

HOUSE BILL REPORT

SHB 1820

As Passed House:

February 12, 2004

Title: An act relating to the provision of shelter to a minor.

Brief Description: Changing provisions concerning youth shelter notification to parents about runaway youth.

Sponsors: By House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Pettigrew, Kagi, Santos and Kenney).

Brief History:

Committee Activity:

Juvenile Justice & Family Law: 2/18/03, 2/27/03 [DPS].

Floor Activity:

Passed House: 3/13/03, 92-4.

Floor Activity:

Passed House: 2/12/04, 84-10.

Brief Summary of Substitute Bill

- Specifies that a professional at a youth shelter or organization who provides shelter to a runaway must report to the Department of Social and Health Services, within 24 hours, the minor's name and the fact that the minor has made contact with the shelter or organization.
- Provides that the Department of Social and Health Services shall not release information about the location of the minor or the identity of the shelter for 48 hours after receiving a report from a shelter or organization.

HOUSE COMMITTEE ON JUVENILE JUSTICE & FAMILY LAW

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Dickerson, Chair; Pettigrew, Vice Chair; Delvin, Ranking Minority Member; Carrell, Eickmeyer, Hinkle and Upthegrove.

Staff: Trudes Tango Hutcheson (786-7384).

Background:

When a minor has run away from home without permission, the Family Reconciliation Act has procedures to help return the child to the parent or get appropriate assistance. One of those procedures requires the reporting of the location of a runaway minor.

Any person who provides shelter to a minor, without legal authorization, knowing at the time that the minor is away from the parent's home without permission, must promptly report the location of the minor to: (a) the parent; (b) the law enforcement agency; or (c) the Department of Social and Health Services (DSHS).

"Promptly report" means that the report must be made within eight hours after the person has knowledge that the minor is away from home without permission. The report may be made by telephone or any other reasonable means. When the department receives a report, it shall make a good faith attempt to notify the parent that a report has been received and offer services designed to resolve any conflict and reunify the family.

The administrative rules governing licensing requirements for overnight youth shelters define an "overnight youth shelter" as a licensed facility operated by a nonprofit agency that provides overnight shelter to homeless or runaway youth and does not provide residential care during daytime hours.

Summary of Substitute Bill:

The eight hour reporting requirement applicable to persons providing shelter to a runaway minor without legal authorization is changed to provide different requirements for youth shelters and other organizations.

A professional, or the professional's designee, employed by a licensed overnight youth shelter or organization whose stated mission is to provide services to homeless or runaway youth and their families, who, without legal authorization, provides shelter to a minor and knows at the time of providing shelter that the minor is away from a lawfully prescribed residence or home without the parent's permission, shall report to the DSHS the name of the minor and the fact that the minor has made contact with the shelter or organization. The report to the DSHS must be made within 24 hours after the shelter or organization has actual knowledge that the minor is away from a lawfully prescribed residence or home without parental permission.

The DSHS must make a good faith attempt to immediately notify the parent that a report has been received. If the report is from a shelter or organization, the DSHS shall not release information about the location of the child or the identify of the shelter or organization for 48 hours from the time the department receives the report.

Language is added to make it explicit that, except for the provision applying to reports to the DSHS from shelters or organizations, nothing in the statute prohibits any person

from immediately reporting the identity and location of any minor more promptly than required by law.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill will give kids some time to defuse and debrief. It will give the shelter workers and the runaway time to identify a strategy to help the youth. It will result in higher success rates for reunification. Requiring a report within eight hours does not give the shelter's staff enough time to develop trust with the youth. The child needs time to feel comfortable with the staff. Runaways are scared to go into youth centers because they don't want to be reported. Utilization of shelters have dropped. The eight hour reporting is a barrier for kids to use youth shelters. The main goal should be keeping kids safe and they are more likely to be safe if they feel comfortable going to a service provider. Shelters have a reputation with kids of "turning in" runaways. They will stay on the streets because they don't want to be reported.

Testimony Against: None.

Testified: (In support) Representative Pettigrew, prime sponsor; Dante Nightshade; David Drake, Risk Learning Center; Mary Shaw, City of Seattle; JoAnna Edwards, The Shelter; Elaine Simons, Peace for the Streets by Kids from the Streets; Jennifer Eloh, Teen Hope; John Foreman; Anna Trombley and Amanda Shaman, University Youth Shelter; Seth Dauth and Curtis Knopf, YouthCare; and Robert Cohee, Heidi Potter, and Brittany Davenport, Cocoon House.