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SENATE BILL 5596

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State of Washington

58th Legislature

2003 Regular Session

By Senators Stevens, Hargrove, McAuliffe, Parlette and Winsley

Read first time 01/31/2003. Referred to Committee on Children & Family Services & Corrections.

1 AN ACT Relating to custodial assault at juvenile rehabilitation  
2 facilities and institutions; and amending RCW 13.40.460.

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

4 **Sec. 1.** RCW 13.40.460 and 1999 c 372 s 2 are each amended to read  
5 as follows:

6 The secretary, assistant secretary, or the secretary's designee  
7 shall manage and administer the department's juvenile rehabilitation  
8 responsibilities, including but not limited to the operation of all  
9 state institutions or facilities used for juvenile rehabilitation.

10 The secretary or assistant secretary shall:

11 (1) Prepare a biennial budget request sufficient to meet the  
12 confinement and rehabilitative needs of the juvenile rehabilitation  
13 program, as forecast by the office of financial management;

14 (2) Create by rule a formal system for inmate classification. This  
15 classification system shall consider:

16 (a) Public safety;

17 (b) Internal security and staff safety;

18 (c) Rehabilitative resources both within and outside the  
19 department;

1 (d) An assessment of each offender's risk of sexually aggressive  
2 behavior as provided in RCW 13.40.470; and

3 (e) An assessment of each offender's vulnerability to sexually  
4 aggressive behavior as provided in RCW 13.40.470;

5 (3) Develop agreements with local jurisdictions to develop regional  
6 facilities with a variety of custody levels;

7 (4) Adopt rules establishing effective disciplinary policies to  
8 maintain order within institutions;

9 (5) Develop a comprehensive diagnostic evaluation process to be  
10 used at intake, including but not limited to evaluation for substance  
11 addiction or abuse, literacy, learning disabilities, fetal alcohol  
12 syndrome or effect, attention deficit disorder, and mental health;

13 (6) Develop placement criteria:

14 (a) To avoid assigning youth who present a moderate or high risk of  
15 sexually aggressive behavior to the same sleeping quarters as youth  
16 assessed as vulnerable to sexual victimization under RCW  
17 13.40.470(1)(c); and

18 (b) To avoid placing a juvenile offender on parole status who has  
19 been assessed as a moderate to high risk for sexually aggressive  
20 behavior in a department community residential program with another  
21 child who is: (i) Dependent under chapter 13.34 RCW, or an at-risk  
22 youth or child in need of services under chapter 13.32A RCW; and (ii)  
23 not also a juvenile offender on parole status; (~~and~~)

24 (7) Develop a plan to implement, by July 1, 1995:

25 (a) Substance abuse treatment programs for all state juvenile  
26 rehabilitation facilities and institutions;

27 (b) Vocational education and instruction programs at all state  
28 juvenile rehabilitation facilities and institutions; and

29 (c) An educational program to establish self-worth and  
30 responsibility in juvenile offenders. This educational program shall  
31 emphasize instruction in character-building principles such as:  
32 Respect for self, others, and authority; victim awareness;  
33 accountability; work ethics; good citizenship; and life skills; and

34 (8) Adopt rules to be applied in all facilities and institutions  
35 used for juvenile rehabilitation that:

36 (a) State what constitutes custodial assault; and

37 (b) Require that all custodial assaults on employees be reported to  
38 law enforcement.

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