

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2579

54th Legislature
1996 Regular Session

Passed by the House February 8, 1996
Yeas 97 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate February 29, 1996
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2579** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2579

Passed Legislature - 1996 Regular Session

State of Washington

54th Legislature

1996 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Costa, Ballasiotes, Radcliff, Sheahan, Romero, Dellwo, Chopp, Murray, Robertson, Hickel, Mitchell, Cooke, Conway and Cody)

Read first time 02/02/96.

1 AN ACT Relating to services for victims of sexual abuse; amending
2 RCW 43.280.010, 43.280.020, 43.280.050, 43.280.060, 70.125.030,
3 70.125.080, and 74.14B.060; adding a new section to chapter 70.125 RCW;
4 adding a new section to chapter 70.14B RCW; creating a new section; and
5 providing an effective date.

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

7 NEW SECTION. **Sec. 1.** The Washington state sexual assault services
8 advisory committee issued a report to the department of community,
9 trade, and economic development and the department of social and health
10 services in June of 1995. The committee made several recommendations
11 to improve the delivery of services to victims of sexual abuse and
12 assault: (1) Consolidate the administration and funding of sexual
13 assault and abuse services in one agency instead of splitting those
14 functions between the department of social and health services and the
15 department of community, trade, and economic development; (2) adopt a
16 funding allocation plan to pool all funds for sexual assault services
17 and to distribute them across the state to ensure the delivery of core
18 and specialized services; (3) establish service, data collection, and
19 management standards and outcome measurements for recipients of grants;

1 and (4) create a data collection system to gather pertinent data
2 concerning the delivery of sexual assault services to victims.

3 The legislature approves the recommendations of the advisory
4 committee and consolidates the functions and funding for sexual assault
5 services in the department of community, trade, and economic
6 development to implement the advisory committee's recommendations.

7 The legislature does not intend to effect a reduction in service
8 levels within available funding by transferring department of social
9 and health services' powers and duties to the department of community,
10 trade, and economic development. At a minimum, the department of
11 community, trade, and economic development shall distribute the same
12 percentage of the services it provides victims of sexual assault and
13 abuse, pursuant to RCW 43.280.020, 70.125.080, and 74.14B.060, to
14 children as were distributed to children through these programs in
15 fiscal year 1996.

16 **Sec. 2.** RCW 43.280.010 and 1990 c 3 s 1201 are each amended to
17 read as follows:

18 The legislature recognizes the need to increase the services
19 available to the victims of sex offenders. The legislature also
20 recognizes that these services are most effectively planned and
21 provided at the local level through the combined efforts of concerned
22 community and citizens groups, treatment providers, and local
23 government officials. The legislature further recognizes that adequate
24 treatment for victims is not only a matter of justice for the victim,
25 but also a method by which additional abuse can be prevented.

26 The legislature intends to enhance the community-based treatment
27 services available to the victims of sex offenders by:

28 (1) Providing consolidated funding support for local treatment
29 programs which provide services to victims of sex offenders;

30 (2) Providing technical assistance and support to help communities
31 plan for and provide treatment services; ((and))

32 (3) Providing sexual assault services with a victim-focused
33 mission, and consistent standards, policies, and contracting and
34 reporting requirements; and

35 (4) Providing communities and local treatment providers with
36 opportunities to share information about successful prevention and
37 treatment programs.

1 **Sec. 3.** RCW 43.280.020 and 1995 c 399 s 113 are each amended to
2 read as follows:

3 There is established in the department of community, trade, and
4 economic development a grant program to enhance the funding for
5 treating the victims of sex offenders. Activities that can be funded
6 through this grant program are limited to those that:

7 (1) Provide effective treatment to victims of sex offenders;

8 (2) Increase access to and availability of treatment for victims of
9 sex offenders, particularly if from underserved populations; and

10 (3) Create or build on efforts by existing community programs,
11 coordinate those efforts, or develop cooperative efforts or other
12 initiatives to make the most effective use of resources to provide
13 treatment services to these victims.

14 Funding ~~((priority))~~ shall be given to those applicants that
15 ~~((represent well-established existing programs and applicants that~~
16 ~~represent new programs that are being created in geographic areas where~~
17 ~~no programs presently exist))~~ emphasize providing stable, victim-
18 focused sexual abuse services and possess the qualifications to provide
19 core services, as defined in RCW 70.125.030. Funds for specialized
20 services, as defined in RCW 70.125.030, shall be disbursed through the
21 request for proposal or request for qualifications process.

22 **Sec. 4.** RCW 43.280.050 and 1990 c 3 s 1206 are each amended to
23 read as follows:

24 At a minimum, grant applications must include the following:

25 (1) The geographic area from which the victims to be served are
26 expected to come;

27 (2) A description of the extent and effect of the needs of these
28 victims within the relevant geographic area;

29 (3) An explanation of how the funds will be used, their
30 relationship to existing services available within the community, and
31 the need that they will fulfill;

32 (4) An explanation of what organizations were involved in the
33 development of the proposal; ~~((and))~~

34 (5) Documentation of capacity to provide core and specialized
35 services, as defined in RCW 70.125.030, provided by the applicant, how
36 the applicant intends to comply with service, data collection, and
37 management standards established by the department; and

38 (6) An evaluation methodology.

1 **Sec. 5.** RCW 43.280.060 and 1995 c 399 s 114 are each amended to
2 read as follows:

3 (1) Subject to funds appropriated by the legislature, the
4 department of community, trade, and economic development shall make
5 awards under the grant program established by RCW 43.280.020.

6 (2) ~~((Awards shall be made competitively based on the purposes of
7 and criteria in this chapter.~~

8 ~~(3))~~ To aid the department of community, trade, and economic
9 development in making its funding determinations, the department shall
10 form a peer review committee comprised of ~~((the executive administrator
11 for the crime victims' advocacy office and))~~ individuals who ~~((have
12 experience in the treatment of victims of predatory violent sex
13 offenders))~~ are knowledgeable or experienced in the management or
14 delivery of treatment services to victims of sex offenders. The peer
15 review committee shall advise the department on the extent to which
16 each eligible applicant meets the ~~((purposes and criteria of this
17 chapter))~~ treatment and management standards, as developed by the
18 department. The department shall consider this advice in making
19 awards.

20 ~~((4))~~ (3) Activities funded under this section may be considered
21 for funding in future years, but shall be considered under the same
22 terms and criteria as new activities. Funding under this chapter shall
23 not constitute an obligation by the state of Washington to provide
24 ongoing funding.

25 **Sec. 6.** RCW 70.125.030 and 1988 c 145 s 19 are each amended to
26 read as follows:

27 As used in this chapter and unless the context indicates otherwise:

28 (1) "Core services" means treatment services for victims of sexual
29 assault including information and referral, crisis intervention,
30 medical advocacy, legal advocacy, support, and system coordination.

31 (2) "Department" means the department of ~~((social and health
32 services))~~ community, trade, and economic development.

33 ~~((2))~~ (3) "Law enforcement agencies" means police and sheriff's
34 departments of this state.

35 ~~((3))~~ (4) "Personal representative" means a friend, relative,
36 attorney, or employee or volunteer from a ~~((rape crisis center))~~
37 community sexual assault program or specialized treatment service
38 provider.

1 ~~((4))~~ (5) "Rape crisis center" means a community-based social
2 service agency which provides services to victims of sexual assault.

3 ~~((5) "Secretary" means the secretary of the department of social
4 and health services.)~~

5 (6) "Community sexual assault program" means a community-based
6 social service agency that is qualified to provide and provides core
7 services to victims of sexual assault.

8 (7) "Sexual assault" means one or more of the following:

9 (a) Rape or rape of a child;

10 (b) Assault with intent to commit rape or rape of a child;

11 (c) Incest or indecent liberties; ~~((or))~~

12 (d) Child molestation;

13 (e) Sexual misconduct with a minor;

14 (f) Crimes with a sexual motivation; or

15 (g) An attempt to commit any of the aforementioned offenses.

16 ~~((7))~~ (8) "Specialized services" means treatment services for
17 victims of sexual assault including support groups, therapy,
18 specialized sexual assault medical examination, and prevention
19 education to potential victims of sexual assault.

20 (9) "Victim" means any person who suffers physical and/or mental
21 anguish as a proximate result of a sexual assault.

22 **Sec. 7.** RCW 70.125.080 and 1991 c 267 s 3 are each amended to read
23 as follows:

24 (1) ~~((Rape crisis centers which))~~ Community sexual assault programs
25 that are eligible for funding from the department ~~((of social and~~
26 ~~health services))~~ under this chapter ~~((70.125 RCW))~~ may apply for
27 grants for the purpose of hiring ~~((and)),~~ training, and supervising
28 victim advocates to provide core services to assist victims and their
29 families through the investigation ~~((and)),~~ prosecution ((of)), and
30 treatment process that resulted from a sexual assault ((cases. The
31 victim advocates shall complete a training program either through the
32 criminal justice training program under RCW 43.101.270 or, at the
33 election of the rape crisis center, a training program to be designed
34 and administered by the Washington association of prosecuting attorneys
35 and the Washington coalition of sexual assault programs.

36 ~~(2) Twenty five percent of the funding for the victim advocate~~
37 ~~grants under this section must be provided by one or more local,~~
38 ~~municipal, or county source, either public or private)).~~ The

1 department shall seek, receive, and make use of any funds which may be
2 available from federal or other sources to augment state funds
3 appropriated for the purpose of this section, and shall make every
4 effort to qualify for federal funding.

5 **Sec. 8.** RCW 74.14B.060 and 1990 c 3 s 1402 are each amended to
6 read as follows:

7 (1) Treatment services for children who have been sexually
8 assaulted must be designed and delivered in a manner that accommodates
9 their unique developmental needs and also considers the impact of
10 family dynamics on treatment issues. In addition, the complexity of
11 the civil and criminal justice systems requires that children who are
12 involved receive appropriate consideration and attention that
13 recognizes their unique vulnerability in a system designed primarily
14 for adults.

15 (2) The department of ((social and health services through its
16 division of children and family services)) community, trade, and
17 economic development shall provide, subject to available funds,
18 comprehensive sexual assault services to sexually abused children and
19 their families. The department shall provide treatment services by
20 qualified, registered, certified, or licensed professionals on a one-
21 to-one or group basis as may be deemed appropriate.

22 ((+2+)) (3) Funds appropriated under this section shall be provided
23 solely for contracts or direct purchase of specific treatment services
24 from community organizations and private service providers for child
25 victims of sexual assault and sexual abuse. Funds shall be disbursed
26 through the request for proposal or request for qualifications process.

27 ((+3+)) (4) As part of the request for proposal or request for
28 qualifications process the department of ((social and health services))
29 community, trade, and economic development shall ensure that there be
30 no duplication of services with existing programs including the crime
31 victims' compensation program as provided in chapter 7.68 RCW. The
32 department shall also ensure that victims exhaust private insurance
33 benefits available to the child victim before providing services to the
34 child victim under this section.

35 NEW SECTION. Sec. 9. A new section is added to chapter 70.125 RCW
36 to read as follows:

1 The powers and duties of the department of social and health
2 services under this chapter shall be transferred to the department of
3 community, trade, and economic development on the effective date of
4 this act. The department of social and health services shall transfer
5 all unspent appropriated funds, records, and documents necessary to
6 facilitate a successful transfer.

7 NEW SECTION. **Sec. 10.** A new section is added to chapter 70.14B
8 RCW to read as follows:

9 The powers and duties of the department of social and health
10 services to provide services and funding for services to sexually
11 abused children under RCW 74.14B.060 shall be transferred to the
12 department of community, trade, and economic development on the
13 effective date of this act. The department of social and health
14 services shall transfer all unspent appropriated funds, records, and
15 documents necessary to facilitate a successful transfer.

16 NEW SECTION. **Sec. 11.** This act shall take effect July 1, 1996.

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