

SENATE BILL REPORT

SB 5147

As Passed Senate, January 30, 2013

Title: An act relating to juveniles and runaway children.

Brief Description: Concerning juveniles and runaway children.

Sponsors: Senators Hargrove, Carrell, Hewitt, Darneille and Shin.

Brief History:

Committee Activity: Human Services & Corrections: 1/24/13 [DP].
Passed Senate: 1/30/13, 49-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Carrell, Chair; Pearson, Vice Chair; Darneille, Ranking Member; Hargrove and Padden.

Staff: Joan Miller (786-7784)

Background: Any person providing shelter to a minor who knows that the youth is absent from home without parental permission must 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. A previous version of this bill, ESHB 2752, passed in 2010 with a sunset date, and its provisions expired on July 1, 2012.

Summary of Bill: Licensed overnight 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 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 parents 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 the parent, including but not limited to the possibility that the minor will be subjected to child abuse or neglect, the shelter or organization must instead notify DSHS.

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- After learning that the minor is a runaway, the shelter or organization staff must consult the information made publicly available by the Washington State Patrol (WSP) at least once every eight hours.
- If the WSP indicates that the youth is reported as missing, the shelter or organization staff must immediately notify DSHS of its contact with the youth.

No person, unlicensed youth shelter, or runaway and homeless youth program is prohibited from immediately reporting the identity or location of any minor who is away from home without parental permission.

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: PRO: When the 72-hour notification rule was in effect, it provided enough time for shelter staff to work together with both youth and their parents. The 72-hour time frame provided a safe space for minors while shelter staff attempted to reunite the family. In one case, it took more than eight hours for shelter staff to convince a minor to allow them to contact his father. Because 72 hours provides for a cooling down period, this particular minor was ultimately reunited with his father. In another case, the shelter had to turn away a minor because staff could not reach his parents within eight hours. If a minor is turned away from a shelter, then that minor is less likely to return to the shelter, leaving him vulnerable to predators on the street.

Persons Testifying: PRO: Jim Theofelis, The Mockingbird Society; Terry Pottmeyer, Friends of Youth; Cassie Franklin, Cocoon House.