
ENGROSSED SUBSTITUTE HOUSE BILL 2907

State of Washington

65th Legislature

2018 Regular Session

By House Early Learning & Human Services (originally sponsored by Representatives Goodman, Frame, Kagi, and Doglio)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to confinement in juvenile rehabilitation
2 facilities; amending RCW 72.01.410, 72.01.410, 13.40.300, 13.40.300,
3 13.40.300, and 13.40.300; creating new sections; providing an
4 effective date; providing contingent effective dates; and providing
5 an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes state and
8 national efforts to reform policies that incarcerate youth in the
9 adult criminal justice system. The legislature acknowledges that
10 transferring youth to the adult criminal justice system is not
11 effective in reducing future criminal behavior. Youth incarcerated in
12 the adult criminal justice system are more likely to recidivate than
13 their counterparts housed in juvenile facilities.

14 The legislature intends to enhance community safety by
15 emphasizing rehabilitation of juveniles convicted even of the most
16 serious violent offenses under the adult criminal justice system.
17 Juveniles adjudicated as adults should be served and housed within
18 the facilities of the juvenile rehabilitation administration up until
19 age twenty-five and one-half but released earlier if their sentence
20 ends prior to that. This emphasis on rehabilitation up to age twenty-
21 five and one-half reflects similar programming in other states, which

1 has significantly reduced recidivism of juveniles confined in adult
2 correctional facilities.

3 **Sec. 2.** RCW 72.01.410 and 2015 c 156 s 2 are each amended to
4 read as follows:

5 (1) Whenever any child under the age of eighteen is convicted as
6 an adult in the courts of this state of a crime amounting to a
7 felony, and is committed for a term of confinement, that child shall
8 be ~~((initially))~~ placed in a facility operated by the department of
9 ~~((corrections))~~ social and health services to determine the child's
10 earned release date.

11 ~~((a))~~ ~~((If the earned release date is prior to the child's twenty-~~
12 ~~first birthday, the department of corrections shall transfer the~~
13 ~~child to the custody of the department of social and health services,~~
14 ~~or to such other institution as is now, or may hereafter be~~
15 ~~authorized by law to receive such child, until such time as the child~~
16 ~~completes the ordered term of confinement or arrives at the age of~~
17 ~~twenty one years.~~

18 ~~((i))~~ While in the custody of the department of social and health
19 services, the ~~((child))~~ individual must have the same treatment,
20 housing options, transfer, and access to program resources as any
21 other ~~((child))~~ individual committed ~~((directly))~~ to that juvenile
22 correctional facility or institution pursuant to chapter 13.40 RCW.
23 Treatment, placement, and program decisions shall be at the sole
24 discretion of the department of social and health services. The
25 ~~((youth))~~ individual shall only be transferred ~~((back))~~ to the
26 custody of the department of corrections with the approval of the
27 department of social and health services or when the ~~((child))~~
28 individual reaches the maximum age of ~~((twenty one))~~ juvenile
29 offender commitment by a juvenile court for the same offense provided
30 under RCW 13.40.300.

31 ~~((ii))~~ (b) If the ~~((child's))~~ individual's sentence includes a
32 term of community custody, the department of social and health
33 services ~~((shall not))~~ is required to consult the department of
34 corrections prior to the individual's release ~~((the child))~~ to
35 community custody ~~((until the department of corrections has approved~~
36 ~~the child's release plan))~~ pursuant to RCW 9.94A.729(5)(b). If ~~((a~~
37 ~~child))~~ an individual is held past his or her earned release date
38 pending release plan approval, the department of social and health
39 services shall retain custody until a plan is approved or the

1 ((child)) individual completes the ordered term of confinement prior
2 to the maximum age ((twenty-one)) of juvenile offender commitment by
3 a juvenile court for the same offense provided under RCW 13.40.300.

4 ((+iii)) (c) If the department of social and health services
5 determines that retaining custody of the ((child)) individual
6 presents a significant safety risk, the ((child)) individual may be
7 ((returned)) transferred to the custody of the department of
8 corrections.

9 ((+b)) (d) If the ((child's)) individual's earned release date
10 is on or after the ((child's twenty-first birthday)) maximum age of
11 juvenile offender commitment by a juvenile court for the same offense
12 provided under RCW 13.40.300, the ((department of corrections shall,
13 with the consent of the)) secretary of the department of social and
14 health services((, transfer)) shall retain the ((child to))
15 individual in a facility or institution operated by the department of
16 social and health services with the consent of the department of
17 corrections. ((Despite the transfer, the department of corrections
18 retains authority over custody decisions and must approve any leave
19 from the facility.)) When the ((child turns age twenty-one))
20 individual reaches the maximum age of juvenile offender commitment by
21 a juvenile court for the same offense provided under RCW 13.40.300,
22 he or she must be transferred ((back)) to the department of
23 corrections. The department of social and health services has all
24 routine and day-to-day operations authority for the ((child))
25 individual while he or she is in its custody.

26 (2)(a) Except as provided in (b) and (c) of this subsection, an
27 offender under the age of eighteen who is ((convicted in adult
28 criminal court and who is committed to a term of confinement at))
29 transferred to the custody of the department of corrections must be
30 placed in a housing unit, or a portion of a housing unit, that is
31 separated from offenders eighteen years of age or older, until the
32 offender reaches the age of eighteen.

33 (b) An offender who is transferred to the custody of the
34 department of corrections and reaches eighteen years of age may
35 remain in a housing unit for offenders under the age of eighteen if
36 the secretary of corrections determines that: (i) The offender's
37 needs and the ((correctional)) rehabilitation goals for the offender
38 could continue to be better met by the programs and housing
39 environment that is separate from offenders eighteen years of age and
40 older; and (ii) the programs or housing environment for offenders

1 under the age of eighteen will not be substantially affected by the
2 continued placement of the offender in that environment. The offender
3 may remain placed in a housing unit for offenders under the age of
4 eighteen until such time as the secretary of corrections determines
5 that the offender's needs and ~~((correctional))~~ goals are no longer
6 better met in that environment but in no case past the ~~((offender's~~
7 ~~twenty-first birthday))~~ maximum age of juvenile offender commitment
8 by a juvenile court for the same offense provided under RCW
9 13.40.300.

10 (c) An offender transferred to the custody of the department of
11 corrections who is under the age of eighteen may be housed in an
12 intensive management unit or administrative segregation unit
13 containing offenders eighteen years of age or older if it is
14 necessary for the safety or security of the offender or staff. In
15 these cases, the offender must be kept physically separate from other
16 offenders at all times.

17 (3) The department of social and health services must review the
18 placement of an individual over age twenty-one who was placed in the
19 custody of the department of social and health services following an
20 adult court felony conviction for an offense committed before age
21 eighteen to determine whether the individual should be transferred to
22 the custody of the department of corrections. The department of
23 social and health services may determine the frequency of the review
24 required under this subsection, but the review must occur at least
25 once before the individual turns age twenty-three if the individual's
26 commitment period in a juvenile institution extends beyond age
27 twenty-three.

28 **Sec. 3.** RCW 72.01.410 and 2017 3rd sp.s. c 6 s 728 are each
29 amended to read as follows:

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

36 ~~((If the earned release date is prior to the child's twenty-~~
37 ~~first birthday, the department of corrections shall transfer the~~
38 ~~child to the custody of the department of children, youth, and~~
39 ~~families, or to such other institution as is now, or may hereafter be~~

1 ~~authorized by law to receive such child, until such time as the child~~
2 ~~completes the ordered term of confinement or arrives at the age of~~
3 ~~twenty one years.~~

4 ~~(i))~~ While in the custody of the department of children, youth,
5 and families, the ~~((child))~~ individual must have the same treatment,
6 housing options, transfer, and access to program resources as any
7 other ~~((child))~~ individual committed ~~((directly))~~ to that juvenile
8 correctional facility or institution pursuant to chapter 13.40 RCW.
9 Treatment, placement, and program decisions shall be at the sole
10 discretion of the department of children, youth, and families. The
11 ~~((youth))~~ individual shall only be transferred ~~((back))~~ to the
12 custody of the department of corrections with the approval of the
13 department of children, youth, and families or when the ~~((child))~~
14 individual reaches the maximum age of ~~((twenty one))~~ juvenile
15 offender commitment by a juvenile court for the same offense provided
16 under RCW 13.40.300.

17 ~~((ii))~~ (b) If the ~~((child's))~~ individual's sentence includes a
18 term of community custody, the department of children, youth, and
19 families ~~((shall not))~~ is required to consult the department of
20 corrections prior to the individual's release ~~((the child))~~ to
21 community custody ~~((until the department of corrections has approved~~
22 ~~the child's release plan))~~ pursuant to RCW 9.94A.729(5)(b). If ~~((a~~
23 ~~child))~~ an individual is held past his or her earned release date
24 pending release plan approval, the department of children, youth, and
25 families shall retain custody until a plan is approved or the
26 ~~((child))~~ individual completes the ordered term of confinement prior
27 to the maximum age ~~((twenty one))~~ of juvenile offender commitment by
28 a juvenile court for the same offense provided under RCW 13.40.300.

29 ~~((iii))~~ (c) If the department of children, youth, and families
30 determines that retaining custody of the ~~((child))~~ individual
31 presents a significant safety risk, the ~~((child))~~ individual may be
32 ~~((returned))~~ transferred to the custody of the department of
33 corrections.

34 ~~((b))~~ (d) If the ~~((child's))~~ individual's earned release date
35 is on or after the ~~((child's twenty first birthday))~~ maximum age of
36 juvenile offender commitment by a juvenile court for the same offense
37 provided under RCW 13.40.300, the ~~((department of corrections shall,~~
38 ~~with the consent of the))~~ secretary of the department of children,
39 youth, and families ~~((, transfer))~~ shall retain the ~~((child to))~~
40 individual in a facility or institution operated by the department of

1 children, youth, and families with the consent of the department of
2 corrections. (~~Despite the transfer, the department of corrections~~
3 ~~retains authority over custody decisions and must approve any leave~~
4 ~~from the facility.~~) When the (~~child turns age twenty-one~~)
5 individual reaches the maximum age of juvenile offender commitment by
6 a juvenile court for the same offense provided under RCW 13.40.300,
7 he or she must be transferred (~~back~~) to the department of
8 corrections. The department of children, youth, and families has all
9 routine and day-to-day operations authority for the (~~child~~)
10 individual while he or she is in its custody.

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

18 (b) An offender who is transferred to the custody of the
19 department of corrections and reaches eighteen years of age may
20 remain in a housing unit for offenders under the age of eighteen if
21 the secretary of corrections determines that: (i) The offender's
22 needs and the (~~correctional~~) rehabilitation goals for the offender
23 could continue to be better met by the programs and housing
24 environment that is separate from offenders eighteen years of age and
25 older; and (ii) the programs or housing environment for offenders
26 under the age of eighteen will not be substantially affected by the
27 continued placement of the offender in that environment. The offender
28 may remain placed in a housing unit for offenders under the age of
29 eighteen until such time as the secretary of corrections determines
30 that the offender's needs and (~~correctional~~) goals are no longer
31 better met in that environment but in no case past the (~~offender's~~
32 ~~twenty-first birthday~~) maximum age of juvenile offender commitment
33 by a juvenile court for the same offense provided under RCW
34 13.40.300.

35 (c) An offender transferred to the custody of the department of
36 corrections who is under the age of eighteen may be housed in an
37 intensive management unit or administrative segregation unit
38 containing offenders eighteen years of age or older if it is
39 necessary for the safety or security of the offender or staff. In

1 these cases, the offender must be kept physically separate from other
2 offenders at all times.

3 (3) The department of children, youth, and families must review
4 the placement of an individual over age twenty-one who was placed in
5 the custody of the department of children, youth, and families
6 following an adult court felony conviction for an offense committed
7 before age eighteen to determine whether the individual should be
8 transferred to the custody of the department of corrections. The
9 department of children, youth, and families may determine the
10 frequency of the review required under this subsection, but the
11 review must occur at least once before the individual turns age
12 twenty-three if the individual's commitment period in a juvenile
13 institution extends beyond age twenty-three.

14 **Sec. 4.** RCW 13.40.300 and 2005 c 238 s 2 are each amended to
15 read as follows:

16 (1) ~~((In no case may))~~ Except as provided in subsection (2) of
17 this section, a juvenile offender may not be committed by the
18 juvenile court to the department of social and health services for
19 placement in a juvenile correctional institution beyond the juvenile
20 offender's twenty-first birthday.

21 (2) A juvenile offender adjudicated of a serious violent offense
22 as defined under RCW 9.94A.030 may be committed by the juvenile court
23 to the department of social and health services for placement in a
24 correctional institution up to the time the juvenile offender is age
25 twenty-five and one-half years old, but not beyond.

26 (3) A juvenile may be under the jurisdiction of the juvenile
27 court or the authority of the department of social and health
28 services beyond the juvenile's eighteenth birthday only if prior to
29 the juvenile's eighteenth birthday:

30 (a) Proceedings are pending seeking the adjudication of a
31 juvenile offense and the court by written order setting forth its
32 reasons extends jurisdiction of juvenile court over the juvenile
33 beyond his or her eighteenth birthday;

34 (b) The juvenile has been found guilty after a fact finding or
35 after a plea of guilty and an automatic extension is necessary to
36 allow for the imposition of disposition;

37 (c) Disposition has been held and an automatic extension is
38 necessary to allow for the execution and enforcement of the court's
39 order of disposition. If an order of disposition imposes commitment

1 to the department, then jurisdiction is automatically extended to
2 include a period of up to twelve months of parole, in no case
3 extending beyond the offender's twenty-first birthday except under
4 subsection (2) of this section in which case commitment may not
5 extend beyond age twenty-five and one-half years; or

6 (d) While proceedings are pending in a case in which jurisdiction
7 has been transferred to the adult criminal court pursuant to RCW
8 13.04.030, the juvenile turns eighteen years of age and is
9 subsequently found not guilty of the charge for which he or she was
10 transferred, or is convicted in the adult criminal court of a lesser
11 included offense, and an automatic extension is necessary to impose
12 the disposition as required by RCW 13.04.030(1)(e)(v)(E).

13 ~~((+2))~~ (4) If the juvenile court previously has extended
14 jurisdiction beyond the juvenile offender's eighteenth birthday and
15 that period of extension has not expired, the court may further
16 extend jurisdiction by written order setting forth its reasons.

17 ~~((+3) In no event may))~~ (5) Except as provided in this section
18 and for purposes of enforcing an order of restitution or penalty
19 assessment, the juvenile court ((have authority to)) may not extend
20 jurisdiction over any juvenile offender beyond the juvenile
21 offender's twenty-first birthday ((except for the purpose of
22 enforcing an order of restitution or penalty assessment)).

23 ~~((+4))~~ (6) Notwithstanding any extension of jurisdiction over a
24 person pursuant to this section, the juvenile court has no
25 jurisdiction over any offenses alleged to have been committed by a
26 person eighteen years of age or older.

27 **Sec. 5.** RCW 13.40.300 and 2017 3rd sp.s. c 6 s 613 are each
28 amended to read as follows:

29 (1) ~~((In no case may))~~ Except as provided in subsection (2) of
30 this section, a juvenile offender may not be committed by the
31 juvenile court to the department of children, youth, and families for
32 placement in a juvenile correctional institution beyond the juvenile
33 offender's twenty-first birthday.

34 (2) A juvenile offender adjudicated of a serious violent offense
35 as defined under RCW 9.94A.030 may be committed by the juvenile court
36 to the department of children, youth, and families for placement in a
37 correctional institution up to the time the juvenile offender is age
38 twenty-five and one-half years old, but not beyond.

1 (3) A juvenile may be under the jurisdiction of the juvenile
2 court or the authority of the department of children, youth, and
3 families beyond the juvenile's eighteenth birthday only if prior to
4 the juvenile's eighteenth birthday:

5 (a) Proceedings are pending seeking the adjudication of a
6 juvenile offense and the court by written order setting forth its
7 reasons extends jurisdiction of juvenile court over the juvenile
8 beyond his or her eighteenth birthday;

9 (b) The juvenile has been found guilty after a fact finding or
10 after a plea of guilty and an automatic extension is necessary to
11 allow for the imposition of disposition;

12 (c) Disposition has been held and an automatic extension is
13 necessary to allow for the execution and enforcement of the court's
14 order of disposition. If an order of disposition imposes commitment
15 to the department, then jurisdiction is automatically extended to
16 include a period of up to twelve months of parole, in no case
17 extending beyond the offender's twenty-first birthday except under
18 subsection (2) of this section in which case commitment may not
19 extend beyond age twenty-five and one-half years; or

20 (d) While proceedings are pending in a case in which jurisdiction
21 has been transferred to the adult criminal court pursuant to RCW
22 13.04.030, the juvenile turns eighteen years of age and is
23 subsequently found not guilty of the charge for which he or she was
24 transferred, or is convicted in the adult criminal court of a lesser
25 included offense, and an automatic extension is necessary to impose
26 the disposition as required by RCW 13.04.030(1)(e)(v)(E).

27 ~~((+2))~~ (4) If the juvenile court previously has extended
28 jurisdiction beyond the juvenile offender's eighteenth birthday and
29 that period of extension has not expired, the court may further
30 extend jurisdiction by written order setting forth its reasons.

31 ~~((+3) In no event may))~~ (5) Except as provided in this section
32 and for purposes of enforcing an order of restitution or penalty
33 assessment, the juvenile court ((have authority to)) may not extend
34 jurisdiction over any juvenile offender beyond the juvenile
35 offender's twenty-first birthday ((except for the purpose of
36 enforcing an order of restitution or penalty assessment)).

37 ~~((+4))~~ (6) Notwithstanding any extension of jurisdiction over a
38 person pursuant to this section, the juvenile court has no
39 jurisdiction over any offenses alleged to have been committed by a
40 person eighteen years of age or older.

1 **Sec. 6.** RCW 13.40.300 and 2005 c 238 s 2 are each amended to
2 read as follows:

3 (1) (~~In no case may~~) Except as provided in subsection (2) of
4 this section, a juvenile offender may not be committed by the
5 juvenile court to the department of social and health services for
6 placement in a juvenile correctional institution beyond the juvenile
7 offender's twenty-first birthday.

8 (2)(a) A juvenile offender convicted of an A++ juvenile
9 disposition category offense listed in RCW 13.40.0357, or found to be
10 armed with a firearm and sentenced to an additional twelve months
11 pursuant to RCW 13.40.193(3)(b), may be committed by the juvenile
12 court to the department of social and health services for placement
13 in a juvenile correctional institution up to the juvenile offender's
14 twenty-fifth birthday, but not beyond.

15 (b) A juvenile offender adjudicated of a serious violent offense
16 as defined under RCW 9.94A.030 may be committed by the juvenile court
17 to the department of social and health services for placement in a
18 correctional institution up to the time the juvenile offender is age
19 twenty-five and one-half years old, but not beyond.

20 (3) A juvenile may be under the jurisdiction of the juvenile
21 court or the authority of the department of social and health
22 services beyond the juvenile's eighteenth birthday only if prior to
23 the juvenile's eighteenth birthday:

24 (a) Proceedings are pending seeking the adjudication of a
25 juvenile offense and the court by written order setting forth its
26 reasons extends jurisdiction of juvenile court over the juvenile
27 beyond his or her eighteenth birthday, except:

28 (i) If the court enters a written order extending jurisdiction
29 under this subsection, it shall not extend jurisdiction beyond the
30 juvenile's twenty-first birthday;

31 (ii) If the order fails to specify a specific date, it shall be
32 presumed that jurisdiction is extended to age twenty-one; and

33 (iii) If the juvenile court previously extended jurisdiction
34 beyond the juvenile's eighteenth birthday, and that period of
35 extension has not expired, the court may further extend jurisdiction
36 by written order setting forth its reasons;

37 (b) The juvenile has been found guilty after a fact finding or
38 after a plea of guilty and an automatic extension is necessary to
39 allow for the imposition of disposition;

1 (c) Disposition has been held and an automatic extension is
2 necessary to allow for the execution and enforcement of the court's
3 order of disposition(~~(-)~~), subject to the following:

4 (i) If an order of disposition imposes commitment to the
5 department, then jurisdiction is automatically extended to include a
6 period of up to twelve months of parole, in no case extending beyond
7 the offender's twenty-first birthday, except;

8 (ii)(A) If an order of disposition imposes a commitment to the
9 department for a juvenile offender convicted of an A++ juvenile
10 disposition category offense listed in RCW 13.40.0357, or found to be
11 armed with a firearm and sentenced to an additional twelve months
12 pursuant to RCW 13.40.193(3)(b), then jurisdiction for parole is
13 automatically extended to include a period of up to twenty-four
14 months of parole, in no case extending beyond the offender's twenty-
15 fifth birthday; or

16 (B) Under subsection (2)(b) of this section in which case
17 commitment may not extend beyond age twenty-five and one-half years;

18 (d) While proceedings are pending in a case in which jurisdiction
19 (~~(has been transferred to)~~) is vested in the adult criminal court
20 pursuant to RCW 13.04.030, the juvenile turns eighteen years of age
21 and is subsequently found not guilty of the charge for which he or
22 she was transferred, or is convicted in the adult criminal court of a
23 lesser included offense, and an automatic extension is necessary to
24 impose the disposition as required by RCW 13.04.030(1)(e)(v)(~~(+E)~~)

25 (B)(II); or

26 (e) Pursuant to the terms of RCW 13.40.190 and 13.40.198, the
27 juvenile court maintains jurisdiction beyond the juvenile offender's
28 twenty-first birthday for the purpose of enforcing an order of
29 restitution or penalty assessment.

30 (~~(2) If the juvenile court previously has extended jurisdiction~~
31 ~~beyond the juvenile offender's eighteenth birthday and that period of~~
32 ~~extension has not expired, the court may further extend jurisdiction~~
33 ~~by written order setting forth its reasons.~~

34 ~~(3))~~ (4) Except as otherwise provided herein, in no event may
35 the juvenile court have authority to extend jurisdiction over any
36 juvenile offender beyond the juvenile offender's twenty-first
37 birthday (~~(except for the purpose of enforcing an order of~~
38 restitution or penalty assessment)).

39 (~~(4))~~ (5) Notwithstanding any extension of jurisdiction over a
40 person pursuant to this section, the juvenile court has no

1 jurisdiction over any offenses alleged to have been committed by a
2 person eighteen years of age or older.

3 **Sec. 7.** RCW 13.40.300 and 2017 3rd sp.s. c 6 s 613 are each
4 amended to read as follows:

5 (1) (~~In no case may~~) Except as provided in subsection (2) of
6 this section, a juvenile offender may not be committed by the
7 juvenile court to the department of children, youth, and families for
8 placement in a juvenile correctional institution beyond the juvenile
9 offender's twenty-first birthday.

10 (2)(a) A juvenile offender convicted of an A++ juvenile
11 disposition category offense listed in RCW 13.40.0357, or found to be
12 armed with a firearm and sentenced to an additional twelve months
13 pursuant to RCW 13.40.193(3)(b), may be committed by the juvenile
14 court to the department of children, youth, and families for
15 placement in a juvenile correctional institution up to the juvenile
16 offender's twenty-fifth birthday, but not beyond.

17 (b) A juvenile offender adjudicated of a serious violent offense
18 as defined under RCW 9.94A.030 may be committed by the juvenile court
19 to the department of children, youth, and families for placement in a
20 correctional institution up to the time the juvenile offender is age
21 twenty-five and one-half years old, but not beyond.

22 (3) A juvenile may be under the jurisdiction of the juvenile
23 court or the authority of the department of children, youth, and
24 families beyond the juvenile's eighteenth birthday only if prior to
25 the juvenile's eighteenth birthday:

26 (a) Proceedings are pending seeking the adjudication of a
27 juvenile offense and the court by written order setting forth its
28 reasons extends jurisdiction of juvenile court over the juvenile
29 beyond his or her eighteenth birthday, except:

30 (i) If the court enters a written order extending jurisdiction
31 under this subsection, it shall not extend jurisdiction beyond the
32 juvenile's twenty-first birthday;

33 (ii) If the order fails to specify a specific date, it shall be
34 presumed that jurisdiction is extended to age twenty-one; and

35 (iii) If the juvenile court previously extended jurisdiction
36 beyond the juvenile's eighteenth birthday, and that period of
37 extension has not expired, the court may further extend jurisdiction
38 by written order setting forth its reasons;

1 (b) The juvenile has been found guilty after a fact finding or
2 after a plea of guilty and an automatic extension is necessary to
3 allow for the imposition of disposition;

4 (c) Disposition has been held and an automatic extension is
5 necessary to allow for the execution and enforcement of the court's
6 order of disposition(~~(-)~~), subject to the following:

7 (i) If an order of disposition imposes commitment to the
8 department, then jurisdiction is automatically extended to include a
9 period of up to twelve months of parole, in no case extending beyond
10 the offender's twenty-first birthday, except;

11 (ii)(A) If an order of disposition imposes a commitment to the
12 department for a juvenile offender convicted of an A++ juvenile
13 disposition category offense listed in RCW 13.40.0357, or found to be
14 armed with a firearm and sentenced to an additional twelve months
15 pursuant to RCW 13.40.193(3)(b), then jurisdiction for parole is
16 automatically extended to include a period of up to twenty-four
17 months of parole, in no case extending beyond the offender's twenty-
18 fifth birthday; or

19 (B) Under subsection (2)(b) of this section in which case
20 commitment may not extend beyond age twenty-five and one-half years;

21 (d) While proceedings are pending in a case in which jurisdiction
22 (~~(has been transferred to)~~) is vested in the adult criminal court
23 pursuant to RCW 13.04.030, the juvenile turns eighteen years of age
24 and is subsequently found not guilty of the charge for which he or
25 she was transferred, or is convicted in the adult criminal court of a
26 lesser included offense, and an automatic extension is necessary to
27 impose the disposition as required by RCW 13.04.030(1)(e)(v)(~~(+E)~~)
28 (B)(II); or

29 (e) Pursuant to the terms of RCW 13.40.190 and 13.40.198, the
30 juvenile court maintains jurisdiction beyond the juvenile offender's
31 twenty-first birthday for the purpose of enforcing an order of
32 restitution or penalty assessment.

33 (~~(2) If the juvenile court previously has extended jurisdiction~~
34 ~~beyond the juvenile offender's eighteenth birthday and that period of~~
35 ~~extension has not expired, the court may further extend jurisdiction~~
36 ~~by written order setting forth its reasons.~~

37 ~~(3))~~ (4) Except as otherwise provided herein, in no event may
38 the juvenile court have authority to extend jurisdiction over any
39 juvenile offender beyond the juvenile offender's twenty-first

1 birthday (~~except for the purpose of enforcing an order of~~
2 ~~restitution or penalty assessment~~)).

3 ((~~4~~)) (5) Notwithstanding any extension of jurisdiction over a
4 person pursuant to this section, the juvenile court has no
5 jurisdiction over any offenses alleged to have been committed by a
6 person eighteen years of age or older.

7 NEW SECTION. **Sec. 8.** The Washington state institute for public
8 policy must assess the impact of this act on community safety, racial
9 disproportionality, and youth rehabilitation and submit a report, in
10 compliance with RCW 43.01.036, to the governor and the appropriate
11 committees of the legislature by December 1, 2023.

12 NEW SECTION. **Sec. 9.** This act applies to all individuals
13 currently in the custody or who will be in the custody of the
14 juvenile rehabilitation division of the department of social and
15 health services on or before the effective date of this section
16 following an adult court conviction. It does not apply to individuals
17 who were in the custody of the juvenile rehabilitation division of
18 the department of social and health services and were transferred to
19 the custody of the department of corrections before the effective
20 date of this section. In all other respects, this act applies
21 prospectively.

22 NEW SECTION. **Sec. 10.** Sections 3, 5, and 7 of this act take
23 effect July 1, 2019.

24 NEW SECTION. **Sec. 11.** Sections 2, 4, and 6 of this act expire
25 July 1, 2019.

26 NEW SECTION. **Sec. 12.** Sections 4 and 5 of this act take effect
27 only if chapter . . . (Engrossed Second Substitute Senate No. Bill
28 6160), Laws of 2018 is not enacted by the effective date of this
29 section.

30 NEW SECTION. **Sec. 13.** Sections 6 and 7 of this act take effect
31 only if chapter . . . (Engrossed Second Substitute Senate Bill No.
32 6160), Laws of 2018 is enacted by the effective date of this section.

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