

HOUSE BILL REPORT

E2SHB 1417

As Passed House:

March 10, 1995

Title: An act relating to juveniles.

Brief Description: Changing provisions relating to juveniles.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Carrell, Wolfe, Ballasiotes, Morris, Hymes, Conway, Pennington, Cooke, Lambert, Smith, McMorris, Sherstad, Elliot, Mitchell, McMahan, Regala, Basich, B. Thomas, Padden, Ebersole, Robertson, Schoesler, Patterson, Campbell, Mulliken, Johnson, Talcott, Thompson, Scott, Huff, Boldt and Chopp).

Brief History:

Committee Activity:

Children & Family Services: 2/9/95, 2/21/95 [DPS];
Appropriations: 3/4/95, 3/6/95 [DP2S(w/o sub CFS)].

Floor Activity:

Passed House: 3/10/95, 97-0.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Cooke, Chairman; Lambert, Vice Chairman; Stevens, Vice Chairman; Boldt; Buck; Carrell; Padden and Patterson.

Minority Report: Do not pass. Signed by 3 members: Representatives Thibaudeau, Ranking Minority Member; Brown, Assistant Ranking Minority Member; and Tokuda.

Staff: David Knutson (786-7146).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Children & Family Services. Signed by 29 members: Representatives Silver, Chairman; Clements, Vice Chairman; Huff, Vice Chairman; Pelesky, Vice Chairman; Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Basich; Beeksmas; Brumsickle; Carlson; Chappell; Cooke; Crouse; Dellwo; Foreman;

Hargrove; Hickel; Jacobsen; Lambert; Lisk; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Talcott; Thibaudeau and Wolfe.

Staff: David Knutson (786-7146).

Background: When a minor runs away from home, law enforcement officers are required to pick up the child and either return the child to the parent's home, or take the child to a crisis residential center, an extended family member, or other responsible adult. If a minor expresses fear at the prospect of returning home, the child will be taken to the nearest crisis residential center. There are very few crisis residential centers operating around Washington state. Crisis residential centers are operated as semi-secure facilities. As such, they cannot stop minors who decide to run away from a crisis residential center. This has frustrated parents and law enforcement who want runaways held in a secure facility where their problems can be assessed and treated in a therapeutic setting. A child who runs away from home is subject to legal sanctions only if the child is the subject of a court order.

Parents can commit their child to substance abuse treatment if the child is under 14 years old and mental health treatment if the child is under 13 years old. If the child is 14 years old or older for substance abuse treatment or 13 years old or older for mental health treatment the child's consent must first be obtained.

Summary of Bill: Crisis residential centers will be operated as secure facilities in a manner to reasonably assure that children placed there do not run away. The Department of Social and Health Services will establish appropriate security requirements by rule for all facilities serving as crisis residential centers to ensure children placed there will not run away. When law enforcement is notified by a court that there is probable cause to believe the child has violated an at-risk youth order or an alternative residential placement order, or the court has issued an order for law enforcement pick up of a child, the child will be picked up and held in a secure juvenile detention facility. Persons who harbor runaways and do not report to a law enforcement agency will be guilty of a gross misdemeanor. Parents will be allowed to commit their child to a substance abuse or mental health facility without the child's consent. The age at which children can give their consent to substance abuse or mental health treatment is standardized at 14 years of age. A parent and the parent's insurance carrier are not liable for substance abuse or mental health treatment for the parent's child unless the parent gives his or her consent to the treatment. Parents may appeal a decision not to provide their child with substance abuse or mental health treatment.

If a juvenile runs away from home twice in a 12-month period, the Department of Licensing will suspend his or her driving privileges for 90 days.

If a court finds a juvenile has run away three times in a 12-month period, the court may, on a parent's request, order the juvenile detained for up to six months in a secure facility or other court ordered treatment program.

Local school districts will establish community truancy boards. The boards will seek to improve school attendance of truants.

Counties are authorized to create multidisciplinary teams. The teams will coordinate services for families in conflict or who are experiencing problems with at-risk youth.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on March 7, 1995.

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

Testimony For: (Children & Family Services) Current laws concerning runaways are dangerously out dated and put a child at great risk. The law should help parents retain control over their children and not provide children with extensive rights. Crisis residential centers should be required to keep children from running away through appropriate security provisions. Parents have to kidnap their children and take them out of state in order to provide them treatment for substance abuse or mental health problems in a secure setting.

(Appropriations) None.

Testimony Against: (Children & Family Services) Running away should not be criminalized. Most children running away from home are running away from abuse or neglect. These children need services and support, not incarceration.

(Appropriations) Runaways should not be locked up if they do not have a serious substance abuse or mental health problem. Requiring people who shelter runaways to report to police within four hours could have a chilling effect on overnight youth shelters.

Testified: (Children & Family Services) Representative Michael Carrell, prime sponsor; Representative Cathy Wolfe, prime sponsor; Representative Bill Backlund, sponsor; Representative Lambert, sponsor; Dennis Hedman, Runaway Alliance (father of "Becca") (pro); Brick Wager (pro); Denise Dickenson (pro); Kristi Vanselow, Runaway Alliance (pro); Jeff Smith, Provo Canyon School (pro); Tish Culp (pro); Michelle Hall (pro); Linda Meyer, Teen Hope (con); Heidie Crawford (concerns); Rachel Simpson (concerns); Barbara Ivanov (concerns); Delona Calkins (pro); Jim Theofelis, Youth Care (concerns); Tony Lee, Children's Alliance (con); Anne

O'Leary, Denny Place Youth Shelter (concerns); Jennifer Ahrens (con); Steve Butler (pro); Judi May, Runaway Alliance (pro); Margaret Casey, Washington State Catholic Conference (concerns); Steven Phillips (concerns); Judy Kinney, U-District Youth Center (concerns); Alec Spencer, U-District Youth Center (concerns); Wayne Strombach, Runaway Alliance (pro); Heather Hamilton, Department of Licensing (concerns); Victoria Rumminger, Runaway Alliance (pro); Debbie Davis, Tough Love Parent Support Group (con); Susan Adams, Tough Love Parent Support Group (con); Jim Whittenburg, Lobby for Social Concerns (con); and Carrie Lybecher (concerns).

(Appropriations) Margaret Casey, Washington Catholic Conference (con).