

SENATE BILL REPORT

SB 5512

As Reported By Senate Committee On:
Human Services & Corrections, March 5, 1997

Title: An act relating to admittance of guilt in child abuse and neglect.

Brief Description: Prohibiting requiring the admission of guilt to receive treatment in child abuse and neglect.

Sponsors: Senators Stevens, Hargrove, Benton, Haugen, Strannigan, Hochstatter, Rasmussen, Schow and Oke.

Brief History:

Committee Activity: Human Services & Corrections: 3/4/97, 3/5/97 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5512 be substituted therefor, and the substitute bill do pass.

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

Staff: Richard Rodger (786-7461)

Background: In a dependency proceeding the court requires that an individual who, while acting in a parental role, has physically or sexually abused a child and has been removed from the home to complete the treatment and education as necessary to protect the child from future abuse. The court may require the individual to continue treatment as a condition for remaining in the home where the child resides.

Summary of Substitute Bill: Unless a parent, custodian, or guardian is convicted of a crime for acts of abuse they cannot be required to admit guilt in order to complete successfully any necessary treatment and education as ordered by the court.

Substitute Bill Compared to Original Bill: The prohibition on requiring a parent to admit the existence of any fact— when receiving court ordered treatment is eliminated.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: It is unfair to require a parent to admit to a crime or other facts in order to get their children back in a dependency proceeding.

Testimony Against: It is not possible to provide successful treatment to persons unless they admit to certain facts.– Treatment does not require admitting guilt.–

Testified: Senator Stevens, prime sponsor (pro); Jennifer Strus, DSHS (concerns); Debbie Ruggles, WA Coalition of Sexual Assault Programs (concerns).