
SENATE BILL 5963

State of Washington

57th Legislature

2001 Regular Session

By Senators Kohl-Welles, Hargrove, Long, Costa, Carlson, Franklin, Oke, Gardner, Rasmussen and Kline

Read first time 02/09/2001. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to juvenile offender parenting; amending RCW
2 13.40.460; adding a new section to chapter 13.40 RCW; and creating a
3 new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that there is a small
6 but significant percentage of girls sentenced to confinement at
7 juvenile rehabilitation administration facilities who enter the
8 facility pregnant and give birth while they are confined. Juvenile
9 offender and parenting issues may be significantly more complex for
10 these girls than for their adult counterparts. The legislature finds
11 that these mothers face substantially greater challenges to becoming
12 successful adults and parents than other mothers and than nonoffender
13 mothers in their age group.

14 The legislature also finds that a child's early attachment to his
15 or her parent influences physical and intellectual development, forms
16 the foundation for psychological development including an infant's
17 development of conscience and his or her ability to trust and relate to
18 others. This early foundation becomes the prototype for subsequent
19 interpersonal relationships and establishes the groundwork for key

1 protective factors such as intelligence, trust, and empathy. Where
2 this foundation is not laid, or where it is destroyed, it may lead to
3 early aggression, impulsive temperament, and violent behavior, which
4 are the strongest developmental predictors of future involvement in
5 violent behavior. The legislature finds persuasive research that
6 strongly indicates that the best way to improve later developmental
7 outcomes is to improve mother-child interaction and prevent early loss
8 of primary relationships. The legislature also finds persuasive
9 national statistics that demonstrate that incarcerated mothers who
10 develop strong parenting skills and bond with their children are less
11 likely to reoffend. Consequently, the legislature intends to establish
12 a program of birth coaching, visitation, and parenting education for
13 juvenile mothers confined to the Echo Glen correctional facility.

14 **Sec. 2.** RCW 13.40.460 and 1999 c 372 s 2 are each amended to read
15 as follows:

16 The secretary, assistant secretary, or the secretary's designee
17 shall manage and administer the department's juvenile rehabilitation
18 responsibilities, including but not limited to the operation of all
19 state institutions or facilities used for juvenile rehabilitation.

20 The secretary or assistant secretary shall:

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

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

26 (a) Public safety;

27 (b) Internal security and staff safety;

28 (c) Rehabilitative resources both within and outside the
29 department;

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

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

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

36 (4) Adopt rules establishing effective disciplinary policies to
37 maintain order within institutions;

1 (5) Develop a comprehensive diagnostic evaluation process to be
2 used at intake, including but not limited to evaluation for substance
3 addiction or abuse, literacy, learning disabilities, fetal alcohol
4 syndrome or effect, attention deficit disorder, ~~((and))~~ mental health,
5 and status as a parent or mother-to-be;

6 (6) Develop placement criteria:

7 (a) To avoid assigning youth who present a moderate or high risk of
8 sexually aggressive behavior to the same sleeping quarters as youth
9 assessed as vulnerable to sexual victimization under RCW
10 13.40.470(1)(c); and

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

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

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

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

22 (c) An educational program to establish self-worth and
23 responsibility in juvenile offenders. This educational program shall
24 emphasize instruction in character-building principles such as:
25 Respect for self, others, and authority; victim awareness;
26 accountability; work ethics; good citizenship; and life skills,
27 including parenting skills.

28 NEW SECTION. Sec. 3. A new section is added to chapter 13.40 RCW
29 to read as follows:

30 The secretary, assistant secretary, or his or her designee, shall
31 strengthen programming for pregnant and parenting girls and, as
32 appropriate, parenting boys.

33 (1) The program shall include the following elements:

34 (a) Birth coaching by a child care professional or a volunteer
35 under the supervision of a child care professional that educates
36 pregnant offenders about pregnancy, the medical monitoring they will
37 receive, and the birth process, and prepares the mother for
38 relinquishing her infant to his or her guardian. The child care

1 professional or volunteer shall act as the offender's birth coach
2 during labor and delivery;

3 (b) A parenting education curriculum for both male and female
4 offenders expected to be involved in the parenting of children upon
5 release. The curriculum should be capable of being delivered at the
6 school or lodge level. The curriculum should include concepts of child
7 development, parental responsibility, and appropriate self-care and
8 promote the fostering of protective factors as well as preparing the
9 offender to begin balancing competing demands between school or work
10 and parenting; and

11 (c) A program of regular visitation between eligible offender
12 parents, their children, and the assigned guardian to strengthen
13 bonding and implement the parenting education skills. The program
14 shall include visiting periods of up to six hours in which the guardian
15 and offender parent can jointly provide care to the child and receive
16 specific child care skills training.

17 (2) The juvenile rehabilitation administration shall develop
18 criteria for eligibility in the visitation portion of the program.

19 (3) The secretary, assistant secretary, or his or her designee
20 shall adopt criteria for the reimbursement of guardians participating
21 in the visitation program for transportation, child care for other
22 children in the guardian's care, and lodging for those guardians who
23 live beyond a reasonable commute distance.

24 (4) The program shall be eligible to accept donations of age-
25 appropriate toys, crafts, and equipment to be used in the visitation
26 program. Offender parents shall be trained in proper sanitation of
27 program toys and equipment.

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