

SENATE BILL REPORT

SB 5260

As of February 3, 2025

Title: An act relating to emergency measures for managing juvenile populations at state juvenile correctional institutions.

Brief Description: Concerning emergency measures for managing juvenile populations at state juvenile correctional institutions.

Sponsors: Senators Christian and Braun.

Brief History:

Committee Activity: Human Services: 2/03/25.

Brief Summary of Bill

- Allows a person over the age of 18 to request to be transferred from the Department of Children, Youth, and Families to the custody of the Department of Corrections.

SENATE COMMITTEE ON HUMAN SERVICES

Staff: Kelsey-anne Fung (786-7479)

Background: Juvenile Rehabilitation Institutions. The Juvenile Rehabilitation (JR) division of the Department of Children, Youth, and Families (DCYF) operates two secure residential facilities for juveniles who are convicted of crimes and sentenced to more than 30 days of confinement. The Echo Glen Children's Center in Snoqualmie serves younger males as well as female juveniles. The Green Hill School in Chehalis serves older male juveniles.

Juvenile Rehabilitation to Age 25. In 2018 and 2019, the Legislature passed legislation commonly referred to as JR to 25, which extended the period for which individuals convicted of offenses that occurred before the person turned 18 could remain in a juvenile

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rehabilitation facility from age 21 to age 25. If an individual has an earned release date that extends past their 25th birthday, when the individual reaches age 25, they must be transferred from DCYF custody to the Department of Corrections (DOC), except in limited circumstances where a person may be eligible for partial confinement.

Current law provides for transfers before age 25 if DCYF determines that retaining custody of the person presents a significant safety risk. DCYF must review the placement of a person over age 21 to determine whether the person should be transferred to DOC. The review must occur at least before the person turns age 23 if the person's commitment period in a juvenile institution extends beyond the person's 23rd birthday.

Transfer Hearings. The secretary of DCYF, with the consent of the secretary of DOC, may transfer a juvenile from DCYF to DOC if it is established at a hearing before a review board that continued placement of the juvenile offender in DCYF presents a continuing and serious threat to the safety of others in the institution. Assaults made against a staff member that are reported to a local law enforcement agency require a hearing within ten judicial working days. Upon conviction for custodial assault, a second hearing must be conducted within five working days, where the juvenile has the burden to show cause why the transfer to DOC should not occur.

If a juvenile is transferred to DOC, the juvenile can only remain until their maximum term of confinement imposed by the juvenile court. A juvenile transferred to DOC may be transferred back to DCYF in the discretion of the DCYF secretary and with the consent of the DOC secretary.

Voluntary Transfers. Internal JR policy allows a youth to be transferred to DOC to serve the balance of the term of confinement if the youth self-requests to transfer to DOC.

Summary of Bill: Any person who is at least 18 years old and is placed in a DCYF facility may request to be transferred to the custody of DOC. The DCYF secretary must coordinate with the DOC secretary to transfer any person who makes a transfer request.

Any person who makes a transfer request must have three days to reconsider the request. After the three-day waiting period, the person must be transferred from DCYF to DOC custody within ten days.

The DCYF and DOC secretaries must develop a form for a person to make a transfer request, and the form must be made available to the person upon request. The DCYF secretary must inform all persons presently in its custody and persons entering its custody of the ability to be transferred.

The administrative hearing before a review board required for transfers does not apply to transfer requests. A juvenile offender who is transferred may not remain in a DOC institution beyond the maximum term of confinement imposed by the juvenile court.

This act may be known and cited as the Youth Rehabilitation Pathways Act.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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