

# SENATE BILL REPORT

## E2SSB 6231

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As Passed Senate, February 13, 1996

**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:** Human Services & Corrections: 1/17/96, 2/1/96 [DPS].  
Ways & Means: 2/6/96 [DP2S].  
Passed Senate, 2/13/96, 48-0.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 6231 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Kohl, Long, Moyer, Prentice, Schow, Smith, Strannigan, Thibaudeau and Zarelli.

**Staff:** Andrea McNamara (786-7483)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Second Substitute Senate Bill No. 6231 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Rinehart, Chair; Loveland, Vice Chair; Bauer, Cantu, Drew, Finkbeiner, Fraser, Hargrove, Hochstatter, Johnson, Kohl, Long, McDonald, Moyer, Pelz, Quigley, Roach, Sheldon, Snyder, Spanel, Strannigan, Sutherland, West, Winsley and Wojahn.

**Staff:** Tim Yowell (786-7435)

**Background:** Over the past several years, the state has become responsible for the care and custody of an increasing number of children with sexual abuse issues. These children arrive in the state's care through the dependency system, the juvenile justice system, and the mental health and substance abuse treatment systems. They may enter the system as sexual abuse victims, sexually aggressive youth, or as adjudicated sex offenders. Often, they are both victims and perpetrators of sexual abuse.

Placement options utilized by the state for these children include foster homes, group homes, treatment facilities, and juvenile rehabilitation facilities, where they often have contact with other children dealing with sexual abuse issues.

It has been suggested that the state's placement of sexually aggressive youth must be done in a manner more protective of other children in the state's care, and that sexually aggressive youth should be prohibited from living in the same residential setting or having unsupervised contact with children who have been the victim of sexual abuse.

**Summary of Bill:** A policy must be implemented by the Juvenile Rehabilitation Administration (JRA) in the Department of Social and Health Services which includes the following elements: (1) assessment tools for determining when a child is sexually aggressive and when a child may be vulnerable to sexual victimization for the purposes of the act; (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.

Definitions of "sleeping quarters" and "unsupervised contact" are included.

DSHS is directed to report to the Legislature by December 1996 on the development of the assessment tools, placement criteria, and procedures required by the act and the impact of applying the provisions of the bill to children's group homes and foster homes, substance abuse treatment facilities, and to mental health treatment facilities.

The policy developed under this act must be implemented within JRA by January 1, 1997.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For (Human Services & Corrections) (original bill):** The Department of Social and Health Services supports the intent of the legislation, but has some concerns about the definitions of some of the operative phrases, specifically "sexually aggressive youth," "residential setting," and "unsupervised contact." Some flexibility in making placements ought to be allowed in some circumstances, for instance the precautions needed to protect a much older, larger teenage victim of sexual abuse from a sexually aggressive youth who is much younger and smaller are not the same as when the situation is reversed.

**Testimony Against (Human Services & Corrections) (original bill):** None.

**Testified (Human Services & Corrections):** Dick Anderson, Division of Children & Family Services, Department of Social and Health Services (concerns); Sandra Youngen, Juvenile Rehabilitation Administration (concerns).

**Testimony For (Ways & Means):** None.

**Testimony Against (Ways & Means):** None.

**Testified (Ways & Means):** No one.