

SENATE BILL REPORT

SHB 1968

As Reported By Senate Committee On:
Human Services & Corrections, April 2, 1997

Title: An act relating to commitment placements for juvenile offenders.

Brief Description: Prohibiting juvenile offenders from being placed in contact with nonoffenders in residential facilities.

Sponsors: House Committee on Children & Family Services (originally sponsored by Representatives Wolfe, Gombosky, Tokuda, Kastama, Blalock, Gardner, Cooke, Cole and Anderson).

Brief History:

Committee Activity: Human Services & Corrections: 3/27/97, 4/2/97 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl, Schow and Stevens.

Staff: Andrea McNamara (786-7483)

Background: Crisis residential centers provide short-term emergency housing for runaway and at-risk youth who have experienced a family conflict and left their home. Other community residential programs house children who have been victims of abuse or neglect.

Concerns have been raised about juvenile offenders being placed in or directed to crisis residential centers and other community residential programs by the Department of Social and Health Services upon their release from a Juvenile Rehabilitation Administration (JRA) institution.

Summary of Amended Bill: The Legislature intends that the Department of Social and Health Services (DSHS) develop a policy for assessing sexual aggressiveness and vulnerability to sexual victimization of youth who are placed in state-operated or state-funded residential facilities.

DSHS is directed to develop and implement a protective policy within JRA by January 1, 1998, that includes the following minimum guidelines: (1) an assessment process to identify youth with a moderate or high risk of sexually aggressive behavior; (2) an assessment process to identify youth who may be vulnerable to sexual victimization by other youth; (3) placement criteria to avoid assigning moderate or high risk youth to the same sleeping quarters as vulnerable youth; and (4) procedures for minimizing, within available funds, unsupervised contact between moderate or high risk youth and youth assessed as vulnerable to sexual victimization.

The assessments must be completed within 30 days after youth are committed to JRA. The results of the assessments must be used as part of JRA's formal inmate classification system.

Definitions of "sleeping quarters" and "unsupervised contact" are included.

JRA is prohibited from placing offenders on parole status who have been assessed as moderate to high risk for sexually aggressive behavior in a department community residential placement with another child who is a dependent, at-risk, or CHINS youth and not also an offender. This policy must be implemented by July 1, 1998.

DSHS must report to the Legislature by December 1, 1997, on the development of the assessment tools and the implementation of the protective policy. The department is also required to submit an additional performance evaluation by December 1, 1998, which includes an evaluation of placements of sexually aggressive youth on parole status.

Amended Bill Compared to Substitute Bill: The striking amendment adds the provisions of SSB 5123, relating to the development of an assessment tool and a protective policy within JRA institutions. The amendment expands the use of the assessment tool and protective policy to juvenile offenders on parole status. The transfer of funding and placement responsibilities from JRA to the Division of Children and Family Services is deleted.

Appropriation: None.

Fiscal Note: Requested on March 24, 1997.

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

Testimony For: It is unacceptable to allow DSHS to place juvenile offenders on parole in crisis residential centers and other group care setting where there are vulnerable children, such as dependent youth, at-risk youth, and CHINS youth. This is dangerous for the children and creates liability risks for the state.

Testimony Against: The bill is overly broad and could not be implemented within the resources currently available or currently proposed in the House and Senate budgets. Many juvenile offenders on parole are also dependent, at-risk, or CHINS youth.

Testified: Representative Cathy Wolfe, prime sponsor (pro); Sid Sidorowicz, Assistant Secretary for Juvenile Rehabilitation Administration, DSHS (con).