

SENATE BILL REPORT

SHB 2551

As Reported By Senate Committee On:
Human Services & Corrections, February 26, 2008

Title: An act relating to expanding the types of treatment programs provided under the suspended disposition alternative for juveniles.

Brief Description: Expanding the types of treatment programs provided under the suspended disposition alternative for juveniles.

Sponsors: House Committee on Human Services (originally sponsored by Representatives Dickerson, Appleton, McCoy, Roberts, Kenney and Kagi).

Brief History: Passed House: 2/13/08, 96-0.

Committee Activity: Human Services & Corrections: 2/26/08 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Shani Bauer (786-7468)

Background: A juvenile offender who is adjudicated of an offense may be given a sentence by the court based on the statutorily available sentencing options. Generally, the court will impose a standard range sentence for a juvenile offender. Standard range sentences are calculated based on a grid system using the juvenile's prior criminal history and the seriousness of the current offense.

If the court finds that a standard range sentence is not appropriate in a specific case, the court may impose a statutorily available alternative sentence. These alternatives are a suspended disposition alternative (Option B), a chemical dependency disposition alternative (Option C), manifest injustice (Option D), or the mental health disposition alternative.

Under Option B, the court may impose the standard range and suspend the sentence on condition that the offender comply with one or more local sanctions and any educational or treatment requirements. When the juvenile offender is ordered into a treatment program under Option B, the treatment programs provided to the juvenile must be research-based best practice programs as identified by the Washington State Institute for Public Policy (WSIPP) or the Joint Legislative Audit and Review Committee (JLARC).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

If the juvenile fails to comply with the suspended disposition conditions, the court may order sanctions or revoke the suspended disposition and order the imposition of the original sentence.

Summary of Bill (Recommended Amendments): Treatment programs provided to the juvenile offender under a suspended disposition alternative must be evidence-based or research-based best practice programs. Evidence-based and research-based are defined. A treatment program does not need to be approved by WSIPP or JLARC.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Amendments): Allows a chemical dependency treatment program provided to a juvenile offender as part of a suspended disposition to be an evidence-based or research-based best practice program. Defines evidence-based and research-based. Clarifies that the program does not need to be approved by WSIPP or JLARC.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony Substitute Bill: PRO: This is similar to a Senate bill that came before you. This is especially important for rural counties that don't have WSIPP treatment programs available, and need some flexibility to allow juveniles to participate in other treatment programs. It is important for drug and alcohol treatment because WSIPP has not given its seal of approval to programs that we know are effective. This increases treatment options for juveniles of which the current list is pretty small. Currently, there are not a lot of options for gender or culture specific programs. This bill will provide more options to better match the treatment needs of the population with available treatment providers. This is not just a rural problem. There is a shortage of available treatment options in urban areas as well. Some juveniles have been denied Option B, suspended alternatives, because a program was not available that had been approved by WSIPP.

Persons Testifying: PRO: Representative Mary Lou Dickerson, prime sponsor; Holli Spanski, Washington Association of Juvenile Court Administrators; Bob Cooper, Washington Association of Criminal Defense Lawyers.