
SECOND SUBSTITUTE SENATE BILL 5963

State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Hargrove, Long, Costa, Carlson, Franklin, Oke, Gardner, Rasmussen and Kline)

READ FIRST TIME 02/08/2002.

1 AN ACT Relating to juvenile offender parenting; amending RCW
2 13.40.460; adding a new section to chapter 13.40 RCW; and creating new
3 sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that there is a small
6 but significant percentage of girls sentenced to confinement at
7 juvenile rehabilitation administration facilities who enter the
8 facility pregnant and give birth while they are confined. Juvenile
9 offender and parenting issues may be significantly more complex for
10 these girls than for their adult counterparts. The legislature finds
11 that these mothers face substantially greater challenges to becoming
12 successful adults and parents than other mothers and than nonoffender
13 mothers in their age group.

14 The legislature also finds that a child's early attachment to his
15 or her parent influences physical and intellectual development, forms
16 the foundation for psychological development including an infant's
17 development of conscience and his or her ability to trust and relate to
18 others. This early foundation becomes the prototype for subsequent
19 interpersonal relationships and establishes the groundwork for key

1 protective factors such as intelligence, trust, and empathy. Where
2 this foundation is not laid, or where it is destroyed, it may lead to
3 early aggression, impulsive temperament, and violent behavior, which
4 are the strongest developmental predictors of future involvement in
5 violent behavior. The legislature finds persuasive research that
6 strongly indicates that the best way to improve later developmental
7 outcomes is to improve mother-child interaction and prevent early loss
8 of primary relationships. The legislature also finds persuasive
9 national statistics that demonstrate that incarcerated mothers who
10 develop strong parenting skills and bond with their children are less
11 likely to reoffend. Consequently, the legislature intends to establish
12 a program of birth coaching for juvenile mothers confined to the Echo
13 Glen correctional facility. The legislature also intends the
14 department of social and health services to investigate the feasibility
15 of developing and implementing parenting education and visitation
16 programs for juvenile offenders who are parents.

17 **Sec. 2.** RCW 13.40.460 and 1999 c 372 s 2 are each amended to read
18 as follows:

19 The secretary, assistant secretary, or the secretary's designee
20 shall manage and administer the department's juvenile rehabilitation
21 responsibilities, including but not limited to the operation of all
22 state institutions or facilities used for juvenile rehabilitation.

23 The secretary or assistant secretary shall:

24 (1) Prepare a biennial budget request sufficient to meet the
25 confinement and rehabilitative needs of the juvenile rehabilitation
26 program, as forecast by the office of financial management;

27 (2) Create by rule a formal system for inmate classification. This
28 classification system shall consider:

29 (a) Public safety;

30 (b) Internal security and staff safety;

31 (c) Rehabilitative resources both within and outside the
32 department;

33 (d) An assessment of each offender's risk of sexually aggressive
34 behavior as provided in RCW 13.40.470; and

35 (e) An assessment of each offender's vulnerability to sexually
36 aggressive behavior as provided in RCW 13.40.470;

37 (3) Develop agreements with local jurisdictions to develop regional
38 facilities with a variety of custody levels;

1 (4) Adopt rules establishing effective disciplinary policies to
2 maintain order within institutions;

3 (5) Develop a comprehensive diagnostic evaluation process to be
4 used at intake, including but not limited to evaluation for substance
5 addiction or abuse, literacy, learning disabilities, fetal alcohol
6 syndrome or effect, attention deficit disorder, (~~and~~) mental health,
7 and status as a parent or mother-to-be;

8 (6) Develop placement criteria:

9 (a) To avoid assigning youth who present a moderate or high risk of
10 sexually aggressive behavior to the same sleeping quarters as youth
11 assessed as vulnerable to sexual victimization under RCW
12 13.40.470(1)(c); and

13 (b) To avoid placing a juvenile offender on parole status who has
14 been assessed as a moderate to high risk for sexually aggressive
15 behavior in a department community residential program with another
16 child who is: (i) Dependent under chapter 13.34 RCW, or an at-risk
17 youth or child in need of services under chapter 13.32A RCW; and (ii)
18 not also a juvenile offender on parole status; and

19 (7) Develop a plan to implement(~~(, by July 1, 1995)~~):

20 (a) Substance abuse treatment programs for all state juvenile
21 rehabilitation facilities and institutions;

22 (b) Vocational education and instruction programs at all state
23 juvenile rehabilitation facilities and institutions; and

24 (c) An educational program to establish self-worth and
25 responsibility in juvenile offenders. This educational program shall
26 emphasize instruction in character-building principles such as:
27 Respect for self, others, and authority; victim awareness;
28 accountability; work ethics; good citizenship; and life skills.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.40 RCW
30 to read as follows:

31 The secretary, assistant secretary, or his or her designee, shall
32 strengthen programming for pregnant offenders by providing birth
33 coaching that educates pregnant offenders about pregnancy, the medical
34 monitoring they will receive, and the birth process, and prepares the
35 mother for relinquishing her infant to his or her guardian. Birth
36 coaching may be provided by a member of the juvenile rehabilitation
37 administration, a child care professional, or a volunteer, as

1 appropriate. The person providing the birth coaching shall act as the
2 offender's birth coach during labor and delivery.

3 NEW SECTION. **Sec. 4.** The department of social and health services
4 shall report to the legislature no later than December 1, 2002, on the
5 following:

6 (1) The number of offenders in juvenile rehabilitation
7 administration facilities who are parents and who have not had their
8 parental rights terminated;

9 (2) The feasibility and fiscal impact of developing and
10 implementing, in conjunction with local school districts, a basic
11 parenting education curriculum to juvenile offenders who are parents or
12 who are expected to be involved in the parenting of children upon
13 release; and

14 (3) The feasibility and fiscal impact of instituting a program of
15 regular visitation between offender parents and their children.

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