

SENATE BILL REPORT

SB 5327

As of January 28, 2021

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: Senators Brown, Frockt, Lovelett, Rivers, Short, Warnick and Wellman.

Brief History:

Committee Activity: Health & Long Term Care: 1/27/21 [w/oRec-BH].

Behavioral Health Subcommittee to Health & Long Term Care: 1/29/21.

Brief Summary of Bill

- Requires the Attorney General to establish a YES tip line to receive and respond to tips from the public regarding risks or potential risks to the safety or well-being of youth.
- Creates confidentiality provisions regarding information provided to the YES tip line.
- Directs the Attorney General to create a reference and best practice tool kit for law enforcement and mental health resources that provides statewide and community mental health resource information.

SENATE COMMITTEE ON BEHAVIORAL HEALTH SUBCOMMITTEE TO HEALTH & LONG TERM CARE

Staff: Kevin Black (786-7747)

Background: The Attorney General is the top legal officer for Washington State government. There have been 18 state attorney generals. The Office of the Attorney General serves roughly 200 state agencies, boards, commissions, colleges, and universities, and is the largest public law office in the state.

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.

The Office of the Attorney General employs over 200 attorneys and engages in a broad range of activities which include consumer protection, criminal justice, complex litigation, and environmental law, among many more.

Summary of Bill: Subject to appropriation, the Attorney General must establish, oversee, and administer the YES tip line program to receive and respond to tips from the public regarding risks or potential risks to the safety or well-being of youth. Risks are defined as actions such as, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying, cyberbullying, substance use, and criminal acts. The tip line shall be operated by a vendor selected by the Attorney General, which must use classified state employees if the services were historically provided in that fashion. Persons contacting the YES tip line must receive timely assistance, with a warm transfer to a service provider available. The tip line must use as many methods of communication as possible, including voice calls, email, texts, mobile apps, video imaging, postal mail, and website communications. and be available 24 hours a day, 365 days a year.

The Attorney General must convene an advisory committee with specified membership during development and implementation. Youth perspectives, including youth from marginalized and minority communities, must be included and consulted in the creation of marketing campaigns and materials.

The Attorney General must adopt procedures for triage, risk assessment, threat assessment, training, referral, promotion and marketing, and data retention. The Attorney General must develop a reference and best practices tool kit for law enforcement and mental health officials that identifies statewide and community mental health resources.

Personally identifying information related to a person submitting a tip to the YES tip line is protected from public disclosure. Intentional, inappropriate disclosure of tip information is a misdemeanor offense. The tip line must accept anonymous tips but may breach confidentiality and trace the tip to provide information to first responders if there is a threat to life. Tip information that does not result in a referral to a service provider must be expunged from the records. Tip information is confidential.

A person who is charged with a criminal offense as the result of a YES tip line contact may petition the court for disclosure of tip information, with seven days notice to the prosecutor and Attorney General. The court must review the information in chambers outside the petitioner's presence and may disclose tip information if it is essential to a fair trial. The court may limit the release of the information. A prosecutor may petition for release of tip information if the prosecutor reasonably believed false information was provided to the YES tip line using the same procedure.

A Community Mental Health Safety Fund is created under the control of the Attorney General to pay the costs of the YES tip line program and marketing. The Attorney General

may apply for grants and donations from the public and private entities for the YES tip line. The Attorney General must report annually to the Governor and Legislature about the activities, costs, and expenditures of the YES tip line.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Requested on January 26, 2021.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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