

# HOUSE BILL REPORT

## HB 2579

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### As Reported By House Committee On:

Law & Justice

Appropriations

**Title:** An act relating to services for victims of sexual abuse.

**Brief Description:** Consolidating and enhancing services for victims of sexual abuse.

**Sponsors:** Representatives Costa, Ballasiotes, Radcliff, Sheahan, Romero, Dellwo, Chopp, Murray, Robertson, Hickel, Mitchell, Cooke, Conway and Cody.

### Brief History:

#### Committee Activity:

Law & Justice: 1/30/96, 2/2/96 [DPS];

Appropriations: 2/3/96 [DPS(LJ)].

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## HOUSE COMMITTEE ON LAW & JUSTICE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Dellwo, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Murray; Robertson; Smith; Sterk and Veloria.

**Staff:** Pat Shelledy (786-7149).

**Background:** Both the Department of Social and Health Services (DSHS) and the Department of Community, Trade and Economic Development (CTED) administer grant programs that provide treatment services to sexual assault victims.

### Victims of Sexual Assault Act:

The Victims of Sexual Assault Act requires DSHS to maintain a centralized office to coordinate programs relating to sexual assault, to facilitate dissemination of information relating to sexual assault, and to develop a biennial state-wide plan to aid organizations that serve sexual assault victims.

Rape crisis centers, which are defined as community-based social service agencies which provide services to victims of sexual assault, are eligible for grants from the

department. The centers hire and train victims' advocates to assist victims and their families during the investigation and prosecution of sexual assault cases. Victims' advocates must receive training through the criminal justice training program, or through a training program designed and administered by the Washington Association of Prosecuting Attorneys and the Washington Coalition of Sexual Assault Programs. Public or private local, municipal, or county sources must provide 25 percent of the funding for the victims' advocate grants.

**CTED Grant Program:**

Grants from CTED are available to local governments and nonprofit groups to provide treatment to victims of sex offenders. Applicants representing well-established programs or new programs in areas where no program exists receive funding priority. Grants are awarded based on purposes and criteria set forth in the chapter. The department is directed to form a peer review committee, comprised of the executive director of the Crime Victims Advocacy Office and individuals who have experience in the treatment of victims of predatory violent sex offenders. The committee advises the department in awarding grants.

**Treatment Services for Sexually Abused Children:**

DSHS must provide comprehensive sexual assault services to sexually abused children by licensed professionals. The department may use funds appropriated for this purpose for contracts or direct purchases of treatment services from community organizations and private service providers.

The Washington State Sexual Assault Services Advisory Committee, which is comprised of members of government, tribal, and nonprofit agencies that serve sexual assault victims, has made several recommendations about delivery of services to sexual assault victims: (1) consolidate administration and funding of sexual assault and abuse services in one agency; (2) adopt a funding allocation plan to pool all funds for sexual assault services and to distribute them across the state to ensure the delivery of core and specialized services; (3) establish service, data collection, and management standards and outcome measures for recipients of grants; and (4) create a data collection system to gather pertinent data concerning delivery of sexual assault services.

**Summary of Substitute Bill:** The Legislature adopts many of the recommendations of the Washington State Sexual Assault Services Advisory Committee.

**Amendments to the Victims of Sexual Assault Act:**

The bill transfers responsibilities of DSHS to CTED.

Funding available to rape crisis centers for hiring and training victims' advocates is made available instead to "community sexual assault programs." Those programs are community-based social service agencies that provide "core services" to victims of sexual assault. Core services include information and referral, crisis intervention, medical advocacy, legal advocacy, support, and system coordination. Permissible uses of grant funds are expanded to include supervision of victims' advocates, and assistance of victims and their families in the treatment process following a sexual assault. Current law's requirements about the training victims' advocates must receive, and that local, municipal, or county sources must provide 25 percent of grant funds, are deleted.

The definition of "sexual assault" under the act is expanded to include assault with intent to commit rape of a child, child molestation, sexual misconduct with a minor, and crimes with a sexual motivation.

The definition of a "personal representative" who may accompany a sexual assault victim during treatment and court proceedings is amended to include an employee or volunteer from a community sexual assault program or provider of "specialized treatment services." Specialized treatment services include support groups, therapy, specialized sexual assault medical examinations, and prevention education.

#### **Amendments to CTED Grant Program:**

The statement of the program's objectives is amended to emphasize a victim-focused mission and adoption of consistent standards and policies.

Grant funds will go to applicants that emphasize victim-focused sexual abuse services and are qualified to provide core services to victims of sexual assault. Grant applicants are required to demonstrate capacity to provide treatment services, and how the applicant will comply with service, data collection, and management standards established by the department. The membership of the peer review committee that advises the department in making grant awards is revised to include persons who are knowledgeable or experienced in the management or delivery of treatment services to victims of sex offenders. Current law's requirement that awards be made competitively is deleted. The peer review committee is required, instead, to advise the department on the extent to which each eligible applicant meets treatment and management standards.

#### **Treatment Services for Sexually Abused Children:**

The powers of DSHS to provide services and funding for services to sexually abused children under RCW 74.14B.060 are transferred to CTED. CTED is required to provide services to the families of sexually abused children, as well as to the child

victims. The definition of persons who may provide services under this section is expanded to include qualified, registered, and certified professionals.

Treatment services for sexually abused children must accommodate their developmental needs, consider the impact of family dynamics on treatment issues, and consider that children involved in the justice system are vulnerable and must receive appropriate consideration and attention.

The Legislature does not intend to reduce service levels to children within available funding by transferring the delivery of services from DSHS to CTED. At a minimum, CTED must distribute the same percentage of services it provides to child victims of sexual assault or abuse as were distributed to children through DSHS in fiscal year 1996.

**Substitute Bill Compared to Original Bill:** A provision is added to provide that the Legislature does not intend to reduce service levels to children of sexual assault by transferring the administration of funding and programs from DSHS to CTED. Other technical and clarifying language is added.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 1996.

**Effective Date of Substitute Bill:** The bill takes effect July 1, 1996.

**Testimony For:** Transfer of the services to one agency will reduce administrative costs, overlapping services, reduction in grant applications, paperwork, and competition for funds, and will improve service delivery to victims of sexual assault.

**Testimony Against:** None.

**Testified:** Deborah Ruggles, Washington Coalition of Sexual Assault Programs (pro); and Melissa Allen, St. Peter's Hospital Child Sex Abuse Clinic.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Law & Justice be substituted therefor and the substitute bill do pass. Signed by 24 members: Representatives Huff, Chairman; Clements, Vice Chairman; H. Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Beeksma; Brumsickle; Carlson; Chappell; Cooke; Dellwo; Dyer; Grant; Hickel; Kessler; Lambert; Linville; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Talcott; and Wolfe.

**Staff:** Jim Lux (786-7152).

**Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Law & Justice:** No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 1996.

**Effective Date of Substitute Bill:** The bill takes effect on July 1, 1996.

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** None.