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HOUSE BILL 2579

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State of Washington

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By Representatives Costa, Ballasiotes, Radcliff, Sheahan, Romero, Dellwo, Chopp, Murray, Robertson, Hickel, Mitchell, Cooke, Conway and Cody

Read first time 01/15/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to services for victims of sexual abuse; amending  
2 RCW 43.280.010, 43.280.020, 43.280.050, 43.280.060, 70.125.030,  
3 70.125.080, and 74.14B.060; adding a new section to chapter 70.125 RCW;  
4 adding a new section to chapter 70.14B RCW; creating a new section; and  
5 providing an effective date.

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

7 NEW SECTION. **Sec. 1.** The Washington state sexual assault services  
8 advisory committee issued a report to the department of community,  
9 trade, and economic development and the department of social and health  
10 services in June of 1995. The committee made several recommendations  
11 to improve the delivery of services to victims of sexual abuse and  
12 assault: (1) Consolidate the administration and funding of sexual  
13 assault and abuse services in one agency instead of splitting those  
14 functions between the department of social and health services and the  
15 department of community, trade, and economic development; (2) adopt a  
16 funding allocation plan to pool all funds for sexual assault services  
17 and to distribute them across the state to ensure the delivery of core  
18 and specialized services; (3) establish service, data collection, and  
19 management standards and outcome measurements for recipients of grants;

1 and (4) create a data collection system to gather pertinent data  
2 concerning the delivery of sexual assault services to victims.

3 The legislature approves the recommendations of the advisory  
4 committee and consolidates the functions and funding for sexual assault  
5 services in the department of community, trade, and economic  
6 development to implement the advisory committee's recommendations.

7 **Sec. 2.** RCW 43.280.010 and 1990 c 3 s 1201 are each amended to  
8 read as follows:

9 The legislature recognizes the need to increase the services  
10 available to the victims of sex offenders. The legislature also  
11 recognizes that these services are most effectively planned and  
12 provided at the local level through the combined efforts of concerned  
13 community and citizens groups, treatment providers, and local  
14 government officials. The legislature further recognizes that adequate  
15 treatment for victims is not only a matter of justice for the victim,  
16 but also a method by which additional abuse can be prevented.

17 The legislature intends to enhance the community-based treatment  
18 services available to the victims of sex offenders by:

19 (1) Providing consolidated funding support for local treatment  
20 programs which provide services to victims of sex offenders;

21 (2) Providing technical assistance and support to help communities  
22 plan for and provide treatment services; ((and))

23 (3) Providing sexual assault services through a single state agency  
24 with a victim-focused mission, and consistent standards, policies, and  
25 contracting and reporting requirements; and

26 (4) Providing communities and local treatment providers with  
27 opportunities to share information about successful prevention and  
28 treatment programs.

29 **Sec. 3.** RCW 43.280.020 and 1995 c 399 s 113 are each amended to  
30 read as follows:

31 There is established in the department of community, trade, and  
32 economic development a grant program to enhance the funding for  
33 treating the victims of sex offenders. Activities that can be funded  
34 through this grant program are limited to those that:

35 (1) Provide effective treatment to victims of sex offenders;

36 (2) Increase access to and availability of treatment for victims of  
37 sex offenders, particularly if from underserved populations; and

1 (3) Create or build on efforts by existing community programs,  
2 coordinate those efforts, or develop cooperative efforts or other  
3 initiatives to make the most effective use of resources to provide  
4 treatment services to these victims.

5 Funding ((priority)) shall be given to those applicants that  
6 ((represent well-established existing programs and applicants that  
7 represent new programs that are being created in geographic areas where  
8 no programs presently exist)) emphasize providing stable, victim-  
9 focused sexual abuse services and possess the qualifications to provide  
10 core services. Funds for specialized services shall be disbursed  
11 through the request for proposal or request for qualifications process.

12 **Sec. 4.** RCW 43.280.050 and 1990 c 3 s 1206 are each amended to  
13 read as follows:

14 At a minimum, grant applications must include the following:

15 (1) The geographic area from which the victims to be served are  
16 expected to come;

17 (2) A description of the extent and effect of the needs of these  
18 victims within the relevant geographic area;

19 (3) An explanation of how the funds will be used, their  
20 relationship to existing services available within the community, and  
21 the need that they will fulfill;

22 (4) An explanation of what organizations were involved in the  
23 development of the proposal; ((and))

24 (5) Documentation of capacity to provide core and specialized  
25 services provided by the applicant, how the applicant intends to comply  
26 with service, data collection, and management standards established by  
27 the department; and

28 (6) An evaluation methodology.

29 **Sec. 5.** RCW 43.280.060 and 1995 c 399 s 114 are each amended to  
30 read as follows:

31 (1) Subject to funds appropriated by the legislature, the  
32 department of community, trade, and economic development shall make  
33 awards under the grant program established by RCW 43.280.020.

34 (2) ((Awards shall be made competitively based on the purposes of  
35 and criteria in this chapter.

36 (3)) To aid the department of community, trade, and economic  
37 development in making its funding determinations, the department shall

1 form a peer review committee comprised of (~~the executive administrator~~  
2 ~~for the crime victims' advocacy office and~~) individuals who (~~have~~  
3 ~~experience in the treatment of victims of predatory violent sex~~  
4 ~~offenders~~) are knowledgeable or experienced in the management or  
5 delivery of treatment services to victims of sex offenders. The peer  
6 review committee shall advise the department on the extent to which  
7 each eligible applicant meets the (~~purposes and criteria of this~~  
8 ~~chapter~~) treatment and management standards, as developed by the  
9 department. The department shall consider this advice in making  
10 awards.

11 (~~(4)~~) (3) Activities funded under this section may be considered  
12 for funding in future years, but shall be considered under the same  
13 terms and criteria as new activities. Funding under this chapter shall  
14 not constitute an obligation by the state of Washington to provide  
15 ongoing funding.

16 **Sec. 6.** RCW 70.125.030 and 1988 c 145 s 19 are each amended to  
17 read as follows:

18 As used in this chapter and unless the context indicates otherwise:

19 (1) "Core services" means treatment services for victims of sexual  
20 assault including information and referral, crisis intervention,  
21 medical advocacy, legal advocacy, support, and system coordination.

22 (2) "Department" means the department of (~~social and health~~  
23 ~~services~~) community, trade, and economic development.

24 (~~(2)~~) (3) "Law enforcement agencies" means police and sheriff's  
25 departments of this state.

26 (~~(3)~~) (4) "Personal representative" means a friend, relative,  
27 attorney, or employee or volunteer from a (~~rape crisis center~~)  
28 community sexual assault program or specialized treatment service  
29 provider.

30 (~~(4) "Rape crisis center"~~) (5) "Community sexual assault program"  
31 means a community-based social service agency (~~which~~) that meets the  
32 qualifications for and provides core services to victims of sexual  
33 assault.

34 (~~(5) "Secretary" means the secretary of the department of social~~  
35 ~~and health services.~~)

36 (6) "Sexual assault" means one or more of the following:

37 (a) Rape or rape of a child;

38 (b) Assault with intent to commit rape or rape of a child;

- 1 (c) Incest or indecent liberties; ~~((or))~~
- 2 (d) Child molestation;
- 3 (e) Sexual misconduct with a minor;
- 4 (f) Crimes with a sexual motivation; or
- 5 (g) An attempt to commit any of the aforementioned offenses.

6 (7) "Specialized services" means treatment services for victims of  
7 sexual assault including support groups, therapy, specialized sexual  
8 assault medical examination, and prevention education to potential  
9 victims of sexual assault.

10 (8) "Victim" means any person who suffers physical and/or mental  
11 anguish as a proximate result of a sexual assault.

12 **Sec. 7.** RCW 70.125.080 and 1991 c 267 s 3 are each amended to read  
13 as follows:

14 (1) ~~((Rape crisis centers which))~~ Community sexual assault programs  
15 that are eligible for funding from the department ~~((of social and~~  
16 ~~health services))~~ under this chapter ~~((70.125 RCW))~~ may apply for  
17 grants for the purpose of hiring ~~((and)),~~ training, and supervising  
18 victim advocates to provide core services to assist victims and their  
19 families through the investigation ~~((and)),~~ prosecution ((of)), and  
20 treatment process that resulted from a sexual assault ((cases.—The  
21 victim advocates shall complete a training program either through the  
22 criminal justice training program under RCW 43.101.270 or, at the  
23 election of the rape crisis center, a training program to be designed  
24 and administered by the Washington association of prosecuting attorneys  
25 and the Washington coalition of sexual assault programs.

26 (2) ~~Twenty five percent of the funding for the victim advocate~~  
27 ~~grants under this section must be provided by one or more local,~~  
28 ~~municipal, or county source, either public or private)).~~ The  
29 department shall seek, receive, and make use of any funds which may be  
30 available from federal or other sources to augment state funds  
31 appropriated for the purpose of this section, and shall make every  
32 effort to qualify for federal funding.

33 **Sec. 8.** RCW 74.14B.060 and 1990 c 3 s 1402 are each amended to  
34 read as follows:

35 (1) Treatment services for children who have been sexually  
36 assaulted must be designed and delivered in a manner that accommodates  
37 their unique developmental needs and also considers the impact of

1 family dynamics on treatment issues. In addition, the complexity of  
2 the civil and criminal justice systems requires that children who are  
3 involved receive appropriate consideration and attention that  
4 recognizes their unique vulnerability in a system designed primarily  
5 for adults.

6 (2) The department of (~~social and health services through its~~  
7 ~~division of children and family services~~) community, trade, and  
8 economic development shall provide, subject to available funds,  
9 comprehensive sexual assault services to sexually abused children and  
10 their families. The department shall provide treatment services by  
11 qualified, registered, certified, or licensed professionals on a one-  
12 to-one or group basis as may be deemed appropriate.

13 (~~(2)~~) (3) Funds appropriated under this section shall be provided  
14 solely for contracts or direct purchase of specific treatment services  
15 from community organizations and private service providers for child  
16 victims of sexual assault and sexual abuse. Funds shall be disbursed  
17 through the request for proposal or request for qualifications process.

18 (~~(3)~~) (4) As part of the request for proposal or request for  
19 qualifications process the department of (~~social and health services~~)  
20 community, trade, and economic development shall ensure that there be  
21 no duplication of services with existing programs including the crime  
22 victims' compensation program as provided in chapter 7.68 RCW. The  
23 department shall also ensure that victims exhaust private insurance  
24 benefits available to the child victim before providing services to the  
25 child victim under this section.

26 NEW SECTION. Sec. 9. A new section is added to chapter 70.125 RCW  
27 to read as follows:

28 The powers and duties of the department of social and health  
29 services under this chapter shall be transferred to the department of  
30 community, trade, and economic development on the effective date of  
31 this act. The department of social and health services shall transfer  
32 all unspent appropriated funds, records, and documents necessary to  
33 facilitate a successful transfer.

34 NEW SECTION. Sec. 10. A new section is added to chapter 70.14B  
35 RCW to read as follows:

36 The powers and duties of the department of social and health  
37 services to provide services and funding for services to sexually

1 abused children under RCW 74.14B.060 shall be transferred to the  
2 department of community, trade, and economic development on the  
3 effective date of this act. The department of social and health  
4 services shall transfer all unspent appropriated funds, records, and  
5 documents necessary to facilitate a successful transfer.

6 NEW SECTION. **Sec. 11.** This act shall take effect July 1, 1996.

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