
SENATE BILL 6022

State of Washington

69th Legislature

2026 Regular Session

By Senators Christian and J. Wilson

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1 AN ACT Relating to improving juvenile rehabilitation, protecting
2 Washingtonians, saving the state millions by repealing the state's
3 disastrous policies of extending juvenile rehabilitation to age 25,
4 and repealing community transition services; amending RCW 13.40.0357,
5 13.40.110, 13.40.193, 13.40.300, 72.01.410, 13.40.020, 13.40.205,
6 13.40.215, and 13.22.010; reenacting and amending RCW 13.04.030;
7 creating a new section; repealing RCW 13.40.301, 13.04.800,
8 72.01.412, and 43.216.180; repealing 2019 c 322 s 1 (uncodified); and
9 repealing 2021 c 206 ss 1, 8, and 10 (uncodified).

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

11 NEW SECTION. **Sec. 1.** The legislature finds that statewide
12 policies collectively known as "JR-25" have failed to provide
13 rehabilitation to young adults and have contributed to the
14 overpopulation crisis in the juvenile rehabilitation administration.
15 Additionally, these policies have also contributed to increases in
16 violence at Green Hill School, increases in contraband, and
17 inappropriate contact between staff and incarcerated individuals.

18 The legislature further finds that as Washington's budget crisis
19 continues, the yearly cost of rehabilitating offenders within the
20 department of children, youth, and families is nearly four times the
21 cost of rehabilitating offenders within the department of

1 corrections. The legislature recognizes that the average cost per
2 incarcerated individual at the department of corrections is
3 approximately \$76,000. By comparison, the average cost per
4 incarcerated individual at the department of children, youth, and
5 families is approximately \$257,000.

6 Because of the detrimental impact that the JR-25 policy has had
7 on Washington state and incarcerated youth, the legislature hereby
8 repeals these collective policies.

9 **Sec. 2.** RCW 13.04.030 and 2024 c 232 s 2 and 2024 c 117 s 3 are
10 each reenacted and amended to read as follows:

11 (1) Except as provided in this section, the juvenile courts in
12 this state shall have exclusive original jurisdiction over all
13 proceedings:

14 (a) Under the interstate compact on placement of children as
15 provided in chapter 26.34 RCW;

16 (b) Relating to children alleged or found to be dependent as
17 provided in chapter 26.44 RCW and in RCW 13.34.030 through 13.34.161;

18 (c) Relating to the termination of a parent and child
19 relationship as provided in RCW 13.34.180 through 13.34.210;

20 (d) To approve or disapprove out-of-home placement as provided in
21 RCW 13.32A.170;

22 (e) Relating to juveniles alleged or found to have committed
23 offenses, traffic or civil infractions, or violations as provided in
24 RCW 13.40.020 through 13.40.230, unless:

25 (i) The juvenile court transfers jurisdiction of a particular
26 juvenile to adult criminal court pursuant to RCW 13.40.110;

27 (ii) The statute of limitations applicable to adult prosecution
28 for the offense, traffic or civil infraction, or violation has
29 expired;

30 (iii) The alleged offense or infraction is a traffic, fish,
31 boating, or game offense, or traffic or civil infraction committed by
32 a juvenile 16 years of age or older and would, if committed by an
33 adult, be tried or heard in a court of limited jurisdiction, in which
34 instance the appropriate court of limited jurisdiction shall have
35 jurisdiction over the alleged offense or infraction, and no guardian
36 ad litem is required in any such proceeding due to the juvenile's
37 age. If such an alleged offense or infraction and an alleged offense
38 or infraction subject to juvenile court jurisdiction arise out of the
39 same event or incident, the juvenile court may have jurisdiction of

1 both matters. The jurisdiction under this subsection does not
2 constitute "transfer" or a "decline" for purposes of RCW 13.40.110
3 (1) or (2) or (e)(i) of this subsection. Courts of limited
4 jurisdiction which confine juveniles for an alleged offense or
5 infraction may place juveniles in juvenile detention facilities under
6 an agreement with the officials responsible for the administration of
7 the juvenile detention facility in RCW 13.04.035 and 13.20.060;

8 (iv) The alleged offense is a traffic or civil infraction, a
9 violation of compulsory school attendance provisions under chapter
10 28A.225 RCW, or a misdemeanor, and a court of limited jurisdiction
11 has assumed concurrent jurisdiction over those offenses as provided
12 in RCW 13.04.0301; or

13 (v) The juvenile is 16 or 17 years old on the date the alleged
14 offense is committed and the alleged offense is:

15 (A) A serious violent offense as defined in RCW 9.94A.030;

16 (B) A violent offense as defined in RCW 9.94A.030 and the
17 juvenile has a criminal history consisting of: (I) One or more prior
18 serious violent offenses; (II) two or more prior violent offenses; or
19 (III) three or more of any combination of the following offenses: Any
20 class A felony, any class B felony, vehicular assault, or
21 manslaughter in the second degree, all of which must have been
22 committed after the juvenile's 13th birthday and prosecuted
23 separately; (~~(C)~~)

24 (C) (~~Rape of a child in the first degree~~) Robbery in the first
25 degree, rape of a child in the first degree, or drive-by shooting,
26 committed on or after July 1, 1997;

27 (D) Burglary in the first degree committed on or after July 1,
28 1997, and the juvenile has a criminal history consisting of one or
29 more prior felony or misdemeanor offenses; or

30 (E) Any violent offense as defined in RCW 9.94A.030 committed on
31 or after July 1, 1997, and the juvenile is alleged to have been armed
32 with a firearm.

33 (I) In such a case the adult criminal court shall have exclusive
34 original jurisdiction, except as provided in (e)(v)(~~(C)~~) (E)(II)
35 and (III) of this subsection.

36 (II) The juvenile court shall have exclusive jurisdiction over
37 the disposition of any remaining charges in any case in which the
38 juvenile is found not guilty in the adult criminal court of the
39 charge or charges for which he or she was transferred, or is
40 convicted in the adult criminal court of an offense that is not also

1 an offense listed in (e)(v) of this subsection. The juvenile court
2 shall (~~maintain residual~~) enter an order extending juvenile court
3 jurisdiction (~~up to age 25~~) if the juvenile has turned 18 years of
4 age during the adult criminal court proceedings (~~but only for the~~
5 ~~purpose of returning a case to juvenile court for disposition~~)
6 pursuant to RCW 13.40.300(2)(a)(ii). However, once the case is
7 returned to juvenile court, the court may hold a decline hearing
8 pursuant to RCW 13.40.110 to determine whether to retain the case in
9 juvenile court for the purpose of disposition or return the case to
10 adult criminal court for sentencing.

11 (III) The prosecutor and respondent may agree to juvenile court
12 jurisdiction and waive application of exclusive adult criminal
13 jurisdiction in (e)(v)(A) through (~~(C)~~) (E) of this subsection and
14 remove the proceeding back to juvenile court with the court's
15 approval.

16 If the juvenile challenges the state's determination of the
17 juvenile's criminal history under (e)(v) of this subsection, the
18 state may establish the offender's criminal history by a
19 preponderance of the evidence. If the criminal history consists of
20 adjudications entered upon a plea of guilty, the state shall not bear
21 a burden of establishing the knowing and voluntariness of the plea;

22 (f) Under the interstate compact on juveniles as provided in
23 chapter 13.24 RCW;

24 (g) Relating to termination of a diversion agreement under RCW
25 13.40.080, including a proceeding in which the divertee has attained
26 18 years of age;

27 (h) Relating to court validation of a voluntary consent to an
28 out-of-home placement under chapter 13.34 RCW, by the parent or
29 Indian custodian of an Indian child, except if the parent or Indian
30 custodian and child are residents of or domiciled within the
31 boundaries of a federally recognized Indian reservation over which
32 the tribe exercises exclusive jurisdiction; and

33 (i) Relating to petitions to compel disclosure of information
34 filed by the department of social and health services pursuant to RCW
35 74.13.042.

36 (2) The family court shall have concurrent original jurisdiction
37 with the juvenile court over all proceedings under this section if
38 the superior court judges of a county authorize concurrent
39 jurisdiction as provided in RCW 26.12.010.

(3) The juvenile court shall have concurrent original jurisdiction with the family or probate court over minor guardianship proceedings under chapter 11.130 RCW and parenting plans or residential schedules under chapter 26.09, 26.26A, or 26.26B RCW as provided for in RCW 13.34.155.

(4) A juvenile subject to adult superior court jurisdiction under subsection (1)(e)(i) through (v) of this section, who is detained pending trial, may be detained in a detention facility as defined in RCW 13.40.020 pending sentencing or a dismissal.

(5) Nothing in subsection (1) of this section deprives the superior courts in this state of original jurisdiction granted by the Constitution or by other laws.

Sec. 3. RCW 13.40.0357 and 2023 c 295 s 8 are each amended to read as follows:

DESCRIPTION AND OFFENSE CATEGORY

JUVENILE DISPOSITION	JUVENILE CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
DISPOSITION	OFFENSE
CATEGORY	DESCRIPTION (RCW CITATION)

Arson and Malicious Mischief

A	Arson 1 (9A.48.020)	B+
B	Arson 2 (9A.48.030)	C
C	Reckless Burning 1 (9A.48.040)	D
D	Reckless Burning 2 (9A.48.050)	E
B	Malicious Mischief 1 (9A.48.070)	C
C	Malicious Mischief 2 (9A.48.080)	D
D	Malicious Mischief 3 (9A.48.090)	E
E	Tampering with Fire Alarm Apparatus (9.40.100)	E
E	Tampering with Fire Alarm Apparatus with Intent to Commit Arson (9.40.105)	E
A	Possession of Incendiary Device (9.40.120)	B+

Assault and Other Crimes Involving Physical Harm

A	Assault 1 (9A.36.011)	B+
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1	B+	Assault 2 (9A.36.021)	C+
2	C+	Assault 3 (9A.36.031)	D+
3	D+	Assault 4 (9A.36.041)	E
4	B+	Drive-By Shooting (9A.36.045)	C+
5		((committed at age 15 or under))	
6	((A++	Drive-By Shooting (9A.36.045)	A))
7		committed at age 16 or 17	
8	D+	Reckless Endangerment (9A.36.050)	E
9	C+	Promoting Suicide Attempt (9A.36.060)	D+
10	D+	Coercion (9A.36.070)	E
11	C+	Custodial Assault (9A.36.100)	D+
12		Burglary and Trespass	
13	B+	Burglary 1 (9A.52.020) ((committed at	C+
14		age 15 or under))	
15	((A-	Burglary 1 (9A.52.020) committed at	B+))
16		age 16 or 17	
17	B	Residential Burglary (9A.52.025)	C
18	B	Burglary 2 (9A.52.030)	C
19	D	Burglary Tools (Possession of)	E
20		(9A.52.060)	
21	D	Criminal Trespass 1 (9A.52.070)	E
22	E	Criminal Trespass 2 (9A.52.080)	E
23	C	Mineral Trespass (78.44.330)	C
24	C	Vehicle Prowling 1 (9A.52.095)	D
25	D	Vehicle Prowling 2 (9A.52.100)	E
26		Drugs	
27	E	Possession/Consumption of Alcohol	E
28		(66.44.270)	
29	C	Illegally Obtaining Legend Drug	D
30		(69.41.020)	
31	C+	Sale, Delivery, Possession of Legend	D+
32		Drug with Intent to Sell (69.41.030(2)(a))	
33	E	Possession of Legend	E
34		Drug (69.41.030(2)(b))	

1	B+	Violation of Uniform Controlled	B+
2		Substances Act - Narcotic,	
3		Methamphetamine, or Flunitrazepam	
4		Sale (69.50.401(2) (a) or (b))	
5	C	Violation of Uniform Controlled	C
6		Substances Act - Nonnarcotic Sale	
7		(69.50.401(2)(c))	
8	E	Possession of Cannabis <40 grams	E
9		(69.50.4014)	
10	C	Fraudulently Obtaining Controlled	C
11		Substance (69.50.403)	
12	C+	Sale of Controlled Substance for Profit	C+
13		(69.50.410)	
14	E	Unlawful Inhalation (9.47A.020)	E
15	B	Violation of Uniform Controlled	B
16		Substances Act - Narcotic,	
17		Methamphetamine, or Flunitrazepam	
18		Counterfeit Substances (69.50.4011(2)	
19		(a) or (b))	
20	C	Violation of Uniform Controlled	C
21		Substances Act - Nonnarcotic Counterfeit	
22		Substances (69.50.4011(2) (c), (d), or (e))	
23	E	Violation of Uniform Controlled	E
24		Substances Act - Possession of a	
25		Controlled Substance (69.50.4013)	
26	C	Violation of Uniform Controlled	C
27		Substances Act - Possession of a	
28		Controlled Substance (69.50.4012)	
29		Firearms and Weapons	
30	B	Theft of Firearm (9A.56.300)	C
31	B	Possession of Stolen Firearm	C
32		(9A.56.310)	
33	E	Carrying Loaded Pistol Without Permit	E
34		(9.41.050)	
35	C	Possession of Firearms by Minor (<18)	C
36		(9.41.040(2)(a) (v))	
37	D+	Possession of Dangerous Weapon	E
38		(9.41.250)	

1	D	Intimidating Another Person by use of	E
2		Weapon (9A.41.270)	
3		Homicide	
4	A+	Murder 1 (9A.32.030)	A
5	A+	Murder 2 (9A.32.050)	B+
6	B+	Manslaughter 1 (9A.32.060)	C+
7	C+	Manslaughter 2 (9A.32.070)	D+
8	B+	Vehicular Homicide (46.61.520)	C+
9		Kidnapping	
10	A	Kidnap 1 (9A.40.020)	B+
11	B+	Kidnap 2 (9A.40.030)	C+
12	C+	Unlawful Imprisonment (9A.40.040)	D+
13		Obstructing Governmental Operation	
14	D	Obstructing a Law Enforcement Officer	E
15		(9A.76.020)	
16	E	Resisting Arrest (9A.76.040)	E
17	B	Introducing Contraband 1 (9A.76.140)	C
18	C	Introducing Contraband 2 (9A.76.150)	D
19	E	Introducing Contraband 3 (9A.76.160)	E
20	B+	Intimidating a Public Servant	C+
21		(9A.76.180)	
22	B+	Intimidating a Witness (9A.72.110)	C+
23		Public Disturbance	
24	C+	Criminal Mischief with Weapon	D+
25		(9A.84.010(2)(b))	
26	D+	Criminal Mischief Without Weapon	E
27		(9A.84.010(2)(a))	
28	E	Failure to Disperse (9A.84.020)	E
29	E	Disorderly Conduct (9A.84.030)	E
30		Sex Crimes	
31	A	Rape 1 (9A.44.040)	B+
32		((B++ Rape 2 (9A.44.050) committed at age 14	B+))
33		or under	
34	A-	Rape 2 (9A.44.050) ((committed at age	B+
35		15 through age 17))	
36	C+	Rape 3 (9A.44.060)	D+

1	((B++ Rape of a Child 1 (9A.44.073)	B+))
2	committed at age 14 or under	
3	A- Rape of a Child 1 (9A.44.073)	B+
4	((committed at age 15))	
5	B+ Rape of a Child 2 (9A.44.076)	C+
6	B Incest 1 (9A.64.020(1))	C
7	C Incest 2 (9A.64.020(2))	D
8	D+ Indecent Exposure (Victim <14)	E
9	(9A.88.010)	
10	E Indecent Exposure (Victim 14 or over)	E
11	(9A.88.010)	
12	B+ Promoting Prostitution 1 (9A.88.070)	C+
13	C+ Promoting Prostitution 2 (9A.88.080)	D+
14	E O & A (Prostitution) (9A.88.030)	E
15	B+ Indecent Liberties (9A.44.100)	C+
16	((B++ Child Molestation 1 (9A.44.083)	B+))
17	committed at age 14 or under	
18	A- Child Molestation 1 (9A.44.083)	B+
19	((committed at age 15 through age 17))	
20	B Child Molestation 2 (9A.44.086)	C+
21	C Failure to Register as a Sex Offender	D
22	(9A.44.132)	
23	Theft, Robbery, Extortion, and	
24	Forgery	
25	B Theft 1 (9A.56.030)	C
26	C Theft 2 (9A.56.040)	D
27	D Theft 3 (9A.56.050)	E
28	B Theft of Livestock 1 and 2 (9A.56.080	C
29	and 9A.56.083)	
30	C Forgery (9A.60.020)	D
31	A Robbery 1 (9A.56.200) ((committed at	B+
32	age 15 or under))	
33	((A++ Robbery 1 (9A.56.200) committed at	A))
34	age 16 or 17	
35	B+ Robbery 2 (9A.56.210)	C+
36	B+ Extortion 1 (9A.56.120)	C+
37	C+ Extortion 2 (9A.56.130)	D+

1	C	Identity Theft 1 (9.35.020(2))	D
2	D	Identity Theft 2 (9.35.020(3))	E
3	D	Improperly Obtaining Financial	E
4		Information (9.35.010)	
5	B	Possession of a Stolen Vehicle	C
6		(9A.56.068)	
7	B	Possession of Stolen Property 1	C
8		(9A.56.150)	
9	C	Possession of Stolen Property 2	D
10		(9A.56.160)	
11	D	Possession of Stolen Property 3	E
12		(9A.56.170)	
13	B	Taking Motor Vehicle Without	C
14		Permission 1 (9A.56.070)	
15	C	Taking Motor Vehicle Without	D
16		Permission 2 (9A.56.075)	
17	B	Theft of a Motor Vehicle (9A.56.065)	C
18		Motor Vehicle Related Crimes	
19	E	Driving Without a License (46.20.005)	E
20	B+	Hit and Run - Death (46.52.020(4)(a))	C+
21	C	Hit and Run - Injury (46.52.020(4)(b))	D
22	D	Hit and Run-Attended (46.52.020(5))	E
23	E	Hit and Run-Unattended (46.52.010)	E
24	C	Vehicular Assault (46.61.522)	D
25	C	Attempting to Elude Pursuing Police	D
26		Vehicle (46.61.024)	
27	E	Reckless Driving (46.61.500)	E
28	D	Driving While Under the Influence	E
29		(46.61.502 and 46.61.504)	
30	B+	Felony Driving While Under the	B
31		Influence (46.61.502(6))	
32	B+	Felony Physical Control of a Vehicle	B
33		While Under the Influence (46.61.504(6))	
34		Other	
35	B	Animal Cruelty 1 (16.52.205)	C
36	B	Bomb Threat (9.61.160)	C

1	C	Escape 1 ¹ (9A.76.110)	C
2	C	Escape 2 ¹ (9A.76.120)	C
3	D	Escape 3 (9A.76.130)	E
4	E	Obscene, Harassing, Etc., Phone Calls	E
5		(9.61.230)	
6	A	Other Offense Equivalent to an Adult	B+
7		Class A Felony	
8	B	Other Offense Equivalent to an Adult	C
9		Class B Felony	
10	C	Other Offense Equivalent to an Adult	D
11		Class C Felony	
12	D	Other Offense Equivalent to an Adult	E
13		Gross Misdemeanor	
14	E	Other Offense Equivalent to an Adult	E
15		Misdemeanor	
16	V	Violation of Order of Restitution,	V
17		Community Supervision, or Confinement	
18		(13.40.200) ²	

19 ¹Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses
20 and the standard range is established as follows:

21 1st escape or attempted escape during 12-month period - (~~28~~
22 ~~days~~) 4 weeks confinement

23 2nd escape or attempted escape during 12-month period - 8 weeks
24 confinement

25 3rd and subsequent escape or attempted escape during 12-month
26 period - 12 weeks confinement

27 ²If the court finds that a respondent has violated terms of an order,
28 it may impose a penalty of up to 30 days of confinement.

29 **JUVENILE SENTENCING STANDARDS**

30 This schedule must be used for juvenile offenders. The court may
31 select sentencing option A, B, C, or D.

32 **OPTION A**

33 **JUVENILE OFFENDER SENTENCING GRID**

34 **STANDARD RANGE**

35 **((A++ 129 to 260 weeks for all category A++ offenses))**

1		A+	180 weeks to age 21 for all category A+ offenses				
2		A	103-129 weeks for all category A offenses				
3		A-	((30-40 weeks	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks
4		B++))	15-36 weeks	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks
5			<u>Except 30-40</u>				
6			<u>weeks for 15 to 17</u>				
7			<u>year olds</u>				
8	CURRENT	B+	15-36 weeks	15-36 weeks	52-65 weeks	80-100 weeks	103-129 weeks
9	OFFENSE	B	LS	LS	15-36 weeks	15-36 weeks	52-65 weeks
10	CATEGORY	C+	LS	LS	LS	15-36 weeks	15-36 weeks
11		C	LS	LS	LS	LS	15-36 weeks
12		D+	LS	LS	LS	LS	LS
13		D	LS	LS	LS	LS	LS
14		E	LS	LS	LS	LS	LS
15	PRIOR		0	1	2	3	4 or more
16	ADJUDICATIONS						

17 NOTE: References in the grid to days or weeks mean periods of
18 confinement. "LS" means "local sanctions" as defined in RCW
19 13.40.020.

20 (1) The vertical axis of the grid is the current offense
21 category. The current offense category is determined by the offense
22 of adjudication.

23 (2) The horizontal axis of the grid is the number of prior
24 adjudications included in the juvenile's criminal history. Each prior
25 felony adjudication shall count as one point. Each prior violation,
26 misdemeanor, and gross misdemeanor adjudication shall count as 1/4
27 point. Fractional points shall be rounded down.

28 (3) The standard range disposition for each offense is determined
29 by the intersection of the column defined by the prior adjudications
30 and the row defined by the current offense category.

31 (4) RCW 13.40.180 applies if the offender is being sentenced for
32 more than one offense.

33 (5) A current offense that is a violation is equivalent to an
34 offense category of E. However, a disposition for a violation shall
35 not include confinement.

1 OR

2 OPTION B

3 SUSPENDED DISPOSITION ALTERNATIVE

4 (1) If the offender is subject to a standard range disposition
5 involving confinement by the department, the court may impose the
6 standard range and suspend the disposition on condition that the
7 offender comply with one or more local sanctions and any educational
8 or treatment requirement. The treatment programs provided to the
9 offender must be either research-based best practice programs as
10 identified by the Washington state institute for public policy or the
11 joint legislative audit and review committee, or for chemical
12 dependency treatment programs or services, they must be evidence-
13 based or research-based best practice programs. For the purposes of
14 this subsection:

15 (a) "Evidence-based" means a program or practice that has had
16 multiple site random controlled trials across heterogeneous
17 populations demonstrating that the program or practice is effective
18 for the population; and

19 (b) "Research-based" means a program or practice that has some
20 research demonstrating effectiveness, but that does not yet meet the
21 standard of evidence-based practices.

22 (2) If the offender fails to comply with the suspended
23 disposition, the court may impose sanctions pursuant to RCW 13.40.200
24 or may revoke the suspended disposition and order the disposition's
25 execution.

26 (3) An offender is ineligible for the suspended disposition
27 option under this section if the offender is:

28 (a) (~~(Is adjudicated)~~) Adjudicated of an A+ (~~(or A++)~~) offense;

29 (b) (~~(Is fourteen)~~) 14 years of age or older and is adjudicated
30 of one or more of the following offenses:

31 (i) A class A offense, or an attempt, conspiracy, or solicitation
32 to commit a class A offense;

33 (ii) Manslaughter in the first degree (RCW 9A.32.060); or

34 (iii) Assault in the second degree (RCW 9A.36.021), extortion in
35 the first degree (RCW 9A.56.120), kidnapping in the second degree
36 (RCW 9A.40.030), robbery in the second degree (RCW 9A.56.210),
37 residential burglary (RCW 9A.52.025), burglary in the second degree
38 (RCW 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular
39 homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)),

1 intimidating a witness (RCW 9A.72.110), violation of the uniform
2 controlled substances act (RCW 69.50.401(2) (a) and (b)), or
3 manslaughter 2 (RCW 9A.32.070) when the offense includes infliction
4 of bodily harm upon another or when, during the commission or
5 immediate withdrawal from the offense, the respondent was armed with
6 a deadly weapon; (~~or~~

7 ~~(iv) Violation of the uniform controlled substances act (RCW~~
8 ~~69.50.401(2) (a) and (b)), when the offense includes infliction of~~
9 ~~bodily harm upon another or when during the commission or immediate~~
10 ~~withdrawal from the offense the respondent was armed with a deadly~~
11 ~~weapon;))~~

12 (c) (~~Is ordered~~) Ordered to serve a disposition for a firearm
13 violation under RCW 13.40.193; or

14 (d) (~~Is adjudicated~~) Adjudicated of a sex offense as defined in
15 RCW 9.94A.030 (~~or~~

16 ~~(e) Has a prior option B disposition)).~~

17 **OR**

18 **OPTION C**

19 **CHEMICAL DEPENDENCY/MENTAL HEALTH DISPOSITION ALTERNATIVE**

20 If the juvenile offender is subject to a standard range
21 disposition of local sanctions or 15 to 36 weeks of confinement and
22 has not committed (~~a B++~~) an A- or B+ offense, the court may impose
23 a disposition under RCW 13.40.160(4) and 13.40.165.

24 **OR**

25 **OPTION D**

26 **MANIFEST INJUSTICE**

27 If the court determines that a disposition under option A, B, or C
28 would effectuate a manifest injustice, the court shall impose a
29 disposition outside the standard range under RCW 13.40.160(2).

30 **Sec. 4.** RCW 13.40.110 and 2024 c 117 s 2 are each amended to
31 read as follows:

32 (1) Discretionary decline hearing - The prosecutor, respondent,
33 or the court on its own motion may, before a hearing on the
34 information on its merits, file a motion requesting the court to
35 transfer the respondent for adult criminal prosecution and the matter
36 shall be set for a hearing on the question of declining jurisdiction
37 (~~only if:~~

1 ~~(a) The respondent was, at the time of the alleged offense, at~~
2 ~~least 15 years of age or older and is charged with a serious violent~~
3 ~~offense as defined in RCW 9.94A.030;~~

4 ~~(b) The respondent was, at the time of the alleged offense, 14~~
5 ~~years of age or younger and is charged with murder in the first~~
6 ~~degree (RCW 9A.32.030), and/or murder in the second degree (RCW~~
7 ~~9A.32.050); or~~

8 ~~(c) The respondent is any age and is charged with custodial~~
9 ~~assault, RCW 9A.36.100, and, at the time the respondent is charged,~~
10 ~~is already serving a minimum juvenile sentence to age 21)).~~

11 (2) Mandatory decline hearing - Unless waived by the court, the
12 parties, and their counsel, a decline hearing shall be held when
13 ((the)):

14 (a) The respondent is 16 or 17 years of age and the information
15 alleges a class A felony or an attempt, solicitation, or conspiracy
16 to commit a class A felony;

17 (b) The respondent is 17 years of age and the information alleges
18 assault in the second degree, extortion in the first degree, indecent
19 liberties, child molestation in the second degree, kidnapping in the
20 second degree, or robbery in the second degree; or

21 (c) The information alleges an escape by the respondent and the
22 respondent is serving a minimum juvenile sentence to age 21.

23 (3) The court after a decline hearing may order the case
24 transferred for adult criminal prosecution upon a finding that the
25 declination would be in the best interest of the juvenile or the
26 public. The court shall consider the relevant reports, facts,
27 opinions, and arguments presented by the parties and their counsel.

28 (4) When the respondent is transferred for criminal prosecution
29 or retained for prosecution in juvenile court, the court shall set
30 forth in writing its finding which shall be supported by relevant
31 facts and opinions produced at the hearing.

32 **Sec. 5.** RCW 13.40.193 and 2023 c 295 s 10 are each amended to
33 read as follows:

34 (1) If a respondent is found to have been in possession of a
35 firearm in violation of RCW 9.41.040(2)(a)(v), the court shall impose
36 a minimum disposition of ten days of confinement. If the offender's
37 standard range of disposition for the offense as indicated in RCW
38 13.40.0357 is more than thirty days of confinement, the court shall
39 commit the offender to the department for the standard range

1 disposition. The offender shall not be released until the offender
2 has served a minimum of ten days in confinement.

3 (2) (a) If a respondent is found to have been in possession of a
4 firearm in violation of RCW 9.41.040, the disposition must include a
5 requirement that the respondent participate in a qualifying program
6 as described in (b) of this subsection, when available, unless the
7 court makes a written finding based on the outcome of the juvenile
8 court risk assessment that participation in a qualifying program
9 would not be appropriate.

10 (b) For purposes of this section, "qualifying program" means an
11 aggression replacement training program, a functional family therapy
12 program, or another program applicable to the juvenile firearm
13 offender population that has been identified as evidence-based or
14 research-based and cost-beneficial in the current list prepared at
15 the direction of the legislature by the Washington state institute
16 for public policy.

17 (3) If the court finds that the respondent or an accomplice was
18 armed with a firearm, the court shall determine the standard range
19 disposition for the offense pursuant to RCW 13.40.160. If the
20 offender or an accomplice was armed with a firearm when the offender
21 committed any felony other than possession of a machine gun or bump-
22 fire stock, possession of a stolen firearm, drive-by shooting, theft
23 of a firearm, unlawful possession of a firearm in the first and
24 second degree, or use of a machine gun or bump-fire stock in a
25 felony, the following periods of total confinement must be added to
26 the sentence: (~~((a) Except for (b) of this subsection, for~~) For a
27 class A felony, six months; for a class B felony, four months; and
28 for a class C felony, two months (~~(; (b) for any violent offense as
29 defined in RCW 9.94A.030, committed by a respondent who is sixteen or
30 seventeen years old at the time of the offense, a period of twelve
31 months)~~). The additional time shall be imposed regardless of the
32 offense's juvenile disposition offense category as designated in RCW
33 13.40.0357.

34 (~~(4) ((a) If the court finds that the respondent who is sixteen or
35 seventeen years old and committed the offense of robbery in the first
36 degree, drive-by shooting, rape of a child in the first degree,
37 burglary in the first degree, or any violent offense as defined in
38 RCW 9.94A.030 and was armed with a firearm, and the court finds that
39 the respondent's participation was related to membership in a
40 criminal street gang or advancing the benefit, aggrandizement, gain,~~

1 ~~profit, or other advantage for a criminal street gang, a period of~~
2 ~~three months total confinement must be added to the sentence. The~~
3 ~~additional time must be imposed regardless of the offense's juvenile~~
4 ~~disposition offense category as designated in RCW 13.40.0357 and must~~
5 ~~be served consecutively with any other sentencing enhancement.~~

6 ~~(b) For the purposes of this section, "criminal street gang"~~
7 ~~means any ongoing organization, association, or group of three or~~
8 ~~more persons, whether formal or informal, having a common name or~~
9 ~~common identifying sign or symbol, having as one of its primary~~
10 ~~activities the commission of criminal acts, and whose members or~~
11 ~~associates individually or collectively engage in or have engaged in~~
12 ~~a pattern of criminal street gang activity. This definition does not~~
13 ~~apply to employees engaged in concerted activities for their mutual~~
14 ~~aid and protection, or to the activities of labor and bona fide~~
15 ~~nonprofit organizations or their members or agents.~~

16 ~~(5))~~ When a disposition under this section would effectuate a
17 manifest injustice, the court may impose another disposition. When a
18 judge finds a manifest injustice and imposes a disposition of
19 confinement exceeding thirty days, the court shall commit the
20 juvenile to a maximum term, and the provisions of RCW 13.40.030(2)
21 shall be used to determine the range. When a judge finds a manifest
22 injustice and imposes a disposition of confinement less than thirty
23 days, the disposition shall be comprised of confinement or community
24 supervision or both.

25 ~~((6))~~ (5) Any term of confinement ordered pursuant to this
26 section shall run consecutively to any term of confinement imposed in
27 the same disposition for other offenses.

28 **Sec. 6.** RCW 13.40.300 and 2024 c 117 s 1 are each amended to
29 read as follows:

30 ~~((Except as provided in (a) through (c) of this subsection,))~~
31 In no case may a juvenile offender ~~((may not))~~ be committed by the
32 juvenile court to the department for placement in a juvenile
33 rehabilitation facility beyond the juvenile offender's 21st birthday.

34 ~~((a) A juvenile offender adjudicated of an A++ juvenile~~
35 ~~disposition category offense listed in RCW 13.40.0357, or found to be~~
36 ~~armed with a firearm and sentenced to an additional 12 months~~
37 ~~pursuant to RCW 13.40.193(3)(b), may be committed by the juvenile~~
38 ~~court to the department for placement in a juvenile rehabilitation~~
39 ~~facility up to the juvenile offender's 25th birthday, but not beyond.~~

1 ~~(b) A juvenile offender adjudicated of a murder in the first or~~
2 ~~second degree offense committed at age 14 or older or a juvenile~~
3 ~~offender adjudicated of a rape in the first degree offense committed~~
4 ~~at age 15 or older may be committed by the juvenile court to the~~
5 ~~department for placement in a juvenile rehabilitation facility up to~~
6 ~~the juvenile offender's 23rd birthday, but not beyond.~~

7 ~~(c) A juvenile offender who is 18 or older at the time of the~~
8 ~~adjudication may be committed by the juvenile court to the department~~
9 ~~for placement in a juvenile rehabilitation facility up to the~~
10 ~~juvenile offender's 23rd birthday, but not beyond, in order to serve~~
11 ~~a standard range disposition.))~~

12 (2) (a) The juvenile court has jurisdiction over, and may place an
13 individual under the authority of the department in the following
14 circumstances:

15 (i) Except as provided under RCW 13.04.030 and 13.40.110, when
16 the individual is under the age of 21 at the time of the filing of
17 the information and is accused of committing a criminal offense that
18 occurred when the individual was under the age of 18; or

19 (ii) If proceedings are pending in a case in which jurisdiction
20 is vested in the adult criminal court pursuant to RCW 13.04.030 and
21 an automatic extension is required because either:

22 (A) The individual is found not guilty of the charge for which he
23 or she was transferred, or is convicted in the adult criminal court
24 of an offense that is not also an offense listed in RCW
25 13.04.030(1)(e)(v), and the matter is transferred to juvenile court
26 pursuant to RCW 13.04.030(1)(e)(v) ~~((C))~~ (E)(II); or

27 (B) The parties agree to juvenile court jurisdiction with the
28 court's approval pursuant to RCW 13.04.030(1)(e)(v) ~~((C))~~ (E)(III).

29 (b) Upon a finding of guilt in juvenile court, the juvenile court
30 maintains jurisdiction to allow for imposition, execution, and
31 enforcement of the court's order of disposition, subject to the
32 limitations in this section.

33 ~~((3) If an order of disposition imposes a commitment to the~~
34 ~~department for a juvenile offender:~~

35 ~~(a) Adjudicated of an A++ juvenile disposition category offense~~
36 ~~listed in RCW 13.40.0357, adjudicated of a murder in the first or~~
37 ~~second degree offense committed at age 14 or older, or found to be~~
38 ~~armed with a firearm and sentenced to an additional 12 months~~
39 ~~pursuant to RCW 13.40.193(3)(b), then jurisdiction for parole is~~

1 automatically extended to include a period of up to 24 months of
2 parole, in no case extending beyond the offender's 25th birthday; or

3 ~~(b) Adjudicated of a rape in the first degree offense committed~~
4 ~~at age 15 or older, then jurisdiction for parole is automatically~~
5 ~~extended to include a period of no less than 24 months and no more~~
6 ~~than 36 months of parole, in no case extending beyond the offender's~~
7 ~~25th birthday.~~

8 ~~(4) Pursuant to the terms of RCW 13.40.190, the juvenile court~~
9 ~~maintains jurisdiction beyond the juvenile offender's 21st birthday~~
10 ~~for the purpose of enforcing an order of restitution or penalty~~
11 ~~assessment)) (c) If an order of disposition imposes commitment to the~~
12 ~~department, then jurisdiction is automatically extended to include a~~
13 ~~period of up to 12 months of parole, in no case extending beyond the~~
14 ~~offender's 21st birthday.~~

15 (3) If the juvenile court previously has extended jurisdiction
16 beyond the juvenile offender's 18th birthday and that period of
17 extension has not expired, the court may further extend jurisdiction
18 by written order setting forth its reasons.

19 ~~((5) Except as otherwise provided herein, in)) (4) In no event~~
20 ~~may the juvenile court have authority to extend jurisdiction over any~~
21 ~~juvenile offender beyond the juvenile offender's 21st birthday except~~
22 ~~for the purpose of enforcing an order of restitution or penalty~~
23 ~~assessment.~~

24 ~~((6)) (5) Notwithstanding any extension of jurisdiction over a~~
25 ~~person pursuant to this section, the juvenile court has no~~
26 ~~jurisdiction over any offenses alleged to have been committed by a~~
27 ~~person 18 years of age or older.~~

28 **Sec. 7.** RCW 72.01.410 and 2019 c 322 s 2 are each amended to
29 read as follows:

30 (1) Whenever any person is convicted as an adult in the courts of
31 this state of a felony offense committed under the age of
32 ~~((eighteen))~~ 18, and is committed for a term of confinement, that
33 person shall be initially placed in a facility operated by the
34 department of ~~((children, youth, and families. The department of~~
35 ~~corrections shall))~~ corrections to determine the person's earned
36 release date.

37 (a) If the earned release date is prior to the person's 21st
38 birthday, the department of corrections shall transfer the person to
39 the custody of the department of children, youth, and families, or to

1 such other institution as is now or may hereafter be authorized by
2 law to receive such person, until such time as the person completes
3 the ordered term of confinement or arrives at the age of 21 years.

4 (i) While in the custody of the department of children, youth,
5 and families, the person must have the same treatment, housing
6 options, transfer, and access to program resources as any other
7 person committed to that juvenile correctional facility or
8 institution pursuant to chapter 13.40 RCW. (~~Except as provided under~~
9 ~~(d) of this subsection, treatment~~) Treatment, placement, and program
10 decisions shall be at the sole discretion of the department of
11 children, youth, and families. The person shall (~~not~~) only be
12 transferred to the custody of the department of corrections
13 (~~without~~) with the approval of the department of children, youth,
14 and families (~~until the~~) or when the person reaches the age of
15 (~~twenty-five~~) 21.

16 (~~(b)~~) (ii) If the person's sentence includes a term of
17 community custody, the department of children, youth, and families
18 shall not release the person to community custody until the
19 department of corrections has approved the person's release plan
20 pursuant to RCW 9.94A.729(5)(b). If a person is held past (~~his or~~
21 ~~her~~) their earned release date pending release plan approval, the
22 department of children, youth, and families shall retain custody
23 until a plan is approved or the person completes the ordered term of
24 confinement prior to age (~~twenty-five~~) 21.

25 (~~(c)~~) (iii) If the department of children, youth, and families
26 determines that retaining custody of the person in a facility of the
27 department of children, youth, and families presents a
28 (~~significant~~) safety risk, the department of children, youth, and
29 families may transfer and return the person to the custody of the
30 department of corrections.

31 (~~(d) The~~) (b) If the person's earned release date is on or
32 after the person's 21st birthday, the department of corrections
33 shall, with the consent of the secretary of the department of
34 children, youth, and families, transfer the person to a facility or
35 institution operated by the department of children, youth, and
36 families. Despite the transfer, the department of corrections (~~must~~
37 ~~retain~~) retains authority over custody decisions (~~relating to a~~
38 ~~person whose earned release date is on or after the person's twenty-~~
39 ~~fifth birthday and who is placed in a facility operated by the~~
40 ~~department of children, youth, and families under this section,~~

1 ~~unless the person qualifies for partial confinement under RCW~~
2 ~~72.01.412,~~) and must approve any leave from the facility. When the
3 person turns age ~~((twenty-five))~~ 21, ~~((he or she))~~ the person must be
4 transferred back to the department of corrections ~~((, except as~~
5 ~~described under RCW 72.01.412))~~. The department of children, youth,
6 and families has all routine and day-to-day operations authority for
7 the person while the person is in its custody.

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

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

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

1 (~~(3) The department of children, youth, and families must review~~
2 ~~the placement of a person over age twenty-one in the custody of the~~
3 ~~department of children, youth, and families under this section to~~
4 ~~determine whether the person should be transferred to the custody of~~
5 ~~the department of corrections. The department of children, youth, and~~
6 ~~families may determine the frequency of the review required under~~
7 ~~this subsection, but the review must occur at least once before the~~
8 ~~person reaches age twenty-three if the person's commitment period in~~
9 ~~a juvenile institution extends beyond the person's twenty-third~~
10 ~~birthday.))~~

11 **Sec. 8.** RCW 13.40.020 and 2025 c 140 s 2 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 including an intake appointment, outpatient
25 substance abuse treatment programs, outpatient mental health
26 programs, anger management classes, education or outpatient treatment
27 programs to prevent animal cruelty, or other services including, when
28 appropriate, restorative justice programs; or attendance at school or
29 other educational programs appropriate for the juvenile as determined
30 by the school district. Placement in community-based rehabilitation
31 programs is subject to available funds;

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

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

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

14 (a) Community-based sanctions;

15 (b) Community-based rehabilitation;

16 (c) Monitoring and reporting requirements;

17 (d) Posting of a probation bond;

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

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

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

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

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

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

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

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

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

3 ~~(a) A person serves a portion of their term of confinement~~
4 ~~residing in the community, outside of department institutions and~~
5 ~~community facilities;~~

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

9 ~~(c) The department provides access to developmentally~~
10 ~~appropriate, trauma-informed, racial equity-based, and culturally~~
11 ~~relevant programs to promote successful reentry; and~~

12 ~~(d) The department prioritizes the delivery of available~~
13 ~~programming from individuals who share characteristics with the~~
14 ~~individual being served related to: Race, ethnicity, sexual identity,~~
15 ~~and gender identity;~~

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

26 ~~((8))~~ (7) "Court," when used without further qualification,
27 means the juvenile court judge(s) or commissioner(s);

28 ~~((9))~~ (8) "Criminal history" includes all criminal complaints
29 against the respondent for which, prior to the commission of a
30 current offense, the allegations were found correct by a court. If a
31 respondent is convicted of two or more charges arising out of the
32 same course of conduct, only the highest charge from among these
33 shall count as an offense for the purposes of this chapter. A
34 successfully completed deferred adjudication that was entered before
35 July 1, 1998, or a deferred disposition shall not be considered part
36 of the respondent's criminal history. A successfully completed
37 diversion under RCW 13.40.080 may not be considered part of the
38 respondent's criminal history;

39 ~~((10))~~ (9) "Custodial interrogation" means express questioning
40 or other actions or words by a law enforcement officer which are

1 reasonably likely to elicit an incriminating response from an
2 individual and occurs when reasonable individuals in the same
3 circumstances would consider themselves in custody;

4 ~~((11))~~ (10) "Department" means the department of children,
5 youth, and families;

6 ~~((12))~~ (11) "Detention facility" means a county facility, paid
7 for by the county, for the physical confinement of a juvenile alleged
8 to have committed an offense or an adjudicated offender subject to a
9 disposition or modification order. "Detention facility" includes
10 county group homes, inpatient substance abuse programs, juvenile
11 basic training camps, and electronic monitoring;

12 ~~((13))~~ (12) "Diversion unit" means any probation counselor who
13 enters into a diversion agreement with an alleged youthful offender,
14 or any other person, community accountability board, youth court
15 under the supervision of the juvenile court, or other entity with
16 whom the juvenile court administrator has contracted to arrange and
17 supervise such agreements pursuant to RCW 13.40.080, or any person,
18 community accountability board, or other entity specially funded by
19 the legislature to arrange and supervise diversion agreements in
20 accordance with the requirements of this chapter. For purposes of
21 this subsection, "community accountability board" means a board
22 comprised of members of the local community in which the juvenile
23 offender resides. The superior court shall appoint the members. The
24 boards shall consist of at least three and not more than seven
25 members. If possible, the board should include a variety of
26 representatives from the community, such as a law enforcement
27 officer, teacher or school administrator, high school student,
28 parent, and business owner, and should represent the cultural
29 diversity of the local community;

30 ~~((14))~~ (13) "Foster care" means temporary physical care in a
31 foster family home or group care facility as defined in RCW 74.15.020
32 and licensed by the department, or other legally authorized care;

33 ~~((15))~~ (14) "Institution" means a juvenile facility established
34 pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

35 ~~((16))~~ (15) "Intensive supervision program" means a parole
36 program that requires intensive supervision and monitoring, offers an
37 array of individualized treatment and transitional services, and
38 emphasizes community involvement and support in order to reduce the
39 likelihood a juvenile offender will commit further offenses;

1 ~~((17))~~ (16) "Juvenile," "youth," and "child" mean any
2 individual who is under the chronological age of 18 years and who has
3 not been previously transferred to adult court pursuant to RCW
4 13.40.110, unless the individual was convicted of a lesser charge or
5 acquitted of the charge for which he or she was previously
6 transferred pursuant to RCW 13.40.110 or who is not otherwise under
7 adult court jurisdiction;

8 ~~((18))~~ (17) "Juvenile offender" means any juvenile who has been
9 found by the juvenile court to have committed an offense, including a
10 person 18 years of age or older over whom the juvenile court has
11 jurisdiction under RCW 13.40.300;

12 ~~((19))~~ (18) "Labor" means the period of time before a birth
13 during which contractions are of sufficient frequency, intensity, and
14 duration to bring about effacement and progressive dilation of the
15 cervix;

16 ~~((20))~~ (19) "Local sanctions" means one or more of the
17 following: (a) 0-30 days of confinement; (b) 0-12 months of community
18 supervision; or (c) 0-150 hours of community restitution;

19 ~~((21))~~ (20) "Manifest injustice" means a disposition that would
20 either impose an excessive penalty on the juvenile or would impose a
21 serious, and clear danger to society in light of the purposes of this
22 chapter;

23 ~~((22))~~ (21) "Monitoring and reporting requirements" means one
24 or more of the following: Curfews; requirements to remain at home,
25 school, work, or court-ordered treatment programs during specified
26 hours; restrictions from leaving or entering specified geographical
27 areas; requirements to report to the probation officer as directed
28 and to remain under the probation officer's supervision; and other
29 conditions or limitations as the court may require which may not
30 include confinement;

31 ~~((23))~~ (22) "Offense" means an act designated a violation or a
32 crime if committed by an adult under the law of this state, under any
33 ordinance of any city or county of this state, under any federal law,
34 or under the law of another state if the act occurred in that state;

35 ~~((24))~~ (23) "Physical restraint" means the use of any bodily
36 force or physical intervention to control a juvenile offender or
37 limit a juvenile offender's freedom of movement in a way that does
38 not involve a mechanical restraint. Physical restraint does not
39 include momentary periods of minimal physical restriction by direct

1 person-to-person contact, without the aid of mechanical restraint,
2 accomplished with limited force and designed to:

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

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

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

8 ~~((25))~~ (24) "Postpartum recovery" means (a) the entire period a
9 woman or youth is in the hospital, birthing center, or clinic after
10 giving birth and (b) an additional time period, if any, a treating
11 physician determines is necessary for healing after the youth leaves
12 the hospital, birthing center, or clinic;

13 ~~((26))~~ (25) "Probation bond" means a bond, posted with
14 sufficient security by a surety justified and approved by the court,
15 to secure the offender's appearance at required court proceedings and
16 compliance with court-ordered community supervision or conditions of
17 release ordered pursuant to RCW 13.40.040 or 13.40.050. It also means
18 a deposit of cash or posting of other collateral in lieu of a bond if
19 approved by the court;

20 ~~((27))~~ (26) "Respondent" means a juvenile who is alleged or
21 proven to have committed an offense;

22 ~~((28))~~ (27) "Restitution" means financial reimbursement by the
23 offender to the victim, and shall be limited to easily ascertainable
24 damages for injury to or loss of property, actual expenses incurred
25 for medical treatment for physical injury to persons, lost wages
26 resulting from physical injury, and costs of the victim's counseling
27 reasonably related to the offense. Restitution shall not include
28 reimbursement for damages for mental anguish, pain and suffering, or
29 other intangible losses. Nothing in this chapter shall limit or
30 replace civil remedies or defenses available to the victim or
31 offender;

32 ~~((29))~~ (28) "Restorative justice" means practices, policies,
33 and programs informed by and sensitive to the needs of crime victims
34 that are designed to encourage offenders to accept responsibility for
35 repairing the harm caused by their offense by providing safe and
36 supportive opportunities for voluntary participation and
37 communication between the victim, the offender, their families, and
38 relevant community members;

39 ~~((30))~~ (29) "Restraints" means anything used to control the
40 movement of a person's body or limbs and includes:

1 (a) Physical restraint; or
2 (b) Mechanical device including but not limited to: Metal
3 handcuffs, plastic ties, ankle restraints, leather cuffs, other
4 hospital-type restraints, tasers, or batons;
5 ~~((31) "Risk assessment tool" means the statistically valid tool~~
6 ~~used by the department to inform release or placement decisions~~
7 ~~related to security level, release within the sentencing range,~~
8 ~~community facility eligibility, community transition services~~
9 ~~eligibility, and parole. The "risk assessment tool" is used by the~~
10 ~~department to predict the likelihood of successful reentry and future~~
11 ~~criminal behavior;~~
12 ~~(32))~~ (30) "Screening" means a process that is designed to
13 identify a child who is at risk of having mental health, substance
14 abuse, or co-occurring mental health and substance abuse disorders
15 that warrant immediate attention, intervention, or more comprehensive
16 assessment. A screening may be undertaken with or without the
17 administration of a formal instrument;
18 ~~((33))~~ (31) "Secretary" means the secretary of the department;
19 ~~((34))~~ (32) "Services" means services, including restorative
20 justice, which provide alternatives to incarceration for those
21 juveniles who have pleaded or been adjudicated guilty of an offense
22 or have signed a diversion agreement pursuant to this chapter;
23 ~~((35))~~ (33) "Sex offense" means an offense defined as a sex
24 offense in RCW 9.94A.030;
25 ~~((36))~~ (34) "Sexual motivation" means that one of the purposes
26 for which the respondent committed the offense was for the purpose of
27 the respondent's sexual gratification;
28 ~~((37))~~ (35) "Surety" means an entity licensed under state
29 insurance laws or by the state department of licensing, to write
30 corporate, property, or probation bonds within the state, and
31 justified and approved by the superior court of the county having
32 jurisdiction of the case;
33 ~~((38))~~ (36) "Transportation" means the conveying, by any means,
34 of an incarcerated pregnant youth from the institution or detention
35 facility to another location from the moment she leaves the
36 institution or detention facility to the time of arrival at the other
37 location, and includes the escorting of the pregnant incarcerated
38 youth from the institution or detention facility to a transport
39 vehicle and from the vehicle to the other location;

1 (~~(39)~~) (37) "Violation" means an act or omission, which if
2 committed by an adult, must be proven beyond a reasonable doubt, and
3 is punishable by sanctions which do not include incarceration;

4 (~~(40)~~) (38) "Violent offense" means a violent offense as
5 defined in RCW 9.94A.030;

6 (~~(41)~~) (39) "Youth court" means a diversion unit under the
7 supervision of the juvenile court.

8 **Sec. 9.** RCW 13.40.205 and 2021 c 206 s 4 are each amended to
9 read as follows:

10 (1) A juvenile sentenced to a term of confinement to be served
11 under the supervision of the department shall not be released from
12 the physical custody of the department prior to the release date
13 established under RCW 13.40.210 except as otherwise provided in this
14 section.

15 (2) A juvenile serving a term of confinement under the
16 supervision of the department may be released on authorized leave
17 from the physical custody of the department only if consistent with
18 public safety and if:

19 (a) Sixty percent of the minimum term of confinement has been
20 served; and

21 (b) The purpose of the leave is to enable the juvenile:

22 (i) To visit the juvenile's family for the purpose of
23 strengthening or preserving family relationships;

24 (ii) To make plans for parole or release which require the
25 juvenile's personal appearance in the community and which will
26 facilitate the juvenile's reintegration into the community; or

27 (iii) To make plans for a residential placement out of the
28 juvenile's home which requires the juvenile's personal appearance in
29 the community.

30 (3) No authorized leave may exceed seven consecutive days. The
31 total of all preminimum term authorized leaves granted to a juvenile
32 prior to final discharge from confinement shall not exceed thirty
33 days.

34 (4) Prior to authorizing a leave, the secretary shall require a
35 written leave plan, which shall detail the purpose of the leave and
36 how it is to be achieved, the address at which the juvenile shall
37 reside, the identity of the person responsible for supervising the
38 juvenile during the leave, and a statement by such person
39 acknowledging familiarity with the leave plan and agreeing to

1 supervise the juvenile and to notify the secretary immediately if the
2 juvenile violates any terms or conditions of the leave. The leave
3 plan shall include such terms and conditions as the secretary deems
4 appropriate and shall be signed by the juvenile.

5 (5) Upon authorizing a leave, the secretary shall issue to the
6 juvenile an authorized leave order which shall contain the name of
7 the juvenile, the fact that the juvenile is on leave from a
8 designated facility, the time period of the leave, and the identity
9 of an appropriate official of the department to contact when
10 necessary. The authorized leave order shall be carried by the
11 juvenile at all times while on leave.

12 (6) Prior to the commencement of any authorized leave, the
13 secretary shall give notice of the leave to the appropriate law
14 enforcement agency in the jurisdiction in which the juvenile will
15 reside during the leave period. The notice shall include the identity
16 of the juvenile, the time period of the leave, the residence of the
17 juvenile during the leave, and the identity of the person responsible
18 for supervising the juvenile during the leave.

19 (7) The secretary may authorize a leave, which shall not exceed
20 forty-eight hours plus travel time, to meet an emergency situation
21 such as a death or critical illness of a member of the juvenile's
22 family. The secretary may authorize a leave, which shall not exceed
23 the period of time medically necessary, to obtain medical care not
24 available in a juvenile facility maintained by the department. In
25 cases of emergency or medical leave the secretary may waive all or
26 any portions of subsections (2)(a), (3), (4), (5), and (6) of this
27 section.

28 (8) If requested by the juvenile's victim or the victim's
29 immediate family, the secretary shall give notice of any leave (~~or~~
30 ~~community transition services under subsection (13) of this section~~)
31 to the victim or the victim's immediate family.

32 (9) A juvenile who violates any condition of an authorized leave
33 plan (~~or community transition services under subsection (13) of this~~
34 ~~section~~) may be taken into custody and returned to the department in
35 the same manner as an adult in identical circumstances.

36 (10) (~~Community transition services is an electronic monitoring~~
37 ~~program as that term is used in RCW 9A.76.130.~~

38 ~~(11))~~) Notwithstanding the provisions of this section, a juvenile
39 placed in minimum security status (~~or in community transition~~
40 ~~services under subsection (13) of this section~~) may participate in

1 work, educational, community restitution, or treatment programs in
2 the community up to (~~twelve~~) 12 hours a day if approved by the
3 secretary. Such a release shall not be deemed a leave of absence.
4 This authorization may be increased to more than (~~twelve~~) 12 hours
5 a day up to (~~sixteen~~) 16 hours a day if approved by the secretary
6 and operated within the department's appropriations.

7 (~~(12)~~) (11) Subsections (6), (7), and (8) of this section do
8 not apply to juveniles covered by RCW 13.40.215.

9 (~~(13)(a)~~) ~~The department may require a person in its custody to~~
10 ~~serve the remainder of the person's sentence in community transition~~
11 ~~services if the department determines that such placement is in the~~
12 ~~best interest of the person and the community using the risk~~
13 ~~assessment tool and considering the availability of appropriate~~
14 ~~placements, treatment, and programming. The department's~~
15 ~~determination described under this subsection must include~~
16 ~~consideration of the person's behavior while in confinement and any~~
17 ~~disciplinary considerations. The department shall establish~~
18 ~~appropriate conditions the person must comply with to remain in~~
19 ~~community transition services. A person must have served 60 percent~~
20 ~~of their minimum term of confinement and no less than 15 weeks of~~
21 ~~total confinement including time spent in detention prior to~~
22 ~~sentencing or the entry of a dispositional order before becoming~~
23 ~~eligible for community transition services under the authority and~~
24 ~~supervision of the department.~~

25 ~~(b) A person placed in community transition services under this~~
26 ~~section must have access to appropriate treatment and programming as~~
27 ~~determined by the department, including but not limited to:~~

28 ~~(i) Behavioral health treatment;~~

29 ~~(ii) Independent living;~~

30 ~~(iii) Employment;~~

31 ~~(iv) Education;~~

32 ~~(v) Connections to family and natural supports; and~~

33 ~~(vi) Community connections.~~

34 ~~(c) Community transition services under this section is in lieu~~
35 ~~of confinement in an institution or community facility operated by~~
36 ~~the department, and will not fulfill any period of parole required~~
37 ~~under RCW 13.40.210.~~

38 ~~(d) If a person placed in community transition services under~~
39 ~~this section violates a condition of participation in the community~~
40 ~~transition services program, or if the department determines that~~

1 placement in the program is no longer in the best interests of the
2 person or community, the person may be returned to an institution
3 operated by the department at the department's discretion.

4 ~~(e) The following persons are not eligible for community
5 transition services under this section:~~

6 ~~(i) Persons with pending charges or warrants;~~

7 ~~(ii) Persons who will be transferred to the department of
8 corrections, who are in the custody of the department of corrections,
9 or who are under the supervision of the department of corrections;~~

10 ~~(iii) Persons who were adjudicated or convicted of the crime of
11 murder in the first or second degree;~~

12 ~~(iv) Persons who meet the definition of a "persistent offender"
13 as defined under RCW 9.94A.030;~~

14 ~~(v) Level III sex offenders; and~~

15 ~~(vi) Persons requiring out-of-state placement.~~

16 ~~(14) The department shall design, or contract for the design, and
17 implement a risk assessment tool. The tool must be designed to limit
18 bias related to race, ethnicity, gender, and age. The risk assessment
19 tool must be certified at least every three years based on current
20 academic standards for assessment validation, and can be certified by
21 the office of innovation, alignment, and accountability or an outside
22 researcher.))~~

23 **Sec. 10.** RCW 13.40.215 and 2021 c 206 s 5 are each amended to
24 read as follows:

25 (1)(a) Except as provided in subsection (2) of this section, at
26 the earliest practicable date, and in no event later than ~~((thirty))~~
27 30 days before discharge, parole, or any other authorized leave or
28 release, or before transfer to a community residential facility ~~((or~~
29 ~~community transition services program))~~, the secretary shall send
30 written notice of the discharge, parole, authorized leave or release,
31 or transfer of a juvenile found to have committed a violent offense,
32 a sex offense, or stalking, to the following:

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

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

36 (b)(i) Except as provided in subsection (2) of this section, at
37 the earliest practicable date, and in no event later than ~~((thirty))~~
38 30 days before discharge, parole, or any other authorized leave or
39 release, or before transfer to a community residential facility ~~((or~~

1 ~~community transition services program~~)), the secretary shall send
2 written notice of the discharge, parole, authorized leave or release,
3 or transfer of an individual who is found to have committed a violent
4 offense or a sex offense, is ((~~twenty-one~~)) 21 years of age or
5 younger, and has not received a high school diploma or its
6 equivalent, to the designated recipient of the school where the
7 juvenile either: (A) Was enrolled prior to incarceration or
8 detention; or (B) has expressed an intention to enroll following his
9 or her release. This notice must also include the restrictions
10 described in subsection (5) of this section.

11 (ii) The community residential facility shall provide written
12 notice of the offender's criminal history to the designated recipient
13 of any school that the offender attends while residing at the
14 community residential facility and to any employer that employs the
15 offender while residing at the community residential facility.

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

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

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

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

31 (iii) Any person specified in writing by the prosecuting
32 attorney.

33 Information regarding victims, next of kin, or witnesses requesting
34 the notice, information regarding any other person specified in
35 writing by the prosecuting attorney to receive the notice, and the
36 notice are confidential and shall not be available to the juvenile.
37 The notice to the chief of police or the sheriff shall include the
38 identity of the juvenile, the residence where the juvenile will
39 reside, the identity of the person, if any, responsible for

1 supervising the juvenile, and the time period of any authorized
2 leave.

3 (d) The (~~thirty~~) 30-day notice requirements contained in this
4 subsection shall not apply to emergency medical furloughs.

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

8 (2)(a) If a juvenile found to have committed a violent offense, a
9 sex offense, or stalking escapes from a facility of the department,
10 the secretary shall immediately notify, by the most reasonable and
11 expedient means available, the chief of police of the city and the
12 sheriff of the county in which the juvenile resided immediately
13 before the juvenile's arrest. If previously requested, the secretary
14 shall also notify the witnesses and the victim of the offense which
15 the juvenile was found to have committed or the victim's next of kin
16 if the crime was a homicide. If the juvenile is recaptured, the
17 secretary shall send notice to the persons designated in this
18 subsection as soon as possible but in no event later than two working
19 days after the department learns of such recapture.

20 (b) The secretary may authorize a leave, for a juvenile found to
21 have committed a violent offense, a sex offense, or stalking, which
22 shall not exceed (~~forty-eight~~) 48 hours plus travel time, to meet
23 an emergency situation such as a death or critical illness of a
24 member of the juvenile's family. The secretary may authorize a leave,
25 which shall not exceed the time medically necessary, to obtain
26 medical care not available in a juvenile facility maintained by the
27 department. Prior to the commencement of an emergency or medical
28 leave, the secretary shall give notice of the leave to the
29 appropriate law enforcement agency in the jurisdiction in which the
30 juvenile will be during the leave period. The notice shall include
31 the identity of the juvenile, the time period of the leave, the
32 residence of the juvenile during the leave, and the identity of the
33 person responsible for supervising the juvenile during the leave. If
34 previously requested, the department shall also notify the witnesses
35 and victim of the offense which the juvenile was found to have
36 committed or the victim's next of kin if the offense was a homicide.

37 In case of an emergency or medical leave the secretary may waive
38 all or any portion of the requirements for leaves pursuant to RCW
39 13.40.205 (2)(a), (3), (4), and (5).

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

4 (4) The secretary shall send the notices required by this chapter
5 to the last address provided to the department by the requesting
6 party. The requesting party shall furnish the department with a
7 current address.

8 (5) Upon discharge, parole, transfer to a community residential
9 facility, or other authorized leave or release, a convicted juvenile
10 sex offender shall not attend a public or approved private
11 elementary, middle, or high school that is attended by a victim or a
12 sibling of a victim of the sex offender. The parents or legal
13 guardians of the convicted juvenile sex offender shall be responsible
14 for transportation or other costs associated with or required by the
15 sex offender's change in school that otherwise would be paid by a
16 school district.

17 (6) For purposes of this section the following terms have the
18 following meanings:

19 (a) "Violent offense" means a violent offense under RCW
20 9.94A.030;

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

22 (c) "Stalking" means the crime of stalking as defined in RCW
23 9A.46.110;

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

26 **Sec. 11.** RCW 13.22.010 and 2020 c 333 s 2 are each amended to
27 read as follows:

28 The definitions in this section apply throughout this chapter
29 unless the context clearly requires otherwise.

30 (1) "Department" means the department of children, youth, and
31 families.

32 (2) "Detention facility" means:

33 (a) Any detention facility as defined under RCW 13.40.020; and

34 (b) Any juvenile correctional facility under alternative
35 administration operated by a consortium of counties under RCW
36 13.04.035.

37 (3) "Imminent harm" means immediate and impending threat of a
38 person causing bodily injury to self or others.

39 (4) "Institution" has the same meaning as in RCW 13.40.020.

1 (5) "Isolation" means confinement that occurs (a) when a youth is
2 separated from the youth population and placed in a room for longer
3 than (~~fifteen~~) 15 minutes for the purpose of discipline, behavior
4 modification, or due to an imminent threat to the safety of the youth
5 or others; and (b) in a room other than the room assigned to the
6 youth for sleeping. Juveniles are in isolation from the moment they
7 are separated from others until they have rejoined the population.
8 Juveniles who are pregnant shall not be put into isolation.
9 Maintaining appropriate gender separation does not constitute
10 isolation.

11 (6) "Juvenile" means:

12 (a) Any individual who is under the chronological age of
13 (~~eighteen~~) 18 years; and

14 (b) Any individual under the chronological age of (~~twenty-five~~)
15 21 years who is confined in an institution, including an individual
16 confined in an institution under RCW 72.01.410.

17 (7) "Juvenile court administrator" means an administrator
18 appointed pursuant to RCW 13.04.035.

19 (8) "Room confinement" means a juvenile is separated from the
20 youth population and placed in a room or cell that the juvenile is
21 assigned to for sleeping, other than during normal sleeping hours or
22 interim rest hours. "Room confinement" does not include time a youth
23 requests to spend in his or her room or rest periods in between
24 facility programming. Juveniles are in room confinement from the
25 moment they are separated from others until they are permitted to
26 rejoin the population.

27 (9) "Solitary confinement" means a youth is involuntarily
28 separated from the youth population and placed in a room or cell
29 other than the room assigned to the youth for sleeping for longer
30 than (~~fifteen~~) 15 minutes for punitive purposes. Different
31 terminology does not exempt practice from being "solitary
32 confinement."

33 NEW SECTION. **Sec. 12.** The following acts or parts of acts are
34 each repealed:

35 (1) RCW 13.40.301 (Department to protect younger children in
36 confinement from older youth confined pursuant to 2018 c 162) and
37 2018 c 162 s 8;

- 1 (2) RCW 13.04.800 (Report to legislature—2021 c 206 ss 2 and 3;
2 2019 c 322 ss 2-6; 2018 c 162) and 2021 c 206 s 9, 2019 c 322 s 5, &
3 2018 c 162 s 9;
- 4 (3) RCW 72.01.412 (Eligibility for community transition services)
5 and 2023 c 470 s 3018, 2021 c 206 s 2, & 2019 c 322 s 6;
- 6 (4) RCW 43.216.180 (Education of students in the custody of
7 juvenile rehabilitation facilities—Duties—Creation of a
8 comprehensive plan) and 2019 c 322 s 7;
- 9 (5) 2019 c 322 s 1 (uncodified);
- 10 (6) 2021 c 206 s 1 (uncodified);
- 11 (7) 2021 c 206 s 8 (uncodified); and
- 12 (8) 2021 c 206 s 10 (uncodified).

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