

# SENATE BILL REPORT

## SB 6231

---

As Reported By Senate Committee On:  
Human Services & Corrections, February 1, 1996  
Ways & Means, February 6, 1996

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

**Brief Description:** Protecting victims from sexually aggressive youth.

**Sponsors:** 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].

---

### 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)

---

### 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 Second Substitute Bill:** The Juvenile Rehabilitation Administration in the Department of Social and Health Services (DSHS) is prohibited from assigning sexually aggressive youth under its care and custody to the same sleeping quarters as any child who has been the victim of sexual abuse or who is vulnerable to victimization by a sexually aggressive youth.

The DSHS Juvenile Rehabilitation is further required to prohibit, to the greatest extent possible and within available funds, unsupervised contact in a state-operated or state-funded home or residential facility between sexually aggressive youth and other children who may be vulnerable to victimization by sexually aggressive youth.

The Juvenile Rehabilitation Administration must make all reasonable efforts to ascertain when children in state-funded or state-operated placements are the victims of sexual abuse or may be vulnerable to victimization.

A policy must be implemented by the Juvenile Rehabilitation Administration for determining when a child is a sexually aggressive youth and when a child is vulnerable to victimization for the purposes of the act. The determinations must be made on a case by case basis considering the individual circumstances of the children.

Definitions of "sexually aggressive youth," "sleeping quarters" and "unsupervised contact" are included.

DSHS is directed to report to the Legislature by November 1996 on 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.

**Second Substitute Bill Compared to Substitute Bill:** The second substitute bill applies only to the Juvenile Rehabilitation Administration. DSHS is directed to study and report on the impact of applying the bill's provisions to other programs operated by DSHS.

**Appropriation:** None.

**Fiscal Note:** Requested on February 7, 1996.

**Effective Date:** Section 2 takes effect on January 1, 1997; section 3 takes effect 90 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 is 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.