

**Sentencing Guidelines Commission
Special Meeting 2/28/25**

Juvenile Bills Related to Population Management

SHB 1322 - Improving outcomes for individuals adjudicated of juvenile offenses by increasing opportunities for community placement options and refining procedural requirements.

Brief Summary of Substitute Bill – House Bill Report

- Requires the court to make an independent finding supported by clear and convincing evidence that commitment to juvenile rehabilitation is needed because a community-based placement would not adequately protect the community before committing a juvenile to a juvenile rehabilitation institution for certain offenses.
- Expands eligibility for juvenile disposition alternatives, removes certain requirements related to juvenile community facilities, modifies provisions related to juvenile rehabilitation institutions, and eliminates mandatory detention for juveniles adjudicated of Taking a Motor Vehicle Without Permission in the second degree.

SSB 5296 - Improving outcomes for individuals adjudicated of juvenile offenses by increasing opportunities for community placement options and refining procedural requirements.

Brief Summary of Substitute Bill – Senate Bill Report

- Requires a court to make a finding that commitment to a Juvenile Rehabilitation (JR) institution is needed because a community-based placement would not adequately protect the community, except for youth adjudicated of certain offenses.
- Allows youth who are eligible for a community-based placement to be placed on one or more local sanctions, in addition to a determinate sentence of up to the minimum on electronic monitoring, and the court may also impose a suspended disposition.
- Expands the types of offenses that are eligible for a suspended disposition or certain disposition alternatives.
- Provides a juvenile court with concurrent jurisdiction over certain cases where a youth is sentenced to JR, for the purposes of conducting a mid-point review and for any community supervision that is imposed.
- Removes the requirement that the youth spend a minimum amount of time at a secured JR facility before the youth may be placed at a community facility.

SHB 1322 and SSB 5296 are identical except for part of Section 3 – RCW 13.40.185(3)(b). SSB 5296 adds that the juvenile shall be placed on up to a year of community supervision administered by the county, unless the juvenile will be placed on mandatory parole. SHB 1322 does not indicate that community supervision be administered by the county.

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SB 5278 – Revised for 1st Substitute: Concerning the management of individuals who are placed in juvenile rehabilitation institutions.

Brief Summary of Substitute Bill – Senate Bill Report

- Authorizes the secretary of Department of Children, Youth, and Families (DCYF) to transfer qualifying individuals to a community facility, community transition services, or work release at the Department of Corrections (DOC), under certain circumstances.
- Allows transfers of certain individuals to DOC custody, under certain circumstances.
- Requires DCYF to review the placement of certain individuals to provide information on voluntary transfers to DOC.
- Requires DCYF to establish rules for an internal behavior management infraction system.
- Alters requirements for transfer hearings conducted by the DCYF review board.

HB 1917 - Concerning management of individuals who are placed in juvenile rehabilitation institutions.

Brief Summary of Substitute Bill – House Bill Report

- Requires the Department of Children, Youth, and Families (DCYF) to develop rules for the safe operational capacity of institutions that include developing the maximum number of people that constitute safe operating capacity.
- Allows the DCYF, when the population of a juvenile institution reaches 105 percent of the safe operational capacity, to transfer people adjudicated in adult court to community facilities and to transfer the oldest people with the longest sentences who were convicted in adult court to Department of Corrections (DOC) institutions and take steps to avoid transferring individuals for whom a transfer would disrupt substantive progress or near completion of rehabilitative, educational, or treatment goals.
- Discontinues the placement of individuals convicted in adult court who are over age 21 and have an earned release date after the age of 26 from placement in a DCYF institution, and requires that those individuals would be placed in a DOC institution

SB 5260 - Concerning emergency measures for managing juvenile populations at state juvenile correctional institutions.

Brief Summary of Substitute Bill – Senate Bill Report

- 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

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Juvenile Bills Related to Sentencing and Options

HB 1317 - Concerning persons serving long sentences for offenses committed prior to reaching 21 years of age.

Brief Summary of Substitute Bill – House Bill Report

- Permits certain persons convicted of one or more crimes committed under age 21 to petition the Indeterminate Sentence Review Board for early release after serving a specified portion of the sentence in total confinement, depending on the underlying conviction.
- Requires the sentencing court to impose a maximum term of life imprisonment and a minimum term of total confinement of no less than 25 years for Aggravated Murder in the first degree where the person committed the offense at age 18 to 20 if the court determines that certain mitigating factors of youthfulness apply.

SSB 5266 - Concerning the indeterminate sentence review board.

Brief Summary of Substitute Bill – Senate Bill Report

- Allows a person convicted of a crime committed prior to the person's 18th birthday to petition the Indeterminate Sentence Review Board for early release at age 24, provided the person has not been convicted of a crime committed in the 12 months prior to filing a petition, among other conditions.
- Allows the Department of Corrections to provide rental vouchers to successful petitioners who are ordered to be released if rental assistance will allow the petitioner to safely release.

SHB 1391 - Improving developmentally appropriate alternatives for youth outside the formal court process.

Brief Summary of Substitute Bill – House Bill Report

- Creates a grant program at the Department of Children, Youth, and Families to support community-based programs that divert youth from entering or re-entering the juvenile justice system, expands consolidated juvenile services to include providing effective services and referrals to diverted and referred youth, and requires the Administrative Office of the Courts to develop common definitions, outcome measures, and data collection methods for both informal and formal diversion programs.
- Prohibits a juvenile diversion agreement from being entered into for an offense that was committed after a juvenile's eighteenth birthday and prohibits parents and guardians from declining to enter into or preventing a juvenile from entering into a diversion agreement.

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SB 5426 - Improving developmentally appropriate alternatives for youth outside the formal court process.

Brief Summary of Substitute Bill – Senate Bill Report

- Removes diversion agreements and successfully completed diversions from a youth's criminal history.
- Requires the Department of Children, Youth, and Families to establish a grant program and seek advice on how to prioritize distribution of those funds for community-based programs.
- Creates new diversion data reporting requirements for the Administrative Office of the Courts.