

HOUSE BILL REPORT

E2SSB 5439

As Reported By House Committee On:

Children & Family Services

Title: An act relating to revising procedures for nonoffender at-risk youth and their families.

Brief Description: Revising procedures for nonoffender at-risk youth and their families.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Hargrove, Long, Franklin, Smith, Schow, Owen, Moyer, Oke, Strannigan, Gaspard, Snyder, Heavey, Haugen, Rasmussen, Quigley, Wojahn, Loveland, Bauer, Winsley, Deccio, Spanel, Hale, Hochstatter and Palmer).

Brief History:

Committee Activity:

Children & Family Services: 3/24/95, 3/30/95 [DPA].

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: Do pass as amended. Signed by 9 members: Representatives Cooke, Chairman; Lambert, Vice Chairman; Stevens, Vice Chairman; Thibaudeau, Ranking Minority Member; Brown, Assistant Ranking Minority Member; Boldt; Buck; Carrell and Tokuda.

Staff: David Knutson (786-7146).

Background: A Special Legislative Juvenile Justice Task Force was created by the Legislature in 1994. The task force was directed to review the juvenile justice laws and recommend changes to those laws to the 1995 Legislature. The Non-Offender Subgroup of the Task Force made recommendations covering four main subject areas including runaway youth, alternative residential placements, involuntary commitment of minors, and youth who are truant or have dropped out of school. Those recommendations were the basis of this legislation.

Summary of Amended 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 a 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 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.

Amended Bill Compared to Engrossed Second Substitute Bill: The committee striking amendment deletes the language of E2SSB 5439 as passed the Senate and adds the provisions of E2SHB 1417 as passed the House of Representatives. The provisions related to perimeter secure crisis residential centers are deleted. The addition of a Child In Need of Services legal process is deleted. Penalties for school districts that fail to enforce truancy laws are deleted.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The Legislature needs to take strong action to support parents as they attempt to raise their children. The mistakes made in the 1977 Juvenile Justice Act must be corrected.

Testimony Against: Secure detention of runaways should only be used as a last resort. There are no sufficient long-term placements for troubled youth. If they cannot go back home where will they go? Runaways should not be held in secure facilities. The penalties for harboring runaways may discourage youth shelters from caring for these youth.

Testified: Senator Jim Hargrove, prime sponsor (pro); Senator Jeanne Kohl (concerns); Christine Gregoire, Attorney General; Judge Alan Hancock, Superior Court Judge; Jennifer Strus, Department of Social and Health Services; Bernadine Spalla, Youth Help Association (con); Victoria Wagnor, Youth Care (con); Julie Bonsteel, Puget South Coalition for Residential Services and Faith Homes (mostly con); Mary Ann Murphy, Juvenile Justice - National and State Advisory Council; Linda Vaughan, Northwest Youth Services (con); Peter Berliner, Children's Alliance (con); J.D. Ward, University Presbyterian Church; Greg Stone, University Presbyterian Church; and John Kramme, Tacoma Public Schools.