

HOUSE BILL REPORT

E2SSB 6231

As Reported By House Committee On:

Children & Family Services
Appropriations

Title: An act relating to the placement of sexually aggressive youth.

Brief Description: Protecting victims from sexually aggressive youth.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Kohl, Long, Fairley, Strannigan, Wojahn, Hargrove, Haugen, Winsley, Bauer, Prentice and Rasmussen).

Brief History:

Committee Activity:

Children & Family Services: 2/20/96, 2/22/96 [DP];
Appropriations: 2/26/96 [DPA].

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: Do pass. Signed by 9 members: Representatives Cooke, Chairman; Lambert, Vice Chairman; Stevens, Vice Chairman; Tokuda, Ranking Member; Brown, Assistant Ranking Member; Buck; Carrell; Dickerson and Patterson.

Staff: Douglas Ruth (786-7134).

Background: In increasing numbers, the juvenile justice system is handling juveniles who have committed sexually aggressive acts or sex offenses. Often these youth must be placed in a state sponsored institution where they may be roomed with other juvenile offenders. Later, the youths may be placed in group homes with other juveniles.

Currently, the Juvenile Rehabilitation Administration (JRA), which administers the state juvenile institutions and group homes, conducts a risk assessment of all juvenile offenders on arrival at an institution. As part of this assessment, the juveniles are evaluated for sexual aggressiveness. Based on factors such as the offense the juvenile committed, the juvenile's behavior, and his/her history, institution personnel determine whether the juvenile may be roomed with another offender or is sexually aggressive and must be "single bunked." Approximately 20 percent of juvenile

offenders fall into the sexually aggressive youth category. If the juvenile does not initially show an indication of being sexually aggressive, but later exhibits sexually aggressive behavior, institution personnel reevaluate the juvenile's living arrangement. Approximately 5 percent of juvenile offenders later exhibit sexually aggressive behavior. Both groups of juveniles receive treatment for their aggressiveness.

The same process applies to juveniles who are at risk of being harmed in an institutional setting. During the risk assessment process institution staff attempt to identify youth who are susceptible to harmful behavior by other youth. These juveniles are also single bunked.

Before an offender housed at an institution is transferred to a group home, both the institution and the group home perform a risk assessment to determine if it is safe to transfer the juvenile. An offender determined to be sexually aggressive will not be transferred to a home. Such youths normally complete their sentences at institutions and are then placed on parole.

Beyond the general risk assessment process, the Juvenile Rehabilitation Administration does not have standard uniform assessment criteria or a standard definition for judging sexual aggressiveness and vulnerability to sexual victimization.

Summary of Bill: A policy must be implemented by the Juvenile Rehabilitation Administration (JRA) to ensure separation of sexually aggressive offenders from those vulnerable to sexual victimization. As part of the policy, the JRA must develop (1) assessment tools for determining when a child is sexually aggressive and when a child may be vulnerable to sexual victimization; (2) placement criteria to avoid assigning youth who are assessed as sexually aggressive to the same sleeping quarters as children who are assessed as vulnerable to sexual victimization; and (3) procedures to minimize unsupervised contact between sexually aggressive youth and vulnerable children in JRA facilities.

The policy must be developed and implemented within JRA by January 1, 1997.

The Department of Social and Health Services is directed to report to the Legislature by December 1996 on the development of the assessment process, placement criteria to ensure separation, and procedures to minimize unsupervised contact.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: We must have some way to separate, or have under supervision, youth who display sexually aggressive behavior in order to prevent further victimization of children. This will help ensure the safety of those children who may be vulnerable to sexual victimization.

Testimony Against: None presented.

Testified: (Pro) Debora Ruggles, Washington Coalition of Sexual Assault Programs; Don Knapp, Foster Parents Association of Washington; and Karla Howell, Mideast Community Network.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended. Signed by 29 members: Representatives Huff, Chairman; Clements, Vice Chairman; H. Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Basich; Brumsickle; Carlson; Chappell; Cooke; Crouse; Dellwo; Dyer; Foreman; Grant; Hickel; Jacobsen; Kessler; Lambert; Linville; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Silver; Smith; Talcott and Wolfe.

Staff: Dave Johnson (786-7154).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Children & Family Services: A provision was added which makes the bill null and void if it is not referenced in the 1996 Supplemental Budget.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 27, 1996.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

Testimony For: Sexually aggressive youth are a problem in the foster care system. Youths under 12 years old can not legally be classified as sexually aggressive, yet they can exhibit many of the same behaviors as those youths over 12 who are classified as sexually aggressive. This bill is a good start at helping address these problems.

Testimony Against: None.

Testified: Don Knapp, Foster Parents Association of Washington State; and Rose Stridham, Metropolitan Development Council.