

SENATE BILL REPORT

ESHB 2752

As Reported by Senate Committee On:
Human Services & Corrections, February 25, 2010

Title: An act relating to the safety of runaway youth.

Brief Description: Modifying provisions relating to providing shelter to a minor.

Sponsors: House Committee on Early Learning & Children's Services (originally sponsored by Representatives Dickerson, Orwall, Walsh, Goodman, Kagi, Roberts, Pedersen, Green, Santos and Nelson).

Brief History: Passed House: 2/16/10, 95-3.

Committee Activity: Human Services & Corrections: 2/23/10, 2/25/10 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Kauffman and McAuliffe.

Staff: Jennifer Strus (786-7316)

Background: Any person providing shelter to a minor who knows the youth is absent from home without parental permission is required to notify the youth's parent, law enforcement, or the Department of Social and Health Services (DSHS) of the youth's location within eight hours of becoming aware that the youth is away from home without permission.

Summary of Bill (Recommended Amendments): Licensed youth shelters or licensed organizations whose stated purpose is to provide services to homeless or runaway youth and their families must comply with the following notice requirements when providing services to a youth who is known to be away from home without permission.

Within 72 hours, and preferably within 24 hours, shelter or organization staff must notify the youth's parent of the whereabouts of the youth, a description of the youth's physical and emotional condition, and the circumstances surrounding the youth's contact with the shelter or organization. If there are compelling reasons not to notify a parent, including but not limited to the potential the child will be subjected to child abuse or neglect, the shelter or organization must instead provide the information to DSHS. After learning that the youth is

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a runaway, the shelter/organization staff must consult public information on runaways maintained by the Washington State Patrol (WSP) at least once every eight hours. If the youth has been reported as missing, the shelter/organization must immediately notify DSHS of its contact with the youth. The provisions expire on July 1, 2012.

A private right of action on behalf of the parent is created against an unlicensed youth shelter or runaway and homeless youth program who does not meet the eight-hour notification provisions in current law.

At the request of the parent making a runaway report, WSP can make that report publicly available.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Amendments): Licensed shelters or organizations have up to 72 hours to notify parents that they have provided services to their child. Shelter/organization staff must consult the public information on runaways provided by WSP every eight hours. These provisions expire on July 1, 2012. A private right of action created on behalf of the parent is created against unlicensed youth shelters and runaway and homeless youth programs who do not meet the eight-hour notification requirement in current law.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Engrossed Substitute House Bill: PRO: Competition for youth on the streets are predators. Parents do need to know where their children are but also want to make sure they are safe. Seventy-two hours is a good time period because relationships in the shelter have been established and the staff have a better opportunity to figure out what the issues are with the youth. Some youth do not want their parents to know where they are right away because they feel ashamed of what has happened. Youth shelters provide a safety net that competes with predators out there trying to take advantage of youth on the street. This bill would allow youth shelters the time to make a difference. Eight hours is a very short period of time to work with youth—often they come to the shelter and they are hungry, tired, scared, and staff need a bit more time with them. It is not unusual to have youth leave the shelter once they are informed that staff must call their parents within eight hours.

Persons Testifying: PRO: Jim Theofelis, Mockingbird Society; Jason Kovacs, Children and Youth Legislative Advocacy Clinic at the UW; Melinda Giovengo, Youth Care; Charles Shelan, Community Youth Services.