

SENATE BILL REPORT

SB 5032

As Reported by Senate Committee On:
Human Services, January 22, 2025
Ways & Means, February 27, 2025

Title: An act relating to expanding the duties of the office of the family and children's ombuds to include juvenile rehabilitation facilities operated by the department of children, youth, and families.

Brief Description: Expanding the duties of the office of the family and children's ombuds to include juvenile rehabilitation facilities operated by the department of children, youth, and families.

Sponsors: Senators Wilson, C., Frame, Hasegawa, Nobles, Trudeau and Wellman.

Brief History:

Committee Activity: Human Services: 1/20/25, 1/22/25 [DP-WM].
Ways & Means: 2/03/25, 2/27/25 [DP, DNP, w/oRec].

Brief Summary of Bill

- Expands the statutory authority of the Office of the Children and Family's Ombuds (OFCO) to include youth and individuals in the state's care or custody, including at juvenile rehabilitation facilities.
- Directs the Department of Children, Youth and Families to provide OFCO physical access to state institutions, including juvenile rehabilitation facilities, serving children, youth, and families as well as granting OFCO unrestricted online access to the juvenile rehabilitation case management system.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass and be referred to Committee on Ways & Means.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Christian, Ranking Member; Orwall and Warnick.

Staff: Alison Mendiola (786-7488)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Robinson, Chair; Stanford, Vice Chair, Operating; Trudeau, Vice Chair, Capital; Frame, Vice Chair, Finance; Gildon, Ranking Member, Operating; Dozier, Assistant Ranking Member, Capital; Boehnke, Braun, Cleveland, Conway, Dhingra, Hansen, Hasegawa, Kauffman, Muzzall, Pedersen, Riccelli, Saldaña, Wagoner, Warnick, Wellman and Wilson, C..

Minority Report: Do not pass.

Signed by Senator Schoesler, Ranking Member, Capital.

Minority Report: That it be referred without recommendation.

Signed by Senator Torres, Assistant Ranking Member, Operating.

Staff: Sarian Scott (786-7729)

Background: Office of the Family and Children's Ombuds. Established in 1996, the Washington State Office of the Family and Children's Ombuds (OFCO) is an independent and impartial office that helps citizens navigate Washington State agencies serving children, youth and families. OFCO also investigates complaints about a Washington State agency's actions or conduct that involve:

- any child at risk of abuse, neglect, or other harm;
- a child or parent involved with child protection or child welfare services; and
- the safety or welfare of children in state care.

When a complaint issue is substantiated, OFCO intervenes to correct a violation of law or policy, or to prevent harm to a child or family. OFCO also identifies system-wide issues, and recommends appropriate changes to improve outcomes for children and strengthen families.

OFCO issues an annual report to the Department of Children, Youth and Families (DCYF) Oversight Board and to the Governor analyzing the work of the office, including recommendations. In its most recent report, OFCO made two recommendations regarding Juvenile Rehabilitation (JR): (1) provide sufficient funding for DCYF to establish a formal hearing process and a uniform grievance process for youth and young adults in JR facilities; and (2) modify state laws clarifying OFCO's duties and responsibilities in JR facilities.

Department of Children, Youth and Families. The Legislature created DCYF in 2017.

DCYF assumed the services of the Department of Early Learning, the Juvenile Rehabilitation Administration, the Office of Juvenile Justice, and the Children's Administration within the Department of Social and Health Services.

Juvenile Rehabilitation Institutions. The JR division of DCYF operates two secure residential facilities for juveniles who are convicted of crimes and sentenced to more than 30 days of confinement. The Echo Glen Children's Center in Snoqualmie serves younger males as well as female juveniles. The Green Hill School in Chehalis serves older male juveniles.

JR also operates community residential facilities, which allow youth to begin transitioning back to the community. These facilities provide treatment, education, and vocational services. To be eligible for community facility placement, a youth must be placed on minimum security status. Minimum security status is based on risk and behavior assessments, and requires the individual served 10 percent of the individual's aggregate minimum disposition or 30 days, whichever is greater, and all placement assessment requirements have been met.

There are eight community facilities across the state:

- Canyon View—Wenatchee;
- Oakridge—Lakewood;
- Parke Creek—Ellensburg;
- Ridgeview—Yakima;
- Sunrise—Ephrata;
- Touchstone—Olympia;
- Twin Rivers—Richland; and
- Woodinville—Kirkland.

Summary of Bill: It is clarified that OFCO's purpose is to promote public awareness and understanding of youth, in addition to family and children services, provided by DCYF. The statutory authority of OFCO is expanded to include youth and individuals in the state's care or custody, including at JR facilities.

Child, youth, or individual includes any person in the state's care, in state-licensed facilities or residences, or JR facilities who is receiving services from DCYF.

DCYF is to permit OFCO physical access to state institutions, including juvenile rehabilitation facilities, serving children, youth and families as well as grant OFCO unrestricted online access to the JR case management system.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony (Human Services): PRO: OFCO's statute does not provide for investigating complaints for young adults under the age of 25 in JR facilities. Youth and youth adults in JR facilities don't have just one place they can go to resolve a complaint—their only option is to reach out to the facility or a member of the Legislature. This bill addresses this gap in services and allows OFCO to investigate and resolve complaints, with the goal of improving the quality of administration in a state-run facility serving youth. OFCO receives complaints from those in JR. For example, OFCO received complaints about overcrowding at Green Hill—unit lockdowns, availability of illegal drugs, and overall safety. Current leadership at DCYF has worked with OFCO in allowing them to look into these concerns. This bill codifies this practice and allows OFCO to respond to complaints, provides access to facilities to meet with young adults, as well as access to records and case management system. OFCO can receive complaints and respond objectively. Currently, there is no formal hearing process to contest a disciplinary action or placement decision. There is also no grievance procedure for these youth. OFCO has the ability to do this work with the proper resources.

Persons Testifying (Human Services): PRO: Senator Claire Wilson, Prime Sponsor; Patrick Dowd, WA St. Office of the Family and Children's Ombuds.

Persons Signed In To Testify But Not Testifying (Human Services): No one.

Staff Summary of Public Testimony (Ways & Means): None.

Persons Testifying (Ways & Means): No one.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.