
**Early Learning & Human Services
Committee**

HB 1433

Brief Description: Creating a sentence for treatment program for juvenile offenders.

Sponsors: Representatives Takko, Sawyer, Farrell, Haigh, Walsh, Seaquist, Haler, Fey and Santos.

Brief Summary of Bill

- Creates the Sentence for Treatment juvenile disposition alternative.

Hearing Date: 2/7/13

Staff: Linda Merelle (786-7092).

Background:

Juvenile Dispositions

In the juvenile justice system, sentences for juvenile offenders are referred to as "dispositions." If a juvenile is found guilty of committing an offense, the court enters an order of disposition. Most disposition orders impose a punishment that is based upon a standard-range grid, which is set out in statute. The disposition order in a juvenile offender's case may include detention, community service, a period of community supervision, restitution, and/or a fine. The standard-range disposition is determined by the seriousness of the offense and the juvenile's prior criminal history. For less serious offenses, the court may impose "local sanctions," where the juvenile may not be sentenced to more than 30 days in detention. If an offense is serious enough, or if a juvenile has a significant offender history, the juvenile may be committed to a facility within the Juvenile Rehabilitation Administration (JRA), which is within the Department of Social and Health Services (DSHS). Under certain circumstances, the court may deviate from the standard range and impose a disposition alternative or a sentence that is higher or lower than the standard range.

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.

Disposition Alternatives

Disposition alternatives are referred to in statute as "Options."

Juvenile Dispositions	Description
Option A	Standard-Range Sentence
Option B	Suspended Disposition Alternative
Option C	Chemical Dependency Disposition Alternative
Option D	Manifest Injustice

Option A is the standard-range sentence. Under Option B, the court may suspend a sentence that requires a commitment to JRA and impose conditions that the juvenile must meet. If the juvenile fails to meet those conditions, the court may require the juvenile to serve the JRA commitment. Option C permits the court impose an alternative sentence for an offender who may need substance abuse treatment. Option D allows the court to impose an alternative sentence if the standard-range sentence would be a "manifest injustice," either too harsh or too lenient. Before imposing a sentence under Option D, the court must support its findings by clear, cogent, and convincing evidence.

Summary of Bill:

The "Sentence for Treatment" disposition alternative is created as Option E. A juvenile is eligible if his or her standard range disposition is more than 15 weeks, and the juvenile would not require confinement in a close security facility such as Green Hill. Participation in an Option E sentence would be voluntary, but no juvenile who is assessed as a high risk offender or suffers from any mental or physical problems that could endanger his or her health or drastically affect his or her performance may participate in the Sentence for Treatment alternative.

The JRA must maintain a medium security forestry camp at the Naselle Youth Camp for juvenile offenders who pose more than a minimum risk to public safety. Under an Option E disposition, the DSHS must offer a program that includes education, treatment options for sex offenders, aggression reduction, chemical dependency, job training, and community-based work experience. The program must also provide the juvenile participants with basic education, vocational training, work-based learning, work experience, work ethic skills, and victim awareness. The DSHS must develop standards for the safe and effective operation of the Sentence for Treatment alternative.

Juvenile offenders who successfully complete an Option E sentence must spend any remaining time of his or her sentence on parole in an intensive aftercare program in his or her local community.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.