

2SSB 5296 - S AMD 185

By Senator Christian

NOT ADOPTED 03/10/2025

1 On page 7, after line 13, insert the following:

2 "(c) Before entering an order for a disposition alternative under
3 this section, the court must also find by clear and convincing
4 evidence that the offense was actually caused and proximately caused
5 by the mental health disorder, substance use disorder, or co-
6 occurring disorder of the juvenile. The mere presence of a mental
7 health disorder, substance use disorder, or co-occurring disorder is
8 insufficient to sustain a disposition alternative under this section.
9 The court must enter written findings under this subsection.

10 (d) If the court does not make a finding under (c) of this
11 subsection, then the court shall order the standard range for the
12 offense unless the court concludes that such a disposition would
13 effectuate a manifest injustice pursuant to (b) of this subsection
14 and option D of RCW 13.40.0357."

EFFECT: Requires that before a court enter a substance use disorder or mental health disposition alternative that the court make a finding by clear and convincing evidence that the offense was actually caused and proximately caused by the mental health, chemical dependency, or co-occurring disorder of the juvenile. Requires the court to make written findings when imposing the sentence. Requires the court to impose a standard range sentence unless a disposition would effectuate a manifest injustice, if the court does not make a finding that the juvenile qualifies for a mental health or chemical dependency alternative.

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