

# HOUSE BILL REPORT

## HB 1660

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**As Reported by House Committee On:**  
Early Learning & Human Services

**Title:** An act relating to reporting information related to racial disproportionality in child welfare.

**Brief Description:** Reporting information related to racial disproportionality in child welfare.

**Sponsors:** Representatives Ortiz-Self, Taylor, Reed, Doglio, Ramel, Scott, Parshley and Simmons.

**Brief History:**

**Committee Activity:**

Early Learning & Human Services: 2/12/25, 2/18/25 [DPS].

**Brief Summary of Substitute Bill**

- Requires that the Department of Children, Youth, and Families submit a biennial report beginning September 1, 2026, to the Governor and the Legislature that provides data regarding racial disproportionality in child welfare and recommendations to address that disproportionality.

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### HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Bernbaum, Dent, Goodman, Hill, Ortiz-Self and Taylor.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Burnett, Assistant Ranking Minority Member; Penner.

**Staff:** Luke Wickham (786-7146).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

## **Background:**

### *Child Protective Services.*

When the Department of Children, Youth, and Families (DCYF) receives a report of child abuse or neglect that meets the minimum requirements, the report will be assigned to either be investigated by Child Protective Services (CPS) or receive a Family Assessment Response (FAR). Reports that include a potential crime against a child are sent to law enforcement.

The FAR response is an alternate response for low to moderate risk allegations that supports families without making a finding of child abuse or neglect.

Child Protective Services cases can remain open for families to receive voluntary services where families work with a caseworker to develop a case plan and participate in evidence-based in-home or community-based services to build on family strengths and increase protective factors. Voluntary services are available to families upon request and will be recommended by CPS for families experiencing high-risk circumstances.

### *Child Welfare (Dependency) Court Proceedings.*

Anyone, including the DCYF, may file a petition in court alleging that a child should be a dependent of the state due to abandonment, abuse, or neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child. These petitions must be verified and contain a statement of facts that constitute a dependency, as well as the names and residence of the parents, if known.

When a child is taken into custody, the court is to hold a shelter care hearing within 72 hours. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the dependency case is being resolved.

If a court finds the need to maintain a child out of the home, the shelter care status remains until a dependency fact-finding hearing is held or the parties enter an agreed order of dependency. The fact-finding hearing must be held within 75 days after the filing of the petition, unless exceptional reasons for a continuance are found.

If a court determines that a child is dependent, the court will hold a dispositional hearing to determine whether the child may remain in the home or should be removed from the home and be cared for by a relative, other suitable person, or the DCYF. The child may only be placed out of the parent's care if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal, that prevention services have been offered or provided, and that:

- there is no parent or guardian available to care for the child;
- the parent, guardian, or legal custodian is not willing to take custody of the child; or
- the court finds by clear, cogent, and convincing evidence that a manifest danger exists and the child will suffer serious abuse or neglect if the child is not removed from the

home.

Following a fact-finding and dispositional hearing, the court will conduct periodic reviews and make determinations regarding the child's placement, the provision of services by the DCYF, compliance of the parents, and whether progress has been made by the parents.

Under certain circumstances, after a child has been removed from the custody of a parent for at least six months pursuant to a finding of dependency, a petition may be filed seeking termination of parental rights. The court must order the DCYF to file a petition seeking termination of parental rights if the child has been in out-of-home care for 15 of the last 22 months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate.

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### **Summary of Substitute Bill:**

The Department of Children, Youth, and Families (DCYF) must submit a biennial report beginning September 1, 2026, to the Governor and the Legislature that provides data regarding racial disproportionality in child welfare and recommendations to address that disproportionality.

The report must include the following information from at least the last five years of available information, disaggregated by race:

- child abuse and neglect intakes received by the DCYF and intakes that screen in for investigation where physical or sexual abuse are listed as allegations;
- child abuse and neglect intakes received by the DCYF and intakes that screen in for investigation where neglect is the primary allegation;
- the number of child abuse and neglect intakes received by the DCYF that screen in and the DCYF offers a family assessment response;
- families that receive a referral for prevention services from the DCYF;
- families who receive prevention services;
- the length of time that children spend as dependent, in foster care, with relatives, in group care, with a parent or guardian while dependent, or in other placements;
- placement and outcome information including the number of children who reunify with a parent or guardian, the number of children who are placed with a relative, and the number of placements experienced by a dependent youth;
- the number of families for which the DCYF receives more than one child abuse and neglect intake;
- the number of child abuse and neglect intakes received by the DCYF that screen in for investigation for children who are dependent while those children are in out-of-home care; and
- employees of the DCYF separated by job classification highlighting leadership and supervisory positions separately.

The report must also include:

- efforts taken by the DCYF to address racial disproportionality in child welfare;
- outcome measures used by the DCYF to gauge improvement in addressing racial disproportionality in child welfare;
- recommendations regarding policy, practice, or funding changes that could reduce racial disproportionality in child welfare; and
- updates from the assessment oversight group within the DCYF regarding monitoring the use of assessments, approving the selection of new tools, and coordinating assessment tools that are related to racial disproportionality in child welfare.

### **Substitute Bill Compared to Original Bill:**

The substitute bill modifies information that the Department of Children, Youth, and Families (DCYF) must include in its report of information from at least the last five years of available information that is disaggregated by race to add:

- placement and outcome information including the number of children who reunify with a parent or guardian, the number of children who are placed with a relative, and the number of placements experienced by children who are dependent;
- the number of families for which the DCYF receives more than one child abuse and neglect intake; and
- the number of child abuse and neglect intakes received by the DCYF that screen in for investigation for children who are dependent while those children are in out-of-home care.

The substitute bill removes the following components of the report described above:

- the number of children who are dependent who receive a guardian, a guardianship, or who receive a guardian appointed by a tribal court; and
- updates on implementing the child welfare redesign.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

### **Staff Summary of Public Testimony:**

(In support) From the inception of our child welfare system there has been a disparity in the racial makeup of the children impacted by that system. No black or brown child should be involved in this system at a higher rate than children of other racial backgrounds and should not be subjected to that system for longer time periods.

It was one of the top five goals of creating the Department of Children, Youth, and Families (DCYF) to end the disparity that exists.

A report by the DCYF indicated that children of color enter the child welfare system at a rate five times higher than others. The report also found that children of color tend to be in poverty, there tend to be higher referrals into the child welfare system, and there are fewer families that want to adopt them.

In our public education system, there is a Legislative Education Opportunity Gap and Accountability Committee, which focuses on the disparity that exists in our school system and provides a report, so that legislators can then address those issues. This is needed for the child welfare system.

We need to know what is working and what is not working in order to address this disparity. The child welfare system should be used to keep children safe but we should not be removing children of different races at higher rates.

This bill is intended to address the racial disproportionality that was identified by the DCYF.

Native American children have the highest disproportionality in child welfare.

Families of color are overrepresented in the child welfare system. To change this we need comprehensive data, a way to measure progress, and solutions. This aligns with DCYF's vision to improve racial disproportionality.

Juvenile justice should be included in this reporting along with reunification data.

Greater transparency is needed to identify gaps and solutions to address racial disproportionality in child welfare. Holding child welfare agencies accountable to provide this information is essential.

This is not just the responsibility of the DCYF. A few additional data points should be added regarding early childhood courts, termination of parental rights, and maltreatment of children in care. By incorporating these additional data points the state will be better able to address disproportionality in child welfare.

(Opposed) None.

**Persons Testifying:** Representative Lillian Ortiz-Self, prime sponsor; Kim Justice, Partners for Our Children; Shrounda Selivanoff, Washington State Office of Public Defense; Brett Ballew, Washington State Office of Public Defense; and Brett Ballew, Washington State Office of Public Defense.

**Persons Signed In To Testify But Not Testifying:** None.