
HOUSE BILL 2675

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53rd Legislature

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By Representatives Schoesler, Sheahan, Bray, Talcott, Ballasiotes, Cooke, Brumsickle, McMorris and Padden

Read first time 01/19/94. Referred to Committee on Human Services.

1 AN ACT Relating to runaway children; amending RCW 13.32A.060,
2 13.32A.130, and 13.32A.250; adding a new section to chapter 74.13 RCW;
3 adding a new section to chapter 43.101 RCW; and prescribing penalties.

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

5 **Sec. 1.** RCW 13.32A.060 and 1985 c 257 s 8 are each amended to read
6 as follows:

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

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

15 (b) Take the child to a designated crisis residential center or the
16 home of a responsible adult:

17 (i) ~~((If the child evinces fear or distress at the prospect of
18 being returned to his or her home; or~~

1 ~~(ii))~~) If the officer believes there is a possibility that the
2 child is experiencing in the home some type of child abuse or neglect,
3 as defined in RCW 26.44.020, as now law or hereafter amended; or

4 ~~((iii))~~) (ii) If it is not practical to transport the child to his
5 or her home; or

6 ~~((iv))~~) (iii) If there is no parent available to accept custody of
7 the child.

8 ~~((The officer releasing a child into the custody of a responsible
9 adult shall inform the child and the responsible adult of the nature
10 and location of appropriate services available in the community.))~~)

11 (2) An officer taking a child into custody under RCW 13.32A.050 (3)
12 or (4) shall inform the child of the reason for custody, and shall take
13 the child to a designated crisis residential center licensed by the
14 department and established pursuant to chapter 74.13 RCW. However, an
15 officer taking a child into custody under RCW 13.32A.050(4) may place
16 the child in a juvenile detention facility as provided in RCW
17 13.32A.065. The department shall ensure that all the enforcement
18 authorities are informed on a regular basis as to the location of the
19 designated crisis residential center or centers in their judicial
20 district, where children taken into custody under RCW 13.32A.050 may be
21 taken.

22 **Sec. 2.** RCW 13.32A.130 and 1992 c 205 s 206 are each amended to
23 read as follows:

24 A child admitted to a crisis residential center under this chapter
25 who is not returned to the home of his or her parent or who is not
26 placed in an alternative residential placement under an agreement
27 between the parent and child, shall, except as provided for by RCW
28 13.32A.140 and 13.32A.160(2), reside in ~~((such))~~ the placement under
29 the rules ~~((and regulations))~~ established for the center for a period
30 not to exceed five consecutive days from the time of intake, except as
31 otherwise provided by this chapter. Crisis residential center staff
32 shall make a concerted effort to achieve a reconciliation of the
33 family. If a reconciliation and voluntary return of the child has not
34 been achieved within forty-eight hours from the time of intake, and if
35 the person in charge of the center does not consider it likely that
36 reconciliation will be achieved within the five-day period, then the
37 person in charge shall inform the parent and child of (1) the
38 availability of counseling services; (2) the right to file a petition

1 for an alternative residential placement, the right of a parent to file
2 an at-risk youth petition, and the right of the parent and child to
3 obtain assistance in filing the petition; and (3) the right to request
4 a review of any alternative residential placement(~~(: PROVIDED, That)~~).
5 However, at no time shall information regarding a parent's or child's
6 rights be withheld if requested(~~(: PROVIDED FURTHER, That)~~). However,
7 the department shall develop and distribute to all law enforcement
8 agencies and to each crisis residential center administrator a written
9 statement delineating ((~~such~~)) the services and rights. Every officer
10 taking a child into custody shall provide the child and his or her
11 parent(s) ((~~or responsible adult with whom the child is placed~~)) with
12 a copy of ((~~such~~)) the statement. In addition, the administrator of
13 the facility or his or her designee shall provide every resident and
14 parent with a copy of ((~~such~~)) the statement.

15 **Sec. 3.** RCW 13.32A.250 and 1990 c 276 s 16 are each amended to
16 read as follows:

17 (1) In all alternative residential placement proceedings and at-
18 risk youth proceedings, the court shall verbally notify the parents and
19 the child of the possibility of a finding of contempt for failure to
20 comply with the terms of a court order entered pursuant to this
21 chapter. The court shall treat the parents and the child equally for
22 the purposes of applying contempt of court processes and penalties
23 under this section.

24 (2) Failure by a party to comply with an order entered under this
25 chapter is a contempt of court as provided in chapter 7.21 RCW, subject
26 to the limitations of subsection ((~~+2~~)) (3) of this section.

27 (3) The court may impose a fine of up to one hundred dollars and
28 imprisonment for up to seven days, or both for contempt of court under
29 this section.

30 (4) A child imprisoned for contempt under this section shall be
31 imprisoned only in a secure juvenile detention facility operated by or
32 pursuant to a contract with a county.

33 (5) A motion for contempt may be made by a parent, a child,
34 juvenile court personnel, or by any public agency, organization, or
35 person having custody of the child under a court order adopted pursuant
36 to this chapter.

37 (6) In addition to the penalties provided in this section, for the
38 first violation the court shall revoke the child's privilege to drive

1 for ninety days after the day the juvenile turns sixteen or ninety days
2 after the judgment was entered, whichever is later. For the second and
3 subsequent violations the child may not petition the court for
4 reinstatement of the privilege to drive until the date the juvenile
5 turns seventeen or one year after the date judgment was entered,
6 whichever is later.

7 NEW SECTION. Sec. 4. A new section is added to chapter 74.13 RCW
8 to read as follows:

9 The department of social and health services shall maintain a toll-
10 free hotline to assist parents of runaway children. The hotline shall
11 provide parents with a complete description of their rights when
12 dealing with their runaway child.

13 NEW SECTION. Sec. 5. A new section is added to chapter 43.101 RCW
14 to read as follows:

15 The criminal justice training commission shall ensure that every
16 law enforcement agency in the state has an accurate and up-to-date
17 policy manual describing the statutes relating to juvenile runaways.

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