

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5596**

Chapter 229, Laws of 2003

58th Legislature  
2003 Regular Session

JUVENILE FACILITIES--CUSTODIAL ASSAULTS

EFFECTIVE DATE: 7/27/03

Passed by the Senate April 21, 2003  
YEAS 43 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House April 10, 2003  
YEAS 95 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved May 12, 2003.

GARY LOCKE

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**Governor of the State of Washington**

CERTIFICATE

I, Milton H. Doumit, Jr.,  
Secretary of the Senate of the  
State of Washington, do hereby  
certify that the attached is  
**SUBSTITUTE SENATE BILL 5596** as  
passed by the Senate and the House  
of Representatives on the dates  
hereon set forth.

MILTON H. DOUMIT JR.

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**Secretary**

FILED

May 12, 2003 - 4:07 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5596**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2003 Regular Session

**State of Washington                      58th Legislature                      2003 Regular Session**

**By** Senate Committee on Children & Family Services & Corrections  
(originally sponsored by Senators Stevens, Hargrove, McAuliffe,  
Parlette and Winsley)

READ FIRST TIME 02/24/03.

1            AN ACT Relating to custodial assault at juvenile rehabilitation  
2 facilities and institutions; and amending RCW 13.40.460.

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

4            **Sec. 1.** RCW 13.40.460 and 1999 c 372 s 2 are each amended to read  
5 as follows:

6            The secretary, assistant secretary, or the secretary's designee  
7 shall manage and administer the department's juvenile rehabilitation  
8 responsibilities, including but not limited to the operation of all  
9 state institutions or facilities used for juvenile rehabilitation.

10           The secretary or assistant secretary shall:

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

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

16           (a) Public safety;

17           (b) Internal security and staff safety;

18           (c) Rehabilitative resources both within and outside the  
19 department;

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

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

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

7 (4) Adopt rules establishing effective disciplinary policies to  
8 maintain order within institutions;

9 (5) Develop a comprehensive diagnostic evaluation process to be  
10 used at intake, including but not limited to evaluation for substance  
11 addiction or abuse, literacy, learning disabilities, fetal alcohol  
12 syndrome or effect, attention deficit disorder, and mental health;

13 (6) Develop placement criteria:

14 (a) To avoid assigning youth who present a moderate or high risk of  
15 sexually aggressive behavior to the same sleeping quarters as youth  
16 assessed as vulnerable to sexual victimization under RCW  
17 13.40.470(1)(c); and

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

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

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

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

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

34 (8)(a) The juvenile rehabilitation administration shall develop  
35 uniform policies related to custodial assaults consistent with RCW  
36 72.01.045 and 9A.36.100 that are to be followed in all juvenile  
37 rehabilitation administration facilities; and

1        (b) The juvenile rehabilitation administration will report assaults  
2 in accordance with the policies developed in (a) of this subsection.

Passed by the Senate April 21, 2003.

Passed by the House April 10, 2003.

Approved by the Governor May 12, 2003.

Filed in Office of Secretary of State May 12, 2003.