

RCW 26.44.050 Abuse or neglect of child—Duty of law enforcement agency or department of children, youth, and families—Taking child into custody without court order, when. (1) Except as provided in RCW 26.44.030(12), upon the receipt of a report alleging that abuse or neglect has occurred, the law enforcement agency or the department must investigate and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

(2) A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that taking the child into custody is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, and the child would be seriously injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child. [2024 c 328 s 105; 2021 c 211 s 5; 2020 c 71 s 1; 2017 3rd sp.s. c 6 s 324; 2012 c 259 s 5; 1999 c 176 s 33. Prior: 1987 c 450 s 7; 1987 c 206 s 5; 1984 c 97 s 5; 1981 c 164 s 3; 1977 ex.s. c 291 s 51; 1977 ex.s. c 80 s 28; 1975 1st ex.s. c 217 s 5; 1971 ex.s. c 302 s 15; 1969 ex.s. c 35 s 5; 1965 c 13 s 5.]

Findings—Intent—2024 c 328: See note following RCW 13.34.050.

Effective date—Short title—Finding—Intent—2021 c 211: See notes following RCW 13.34.040.

Effective date—2017 3rd sp.s. c 6 ss 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Effective date—2012 c 259 ss 1 and 3-10: See note following RCW 26.44.020.

Findings—Purpose—Severability—Conflict with federal requirements—1999 c 176: See notes following RCW 74.34.005.

Effective dates—Severability—1977 ex.s. c 291: See notes following RCW 13.04.005.

Purpose—Intent—Severability—1977 ex.s. c 80: See notes following RCW 4.16.190.

Severability—1971 ex.s. c 302: See note following RCW 9.41.010.