for direct transfer to a work release facility  
4 operated by the department of corrections under this subsection, the  
5 person must be:

6 (i) Above the age of 21;

7 (ii) Be within 18 months of their earned release date; and

8 (iii) Be determined by the department of corrections that direct  
9 transfer to a work release facility would be an appropriate placement  
10 for the person.

11 (4) The hearing requirements of RCW 13.40.280 do not apply to  
12 persons transferred under this section.

13 **Sec. 6.** RCW 72.05.420 and 1998 c 269 s 10 are each amended to  
14 read as follows:

15 (1) The department shall not initially place an offender in a  
16 community facility unless:

17 (a) The department has conducted a risk assessment, including a  
18 determination of drug and alcohol abuse, and the results indicate the  
19 juvenile will pose not more than a minimum risk to public safety; and

20 (b) ~~((The))~~ Except for offenders transferring to a community  
21 facility under section 5 of this act, the offender has spent at least  
22 ~~((ten))~~ 10 percent of his or her sentence, but in no event less than  
23 ~~((thirty))~~ 30 days, in a secure institution operated by, or under  
24 contract with, the department.

25 The risk assessment must include consideration of all prior  
26 convictions and all available nonconviction data released upon  
27 request under RCW 10.97.050, and any serious infractions or serious  
28 violations while under the jurisdiction of the secretary or the  
29 courts.

30 (2) No juvenile offender may be placed in a community facility  
31 until the juvenile's student records and information have been  
32 received and the department has reviewed them in conjunction with all  
33 other information used for risk assessment, security classification,  
34 and placement of the juvenile.

35 (3) A juvenile offender shall not be placed in a community  
36 facility until the department's risk assessment and security  
37 classification is complete and local law enforcement has been  
38 properly notified.

1           **Sec. 7.** RCW 13.40.215 and 2021 c 206 s 5 are each amended to  
2 read as follows:

3           (1)(a) Except as provided in (d) of this subsection and  
4 subsection (2) of this section, at the earliest practicable date, and  
5 in no event later than (~~thirty~~) 30 days before discharge, parole,  
6 or any other authorized leave or release, or before transfer to a  
7 community residential facility or community transition services  
8 program, the secretary shall send written notice of the discharge,  
9 parole, authorized leave or release, or transfer of a juvenile found  
10 to have committed a violent offense, a sex offense, or stalking, to  
11 the following:

12           (i) The chief of police of the city, if any, in which the  
13 juvenile will reside; and

14           (ii) The sheriff of the county in which the juvenile will reside.

15           (b)(i) Except as provided in (d) of this subsection and  
16 subsection (2) of this section, at the earliest practicable date, and  
17 in no event later than (~~thirty~~) 30 days before discharge, parole,  
18 or any other authorized leave or release, or before transfer to a  
19 community residential facility or community transition services  
20 program, the secretary shall send written notice of the discharge,  
21 parole, authorized leave or release, or transfer of an individual who  
22 is found to have committed a violent offense or a sex offense, is  
23 (~~twenty-one~~) 21 years of age or younger, and has not received a  
24 high school diploma or its equivalent, to the designated recipient of  
25 the school where the juvenile either: (A) Was enrolled prior to  
26 incarceration or detention; or (B) has expressed an intention to  
27 enroll following his or her release. This notice must also include  
28 the restrictions described in subsection (5) of this section.

29           (ii) The community residential facility shall provide written  
30 notice of the offender's criminal history to the designated recipient  
31 of any school that the offender attends while residing at the  
32 community residential facility and to any employer that employs the  
33 offender while residing at the community residential facility.

34           (iii) As used in this subsection, "designated recipient" means:  
35 (A) The superintendent of the school district, or his or her  
36 designee, of a common school as defined in RCW 28A.150.020 or a  
37 school that is the subject of a state-tribal education compact under  
38 chapter 28A.715 RCW; (B) the administrator of a charter public school  
39 governed by chapter 28A.710 RCW; or (C) the administrator of a  
40 private school approved under chapter 28A.195 RCW.

1 (c) The same notice as required by (a) of this subsection shall  
2 be sent to the following, if such notice has been requested in  
3 writing about a specific juvenile:

4 (i) The victim of the offense for which the juvenile was found to  
5 have committed or the victim's next of kin if the crime was a  
6 homicide;

7 (ii) Any witnesses who testified against the juvenile in any  
8 court proceedings involving the offense; and

9 (iii) Any person specified in writing by the prosecuting  
10 attorney.

11 Information regarding victims, next of kin, or witnesses requesting  
12 the notice, information regarding any other person specified in  
13 writing by the prosecuting attorney to receive the notice, and the  
14 notice are confidential and shall not be available to the juvenile.  
15 The notice to the chief of police or the sheriff shall include the  
16 identity of the juvenile, the residence where the juvenile will  
17 reside, the identity of the person, if any, responsible for  
18 supervising the juvenile, and the time period of any authorized  
19 leave.

20 (d) The (~~thirty-day~~) 30-day notice requirements contained in  
21 this subsection shall not apply to emergency medical furloughs. The  
22 notice requirements contained in this subsection may be less than 30  
23 days for persons transferred under section 5 of this act.

24 (e) The existence of the notice requirements in this subsection  
25 will not require any extension of the release date in the event the  
26 release plan changes after notification.

27 (2)(a) If a juvenile found to have committed a violent offense, a  
28 sex offense, or stalking escapes from a facility of the department,  
29 the secretary shall immediately notify, by the most reasonable and  
30 expedient means available, the chief of police of the city and the  
31 sheriff of the county in which the juvenile resided immediately  
32 before the juvenile's arrest. If previously requested, the secretary  
33 shall also notify the witnesses and the victim of the offense which  
34 the juvenile was found to have committed or the victim's next of kin  
35 if the crime was a homicide. If the juvenile is recaptured, the  
36 secretary shall send notice to the persons designated in this  
37 subsection as soon as possible but in no event later than two working  
38 days after the department learns of such recapture.

39 (b) The secretary may authorize a leave, for a juvenile found to  
40 have committed a violent offense, a sex offense, or stalking, which

1 shall not exceed (~~forty-eight~~) 48 hours plus travel time, to meet  
2 an emergency situation such as a death or critical illness of a  
3 member of the juvenile's family. The secretary may authorize a leave,  
4 which shall not exceed the time medically necessary, to obtain  
5 medical care not available in a juvenile facility maintained by the  
6 department. Prior to the commencement of an emergency or medical  
7 leave, the secretary shall give notice of the leave to the  
8 appropriate law enforcement agency in the jurisdiction in which the  
9 juvenile will be during the leave period. The notice shall include  
10 the identity of the juvenile, the time period of the leave, the  
11 residence of the juvenile during the leave, and the identity of the  
12 person responsible for supervising the juvenile during the leave. If  
13 previously requested, the department shall also notify the witnesses  
14 and victim of the offense which the juvenile was found to have  
15 committed or the victim's next of kin if the offense was a homicide.

16 In case of an emergency or medical leave the secretary may waive  
17 all or any portion of the requirements for leaves pursuant to RCW  
18 13.40.205 (2)(a), (3), (4), and (5).

19 (3) If the victim, the victim's next of kin, or any witness is  
20 under the age of (~~sixteen~~) 16, the notice required by this section  
21 shall be sent to the parents or legal guardian of the child.

22 (4) The secretary shall send the notices required by this chapter  
23 to the last address provided to the department by the requesting  
24 party. The requesting party shall furnish the department with a  
25 current address.

26 (5) Upon discharge, parole, transfer to a community residential  
27 facility, or other authorized leave or release, a convicted juvenile  
28 sex offender shall not attend a public or approved private  
29 elementary, middle, or high school that is attended by a victim or a  
30 sibling of a victim of the sex offender. The parents or legal  
31 guardians of the convicted juvenile sex offender shall be responsible  
32 for transportation or other costs associated with or required by the  
33 sex offender's change in school that otherwise would be paid by a  
34 school district.

35 (6) For purposes of this section the following terms have the  
36 following meanings:

37 (a) "Violent offense" means a violent offense under RCW  
38 9.94A.030;

39 (b) "Sex offense" means a sex offense under RCW 9.94A.030;



1 (c) "Stalking" means the crime of stalking as defined in RCW  
2 9A.46.110;

3 (d) "Next of kin" means a person's spouse, parents, siblings, and  
4 children.

5 **Sec. 8.** RCW 72.01.410 and 2019 c 322 s 2 are each amended to  
6 read as follows:

7 (1) Whenever any person is convicted as an adult in the courts of  
8 this state of a felony offense committed under the age of  
9 ~~((eighteen))~~ 18, and is committed for a term of confinement, that  
10 person shall be initially placed in a facility operated by the  
11 department of children, youth, and families, unless the facility in  
12 which the person is to be placed is at or above 105 percent of rated  
13 bed capacity as described in RCW 13.40.460(9) and the person is over  
14 the age of 21 at the time of placement with an earned release date  
15 after the age of 26. These individuals who are not placed in a  
16 department of children, youth, and families facility must be notified  
17 upon placement in a department of corrections facility of the ability  
18 to request transfer according to this subsection and notified when  
19 the population of the department of children, youth, and families  
20 facility where they would have been placed is below 95 percent of the  
21 rated bed capacity as described in RCW 13.40.460(9) and there is more  
22 than one year remaining on the person's sentence that would be served  
23 in the department of children, youth, and families facility and given  
24 the option to request a transfer to a department of children, youth,  
25 and families facility. A person who is eligible for transfer to a  
26 department of children, youth, and families facility under this  
27 subsection has the right to counsel and the review board established  
28 under RCW 13.40.280 will determine whether a person's transfer  
29 request under this subsection will occur. The department of  
30 corrections shall determine the person's earned release date.

31 (a) While in the custody of the department of children, youth,  
32 and families, the person must have the same treatment, housing  
33 options, transfer, and access to program resources as any other  
34 person committed to that juvenile correctional facility or  
35 institution pursuant to chapter 13.40 RCW. Except as provided under  
36 ~~((d) of this))~~ subsection (3) of this section, treatment, placement,  
37 and program decisions shall be at the sole discretion of the  
38 department of children, youth, and families. ~~((The person shall not~~  
39 ~~be transferred to the custody of the department of corrections~~

1 ~~without the approval of the department of children, youth, and~~  
2 ~~families until the person reaches the age of twenty-five.)~~)

3 (b) If the person's sentence includes a term of community  
4 custody, the department of children, youth, and families shall not  
5 release the person to community custody until the department of  
6 corrections has approved the person's release plan pursuant to RCW  
7 9.94A.729(5)(b). If a person is held past his or her earned release  
8 date pending release plan approval, the department of children,  
9 youth, and families shall retain custody until a plan is approved or  
10 the person completes the ordered term of confinement prior to age  
11 (~~twenty-five~~) 25.

12 (~~(c)~~) (2)(a) The department of children, youth, and families  
13 may not transfer a person placed in a facility operated by the  
14 department of children, youth, and families under this section to the  
15 custody of the department of corrections until the person reaches the  
16 age of 25, unless one of the following exceptions in this subsection  
17 (2) applies.

18 (b) If the department of children, youth, and families  
19 (determines) establishes at a hearing before a review board under  
20 RCW 13.40.280 that (retaining custody of) the person in a facility  
21 of the department of children, youth, and families presents a  
22 (significant safety risk) continuing and serious threat to the  
23 safety of others in the institution, the department of children,  
24 youth, and families may transfer the person to the custody of the  
25 department of corrections.

26 (c)(i) Until January 1, 2031, except as provided in subsection  
27 (iv) of this subsection (c), after taking actions outlined in RCW  
28 13.40.460(10) and section 5 of this act and exhausting any remaining  
29 transfer authority provided to the secretary of the department of  
30 children, youth, and families that apply to individuals convicted in  
31 adult court of an offense that occurred before turning age 18, if the  
32 population of the juvenile rehabilitation institution exceeds 105  
33 percent of rated bed capacity as described in RCW 13.40.460(9) and  
34 the rehabilitative goals of the institution cannot be met as defined  
35 in this section, the secretary of the department of children, youth,  
36 and families may, with the consent of the secretary of the department  
37 of corrections, only transfer a sufficient number of persons who meet  
38 the requirements provided in (c)(ii) of this subsection (2) to the  
39 custody of the department of corrections to reduce the in-residence

1 population of the facility to 95 percent of rated bed capacity in a  
2 manner consistent with the requirements of this subsection (2)(c).

3 (ii) If the circumstances listed in (c)(i) of this subsection (2)  
4 exist, the secretary of the department of children, youth, and  
5 families, may only transfer a person who is age 21 or older, or if  
6 the person is under 21 but is age 19 or older and has served at least  
7 three years in the custody of the department of children, youth, and  
8 families, and who consistently refuses to participate in available  
9 rehabilitative programming, or engage in planning for such  
10 programming, provided the person receives a transfer hearing under  
11 RCW 13.40.280 prior to transfer.

12 (iii) Transfer hearings under this subsection (2)(c) shall take  
13 into account whether the department of children, youth, and families  
14 has offered the person culturally and age appropriate services based  
15 on the person's diagnostic evaluation process used at intake as  
16 described under RCW 13.40.460 or any other assessment conducted  
17 during the person's intake to the department of children, youth, and  
18 families institution, and the person's engagement in programming,  
19 treatment needs, goals, future plans, length of confinement,  
20 classification, current behavior, mental and emotional health, and  
21 any disabilities or special needs impacting the safety or suitability  
22 of transferring the person to the department of corrections, be  
23 minimally disruptive, and ensure a person has at least seven calendar  
24 days' notice to prepare for the hearing.

25 (iv) The department of children, youth, and families may no  
26 longer use the authority provided in subsection (2)(c) of this  
27 section when there is an increase in the overall rated bed capacity  
28 of all available juvenile rehabilitation institutions that would  
29 allow equal to or greater than 144 individuals above the rated bed  
30 capacity of all available juvenile rehabilitation institutions as it  
31 existed on the effective date of this section. If the overall rated  
32 bed capacity of all available juvenile rehabilitation institutions  
33 increases by 144 or greater, the department of children, youth, and  
34 families must, in compliance with RCW 43.01.036, submit a report as  
35 soon as possible to the legislature and the governor indicating that  
36 the rated bed capacity has increased by that amount.

37 ~~((d))~~ (3) The department of corrections must retain authority  
38 over custody decisions relating to a person whose earned release date  
39 is on or after the person's ~~((twenty-fifth))~~ 25th birthday and who is  
40 placed in a facility operated by the department of children, youth,

1 and families under this section, unless the person qualifies for  
2 partial confinement under RCW 72.01.412, and must approve any leave  
3 from the facility. When the person turns age (~~(twenty-five)~~) 25, (~~he~~  
4 ~~or she~~) the person must be transferred to the department of  
5 corrections, except as described under RCW 72.01.412. The department  
6 of children, youth, and families has all routine and day-to-day  
7 operations authority for the person while the person is in its  
8 custody.

9 (~~(+2)~~) (4)(a) Except as provided in (b) and (c) of this  
10 subsection, a person under the age of (~~(eighteen)~~) 18 who is  
11 transferred to the custody of the department of corrections must be  
12 placed in a housing unit, or a portion of a housing unit, that is  
13 separated from other persons in custody who are (~~(eighteen)~~) 18 years  
14 of age or older, until the person reaches the age of (~~(eighteen)~~) 18.

15 (b) A person who is transferred to the custody of the department  
16 of corrections and reaches (~~(eighteen)~~) 18 years of age may remain in  
17 a housing unit for persons under the age of (~~(eighteen)~~) 18 if the  
18 secretary of corrections determines that: (i) The person's needs and  
19 the rehabilitation goals for the person could continue to be better  
20 met by the programs and housing environment that is separate from  
21 other persons in custody who are (~~(eighteen)~~) 18 years of age and  
22 older; and (ii) the programs or housing environment for persons under  
23 the age of (~~(eighteen)~~) 18 will not be substantially affected by the  
24 continued placement of the person in that environment. The person may  
25 remain placed in a housing unit for persons under the age of  
26 (~~(eighteen)~~) 18 until such time as the secretary of corrections  
27 determines that the person's needs and goals are no longer better met  
28 in that environment but in no case past the person's (~~(twenty-fifth)~~)  
29 25th birthday.

30 (c) A person transferred to the custody of the department of  
31 corrections who is under the age of (~~(eighteen)~~) 18 may be housed in  
32 an intensive management unit or administrative segregation unit  
33 containing offenders (~~(eighteen)~~) 18 years of age or older if it is  
34 necessary for the safety or security of the offender or staff. In  
35 these cases, the offender must be kept physically separate from other  
36 offenders at all times.

37 (~~(+3)~~) (5) The department of children, youth, and families must  
38 review the placement of a person over age (~~(twenty-one)~~) 18 in the  
39 custody of the department of children, youth, and families under this  
40 section to (~~(determine whether the person should be transferred to~~

1 ~~the custody of the department of corrections))~~ provide information to  
2 the person regarding voluntary transfer to the custody of the  
3 department of corrections.

4 (a) The department of children, youth, and families may determine  
5 the frequency of the review required under this subsection, but the  
6 review must occur at least once before the person reaches age  
7 ((~~twenty-three~~)) 23 if the person's commitment period in a juvenile  
8 institution extends beyond the person's ((~~twenty-third~~)) 25th  
9 birthday.

10 (b) At the review required under this subsection, the department  
11 of children, youth, and families and the department of corrections  
12 shall provide information in writing to the person on all available  
13 placement options and availability of those options at the department  
14 of corrections, and the person's specific eligibility for those  
15 placement options based on their classification and custody level  
16 determination made by the department of corrections in writing prior  
17 to any voluntary transfer decision. The person shall be provided an  
18 opportunity to consult with counsel during the review to confirm that  
19 the person is making a knowing, voluntary, and fully informed  
20 request.

21 (c) A person who, after the review, requests to be transferred to  
22 the department of corrections shall have seven days to reconsider the  
23 transfer request. Following the seven-day waiting period, if the  
24 person confirms their continued request to transfer to the custody of  
25 the department of corrections, the person shall be transferred  
26 directly into the placement agreed upon by the secretary of the  
27 department of children, youth, and families and the secretary of the  
28 department of corrections. A person who has been transferred to the  
29 department of corrections under this section may request to be  
30 transferred and returned to the custody of the department of  
31 children, youth, and families one time within 12 months after  
32 transferring, provided the in-residence population of the juvenile  
33 rehabilitation institution is below 95 percent rated bed capacity at  
34 the time the department of children, youth, and families receives the  
35 request. If the in-residence population of the juvenile  
36 rehabilitation institution exceeds 95 percent rated bed capacity at  
37 the time the department of children, youth, and families receives the  
38 person's request, the request shall be placed on hold until the in-  
39 residence population returns below 95 percent rated bed capacity, at  
40 which time the department of children, youth, and families shall

1 process the transfer request with the coordination of the department  
2 of corrections.

3 (d) The hearing requirements of RCW 13.40.280 do not apply to  
4 persons transferred under this subsection.

5 (6) For the purposes of this section, "rehabilitative goals of  
6 the institution" include, but are not limited to:

7 (a) Appropriate bathroom and shower ratio to youth;

8 (b) Adequate education space to ensure that all youth can  
9 maintain a full class schedule; and

10 (c) Adequate indoor and outdoor recreation space to safely manage  
11 population groups.

12 **Sec. 9.** RCW 13.40.280 and 2017 3rd sp.s. c 6 s 611 are each  
13 amended to read as follows:

14 (1) The secretary of the department of children, youth, and  
15 families, with the consent of the secretary of the department of  
16 corrections, has the authority to transfer a juvenile presently or  
17 hereafter committed to the department of children, youth, and  
18 families to the department of corrections for appropriate  
19 institutional placement in accordance with this section.

20 (2) The secretary of the department of children, youth, and  
21 families may, with the consent of the secretary of the department of  
22 corrections, transfer a juvenile offender to the department of  
23 corrections if it is established at a hearing before a review board  
24 that continued placement of the juvenile offender in an institution  
25 for juvenile offenders presents a continuing and serious threat to  
26 the safety of others in the institution. The department of children,  
27 youth, and families shall establish rules for the conduct of the  
28 hearing, including provision of counsel for the juvenile offender.

29 ~~(3) ((Assaults made against any staff member at a juvenile~~  
30 ~~corrections institution that are reported to a local law enforcement~~  
31 ~~agency shall require a hearing held by the department of children,~~  
32 ~~youth, and families review board within ten judicial working days.))~~

33 The secretary of the department shall establish rules for defining  
34 and developing an internal behavioral management infraction system  
35 and procedures to respond to a continuing and serious threat to the  
36 safety of others in the institution under this section. The rules  
37 shall provide guidance on when the following circumstances present a  
38 continuing and serious threat and warrant imposing a disciplinary  
39 infraction by the department: Any assault involving serious bodily

1 harm and possession of any contraband that puts the safety of others  
2 or the security of the institution at risk. The department shall also  
3 establish a rule setting the amount of time for when the board must  
4 hold a hearing. The board shall determine whether the accused  
5 juvenile offender represents a continuing and serious threat to the  
6 safety of others in the institution.

7 ~~((Upon conviction in a court of law for custodial assault as~~  
8 ~~defined in RCW 9A.36.100, the)) The department of children, youth,~~

9 and families review board shall ~~((conduct a second hearing, within~~  
10 ~~five judicial working days, to)) recommend to the secretary of the~~  
11 department of children, youth, and families that the ~~((convicted))~~  
12 juvenile be transferred to an adult correctional facility if the  
13 review board has determined the juvenile offender represents a  
14 continuing and serious threat to the safety of others in the  
15 institution.

16 ~~((The juvenile has the burden to show cause why the transfer to~~  
17 ~~an adult correctional facility should not occur.))~~

18 (5) The secretary may, with the consent of the secretary of the  
19 department of corrections, transfer an individual committed to the  
20 department under RCW 72.01.410. The review board established under  
21 this section shall determine whether the conditions for transfer, as  
22 set forth in RCW 72.01.410, have been met. The hearing requirements  
23 of this section do not apply to persons transferred under section 5  
24 of this act or RCW 72.01.410(5).

25 (6) A juvenile offender transferred to an institution operated by  
26 the department of corrections shall not remain in such an institution  
27 beyond the maximum term of confinement imposed by the juvenile court.

28 ~~((+6))~~ (7) A juvenile offender who has been transferred to the  
29 department of corrections under this section may, in the discretion  
30 of the secretary of the department of children, youth, and families  
31 and with the consent of the secretary of the department of  
32 corrections, be transferred from an institution operated by the  
33 department of corrections to a facility for juvenile offenders deemed  
34 appropriate by the secretary.

35 NEW SECTION. Sec. 10. A new section is added to chapter 72.01  
36 RCW to read as follows:

37 (1) A person in the custody of the department of children, youth,  
38 and families under RCW 72.01.410 is eligible to be released on or

1 after the person's earned release date by the department of  
2 corrections if:

3 (a) The person's earned release date is within six months of the  
4 person's 25th birthday;

5 (b) The person has not been deemed a high risk to reoffend; and

6 (c) The person has not committed any serious infractions as  
7 defined by the department of children, youth, and families' internal  
8 behavioral management infraction system.

9 (2) As part of the department of children, youth, and families  
10 monitoring of rated bed capacity under RCW 13.40.460(11), when the  
11 in-residence population of any juvenile rehabilitation institution  
12 reaches 90 percent of rated bed capacity, the department shall begin  
13 to plan and identify persons who may be released by the department of  
14 corrections under this section.

15 NEW SECTION. **Sec. 11.** This act may be known and cited as the  
16 juvenile rehabilitation overcrowding relief act or "J-RORA."

17 NEW SECTION. **Sec. 12.** This act is necessary for the immediate  
18 preservation of the public peace, health, or safety, or support of  
19 the state government and its existing public institutions, and takes  
20 effect immediately."

21 Correct the title.

EFFECT: Requires the Department of Children, Youth, and Families (DCYF) to engage in transfer or transition planning for any individual leaving a juvenile institution.

Modifies the rated bed capacity percentage from 100 to 95 percent that triggers actions authorized in the underlying bill to reduce the institutional population and the threshold that allows individuals to request a return to a DCYF facility after a voluntary transfer to a Department of Corrections (DOC) facility.

Allows individuals who are no longer placed in a DCYF institution and instead placed in a DOC facility because the facility is at or above 105 percent of the rated bed capacity to request a transfer to a DCYF facility when the institutional population is below 95 percent of the rated bed capacity.

Terminates the authority provided to DCYF to transfer certain people who consistently refuse to engage in available programming when the rated bed capacity is at or above 105 percent on January 1, 2031, and specifies that this authority will terminate earlier than that date if there is an increase in the rated bed capacity of all available juvenile rehabilitation institutions that would allow equal to or greater than 144 individuals above the rated bed capacity as it existed on the effective date of the bill.



Modifies the ages of individuals for whom DCYF is provided authority to transfer when those people consistently refuse to engage in available programming when the rated bed capacity at the institution is at or above 105 percent from over 21 or under 21 but over age 18 and has served at least three years in a DCYF institution to age 21 or older, or under age 21 but age 19 or older and has served at least three years in a DCYF institution.

Specifies that the transfer hearings provided for certain people who consistently refuse to engage in available programming when the rated bed capacity is at or above 105 percent must take into account whether the DCYF has offered the person culturally and age appropriate services based on the person's diagnostic evaluation process used at intake or any other assessment conducted during the person's intake to the department of children, youth, and families institution.

Modifies the general standard that must be met before transferring a person from a DCYF facility to a DOC facility that applies to individuals convicted in adult court of offenses that occurred before turning age 18 to match the standard that applies to individuals adjudicated in juvenile court who are transferred from a DCYF facility to a DOC facility (presents a continuing and serious threat to the safety of others in the institution).

Limits the early release provision in the underlying bill to only allow release on or after the person's early release date under the conditions provided in the underlying bill (earned release date within six months of the person's 25th birthday, not deemed a high risk to reoffend, and not committed any serious infractions).

--- END ---