
SUBSTITUTE HOUSE BILL 1417

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Children & Family Services (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)

Read first time 02/22/95.

1 AN ACT Relating to juveniles; amending RCW 13.32A.010, 13.32A.030,
2 13.32A.050, 13.32A.060, 13.32A.065, 13.32A.070, 13.32A.196, 70.96A.095,
3 70.96A.110, 71.34.030, 74.13.032, 74.13.033, and 74.13.034; adding new
4 sections to chapter 13.32A RCW; adding a new section to chapter 46.20
5 RCW; creating a new section; and prescribing penalties.

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

7 **Sec. 1.** RCW 13.32A.010 and 1979 c 155 s 15 are each amended to
8 read as follows:

9 The legislature finds that within any group of people there exists
10 a need for guidelines for acceptable behavior and that, presumptively,
11 experience and maturity are better qualifications for establishing
12 guidelines beneficial to and protective of individual members and the
13 group as a whole than are youth and inexperience. The legislature
14 further finds that it is the right and responsibility of adults to
15 establish laws for the benefit and protection of the society; and that,
16 in the same manner, the right and responsibility for establishing
17 reasonable guidelines for the family unit belongs to the adults within
18 that unit. The legislature reaffirms its position stated in RCW
19 13.34.020 that the family unit is the fundamental resource of American

1 life which should be nurtured and that it should remain intact in the
2 absence of compelling evidence to the contrary.

3 The legislature recognizes that the public is concerned about the
4 growing problem with runaways. The legislature further recognizes that
5 children have run away from home, are substance abusers, or have
6 serious acting out behaviors and their parents have sought help. The
7 legislature recognizes that families with children who are endangering
8 themselves and others by their behavior also need services.

9 The legislature finds that many parents do not know their rights
10 regarding their adolescent children and law enforcement, and parents
11 and courts feel they have insufficient legal recourse for the chronic
12 runaway child who is endangering himself or herself through his or her
13 behavior. The legislature further finds that the juvenile justice
14 reform enacted in 1977 does not adequately protect youth and families
15 and that chronic runaways with substantial problems are left without
16 adequate protection or legal recourse.

17 The legislature further recognizes that for chronic runaways whose
18 behavior puts them in serious danger of harming themselves or others,
19 secure facilities must be provided to assist parents and protect their
20 children. The legislature intends, in chapter . . ., Laws of 1995
21 (this act), to give tools to law enforcement, courts, and parents to
22 keep families together and reunite them whenever possible.

23 The legislature intends to provide for the protection of children
24 who, through their behavior, are endangering themselves. The
25 legislature intends to provide appropriate residential services,
26 including secure facilities, to protect, stabilize, and treat children
27 with serious problems. The legislature further intends to empower
28 parents by providing them with the assistance they require to raise
29 their children.

30 NEW SECTION. Sec. 2. This act may be known and cited as the
31 "Becca bill."

32 **Sec. 3.** RCW 13.32A.030 and 1990 c 276 s 3 are each amended to read
33 as follows:

34 As used in this chapter the following terms have the meanings
35 indicated unless the context clearly requires otherwise:

36 (1) "Department" means the department of social and health
37 services;

1 (2) "Child," "juvenile," and "youth" mean any individual who is
2 under the chronological age of eighteen years;

3 (3) "Parent" means the legal custodian(s) or guardian(s) of a
4 child;

5 (4) "~~((Semi-secure))~~ Secure facility" means any facility, including
6 but not limited to crisis residential centers or specialized foster
7 family homes, operated in a manner to reasonably assure that youth
8 placed there will not run away(~~((: PROVIDED, That such facility shall
9 not be a secure institution or facility as defined by the federal
10 juvenile justice and delinquency prevention act of 1974 (P.L. 93-415;
11 42 U.S.C. Sec. 5634 et seq.) and regulations and clarifying
12 instructions promulgated thereunder. Pursuant to rules established by
13 the department, the facility administrator shall establish reasonable
14 hours for residents to come and go from the facility such that no
15 residents are free to come and go at all hours of the day and night.
16 To prevent residents from taking unreasonable actions, the facility
17 administrator, where appropriate, may condition a resident's leaving
18 the facility upon the resident being accompanied by the administrator
19 or the administrator's designee and the resident may be required to
20 notify the administrator or the administrator's designee of any intent
21 to leave, his or her intended destination, and the probable time of his
22 or her return to the center. The facility administrator shall notify
23 a parent and the appropriate law enforcement agency within four hours
24 of all unauthorized leaves)));~~

25 (5) "At-risk youth" means an individual under the chronological age
26 of eighteen years who:

27 (a) Is absent from home for more than seventy-two consecutive hours
28 without consent of his or her parent;

29 (b) Is beyond the control of his or her parent such that the
30 child's behavior substantially endangers the health, safety, or welfare
31 of the child or any other person; or

32 (c) Has a serious substance abuse problem for which there are no
33 pending criminal charges related to the substance abuse.

34 NEW SECTION. Sec. 4. A new section is added to chapter 13.32A RCW
35 to read as follows:

36 The department shall establish appropriate security requirements
37 for all crisis residential centers. The requirements shall be designed
38 to prevent children from leaving the centers without authorization.

1 Security requirements may include, but not be limited to, locked doors
2 and windows, electronic monitoring bracelets, and perimeter fences or
3 patrols. The crisis residential center administrator shall notify
4 parents and the appropriate law enforcement within four hours of all
5 unauthorized leaves.

6 **Sec. 5.** RCW 13.32A.050 and 1994 sp.s. c 7 s 505 are each amended
7 to read as follows:

8 A law enforcement officer shall take a child into custody:

9 (1) If a law enforcement agency has been contacted by the parent of
10 the child that the child is absent from parental custody without
11 consent; or

12 (2) If a law enforcement officer reasonably believes, considering
13 the child's age, the location, and the time of day, that a child is in
14 circumstances which constitute a danger to the child's safety or that
15 a child is violating a local curfew ordinance; or

16 (3) If an agency legally charged with the supervision of a child
17 has notified a law enforcement agency that the child has run away from
18 placement; or

19 (4) If a law enforcement agency has been notified by the juvenile
20 court that the court finds probable cause exists to believe that the
21 child has violated a court placement order issued pursuant to chapter
22 13.32A RCW or that the court has issued an order for law enforcement
23 pick-up of the child under this chapter.

24 Law enforcement custody shall not extend beyond the amount of time
25 reasonably necessary to transport the child to a destination authorized
26 by law and to place the child at that destination.

27 An officer who takes a child into custody under this section and
28 places the child in a designated crisis residential center shall inform
29 the department of such placement within twenty-four hours.

30 (5) Nothing in this section affects the authority of any political
31 subdivision to make regulations concerning the conduct of minors in
32 public places by ordinance or other local law.

33 (6) If a law enforcement officer receives a report that causes the
34 officer to have reasonable suspicion that a child is being harbored
35 under RCW 13.32A.080 or for other reasons has a reasonable suspicion
36 that a child is being ((unlawfully)) harbored under RCW 13.32A.080, the
37 officer shall remove the child from the custody of the person harboring

1 the child and shall transport the child to one of the locations
2 specified in RCW 13.32A.060.

3 **Sec. 6.** RCW 13.32A.060 and 1994 sp.s. c 7 s 506 are each amended
4 to read as follows:

5 (1) An officer taking a child into custody under RCW 13.32A.050 (1)
6 or (2) shall inform the child of the reason for such custody and shall
7 either:

8 (a) Transport the child to his or her home. The officer releasing
9 a child into the custody of the parent shall inform the parent of the
10 reason for the taking of the child into custody and shall inform the
11 child and the parent of the nature and location of appropriate services
12 available in their community; or

13 (b) Take the child to the home of an (~~adult~~) extended family
14 member, a designated crisis residential center, or the home of a
15 responsible adult after attempting to notify the parent or legal
16 guardian:

17 (i) If the child expresses fear or distress at the prospect of
18 being returned to his or her home which leads the officer to believe
19 there is a possibility that the child is experiencing in the home some
20 type of child abuse or neglect, as defined in RCW 26.44.020, as now law
21 or hereafter amended; or

22 (ii) If it is not practical to transport the child to his or her
23 home; or

24 (iii) If there is no parent available to accept custody of the
25 child.

26 The officer releasing a child into the custody of an extended
27 family member or a responsible adult shall inform the child and the
28 extended family member or responsible adult of the nature and location
29 of appropriate services available in the community.

30 (2) An officer taking a child into custody under RCW 13.32A.050 (3)
31 or (4) shall inform the child of the reason for custody(~~and~~). An
32 officer taking a child into custody under RCW 13.32A.050(3) shall take
33 the child to a designated crisis residential center licensed by the
34 department and established pursuant to chapter 74.13 RCW. (~~However,~~)
35 An officer taking a child into custody under RCW 13.32A.050(4) (~~may~~)
36 shall place the child in a juvenile detention facility as provided in
37 RCW 13.32A.065. The department shall ensure that all the enforcement
38 authorities are informed on a regular basis as to the location of the

1 designated crisis residential center or centers in their judicial
2 district, where children taken into custody under RCW 13.32A.050 may be
3 taken.

4 (3) "Extended family members" means an adult who is a grandparent,
5 brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin
6 with whom the child has a relationship and is comfortable, and who is
7 willing and available to care for the child.

8 **Sec. 7.** RCW 13.32A.065 and 1981 c 298 s 4 are each amended to read
9 as follows:

10 (1) A child (~~may~~) shall be placed in detention after being taken
11 into custody pursuant to RCW 13.32A.050(4). The court shall hold a
12 detention review hearing within twenty-four hours, excluding Saturdays,
13 Sundays, and holidays. The court shall release the child after twenty-
14 four hours, excluding Saturdays, Sundays, and holidays, unless:

15 (a) A motion and order to show why the child should not be held in
16 contempt has been filed and served on the child at or before the
17 detention hearing; and

18 (b) The court believes that the child would not appear at a hearing
19 on contempt.

20 (2) If the court orders the child to remain in detention, the court
21 shall set the matter for a hearing on contempt within seventy-two
22 hours, excluding Saturdays, Sundays, and holidays.

23 **Sec. 8.** RCW 13.32A.070 and 1986 c 288 s 2 are each amended to read
24 as follows:

25 (1) Except when expressly required otherwise in this chapter, an
26 officer taking a child into custody under RCW 13.32A.050 may, at his or
27 her discretion, transport the child to the home of a responsible adult
28 who is other than the child's parent or extended family member where
29 the officer reasonably believes that the child will be provided with
30 adequate care and supervision and that the child will remain in the
31 custody of such adult until such time as the department can bring about
32 the child's return home or an alternative residential placement can be
33 agreed to or determined pursuant to this chapter. An officer placing
34 a child with a responsible adult other than his or her parent or
35 extended family member shall immediately notify the department's local
36 community service office of this fact and of the reason for taking the
37 child into custody.

1 (2) A law enforcement officer acting in good faith pursuant to this
2 chapter in failing to take a child into custody, in taking a child into
3 custody, or in releasing a child to a person other than a parent or
4 extended family member of such child is immune from civil or criminal
5 liability for such action.

6 (3) A person other than a parent of such child who receives a child
7 pursuant to this chapter and who acts reasonably and in good faith in
8 doing so is immune from civil or criminal liability for the act of
9 receiving such child. Such immunity does not release such person from
10 liability under any other law including the laws regulating licensed
11 child care and prohibiting child abuse.

12 (4) As used in this section, "extended family member" has the
13 meaning prescribed in RCW 13.32A.060.

14 NEW SECTION. Sec. 9. A new section is added to chapter 13.32A RCW
15 to read as follows:

16 (1) Any person who, without legal authorization, provides shelter
17 to a minor and who knows at the time of providing the shelter that the
18 minor is away from the parent's home without the permission of the
19 parent, shall promptly report the location of the child to a local law
20 enforcement agency. The report may be made by telephone or any other
21 reasonable means.

22 (2) Unless the context clearly requires otherwise, the definitions
23 in this subsection apply throughout this section.

24 (a) "Shelter" means the person's home or any structure over which
25 the person has any control.

26 (b) "Promptly report" means to report within four hours after the
27 person has knowledge that the minor is away from home without parental
28 permission.

29 (c) "Parent" means any parent having legal custody of the child,
30 whether individually or joint.

31 (3) Violation of this section is a gross misdemeanor.

32 NEW SECTION. Sec. 10. A new section is added to chapter 46.20 RCW
33 to read as follows:

34 When the department of licensing is provided with a notice under
35 section 11 of this act, the department shall suspend for ninety days
36 all driving privileges of the juvenile identified in the notice. To
37 the extent it may be required to provide due process, the department

1 may adopt rules to provide the juvenile with an opportunity to
2 challenge the notice.

3 NEW SECTION. **Sec. 11.** A new section is added to chapter 13.32A
4 RCW to read as follows:

5 When petitioned to do so by a parent, the department shall
6 determine whether the parent's child has, on two or more occasions
7 within a twelve-month period, been absent from home for more than
8 seventy-two consecutive hours without parental consent. If the
9 department finds that the child has and also that the child has a
10 Washington state driver's license, then the department shall provide a
11 notice of its findings to the department of licensing which shall
12 suspend the child's driver's license as provided in section 10 of this
13 act. The twelve-month period shall be the twelve-calendar-month period
14 immediately before the month in which the department receives the
15 petition. The department shall develop procedures for verifying
16 absences and if requested by either a parent or child shall conduct a
17 hearing on the question of whether the absences have occurred.

18 **Sec. 12.** RCW 13.32A.196 and 1991 c 364 s 14 are each amended to
19 read as follows:

20 (1) At the dispositional hearing regarding an adjudicated at-risk
21 youth, the court shall consider the recommendations of the parties and
22 the recommendations of any dispositional plan submitted by the
23 department. The court may enter a dispositional order that will assist
24 the parent in maintaining the care, custody, and control of the child
25 and assist the family to resolve family conflicts or problems.

26 (2) The court may set conditions of supervision for the child that
27 include:

28 (a) Regular school attendance;

29 (b) Counseling;

30 (c) Participation in a substance abuse treatment program;

31 (d) Reporting on a regular basis to the department or any other
32 designated person or agency; and

33 (e) Any other condition the court deems an appropriate condition of
34 supervision.

35 However, if the court finds that the child, on three or more
36 occasions within a twelve-month period, has been absent from home for
37 more than seventy-two consecutive hours without the consent of his or

1 her parent, then the court shall order that the child be detained for
2 a period of up to six months in a secure facility or other court-
3 ordered treatment program. The twelve-month period shall be the
4 twelve-calendar-month period immediately before the month in which the
5 disposition hearing commences.

6 (3) No dispositional order or condition of supervision ordered by
7 a court pursuant to this section shall include involuntary commitment
8 of a child for substance abuse or mental health treatment.

9 (4) The court may order the parent to participate in counseling
10 services or any other services for the child requiring parental
11 participation. The parent shall cooperate with the court-ordered case
12 plan and shall take necessary steps to help implement the case plan.
13 The parent shall be financially responsible for costs related to the
14 court-ordered plan; however, this requirement shall not affect the
15 eligibility of the parent or child for public assistance or other
16 benefits to which the parent or child may otherwise be entitled. The
17 parent may request dismissal of an at-risk youth proceeding at any time
18 and upon such a request, the court shall dismiss the matter and cease
19 court supervision of the child unless a contempt action is pending in
20 the case. The court may retain jurisdiction over the matter for the
21 purpose of concluding any pending contempt proceedings, including the
22 full satisfaction of any penalties imposed as a result of a contempt
23 finding.

24 (5) The court may order the department to monitor compliance with
25 the dispositional order, assist in coordinating the provision of court-
26 ordered services, and submit reports at subsequent review hearings
27 regarding the status of the case.

28 **Sec. 13.** RCW 70.96A.095 and 1991 c 364 s 9 are each amended to
29 read as follows:

30 (1) Any person (~~fourteen~~) thirteen years of age or older may give
31 consent for himself or herself to the furnishing of counseling, care,
32 treatment, or rehabilitation by a treatment program or by any person.
33 Consent of the parent, parents, or legal guardian of a person less than
34 eighteen years of age is not necessary to authorize the care, except
35 that the person shall not become a resident of the treatment program
36 without such permission except as provided in RCW 70.96A.120 or
37 70.96A.140. The parent, parents, or legal guardian of a person less
38 than eighteen years of age are not liable for payment of care for such

1 persons pursuant to this chapter, unless they have joined in the
2 consent to the counseling, care, treatment, or rehabilitation.

3 (2) The parent of any minor may apply to an approved treatment
4 program for the admission of the minor for purposes authorized in this
5 chapter. The consent of the minor shall not be required for the
6 application or admission. The approved treatment program shall accept
7 the application as if it were submitted voluntarily by the minor. The
8 ability of a parent to apply to an approved treatment program for the
9 involuntary admission of his or her child does not create any right to
10 this treatment or to obtain or benefit from any public funds or
11 resources.

12 **Sec. 14.** RCW 70.96A.110 and 1990 c 151 s 7 are each amended to
13 read as follows:

14 (1) An alcoholic or other drug addict may apply for voluntary
15 treatment directly to an approved treatment program. If the proposed
16 patient is ((~~a minor or~~)) an incompetent person, he or she, a parent,
17 a legal guardian, or other legal representative may make the
18 application. If the proposed patient is a minor, a parent, a legal
19 guardian, or other legal representative may make the application.

20 (2) Subject to rules adopted by the secretary, the administrator in
21 charge of an approved treatment program may determine who shall be
22 admitted for treatment. If a person is refused admission to an
23 approved treatment program, the administrator, subject to rules adopted
24 by the secretary, shall refer the person to another approved treatment
25 program for treatment if possible and appropriate.

26 (3) If a patient receiving inpatient care leaves an approved
27 treatment program, he or she shall be encouraged to consent to
28 appropriate outpatient treatment. If it appears to the administrator
29 in charge of the treatment program that the patient is an alcoholic or
30 other drug addict who requires help, the department may arrange for
31 assistance in obtaining supportive services and residential programs.

32 (4) If a patient leaves an approved public treatment program, with
33 or against the advice of the administrator in charge of the program,
34 the department may make reasonable provisions for his or her
35 transportation to another program or to his or her home. If the
36 patient has no home he or she should be assisted in obtaining shelter.
37 If the patient is less than ((~~fourteen~~)) eighteen years of age or an
38 incompetent person the request for discharge from an inpatient program

1 shall be made by a parent, legal guardian, or other legal
2 representative or by the (~~minor or~~) incompetent if he or she was the
3 original applicant.

4 **Sec. 15.** RCW 71.34.030 and 1985 c 354 s 3 are each amended to read
5 as follows:

6 (1) Any minor thirteen years or older may request and receive
7 outpatient treatment without the consent of the minor's parent.
8 Parental authorization is required for outpatient treatment of a minor
9 under the age of thirteen.

10 (2) When in the judgment of the professional person in charge of an
11 evaluation and treatment facility there is reason to believe that a
12 minor is in need of inpatient treatment because of a mental disorder,
13 and the facility provides the type of evaluation and treatment needed
14 by the minor, and it is not feasible to treat the minor in any less
15 restrictive setting or the minor's home, the minor may be admitted to
16 an evaluation and treatment facility in accordance with the following
17 requirements:

18 (~~(a) (A minor under thirteen years of age may only be admitted on
19 the application of the minor's parent.~~

20 (~~(b))~~) A minor (~~(thirteen years or older)~~) may be voluntarily
21 admitted by application of the parent. (~~(Such application must be
22 accompanied by the written consent, knowingly and voluntarily given, of
23 the minor.)~~) The consent of the minor is not required.

24 (~~(c))~~) (b) A minor thirteen years or older may, with the
25 concurrence of the professional person in charge of an evaluation and
26 treatment facility, admit himself or herself without parental consent
27 to the evaluation and treatment facility, provided that notice is given
28 by the facility to the minor's parent in accordance with the following
29 requirements:

30 (i) Notice of the minor's admission shall be in the form most
31 likely to reach the parent within twenty-four hours of the minor's
32 voluntary admission and shall advise the parent that the minor has been
33 admitted to inpatient treatment; the location and telephone number of
34 the facility providing such treatment; and the name of a professional
35 person on the staff of the facility providing treatment who is
36 designated to discuss the minor's need for inpatient treatment with the
37 parent.

1 (ii) The minor shall be released to the parent at the parent's
2 request for release unless the facility files a petition with the
3 superior court of the county in which treatment is being provided
4 setting forth the basis for the facility's belief that the minor is in
5 need of inpatient treatment and that release would constitute a threat
6 to the minor's health or safety.

7 (iii) The petition shall be signed by the professional person in
8 charge of the facility or that person's designee.

9 (iv) The parent may apply to the court for separate counsel to
10 represent the parent if the parent cannot afford counsel.

11 (v) There shall be a hearing on the petition, which shall be held
12 within three judicial days from the filing of the petition.

13 (vi) The hearing shall be conducted by a judge, court commissioner,
14 or licensed attorney designated by the superior court as a hearing
15 officer for such hearing. The hearing may be held at the treatment
16 facility.

17 (vii) At such hearing, the facility must demonstrate by a
18 preponderance of the evidence presented at the hearing that the minor
19 is in need of inpatient treatment and that release would constitute a
20 threat to the minor's health or safety. The hearing shall not be
21 conducted using the rules of evidence, and the admission or exclusion
22 of evidence sought to be presented shall be within the exercise of
23 sound discretion by the judicial officer conducting the hearing.

24 ~~((d))~~ (c) Written renewal of voluntary consent must be obtained
25 from the applicant ~~((and the minor thirteen years or older))~~ no less
26 than once every twelve months.

27 ~~((e))~~ (d) The minor's need for continued inpatient treatments
28 shall be reviewed and documented no less than every one hundred eighty
29 days.

30 (3) A notice of intent to leave shall result in the following:

31 (a) Any minor under the age of thirteen must be discharged
32 immediately upon written request of the parent.

33 (b) Any minor thirteen years or older voluntarily admitted may give
34 notice of intent to leave at any time. The notice need not follow any
35 specific form so long as it is written and the intent of the minor can
36 be discerned.

37 (c) The staff member receiving the notice shall date it
38 immediately, record its existence in the minor's clinical record, and

1 send copies of it to the minor's attorney, if any, the county-
2 designated mental health professional, and the parent.

3 (d) The professional person in charge of the evaluation and
4 treatment facility shall discharge the minor, thirteen years or older,
5 from the facility within twenty-four hours after receipt of the minor's
6 notice of intent to leave, unless the county-designated mental health
7 professional or a parent or legal guardian files a petition or an
8 application for initial detention within the time prescribed by this
9 chapter.

10 (4) The ability of a parent to apply for treatment of his or her
11 child under this section does not create a right to obtain this
12 treatment or to obtain or benefit from any public funds or resources.

13 **Sec. 16.** RCW 74.13.032 and 1979 c 155 s 78 are each amended to
14 read as follows:

15 (1) The department shall establish, by contracts with private
16 vendors, not less than eight regional crisis residential centers, which
17 shall be structured group care facilities licensed under rules adopted
18 by the department. Each regional center shall have an average of at
19 least four adult staff members and in no event less than three adult
20 staff members to every eight children. The staff shall be trained so
21 that they may effectively counsel juveniles admitted to the centers,
22 provide treatment, supervision, and structure to the juveniles, and
23 carry out the responsibilities outlined in RCW 13.32A.090.

24 (2) The department shall, in addition to the regional facilities
25 established under subsection (1) of this section, establish not less
26 than thirty additional crisis residential centers pursuant to contract
27 with licensed private group care or specialized foster home facilities.
28 The department may also locate crisis residential centers in or
29 adjacent to secure juvenile detention facilities operated by the
30 county. Where a center is located in or adjacent to a secure juvenile
31 detention facility, the center shall be operated in a manner that
32 prevents in-person contact between the residents of the center and the
33 persons held in such facility. The staff at the facilities shall be
34 trained so that they may effectively counsel juveniles admitted to the
35 centers, provide treatment, supervision, and structure to the
36 juveniles, and carry out the responsibilities stated in RCW 13.32A.090.
37 The responsibilities stated in RCW 13.32A.090 may, in any of the
38 centers, be carried out by the department.

1 Crisis residential (~~facilities~~) centers shall be operated as
2 (~~semi-secure~~) secure facilities.

3 **Sec. 17.** RCW 74.13.033 and 1992 c 205 s 213 are each amended to
4 read as follows:

5 (1) If a resident of a center becomes by his or her behavior
6 disruptive to the facility's program, such resident may be immediately
7 removed to a separate area within the facility and counseled on an
8 individual basis until such time as the child regains his or her
9 composure. The department may set rules and regulations establishing
10 additional procedures for dealing with severely disruptive children on
11 the premises, (~~which procedures are consistent with the federal~~
12 ~~juvenile justice and delinquency prevention act of 1974 and regulations~~
13 ~~and clarifying instructions promulgated thereunder~~). Nothing in this
14 section shall prohibit a center from referring any child who, as the
15 result of a mental or emotional disorder, or intoxication by alcohol or
16 other drugs, is suicidal, seriously assaultive or seriously destructive
17 toward others, or otherwise similarly evidences an immediate need for
18 emergency medical evaluation and possible care, for evaluation pursuant
19 to chapter 71.34 RCW (~~or~~), to a mental health professional pursuant
20 to chapter 71.05 RCW, or to a chemical dependency specialist pursuant
21 to chapter 70.96A RCW whenever such action is deemed appropriate and
22 consistent with law.

23 (2) When the juvenile resides in this facility, all services deemed
24 necessary to the juvenile's reentry to normal family life shall be made
25 available to the juvenile as required by chapter 13.32A RCW. In
26 providing these services, the facility shall:

27 (a) Interview the juvenile as soon as possible;

28 (b) Contact the juvenile's parents and arrange for a counseling
29 interview with the juvenile and his or her parents as soon as possible;

30 (c) Conduct counseling interviews with the juvenile and his or her
31 parents, to the end that resolution of the child/parent conflict is
32 attained and the child is returned home as soon as possible; and

33 (d) Provide additional crisis counseling as needed, to the end that
34 placement of the child in the crisis residential center will be
35 required for the shortest time possible, but not to exceed five
36 consecutive days.

37 (3) A juvenile taking unauthorized leave from this residence
38 (~~may~~) shall be apprehended and returned to it by law enforcement

1 officers or other persons designated as having this authority as
2 provided in RCW 13.32A.050. If returned to the facility after having
3 taken unauthorized leave for a period of more than twenty-four hours a
4 juvenile (~~may~~) shall be supervised by such a facility for a period,
5 pursuant to this chapter, which, unless where otherwise provided, may
6 not exceed five consecutive days on the premises. Costs of housing
7 juveniles admitted to crisis residential centers shall be assumed by
8 the department for a period not to exceed five consecutive days.

9 **Sec. 18.** RCW 74.13.034 and 1992 c 205 s 214 are each amended to
10 read as follows:

11 (1) A child taken into custody and taken to a crisis residential
12 center established pursuant to RCW 74.13.032(2) may, if the center is
13 unable to provide appropriate treatment, supervision, and structure to
14 the child, be taken at department expense to another crisis residential
15 center or the nearest regional crisis residential center. Placement in
16 both centers shall not exceed five consecutive days from the point of
17 intake as provided in RCW 13.32A.130.

18 (2) A child taken into custody and taken to a crisis residential
19 center established by this chapter may be placed physically by the
20 department or the department's designee and, at departmental expense
21 and approval, in a secure juvenile detention facility operated by the
22 county in which the center is located for a maximum of forty-eight
23 hours, including Saturdays, Sundays, and holidays, if the child has
24 taken unauthorized leave from the center and the person in charge of
25 the center determines that the center cannot provide supervision and
26 structure adequate to ensure that the child will not again take
27 unauthorized leave. Juveniles placed in such a facility pursuant to
28 this section may not, to the extent possible, come in contact with
29 alleged or convicted juvenile or adult offenders.

30 (3) Any child placed in secure detention pursuant to this section
31 shall, during the period of confinement, be provided with appropriate
32 treatment by the department or the department's designee, which shall
33 include the services defined in RCW 74.13.033(2). If the child placed
34 in secure detention is not returned home or if an alternative living
35 arrangement agreeable to the parent and the child is not made within
36 twenty-four hours after the child's admission, the child shall be taken
37 at the department's expense to a crisis residential center. Placement
38 in the crisis residential center or centers plus placement in juvenile

1 detention shall not exceed five consecutive days from the point of
2 intake as provided in RCW 13.32A.130.

3 (4) (~~Juvenile detention facilities used pursuant to this section~~
4 ~~shall first be certified by the department to ensure that juveniles~~
5 ~~placed in the facility pursuant to this section are provided with~~
6 ~~living conditions suitable to the well being of the child. Where space~~
7 ~~is available, juvenile courts, when certified by the department to do~~
8 ~~so, shall provide secure placement for juveniles pursuant to this~~
9 ~~section, at department expense.~~

10 (5)) It is the intent of the legislature that by July 1, 1982,
11 crisis residential centers, supplemented by community mental health
12 programs and mental health professionals, will be able to respond
13 appropriately to children admitted to centers under this chapter and
14 will be able to respond to the needs of such children with appropriate
15 treatment, supervision, and structure.

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