
Children, Youth & Families Committee

2SSB 5327

Brief Description: Creating a confidential youth safety and well-being tip line.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Brown, Frockt, Lovelett, Rivers, Short, Warnick and Wellman).

Brief Summary of Second Substitute Bill

- Requires the Attorney General (AGO) to establish a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth less than 25 years old, called the Youth Empowered to Speak-Up tip line operated by a vendor selected by the AGO.

Hearing Date: 3/11/21

Staff: Luke Wickham (786-7146).

Background:

Youth Safety and Well-being Statewide Reporting Tool Work Group.

The Washington State Office of the Attorney General (AGO) convened a Youth Safety and Well-being Statewide Reporting Tool Work Group (work group) focused on making recommendations for the implementation of a statewide 24-hour hotline or mobile application for receiving reports related to youth safety and well-being, including but not limited to, potential self-harm or criminal acts.

The work group convened four official meetings in 2019 and 2020 and researched tip line programs in Arizona, Michigan, Colorado, Idaho, Nevada, Oregon, Utah, Wisconsin, and Wyoming, and perspectives were shared from all states with tip line programs by participating in

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monthly national tip line conference calls. The work group also solicited youth-led organizations across the state to provide their perspectives.

The work group issued a final report last summer recommending that a tip line should be implemented in Washington State to support youth safety and well-being. The report also recommended that:

- methods of accessing the program should include as many mediums of communication as possible;
- the program should prioritize integration and collaboration with relevant service providers;
- the identity of the person submitting a tip should be kept confidential with a process to breach confidentiality if there is a specific threat to life;
- anonymous tips should be accepted;
- the program management and oversight of the tip line must be performed by an agency with expertise, capacity, and experience necessary to operate the program effectively, and the AGO is well suited to lead the management and oversight of the program;
- an entity operating a 24-hour, seven-day-per-week crisis line should operate the program;
- youth perspectives should be sought out and elevated through the planning and implementation of the program;
- initial funding should be provided for a minimum of four years and additional funding provided after reassessing the needs of the program;
- a robust training and marketing campaign must be sufficiently funded to ensure that residents of the state are made aware of the program;
- any third parties contracted to perform work must obtain and maintain sufficient insurance coverage indemnifying and holding harmless the state and its agencies and employees in any claims, damages, or expenses arising from negligent or intentional acts or omissions while operating the program; and
- before contracting out the program operations, priority must be given to represented government employees to perform the work.

Summary of Second Substitute Bill:

Youth Empowered to Speak-Up Tip Line.

The AGO is required, subject to amounts appropriated for this purpose, to establish a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth less than 25 years old, called the Youth Empowered to Speak-Up (YES) tip line. The YES tip line must be operated by a vendor selected by the AGO. Any person contacting the YES tip line must receive timely assistance and not be turned away.

Youth Empowered to Speak-Up Tip Line Advisory Committee.

The AGO is required to convene an advisory committee during the development and implementation of the YES tip line consisting of representatives from:

- the Washington State Patrol;
- the Department of Health;
- the Office of the Superintendent of Public Instruction;

- the Washington Student Achievement Council;
- the Washington Association of Educational Service Districts (ESD); and
- other participants the AGO appoints.

Youth perspectives must be included and consulted in creating marketing campaigns and materials for the YES tip line, and the insights of youth representing marginalized and minority communities must be prioritized.

Youth Empowered to Speak-Up Tip Line Procedures.

The AGO is required to develop and implement processes for:

- assessing tips based on the severity and urgency level that includes identification of circumstances requiring law enforcement, mental health, or other first responder notification and other referral or follow-up procedures;
- information data retention and reporting; and
- systematic review of tip line data, including equitable implementation of the tip line across the state.

The AGO is required to ensure that the YES tip line personnel are trained in certain areas.

The YES tip line program must:

- develop and maintain a reference and best practices tool kit for law enforcement and mental health officials; and
- promote and market the program and the YES tip line to youth, families, community members, schools, and others statewide.

Youth Empowered to Speak-Up Tip Line Request for Proposal.

The AGO is required to develop and issue a request for proposals to identify and select a qualified vendor to operate the YES tip line. State and local jurisdictions may submit a proposal to operate the YES tip line.

The YES tip line vendor must:

- comply with state contracting rules and certain confidentiality rules described below;
- directly integrate service providers to allow for a warm transfer of a caller to a service provider;
- collaborate with the ESDs and postsecondary education sectors to determine how to implement the YES tip line and how schools and institutions will respond when tips are referred. Teams at each school and institution must be identified and trained by the YES tip line vendor;
- use as many methods of communication and information formats as possible; and
- be staffed with sufficient personnel and technical capacity to meet the needs for timely assistance to persons who contact the YES tip line for assistance 24 hours a day, 365 days a year.

Youth Empowered to Speak-Up Tip Line Confidentiality.

The identity of a person submitting a tip is confidential, except:

- as necessary by the:
 - vendor and its employees performing their duties to address reports and information received; and
 - AGO, law enforcement, the Health Care Authority (HCA), and community mental health service programs performing their authorized duties except to identify the person who submitted the report to the YES tip line;
- with the permission of the subject of the information or, if the subject is a minor, with the permission of the minor and their parent or guardian; or
- pursuant to a court order described below.

A person who is charged with a criminal offense as a result of a YES tip line contact may petition the court for disclosure of the information, including personally identifiable information of the contact. The person must notify the prosecutor and the AGO of the petition at least seven days before the hearing, and the prosecutor and AGO may appear in the proceedings.

The court must review the YES tip line information in chambers outside of the petitioner's presence. If the court determines that the information is relevant to the criminal proceedings and essential to a fair trial, the court may order disclosure of all or some of the information.

If the prosecutor reasonably believes that the YES tip line information was falsely provided, the prosecutor may petition the court to disclose the information after notifying the AGO at least seven days before the hearing, and the AGO may appear at this hearing. If the court determines a reasonable basis exists to believe the information was falsely provided, the court may order disclosure of all or some of the information.

Anonymous tips will be accepted by the YES tip line.

The identity of the person submitting a tip and the individual who is the subject of the tip are not subject to public records disclosure.

A person who intentionally discloses the YES tip line information to another person in violation of the law is guilty of a misdemeanor.

If the tip provided to the YES tip line does not result in a service referral or if law enforcement concludes that no action is warranted, the name of the tip's subject must be expunged.

Annual Report.

The AGO, in consultation with the HCA and the vendor, is required to file a report by July 31st of each year with the Governor, the Senate, and the House of Representatives with information and analysis related to the YES tip line.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.