

HOUSE BILL REPORT

2SSB 5327

As Reported by House Committee On:
Children, Youth & Families

Title: An act relating to a confidential youth safety and well-being tip line.

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 History:

Committee Activity:

Children, Youth & Families: 3/11/21, 3/24/21 [DPA].

**Brief Summary of Second Substitute Bill
(As Amended By Committee)**

- Requires the Children and Youth Behavioral Health Work Group to convene a youth safety and well-being statewide reporting tool advisory group to review the youth safety and well-being statewide reporting tool work group report completed by the Attorney General's Office and provide a report to the Legislature and the Governor by November 1, 2022, that includes recommendations regarding a youth safety and well-being tip line.

HOUSE COMMITTEE ON CHILDREN, YOUTH & FAMILIES

Majority Report: Do pass as amended. Signed by 7 members: Representatives Senn, Chair; Harris-Talley, Vice Chair; Rule, Vice Chair; Callan, Goodman, Ortiz-Self and Wicks.

Minority Report: Do not pass. Signed by 6 members: Representatives Dent, Ranking Minority Member; Chase, Assistant Ranking Minority Member; McCaslin, Assistant

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Ranking Minority Member; Eslick, Klippert and Young.

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 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 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.

Children and Youth Behavioral Health Work Group.

In 2016 the Children's Behavioral Health Work Group was created by the Legislature. The group was renamed in 2018 as the Children and Youth Behavioral Health Work Group (CYBHWG) and extended through 2026.

The CYBHWG has a variety of members including legislative members, representatives from various state agencies, representatives from behavioral health organizations, parents, pediatricians, and youth.

In 2020 the CYBHWG produced a report with recommendations to the Legislature developed through four advisory groups in the following areas:

- prenatal to age 5 relational health;
- workforce and rates;
- student behavioral health and suicide prevention; and
- youth and young adult continuum of care.

Summary of Amended Bill:

The CYBHWG must convene a youth safety and well-being statewide reporting tool advisory group (Advisory Group) to review the work group report completed by the AGO.

The Advisory Group must first determine how a new youth safety and well-being reporting tool would increase youth access to services, and if the Advisory Group finds that creation of a new youth safety and well-being reporting tool is needed to increase youth access to services, the Advisory Group shall consider specified elements related to reporting tool implementation.

The CYBHWG must submit a report to the Governor and the appropriate committees of the Legislature by November 1, 2022, that details the review required above and includes recommendations regarding a youth safety and well-being tip line (tip line) based on that review.

Amended Bill Compared to Second Substitute Bill:

The amended bill replaces the creation of the tip line with a requirement that the CYBHWG convene an Advisory Group to review the work group report completed by the AGO.

The amended bill requires the Advisory Group to first determine how a new youth safety and well-being reporting tool would increase youth access to services, and if the Advisory

Group finds that creation of a new youth safety and well-being reporting tool is needed to increase youth access to services, the Advisory Group shall consider certain elements related to reporting tool implementation.

The amended bill requires that the CYBHWG submit a report to the Governor and the appropriate committees of the Legislature by November 1, 2022, that details the review required above and includes recommendations regarding a tip line based on that review.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This particular bill came from a person who struggled with suicidal ideation. A number of other states, including Michigan, have a mobile application that allows individuals to make reports related to youth safety. The Michigan population base is similar to Washington at about 7 million people. Michigan is saving lives because of this tip line and mobile application.

Often obstacles are identified to difficult issues, while this bill offers a solution provided by a constituent to a difficult issue. If this program saves one life, it will be a success.

Young people are struggling right now.

Other states found that the mobile application format really resonated with the demographic that the program is attempting to serve.

Now more than ever, youth need an easy, confidential way to report youth safety issues. Youth have experienced increased mental health disorders and suicide during the COVID-19 pandemic (pandemic). Youth suicide is preventable, and one suicide is too many. There are usually warning signs for youth violence. When silence is stopped, the violence is stopped, and it save lives.

One key element of a tip line's success is confidentiality. This bill strikes the right balance between confidentiality and breaching that confidentiality in a criminal case.

Tip volumes have been down during the pandemic, but the severity of the issues presented during the calls has increased dramatically.

(Opposed) There is a concern from parents that there may be episodes of youthful exuberance or anger that reach out to this system and then are charged with a criminal offense for false reporting. There is also a concern about the records of these reports and about stolen data and data breaches within the Washington state government.

(Other) Section 6 improperly prevents giving information to individuals accused of a crime. There is also concern about purported false tips. These false tips only account for four-tenths of 4 percent of the calls in other states. This ability to prosecute false tips may have a chilling effect on individuals making tips.

Persons Testifying: (In support) Senator Brown, prime sponsor; Kirk Williamson, Benton-Franklin Community Health Alliance; Tanya Aggar, Washington State Parent Teacher Association; and Jimmie Chastain.

(Opposed) Margaret Lee.

(Other) Kendrick Washington, American Civil Liberties Union of Washington.

Persons Signed In To Testify But Not Testifying: None.