

FINAL BILL REPORT

EHB 1110

C 402 L 93
Synopsis as Enacted

Brief Description: Prescribing treatment for sexually aggressive youth.

By Representatives Vance, Leonard, Cooke, Sheldon, Basich, Foreman, Brough, Long, Karahalios, Miller, Brumsickle and Kremen.

House Committee on Human Services
Senate Committee on Law & Justice

Background: A treatment program for "sexually aggressive youth" was created in statute in 1990. "Sexually aggressive youth" is defined as youth who (1) are in the care and custody of the Department of Social and Health Services, (2) have been abused and committed a sexually aggressive act or other violent act that is sexual in nature, or (3) cannot be prosecuted for a sex offense because they are under age 12 and considered incompetent to stand trial. Children under age 12 who fall within this definition are difficult to provide services for, particularly if their parents or guardians refuse to acknowledge that their children need help and refuse to obtain help.

Summary: Law enforcement agencies are required to investigate complaints that a child under age 12 has committed a sex offense. If the investigation determines that the child is at least eight years old and that probable cause exists that a sex offense was committed, the law enforcement agency will refer the case to the prosecuting attorney. If the prosecutor or a judge determines the child cannot be prosecuted for the alleged sex offense and that probable cause exists that the child committed a sex offense, the child will be referred to the Department of Social and Health Services as a sexually aggressive youth. The department must conduct an investigation and may offer appropriate available services and treatment for the child and his or her parents or guardians. If the child's parents refuse to accept or fail to obtain appropriate services, the department may pursue a dependency action under Chapter 13.34 RCW.

The secretary of the Department of Social and Health Services is authorized to transfer surplus unused treatment

funds from the civil commitment center to programs serving sexually aggressive youth.

Votes on Final Passage:

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| House | 95 | 0 | |
| Senate | 44 | 0 | (Senate amended) |
| House | 96 | 0 | (House concurred) |

Effective: July 25, 1993