

**2SHB 1436** - S COMM AMD

By Committee on Human Services, Mental Health & Housing

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** Creation of subchapter. Sections 3  
4 through 9 of this act are each added to chapter 43.330 RCW and  
5 codified with the subchapter heading of "homeless youth prevention  
6 and protection act."

7 NEW SECTION. **Sec. 2.** Short title. This act may be known and  
8 cited as the "homeless youth prevention and protection act."

9 NEW SECTION. **Sec. 3.** Definitions. The definitions in this  
10 section apply throughout this subchapter unless the context clearly  
11 requires otherwise.

12 (1) "Child," "juvenile," "youth," and "minor" means any  
13 unemancipated individual who is under the chronological age of  
14 eighteen years.

15 (2) "Homeless" means without a fixed, regular, and adequate  
16 nighttime residence as set forth in the federal McKinney-Vento  
17 homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482,  
18 and runaway and homeless youth act, P.L. 93-415, Title III, September  
19 7, 1974, 88 Stat. 1129.

20 (3) "Runaway" means an unmarried and unemancipated minor who is  
21 absent from the home of a parent or guardian or other lawful  
22 placement without the consent of the parent, guardian, or lawful  
23 custodian.

24 (4) "Street youth" means a person under the age of eighteen who  
25 lives outdoors or in another unsafe location not intended for  
26 occupancy by the minor and who is not residing with his or her parent  
27 or at his or her legally authorized residence.

28 (5) "Unaccompanied" means a youth or young adult experiencing  
29 homelessness while not in the physical custody of a parent or  
30 guardian.

1 (6) "Young adult" means a person between eighteen and twenty-four  
2 years of age.

3 NEW SECTION. **Sec. 4.** Legislative findings. (1) The legislature  
4 finds that every night thousands of homeless youth in Washington go  
5 to sleep without the safety, stability, and support of a family or a  
6 home. This population is exposed to an increased level of violence,  
7 human trafficking, and exploitation resulting in a higher incidence  
8 of substance abuse, illness, and death. The prevention and reduction  
9 of youth and young adult homelessness and protection of homeless  
10 youth is of key concern to the state. Nothing in chapter ..., Laws of  
11 2015 (this act) is meant to diminish the work accomplished by the  
12 implementation of Becca legislation but rather, the intent of the  
13 legislature is to further enhance the state's efforts in working with  
14 unaccompanied homeless youth and runaways to encourage family  
15 reconciliation or permanent housing and support through dependency  
16 when family reconciliation is not a viable alternative.

17 (2) Successfully addressing youth and young adult homelessness  
18 ensures that homeless youth and young adults in our state have the  
19 support they need to thrive and avoid involvement in the justice  
20 system, human trafficking, long-term, avoidable use of public  
21 benefits, and extended adult homelessness.

22 (3) Providing appropriate, relevant, and readily accessible  
23 services is critical for addressing one-time, episodic, or longer-  
24 term homelessness among youth and young adults, and keeping homeless  
25 youth and young adults safe, housed, and connected to family.

26 (4) The coordination of statewide programs to combat youth and  
27 young adult homelessness should include programs addressing both  
28 youth and young adults. However, the legislature acknowledges that  
29 current law and best practices mandate that youth programs and young  
30 adult programs be segregated in their implementation. The legislature  
31 further finds that the differing needs of these populations should be  
32 considered when assessing which programs are relevant and  
33 appropriate.

34 (5) To successfully reduce and prevent youth and young adult  
35 homelessness, it is the goal of the legislature to have the following  
36 key components available and accessible:

37 (a) Stable housing: It is the goal of the legislature to provide  
38 a safe and healthy place for homeless youth to sleep each night until  
39 permanency can be reached. Every homeless young adult in our state

1 deserves access to housing that gives them a safe, healthy, and  
2 supported launching pad to adulthood. Every family in crisis should  
3 have appropriate support as they work to keep their children housed  
4 and safe. It is the goal of the legislature that every homeless youth  
5 discharged from a public system of care in our state will not be  
6 discharged into homelessness.

7 (b) Family reconciliation: All homeless youth should have access  
8 to services that support reunification with immediate family. When  
9 reunification is not possible for homeless youth, youth should be  
10 placed in the custody of the department of social and health  
11 services.

12 (c) Permanent connections: Every homeless young adult should have  
13 opportunities to establish positive, healthy relationships with  
14 adults, including family members, employers, landlords, teachers, and  
15 community members, with whom they can maintain connections and from  
16 whom they can receive ongoing, long-term support to help them develop  
17 the skills and experiences necessary to achieve a successful  
18 transition to adulthood.

19 (d) Education and employment: Every homeless young adult in our  
20 state deserves the opportunity and support they need to complete  
21 their high school education and pursue additional education and  
22 training. It is the goal of the legislature that every homeless young  
23 adult in our state will have the opportunity to engage in employment  
24 training and be able to access employment. With both education and  
25 employment support and opportunities, young adults will have the  
26 skills they need to become self-sufficient, self-reliant, and  
27 independent.

28 (e) Social and emotional well-being: Every homeless youth and  
29 young adult in our state should have access to both behavioral health  
30 care and physical health care. Every state-funded program for  
31 homeless youth and young adults must endeavor to identify, encourage,  
32 and nurture each youth's strengths and abilities and demonstrate a  
33 commitment to youth-centered programming.

34 NEW SECTION. **Sec. 5.** Creation of office of homeless youth  
35 prevention and protection programs. (1) There is created the office  
36 of homeless youth prevention and protection programs within the  
37 department.

38 (2) Activities of the office of homeless youth prevention and  
39 protection programs must be carried out by a director of the office

1 of homeless youth prevention and protection programs, supervised by  
2 the director of the department or his or her designee.

3 (3) The office of homeless youth prevention and protection  
4 programs is responsible for leading efforts under this subchapter to  
5 coordinate a spectrum of ongoing and future funding, policy, and  
6 practice efforts related to homeless youth and improving the safety,  
7 health, and welfare of homeless youth in this state.

8 (4) The measurable goals of the office of homeless youth  
9 prevention and protection programs are to: (a) Measurably decrease  
10 the number of homeless youth and young adults by identifying programs  
11 that address the initial causes of homelessness, and (b) measurably  
12 increase permanency rates among homeless youth by decreasing the  
13 length and occurrences of youth homelessness caused by a youth's  
14 separation from family or a legal guardian.

15 (5) The office of homeless youth prevention and protection  
16 programs shall (a) gather data and outcome measures, (b) initiate  
17 data sharing agreements, (c) develop specific recommendations and  
18 timelines to address funding, policy, and practice gaps within the  
19 state system for addressing the five priority service areas  
20 identified in section 4 of this act, (d) make reports, (e) increase  
21 system integration and coordinate efforts to prevent state systems  
22 from discharging youth and young adults into homelessness, (f)  
23 develop measures to include by county and statewide the number of  
24 homeless youth, dependency status, family reunification status,  
25 housing status, program participation, and runaway status, and (g)  
26 develop a comprehensive plan to encourage identification of youth  
27 experiencing homelessness, promote family stability, and eliminate  
28 youth and young adult homelessness.

29 (6)(a) The office of homeless youth prevention and protection  
30 programs shall regularly consult with an advisory committee,  
31 comprised of advocates, at least two legislators, at least two parent  
32 advocates, at least one representative from law enforcement, service  
33 providers, and other stakeholders knowledgeable in the provision of  
34 services to homeless youth and young adults, including the prevention  
35 of youth and young adult homelessness, the dependency system, and  
36 family reunification, for a total of twelve members. The advisory  
37 committee shall provide guidance and recommendations to the office of  
38 homeless youth prevention and protection programs regarding funding,  
39 policy, and practice gaps within and among state programs.

40 (b) The advisory committee must be staffed by the department.

1 (c) The members of the advisory committee must be appointed by  
2 the governor, except for the legislators who must be appointed by the  
3 speaker of the house of representatives and the president of the  
4 senate.

5 (d) The advisory committee must have its initial meeting no later  
6 than March 1, 2016.

7 (7) The office of homeless youth prevention and protection  
8 programs must be operational no later than January 1, 2016. Transfer  
9 of powers, duties, and functions of the department of social and  
10 health services to the department of commerce pertaining to youth  
11 homeless services and programs identified in section 7(2) of this act  
12 may occur before this date.

13 NEW SECTION. **Sec. 6.** Reporting and data gathering. (1) The  
14 office of homeless youth prevention and protection programs shall  
15 identify data and outcomes measures from which to evaluate future  
16 public investment in homeless youth services.

17 (2) By December 1, 2016, and in compliance with RCW 43.01.036,  
18 the office of homeless youth prevention and protection programs must  
19 submit a report to the governor and the legislature to inform  
20 recommendations for funding, policy, and best practices in the five  
21 priority service areas identified in section 4 of this act and  
22 present recommendations to address funding, policy, and practice gaps  
23 in the state system.

24 (3) Recommendations must include, but are not limited to:  
25 Strategies to enhance coordination between providers of youth  
26 homelessness programs and the child welfare system, and strategies  
27 for communities to identify homeless youth and ensure their  
28 protection and referral to appropriate services, including family  
29 reconciliation and transition to dependent status for minors.

30 NEW SECTION. **Sec. 7.** Authorization for administration of  
31 services and funding through the office of homeless youth prevention  
32 and protection programs. (1)(a) The office of homeless youth  
33 prevention and protection programs shall report to the director or  
34 the director's designee.

35 (b)(i) The office of homeless youth prevention and protection  
36 programs may distribute grants to providers who serve homeless youth  
37 and young adults throughout the state.

1 (ii) The grants must fund services in the five priority service  
2 areas identified in section 4 of this act.

3 (iii) The grants must be expended on a statewide basis and may be  
4 used to support direct services, as well as technical assistance,  
5 evaluation, and capacity building.

6 (2) The office of homeless youth prevention and protection  
7 programs shall provide management and oversight guidance and  
8 direction to the following programs:

9 (a) HOPE centers as described in RCW 74.15.220 (as recodified by  
10 this act);

11 (b) Crisis residential centers as described in RCW 74.13.032 (as  
12 recodified by this act);

13 (c) Street youth services;

14 (d) Independent youth housing programs as described in RCW  
15 43.63A.305.

16 NEW SECTION. **Sec. 8.** (1) The office of homeless youth  
17 prevention and protection programs shall establish a statewide  
18 training program on homeless youth for criminal justice personnel.  
19 The training must include identifying homeless youth, existing laws  
20 governing the intersection of law enforcement and homeless youth, and  
21 best practices for approaching and engaging homeless youth in  
22 appropriate services.

23 (2) The training must be provided where possible by an entity  
24 that has experience in developing coalitions, training, programs, and  
25 policy on homeless youth in Washington.

26 NEW SECTION. **Sec. 9.** The joint legislative audit and review  
27 committee shall conduct a review of state-funded programs that serve  
28 unaccompanied homeless youth under the age of eighteen, including  
29 dependent youth, to determine what performance measures exist, what  
30 statutory reporting requirements exist, and whether there is reliable  
31 data on ages of youth served, length of stay, and effectiveness of  
32 program exit and reentry. Where statutory reporting requirements do  
33 exist, the joint legislative audit and review committee shall review  
34 the programs' compliance with relevant statutory reporting  
35 requirements. The committee shall report on what services are  
36 provided to unaccompanied homeless youth including, but not limited  
37 to: Outreach and other nonshelter services, shelter services, and  
38 family reconciliation. The committee is also to report on the number

1 of unaccompanied homeless youth statewide and by county and city and  
2 how this number is determined. The programs reviewed may include, but  
3 are not limited to, HOPE centers as described in RCW 74.15.220 (as  
4 recodified by this act) and crisis residential centers as described  
5 in RCW 74.13.032 (as recodified by this act).

6 **Sec. 10.** RCW 43.185C.010 and 2009 c 565 s 40 are each reenacted  
7 and amended to read as follows:

8 The definitions in this section apply throughout this chapter  
9 unless the context clearly requires otherwise.

10 (1) "Administrator" means the individual who has the daily  
11 administrative responsibility of a crisis residential center.

12 (2) "Child in need of services petition" means a petition filed  
13 in juvenile court by a parent, child, or the department seeking  
14 adjudication of placement of the child.

15 (3) "Community action agency" means a nonprofit private or public  
16 organization established under the economic opportunity act of 1964.

17 ~~((+2))~~ (4) "Crisis residential center" means a secure or semi-  
18 secure facility established pursuant to chapter 74.13 RCW.

19 (5) "Department" means the department of commerce.

20 ~~((+3))~~ (6) "Director" means the director of the department of  
21 commerce.

22 ~~((+4))~~ (7) "Home security fund account" means the state treasury  
23 account receiving the state's portion of income from revenue from the  
24 sources established by RCW 36.22.179, RCW 36.22.1791, and all other  
25 sources directed to the homeless housing and assistance program.

26 ~~((+5))~~ (8) "Homeless housing grant program" means the vehicle by  
27 which competitive grants are awarded by the department, utilizing  
28 moneys from the home security fund account, to local governments for  
29 programs directly related to housing homeless individuals and  
30 families, addressing the root causes of homelessness, preventing  
31 homelessness, collecting data on homeless individuals, and other  
32 efforts directly related to housing homeless persons.

33 ~~((+6))~~ (9) "Homeless housing plan" means the ten-year plan  
34 developed by the county or other local government to address housing  
35 for homeless persons.

36 ~~((+7))~~ (10) "Homeless housing program" means the program  
37 authorized under this chapter as administered by the department at  
38 the state level and by the local government or its designated  
39 subcontractor at the local level.

1       ~~((+8))~~ (11) "Homeless housing strategic plan" means the ten-year  
2 plan developed by the department, in consultation with the  
3 interagency council on homelessness and the affordable housing  
4 advisory board.

5       ~~((+9))~~ (12) "Homeless person" means an individual living outside  
6 or in a building not meant for human habitation or which they have no  
7 legal right to occupy, in an emergency shelter, or in a temporary  
8 housing program which may include a transitional and supportive  
9 housing program if habitation time limits exist. This definition  
10 includes substance abusers, people with mental illness, and sex  
11 offenders who are homeless.

12       ~~((+10))~~ (13) "HOPE center" means an agency licensed by the  
13 secretary to provide temporary residential placement and other  
14 services to street youth. A street youth may remain in a HOPE center  
15 for thirty days while services are arranged and permanent placement  
16 is coordinated. No street youth may stay longer than thirty days  
17 unless approved by the department and any additional days approved by  
18 the department must be based on the unavailability of a long-term  
19 placement option. A street youth whose parent wants him or her  
20 returned to home may remain in a HOPE center until his or her parent  
21 arranges return of the youth, not longer. All other street youth must  
22 have court approval under chapter 13.34 or 13.32A RCW to remain in a  
23 HOPE center up to thirty days.

24       (14) "Housing authority" means any of the public corporations  
25 created by chapter 35.82 RCW.

26       ~~((+11))~~ (15) "Housing continuum" means the progression of  
27 individuals along a housing-focused continuum with homelessness at  
28 one end and homeownership at the other.

29       ~~((+12))~~ (16) "Interagency council on homelessness" means a  
30 committee appointed by the governor and consisting of, at least,  
31 policy level representatives of the following entities: (a) The  
32 department of commerce; (b) the department of corrections; (c) the  
33 department of social and health services; (d) the department of  
34 veterans affairs; and (e) the department of health.

35       ~~((+13))~~ (17) "Local government" means a county government in the  
36 state of Washington or a city government, if the legislative  
37 authority of the city affirmatively elects to accept the  
38 responsibility for housing homeless persons within its borders.

39       ~~((+14))~~ (18) "Local homeless housing task force" means a  
40 voluntary local committee created to advise a local government on the

1 creation of a local homeless housing plan and participate in a local  
2 homeless housing program. It must include a representative of the  
3 county, a representative of the largest city located within the  
4 county, at least one homeless or formerly homeless person, such other  
5 members as may be required to maintain eligibility for federal  
6 funding related to housing programs and services and if feasible, a  
7 representative of a private nonprofit organization with experience in  
8 low-income housing.

9 ~~((15))~~ (19) "Long-term private or public housing" means  
10 subsidized and unsubsidized rental or owner-occupied housing in which  
11 there is no established time limit for habitation of less than two  
12 years.

13 ~~((16))~~ (20) "Performance measurement" means the process of  
14 comparing specific measures of success against ultimate and interim  
15 goals.

16 ~~((17))~~ (21) "Secure facility" means a crisis residential  
17 center, or portion thereof, that has locking doors, locking windows,  
18 or a secured perimeter, designed and operated to prevent a child from  
19 leaving without permission of the facility staff.

20 (22) "Semi-secure facility" means any facility including, but not  
21 limited to, crisis residential centers or specialized foster family  
22 homes, operated in a manner to reasonably assure that youth placed  
23 there will not run away. Pursuant to rules established by the  
24 department, the facility administrator shall establish reasonable  
25 hours for residents to come and go from the facility such that no  
26 residents are free to come and go at all hours of the day and night.  
27 To prevent residents from taking unreasonable actions, the facility  
28 administrator, where appropriate, may condition a resident's leaving  
29 the facility upon the resident being accompanied by the administrator  
30 or the administrator's designee and the resident may be required to  
31 notify the administrator or the administrator's designee of any  
32 intent to leave, his or her intended destination, and the probable  
33 time of his or her return to the center.

34 (23) "Staff secure facility" means a structured group care  
35 facility licensed under rules adopted by the department of social and  
36 health services with a ratio of at least one adult staff member to  
37 every two children.

38 (24) "Washington homeless census" means an annual statewide  
39 census conducted as a collaborative effort by towns, cities,  
40 counties, community-based organizations, and state agencies, with the

1 technical support and coordination of the department, to count and  
2 collect data on all homeless individuals in Washington.

3 ~~((18))~~ (25) "Washington homeless client management information  
4 system" means a database of information about homeless individuals in  
5 the state used to coordinate resources to assist homeless clients to  
6 obtain and retain housing and reach greater levels of self-  
7 sufficiency or economic independence when appropriate, depending upon  
8 their individual situations.

9 **Sec. 11.** RCW 13.32A.042 and 2000 c 123 s 4 are each amended to  
10 read as follows:

11 (1)(a) The administrator of a crisis residential center may  
12 convene a multidisciplinary team, which is to be locally based and  
13 administered, at the request of a child placed at the center or the  
14 child's parent.

15 (b) If the administrator has reasonable cause to believe that a  
16 child is a child in need of services and the parent is unavailable or  
17 unwilling to continue efforts to maintain the family structure, the  
18 administrator shall immediately convene a multidisciplinary team.

19 (c) A parent may disband a team twenty-four hours, excluding  
20 weekends and holidays, after receiving notice of formation of the  
21 team under (b) of this subsection unless a petition has been filed  
22 under RCW 13.32A.140. If a petition has been filed the parent may not  
23 disband the team until the hearing is held under RCW 13.32A.179. The  
24 court may allow the team to continue if an out-of-home placement is  
25 ordered under RCW 13.32A.179(3). Upon the filing of an at-risk youth  
26 or dependency petition the team shall cease to exist, unless the  
27 parent requests continuation of the team or unless the out-of-home  
28 placement was ordered under RCW 13.32A.179(3).

29 (2) The ~~((secretary))~~ administrator shall request participation  
30 of appropriate state agencies to assist in the coordination and  
31 delivery of services through the multidisciplinary teams. Those  
32 agencies that agree to participate shall provide the secretary all  
33 information necessary to facilitate forming a multidisciplinary team  
34 and the ~~((secretary))~~ administrator shall provide this information to  
35 the administrator of each crisis residential center.

36 (3) ~~((The secretary shall designate within each region a  
37 department employee who shall have responsibility for coordination of  
38 the state response to a request for creation of a multidisciplinary  
39 team. The secretary shall advise the administrator of each crisis~~

1 ~~residential center of the name of the appropriate employee. Upon a~~  
2 ~~request of the administrator to form a multidisciplinary team the~~  
3 ~~employee shall provide a list of the agencies that have agreed to~~  
4 ~~participate in the multidisciplinary team.~~

5 (4)) The administrator shall also seek participation from  
6 representatives of mental health and drug and alcohol treatment  
7 providers as appropriate.

8 ((+5)) (4) A parent shall be advised of the request to form a  
9 multidisciplinary team and may select additional members of the  
10 multidisciplinary team. The parent or child may request any person or  
11 persons to participate including, but not limited to, educators, law  
12 enforcement personnel, court personnel, family therapists, licensed  
13 health care practitioners, social service providers, youth  
14 residential placement providers, other family members, church  
15 representatives, and members of their own community. The  
16 administrator shall assist in obtaining the prompt participation of  
17 persons requested by the parent or child.

18 ((+6)) (5) When an administrator of a crisis residential center  
19 requests the formation of a team, the state agencies must respond as  
20 soon as possible.

21 **Sec. 12.** RCW 13.32A.044 and 2000 c 123 s 5 are each amended to  
22 read as follows:

23 (1) The purpose of the multidisciplinary team is to assist in a  
24 coordinated referral of the family to available social and health-  
25 related services.

26 (2) The team shall have the authority to evaluate the juvenile,  
27 and family members, if appropriate and agreed to by the parent, and  
28 shall:

29 (a) With parental input, develop a plan of appropriate available  
30 services and assist the family in obtaining those services;

31 (b) Make a referral to the designated chemical dependency  
32 specialist or the county designated mental health professional, if  
33 appropriate;

34 (c) Recommend no further intervention because the juvenile and  
35 his or her family have resolved the problem causing the family  
36 conflict; or

37 (d) With the parent's consent, work with them to achieve  
38 reconciliation of the child and family.

1 (3) At the first meeting of the multidisciplinary team, it shall  
2 choose a member to coordinate the team's efforts. The parent member  
3 of the multidisciplinary team must agree with the choice of  
4 coordinator. The team shall meet or communicate as often as necessary  
5 to assist the family.

6 (4) The coordinator of the multidisciplinary team may assist in  
7 filing a child in need of services petition when requested by the  
8 parent or child or an at-risk youth petition when requested by the  
9 parent. The multidisciplinary team shall have no standing as a party  
10 in any action under this title.

11 (5) If the administrator is unable to contact the child's parent,  
12 the multidisciplinary team may be used for assistance. If the parent  
13 has not been contacted within five days the administrator shall  
14 contact the department of social and health services and request the  
15 case be reviewed for a dependency filing under chapter 13.34 RCW.

16 **Sec. 13.** RCW 13.32A.050 and 2000 c 123 s 6 are each amended to  
17 read as follows:

18 (1) A law enforcement officer shall take a child into custody:

19 (a) If a law enforcement agency has been contacted by the parent  
20 of the child that the child is absent from parental custody without  
21 consent; or

22 (b) If a law enforcement officer reasonably believes, considering  
23 the child's age, the location, and the time of day, that a child is  
24 in circumstances which constitute a danger to the child's safety or  
25 that a child is violating a local curfew ordinance; or

26 (c) If an agency legally charged with the supervision of a child  
27 has notified a law enforcement agency that the child has run away  
28 from placement; or

29 (d) If a law enforcement agency has been notified by the juvenile  
30 court that the court finds probable cause exists to believe that the  
31 child has violated a court placement order issued under this chapter  
32 or chapter 13.34 RCW or that the court has issued an order for law  
33 enforcement pick-up of the child under this chapter or chapter 13.34  
34 RCW.

35 (2) Law enforcement custody shall not extend beyond the amount of  
36 time reasonably necessary to transport the child to a destination  
37 authorized by law and to place the child at that destination. Law  
38 enforcement custody continues until the law enforcement officer  
39 transfers custody to a person, agency, or other authorized entity

1 under this chapter, or releases the child because no placement is  
2 available. Transfer of custody is not complete unless the person,  
3 agency, or entity to whom the child is released agrees to accept  
4 custody.

5 (3) If a law enforcement officer takes a child into custody  
6 pursuant to either subsection (1)(a) or (b) of this section and  
7 transports the child to a crisis residential center, the officer  
8 shall, within twenty-four hours of delivering the child to the  
9 center, provide to the center a written report detailing the reasons  
10 the officer took the child into custody. The center shall provide the  
11 department of social and health services with a copy of the officer's  
12 report.

13 (4) If the law enforcement officer who initially takes the  
14 juvenile into custody or the staff of the crisis residential center  
15 have reasonable cause to believe that the child is absent from home  
16 because he or she is abused or neglected, a report shall be made  
17 immediately to the department of social and health services.

18 (5) Nothing in this section affects the authority of any  
19 political subdivision to make regulations concerning the conduct of  
20 minors in public places by ordinance or other local law.

21 (6) If a law enforcement officer has a reasonable suspicion that  
22 a child is being unlawfully harbored in violation of RCW 13.32A.080,  
23 the officer shall remove the child from the custody of the person  
24 harboring the child and shall transport the child to one of the  
25 locations specified in RCW 13.32A.060 (as recodified by this act).

26 (7) No child may be placed in a secure facility except as  
27 provided in this chapter.

28 **Sec. 14.** RCW 13.32A.060 and 2000 c 162 s 11 and 2000 c 123 s 7  
29 are each reenacted and amended to read as follows:

30 (1) An officer taking a child into custody under RCW  
31 13.32A.050(1) (a) or (b) (as recodified by this act) shall inform the  
32 child of the reason for such custody and shall:

33 (a) Transport the child to his or her home or to a parent at his  
34 or her place of employment, if no parent is at home. The parent may  
35 request that the officer take the child to the home of an adult  
36 extended family member, responsible adult, crisis residential center,  
37 the department of social and health services, or a licensed youth  
38 shelter. In responding to the request of the parent, the officer  
39 shall take the child to a requested place which, in the officer's

1 belief, is within a reasonable distance of the parent's home. The  
2 officer releasing a child into the custody of a parent, an adult  
3 extended family member, responsible adult, or a licensed youth  
4 shelter shall inform the person receiving the child of the reason for  
5 taking the child into custody and inform all parties of the nature  
6 and location of appropriate services available in the community; or

7 (b) After attempting to notify the parent, take the child to a  
8 designated crisis residential center's secure facility or a center's  
9 semi-secure facility if a secure facility is full, not available, or  
10 not located within a reasonable distance if:

11 (i) The child expresses fear or distress at the prospect of being  
12 returned to his or her home which leads the officer to believe there  
13 is a possibility that the child is experiencing some type of abuse or  
14 neglect;

15 (ii) It is not practical to transport the child to his or her  
16 home or place of the parent's employment; or

17 (iii) There is no parent available to accept custody of the  
18 child; or

19 (c) After attempting to notify the parent, if a crisis  
20 residential center is full, not available, or not located within a  
21 reasonable distance, request the department of social and health  
22 services to accept custody of the child. If the department of social  
23 and health services determines that an appropriate placement is  
24 currently available, the department of social and health services  
25 shall accept custody and place the child in an out-of-home placement.  
26 Upon accepting custody of a child from the officer, the department of  
27 social and health services may place the child in an out-of-home  
28 placement for up to seventy-two hours, excluding Saturdays, Sundays,  
29 and holidays, without filing a child in need of services petition,  
30 obtaining parental consent, or obtaining an order for placement under  
31 chapter 13.34 RCW. Upon transferring a child to the department(~~s~~)  
32 of social and health services' custody, the officer shall provide  
33 written documentation of the reasons and the statutory basis for  
34 taking the child into custody. If the department of social and health  
35 services declines to accept custody of the child, the officer may  
36 release the child after attempting to take the child to the  
37 following, in the order listed: The home of an adult extended family  
38 member; a responsible adult; or a licensed youth shelter. The officer  
39 shall immediately notify the department of social and health services  
40 if no placement option is available and the child is released.

1 (2) An officer taking a child into custody under RCW  
2 13.32A.050(1) (c) or (d) (as recodified by this act) shall inform the  
3 child of the reason for custody. An officer taking a child into  
4 custody under RCW 13.32A.050(1)(c) (as recodified by this act) may  
5 release the child to the supervising agency, or shall take the child  
6 to a designated crisis residential center's secure facility. If the  
7 secure facility is not available, not located within a reasonable  
8 distance, or full, the officer shall take the child to a semi-secure  
9 crisis residential center. An officer taking a child into custody  
10 under RCW 13.32A.050(1)(d) (as recodified by this act) may place the  
11 child in a juvenile detention facility as provided in RCW 13.32A.065  
12 (as recodified by this act) or a secure facility, except that the  
13 child shall be taken to detention whenever the officer has been  
14 notified that a juvenile court has entered a detention order under  
15 this chapter or chapter 13.34 RCW.

16 (3) Every officer taking a child into custody shall provide the  
17 child and his or her parent or parents or responsible adult with a  
18 copy of the statement specified in RCW 13.32A.130(6) (as recodified  
19 by this act).

20 (4) Whenever an officer transfers custody of a child to a crisis  
21 residential center or the department of social and health services,  
22 the child may reside in the crisis residential center or may be  
23 placed by the department of social and health services in an out-of-  
24 home placement for an aggregate total period of time not to exceed  
25 seventy-two hours excluding Saturdays, Sundays, and holidays.  
26 Thereafter, the child may continue in out-of-home placement only if  
27 the parents have consented, a child in need of services petition has  
28 been filed, or an order for placement has been entered under chapter  
29 13.34 RCW.

30 (5) The department of social and health services shall ensure  
31 that all law enforcement authorities are informed on a regular basis  
32 as to the location of all designated secure and semi-secure  
33 facilities within centers in their jurisdiction, where children taken  
34 into custody under RCW 13.32A.050 (as recodified by this act) may be  
35 taken.

36 **Sec. 15.** RCW 13.32A.065 and 2000 c 162 s 12 and 2000 c 123 s 8  
37 are each reenacted and amended to read as follows:

38 (1) A child may be placed in detention after being taken into  
39 custody pursuant to RCW 13.32A.050(1)(d) (as recodified by this act).

1 The court shall hold a detention review hearing within twenty-four  
2 hours, excluding Saturdays, Sundays, and holidays. The court shall  
3 release the child after twenty-four hours, excluding Saturdays,  
4 Sundays, and holidays, unless:

5 (a) A motion and order to show why the child should not be held  
6 in contempt has been filed and served on the child at or before the  
7 detention hearing; and

8 (b) The court believes that the child would not appear at a  
9 hearing on contempt.

10 (2) If the court orders the child to remain in detention, the  
11 court shall set the matter for a hearing on contempt within seventy-  
12 two hours, excluding Saturdays, Sundays, and holidays.

13 **Sec. 16.** RCW 13.32A.090 and 2000 c 123 s 11 are each amended to  
14 read as follows:

15 (1) The administrator of a designated crisis residential center  
16 (~~((or the department))~~) shall perform the duties under subsection (3)  
17 of this section:

18 (a) Upon admitting a child who has been brought to the center by  
19 a law enforcement officer under RCW 13.32A.060 (as recodified by this  
20 act);

21 (b) Upon admitting a child who has run away from home or has  
22 requested admittance to the center;

23 (c) Upon learning from a person under RCW 13.32A.082 that the  
24 person is providing shelter to a child absent from home; or

25 (d) Upon learning that a child has been placed with a responsible  
26 adult pursuant to RCW 13.32A.060 (as recodified by this act).

27 (2) Transportation expenses of the child shall be at the parent's  
28 expense to the extent of his or her ability to pay, with any unmet  
29 transportation expenses assumed by the (~~department~~) crisis  
30 residential center.

31 (3) When any of the circumstances under subsection (1) of this  
32 section are present, the administrator of a center (~~((or the~~  
33 ~~department))~~) shall perform the following duties:

34 (a) Immediately notify the child's parent of the child's  
35 whereabouts, physical and emotional condition, and the circumstances  
36 surrounding his or her placement;

37 (b) Initially notify the parent that it is the paramount concern  
38 of the family reconciliation service personnel to achieve a  
39 reconciliation between the parent and child to reunify the family and

1 inform the parent as to the procedures to be followed under this  
2 chapter;

3 (c) Inform the parent whether a referral to children's protective  
4 services has been made and, if so, inform the parent of the standard  
5 pursuant to RCW 26.44.020(~~((12))~~) (1) governing child abuse and  
6 neglect in this state; and either

7 (d)(i) Arrange transportation for the child to the residence of  
8 the parent, as soon as practicable, when the child and his or her  
9 parent agrees to the child's return home or when the parent produces  
10 a copy of a court order entered under this chapter requiring the  
11 child to reside in the parent's home; or

12 (ii) Arrange transportation for the child to: (~~((i))~~) (A)  
13 An out-of-home placement which may include a licensed group care  
14 facility or foster family when agreed to by the child and parent; or  
15 (~~((ii))~~) (B) a certified or licensed mental health or chemical  
16 dependency program of the parent's choice.

17 (4) If the administrator of the crisis residential center  
18 performs the duties listed in subsection (3) of this section, he or  
19 she shall also notify the department of social and health services  
20 that a child has been admitted to the crisis residential center.

21 **Sec. 17.** RCW 13.32A.095 and 2000 c 123 s 12 are each amended to  
22 read as follows:

23 The administrator of a crisis residential center shall notify  
24 parents, the appropriate law enforcement agency, and the department  
25 of social and health services immediately as to any unauthorized  
26 leave from the center by a child placed at the center.

27 **Sec. 18.** RCW 13.32A.130 and 2009 c 569 s 1 are each amended to  
28 read as follows:

29 (1) A child admitted to a secure facility located in a juvenile  
30 detention center shall remain in the facility for at least twenty-  
31 four hours after admission but for not more than five consecutive  
32 days. A child admitted to a secure facility not located in a juvenile  
33 detention center or a semi-secure facility may remain for not more  
34 than fifteen consecutive days. If a child is transferred between a  
35 secure and semi-secure facility, the aggregate length of time a child  
36 may remain in both facilities shall not exceed fifteen consecutive  
37 days per admission, and in no event may a child's stay in a secure

1 facility located in a juvenile detention center exceed five days per  
2 admission.

3 (2)(a)(i) The facility administrator shall determine within  
4 twenty-four hours after a child's admission to a secure facility  
5 whether the child is likely to remain in a semi-secure facility and  
6 may transfer the child to a semi-secure facility or release the child  
7 to the department of social and health services. The determination  
8 shall be based on: (A) The need for continued assessment, protection,  
9 and treatment of the child in a secure facility; and (B) the  
10 likelihood the child would remain at a semi-secure facility until his  
11 or her parents can take the child home or a petition can be filed  
12 under this title.

13 (ii) In making the determination the administrator shall consider  
14 the following information if known: (A) The child's age and maturity;  
15 (B) the child's condition upon arrival at the center; (C) the  
16 circumstances that led to the child's being taken to the center; (D)  
17 whether the child's behavior endangers the health, safety, or welfare  
18 of the child or any other person; (E) the child's history of running  
19 away; and (F) the child's willingness to cooperate in the assessment.

20 (b) If the administrator of a secure facility determines the  
21 child is unlikely to remain in a semi-secure facility, the  
22 administrator shall keep the child in the secure facility pursuant to  
23 this chapter and in order to provide for space for the child may  
24 transfer another child who has been in the facility for at least  
25 seventy-two hours to a semi-secure facility. The administrator shall  
26 only make a transfer of a child after determining that the child who  
27 may be transferred is likely to remain at the semi-secure facility.

28 (c) A crisis residential center administrator is authorized to  
29 transfer a child to a crisis residential center in the area where the  
30 child's parents reside or where the child's lawfully prescribed  
31 residence is located.

32 (d) An administrator may transfer a child from a semi-secure  
33 facility to a secure facility whenever he or she reasonably believes  
34 that the child is likely to leave the semi-secure facility and not  
35 return and after full consideration of all factors in (a)(i) and (ii)  
36 of this subsection.

37 (3) If no parent is available or willing to remove the child  
38 during the first seventy-two hours following admission, the  
39 department of social and health services shall consider the filing of  
40 a petition under RCW 13.32A.140.

1 (4) Notwithstanding the provisions of subsection (1) of this  
2 section, the parents may remove the child at any time unless the  
3 staff of the crisis residential center has reasonable cause to  
4 believe that the child is absent from the home because he or she is  
5 abused or neglected or if allegations of abuse or neglect have been  
6 made against the parents. The department of social and health  
7 services or any agency legally charged with the supervision of a  
8 child may remove a child from a crisis residential center at any time  
9 after the first twenty-four-hour period after admission has elapsed  
10 and only after full consideration by all parties of the factors in  
11 subsection (2)(a) of this section.

12 (5) Crisis residential center staff shall make reasonable efforts  
13 to protect the child and achieve a reconciliation of the family. If a  
14 reconciliation and voluntary return of the child has not been  
15 achieved within forty-eight hours from the time of admission, and if  
16 the administrator of the center does not consider it likely that  
17 reconciliation will be achieved within five days of the child's  
18 admission to the center, then the administrator shall inform the  
19 parent and child of: (a) The availability of counseling services; (b)  
20 the right to file a child in need of services petition for an out-of-  
21 home placement, the right of a parent to file an at-risk youth  
22 petition, and the right of the parent and child to obtain assistance  
23 in filing the petition; (c) the right to request the facility  
24 administrator or his or her designee to form a multidisciplinary  
25 team; (d) the right to request a review of any out-of-home placement;  
26 (e) the right to request a mental health or chemical dependency  
27 evaluation by a county-designated professional or a private treatment  
28 facility; and (f) the right to request treatment in a program to  
29 address the child's at-risk behavior under RCW 13.32A.197.

30 (6) At no time shall information regarding a parent's or child's  
31 rights be withheld. The department shall develop and distribute to  
32 all law enforcement agencies and to each crisis residential center  
33 administrator a written statement delineating the services and  
34 rights. The administrator of the facility or his or her designee  
35 shall provide every resident and parent with a copy of the statement.

36 (7) A crisis residential center and any person employed at the  
37 center acting in good faith in carrying out the provisions of this  
38 section are immune from criminal or civil liability for such actions.

1       **Sec. 19.** RCW 74.13.032 and 2011 c 240 s 1 are each amended to  
2 read as follows:

3       (1) The department shall establish, through performance-based  
4 contracts with private or public vendors, regional crisis residential  
5 centers with semi-secure facilities. These facilities shall be  
6 structured group care facilities licensed under rules adopted by the  
7 department and shall have an average of at least four adult staff  
8 members and in no event less than three adult staff members to every  
9 eight children.

10       (2) Crisis residential centers must record client information  
11 into a homeless management information system specified by the  
12 department.

13       (3) Within available funds appropriated for this purpose, the  
14 department shall establish, through performance-based contracts with  
15 private or public vendors, regional crisis residential centers with  
16 secure facilities. These facilities shall be facilities licensed  
17 under rules adopted by the department. These centers may also include  
18 semi-secure facilities and to such extent shall be subject to  
19 subsection (1) of this section.

20       ~~((+3))~~ (4) The department shall, in addition to the facilities  
21 established under subsections (1) and (2) of this section, establish  
22 additional crisis residential centers pursuant to performance-based  
23 contracts with licensed private group care facilities.

24       ~~((+4))~~ (5) The department is authorized to allow contracting  
25 entities to include a combination of secure or semi-secure crisis  
26 residential centers as defined in RCW 13.32A.030 and/or HOPE centers  
27 pursuant to RCW 74.15.220 (as recodified by this act) in the same  
28 building or structure. The department shall permit the colocation of  
29 these centers only if the entity operating the facility agrees to  
30 designate a particular number of beds to each type of center that is  
31 located within the building or structure.

32       ~~((+5))~~ (6) The staff at the facilities established under this  
33 section shall be trained so that they may effectively counsel  
34 juveniles admitted to the centers, provide treatment, supervision,  
35 and structure to the juveniles that recognize the need for support  
36 and the varying circumstances that cause children to leave their  
37 families, and carry out the responsibilities stated in RCW 13.32A.090  
38 (as recodified by this act). ~~((The responsibilities stated in RCW~~  
39 ~~13.32A.090 may, in any of the centers, be carried out by the~~  
40 ~~department.~~

1       ~~(6))~~ (7) The secure facilities located within crisis residential  
2 centers shall be operated to conform with the definition in RCW  
3 13.32A.030. The facilities shall have an average of no less than one  
4 adult staff member to every ten children. The staffing ratio shall  
5 continue to ensure the safety of the children.

6       ~~((7))~~ (8) If a secure crisis residential center is located in  
7 or adjacent to a secure juvenile detention facility, the center shall  
8 be operated in a manner that prevents in-person contact between the  
9 residents of the center and the persons held in such facility.

10       **Sec. 20.** RCW 74.13.033 and 2009 c 569 s 3 are each amended to  
11 read as follows:

12       (1) If a resident of a crisis residential center becomes by his  
13 or her behavior disruptive to the facility's program, such resident  
14 may be immediately removed to a separate area within the facility and  
15 counseled on an individual basis until such time as the child regains  
16 his or her composure. The department may set rules and regulations  
17 establishing additional procedures for dealing with severely  
18 disruptive children on the premises.

19       (2) When the juvenile resides in this facility, all services  
20 deemed necessary to the juvenile's reentry to normal family life  
21 shall be made available to the juvenile as required by chapter 13.32A  
22 RCW. In assessing the child and providing these services, the  
23 facility staff shall:

24       (a) Interview the juvenile as soon as possible;

25       (b) Contact the juvenile's parents and arrange for a counseling  
26 interview with the juvenile and his or her parents as soon as  
27 possible;

28       (c) Conduct counseling interviews with the juvenile and his or  
29 her parents, to the end that resolution of the child/parent conflict  
30 is attained and the child is returned home as soon as possible;

31       (d) Provide additional crisis counseling as needed, to the end  
32 that placement of the child in the crisis residential center will be  
33 required for the shortest time possible, but not to exceed fifteen  
34 consecutive days; and

35       (e) Convene, when appropriate, a multidisciplinary team.

36       (3) Based on the assessments done under subsection (2) of this  
37 section the center staff may refer any child who, as the result of a  
38 mental or emotional disorder, or intoxication by alcohol or other  
39 drugs, is suicidal, seriously assaultive, or seriously destructive

1 toward others, or otherwise similarly evidences an immediate need for  
2 emergency medical evaluation and possible care, for evaluation  
3 pursuant to chapter 71.34 RCW, to a mental health professional  
4 pursuant to chapter 71.05 RCW, or to a chemical dependency specialist  
5 pursuant to chapter 70.96A RCW whenever such action is deemed  
6 appropriate and consistent with law.

7 (4) A juvenile taking unauthorized leave from a facility shall be  
8 apprehended and returned to it by law enforcement officers or other  
9 persons designated as having this authority as provided in RCW  
10 13.32A.050 (as recodified by this act). If returned to the facility  
11 after having taken unauthorized leave for a period of more than  
12 twenty-four hours a juvenile shall be supervised by such a facility  
13 for a period, pursuant to this chapter, which, unless where otherwise  
14 provided, may not exceed fifteen consecutive days. Costs of housing  
15 juveniles admitted to crisis residential centers shall be assumed by  
16 the department for a period not to exceed fifteen consecutive days.

17 **Sec. 21.** RCW 74.13.034 and 2009 c 569 s 4 are each amended to  
18 read as follows:

19 (1) A child taken into custody and taken to a crisis residential  
20 center established pursuant to RCW 74.13.032 (as recodified by this  
21 act) may, if the center is unable to provide appropriate treatment,  
22 supervision, and structure to the child, be taken at department  
23 expense to another crisis residential center, the nearest regional  
24 secure crisis residential center, or a secure facility with which it  
25 is collocated under RCW 74.13.032 (as recodified by this act).  
26 Placement in both locations shall not exceed fifteen consecutive days  
27 from the point of intake as provided in RCW 13.32A.130 (as recodified  
28 by this act).

29 (2) A child taken into custody and taken to a crisis residential  
30 center established by this chapter may be placed physically by the  
31 department (~~(or the department's)~~) of social and health services'  
32 designee and, at their departmental expense and approval, in a secure  
33 juvenile detention facility operated by the county in which the  
34 center is located for a maximum of forty-eight hours, including  
35 Saturdays, Sundays, and holidays, if the child has taken unauthorized  
36 leave from the center and the person in charge of the center  
37 determines that the center cannot provide supervision and structure  
38 adequate to ensure that the child will not again take unauthorized  
39 leave. Juveniles placed in such a facility pursuant to this section

1 may not, to the extent possible, come in contact with alleged or  
2 convicted juvenile or adult offenders.

3 (3) Any child placed in secure detention pursuant to this section  
4 shall, during the period of confinement, be provided with appropriate  
5 treatment by the department of social and health services or the  
6 department's designee, which shall include the services defined in  
7 RCW 74.13.033(2) (as recodified by this act). If the child placed in  
8 secure detention is not returned home or if an alternative living  
9 arrangement agreeable to the parent and the child is not made within  
10 twenty-four hours after the child's admission, the child shall be  
11 taken at the department's expense to a crisis residential center.  
12 Placement in the crisis residential center or centers plus placement  
13 in juvenile detention shall not exceed five consecutive days from the  
14 point of intake as provided in RCW 13.32A.130 (as recodified by this  
15 act).

16 (4) Juvenile detention facilities used pursuant to this section  
17 shall first be certified by the department of social and health  
18 services to ensure that juveniles placed in the facility pursuant to  
19 this section are provided with living conditions suitable to the  
20 well-being of the child. Where space is available, juvenile courts,  
21 when certified by the department of social and health services to do  
22 so, shall provide secure placement for juveniles pursuant to this  
23 section, at department expense.

24 **Sec. 22.** RCW 74.15.220 and 2011 c 240 s 2 are each amended to  
25 read as follows:

26 The (~~secretary~~) department shall establish HOPE centers that  
27 provide no more than seventy-five beds across the state and may  
28 establish HOPE centers by contract, within funds appropriated by the  
29 legislature specifically for this purpose. HOPE centers shall be  
30 operated in a manner to reasonably assure that street youth placed  
31 there will not run away. Street youth may leave a HOPE center during  
32 the course of the day to attend school or other necessary  
33 appointments, but the street youth must be accompanied by an  
34 administrator or an administrator's designee. The street youth must  
35 provide the administration with specific information regarding his or  
36 her destination and expected time of return to the HOPE center. Any  
37 street youth who runs away from a HOPE center shall not be readmitted  
38 unless specifically authorized by the street youth's placement and  
39 liaison specialist, and the placement and liaison specialist shall

1 document with specific factual findings an appropriate basis for  
2 readmitting any street youth to a HOPE center. HOPE centers are  
3 required to have the following:

4 (1) A license issued by the ((secretary)) department of social  
5 and health services;

6 (2) A professional with a master's degree in counseling, social  
7 work, or related field and at least one year of experience working  
8 with street youth or a bachelor of arts degree in social work or a  
9 related field and five years of experience working with street youth.  
10 This professional staff person may be contractual or a part-time  
11 employee, but must be available to work with street youth in a HOPE  
12 center at a ratio of one to every fifteen youth staying in a HOPE  
13 center. This professional shall be known as a placement and liaison  
14 specialist. Preference shall be given to those professionals cross-  
15 credentialed in mental health and chemical dependency. The placement  
16 and liaison specialist shall:

17 (a) Conduct an assessment of the street youth that includes a  
18 determination of the street youth's legal status regarding  
19 residential placement;

20 (b) Facilitate the street youth's return to his or her legally  
21 authorized residence at the earliest possible date or initiate  
22 processes to arrange legally authorized appropriate placement. Any  
23 street youth who may meet the definition of dependent child under RCW  
24 13.34.030 must be referred to the department of social and health  
25 services. The department of social and health services shall  
26 determine whether a dependency petition should be filed under chapter  
27 13.34 RCW. A shelter care hearing must be held within seventy-two  
28 hours to authorize out-of-home placement for any youth the department  
29 of social and health services determines is appropriate for out-of-  
30 home placement under chapter 13.34 RCW. All of the provisions of  
31 chapter 13.32A RCW must be followed for children in need of services  
32 or at-risk youth;

33 (c) Interface with other relevant resources and system  
34 representatives to secure long-term residential placement and other  
35 needed services for the street youth;

36 (d) Be assigned immediately to each youth and meet with the youth  
37 within eight hours of the youth receiving HOPE center services;

38 (e) Facilitate a physical examination of any street youth who has  
39 not seen a physician within one year prior to residence at a HOPE  
40 center and facilitate evaluation by a county-designated mental health

1 professional, a chemical dependency specialist, or both if  
2 appropriate; and

3 (f) Arrange an educational assessment to measure the street  
4 youth's competency level in reading, writing, and basic mathematics,  
5 and that will measure learning disabilities or special needs;

6 (3) Staff trained in development needs of street youth as  
7 determined by the ((secretary)) department, including an  
8 administrator who is a professional with a master's degree in  
9 counseling, social work, or a related field and at least one year of  
10 experience working with street youth, or a bachelor of arts degree in  
11 social work or a related field and five years of experience working  
12 with street youth, who must work with the placement and liaison  
13 specialist to provide appropriate services on site;

14 (4) A data collection system that measures outcomes for the  
15 population served, and enables research and evaluation that can be  
16 used for future program development and service delivery. Data  
17 collection systems must have confidentiality rules and protocols  
18 developed by the ((secretary)) department;

19 (5) Notification requirements that meet the notification  
20 requirements of chapter 13.32A RCW. The youth's arrival date and time  
21 must be logged at intake by HOPE center staff. The staff must  
22 immediately notify law enforcement and dependency caseworkers if a  
23 street youth runs away from a HOPE center. A child may be transferred  
24 to a secure facility as defined in RCW 13.32A.030 whenever the staff  
25 reasonably believes that a street youth is likely to leave the HOPE  
26 center and not return after full consideration of the factors set  
27 forth in RCW 13.32A.130(2)(a) (i) and (ii) (as recodified by this  
28 act). The street youth's temporary placement in the HOPE center must  
29 be authorized by the court or the secretary of the department of  
30 social and health services if the youth is a dependent of the state  
31 under chapter 13.34 RCW or the department of social and health  
32 services is responsible for the youth under chapter 13.32A RCW, or by  
33 the youth's parent or legal custodian, until such time as the parent  
34 can retrieve the youth who is returning to home;

35 (6) HOPE centers must identify to the department of social and  
36 health services any street youth it serves who is not returning  
37 promptly to home. The department of social and health services then  
38 must contact the missing children's clearinghouse identified in  
39 chapter 13.60 RCW and either report the youth's location or report  
40 that the youth is the subject of a dependency action and the parent

1 should receive notice from the department of social and health  
2 services;

3 (7) Services that provide counseling and education to the street  
4 youth; and

5 (8) The department shall award contracts for the operation of  
6 HOPE center beds (~~((and responsible living skills programs))~~) with the  
7 goal of facilitating the coordination of services provided for youth  
8 by such programs and those services provided by secure and semi-  
9 secure crisis residential centers.

10 **Sec. 23.** RCW 74.15.225 and 2008 c 267 s 10 are each amended to  
11 read as follows:

12 To be eligible for placement in a HOPE center, a minor must be  
13 either a street youth, as that term is defined in this chapter, or a  
14 youth who, without placement in a HOPE center, will continue to  
15 participate in increasingly risky behavior. Youth may also self-refer  
16 to a HOPE center. Payment for a HOPE center bed is not contingent  
17 upon prior approval by the department; however, approval from the  
18 department of social and health services is needed if the youth is  
19 dependent under chapter 13.34 RCW.

20 **Sec. 24.** RCW 43.330.167 and 2009 c 565 s 9 are each amended to  
21 read as follows:

22 (1)(a) There is created in the custody of the state treasurer an  
23 account to be known as the (~~((homeless))~~) Washington youth and families  
24 (~~((services))~~) fund. Revenues to the fund consist of (~~((a one-time))~~)  
25 appropriations by the legislature, private contributions, and all  
26 other sources deposited in the fund.

27 (b) Expenditures from the fund may only be used for the purposes  
28 of the program established in this section, including administrative  
29 expenses. Only the director of the department of commerce, or the  
30 director's designee, may authorize expenditures.

31 (c) Expenditures from the fund are exempt from appropriations and  
32 the allotment provisions of chapter 43.88 RCW. However, money used  
33 for program administration by the department is subject to the  
34 allotment and budgetary controls of chapter 43.88 RCW, and an  
35 appropriation is required for these expenditures.

36 (2) The department may expend moneys from the fund to provide  
37 state matching funds for housing-based supportive services for  
38 homeless youth and families (~~((over a period of at least ten years))~~).

1 (3) Activities eligible for funding through the fund include, but  
2 are not limited to, the following:

- 3 (a) Case management;
- 4 (b) Counseling;
- 5 (c) Referrals to employment support and job training services and  
6 direct employment support and job training services;
- 7 (d) Domestic violence services and programs;
- 8 (e) Mental health treatment, services, and programs;
- 9 (f) Substance abuse treatment, services, and programs;
- 10 (g) Parenting skills education and training;
- 11 (h) Transportation assistance;
- 12 (i) Child care; and
- 13 (j) Other supportive services identified by the department to be  
14 an important link for housing stability.

15 (4) Organizations that may receive funds from the fund include  
16 local housing authorities, nonprofit community or neighborhood-based  
17 organizations, public development authorities, federally recognized  
18 Indian tribes in the state, and regional or statewide nonprofit  
19 housing assistance organizations.

20 **Sec. 25.** RCW 43.185C.040 and 2009 c 518 s 17 are each amended to  
21 read as follows:

22 (1) Six months after the first Washington homeless census, the  
23 department shall, in consultation with the interagency council on  
24 homelessness and the affordable housing advisory board, prepare and  
25 publish a ten-year homeless housing strategic plan which shall  
26 outline statewide goals and performance measures and shall be  
27 coordinated with the plan for homeless families with children  
28 required under RCW 43.63A.650. To guide local governments in  
29 preparation of their first local homeless housing plans due December  
30 31, 2005, the department shall issue by October 15, 2005, temporary  
31 guidelines consistent with this chapter and including the best  
32 available data on each community's homeless population. Local  
33 governments' ten-year homeless housing plans shall not be  
34 substantially inconsistent with the goals and program recommendations  
35 of the temporary guidelines and, when amended after 2005, the state  
36 strategic plan.

37 (2) Program outcomes and performance measures and goals shall be  
38 created by the department and reflected in the department's homeless

1 housing strategic plan as well as interim goals against which state  
2 and local governments' performance may be measured, including:

3 (a) By the end of year one, completion of the first census as  
4 described in RCW 43.185C.030;

5 (b) By the end of each subsequent year, goals common to all local  
6 programs which are measurable and the achievement of which would move  
7 that community toward housing its homeless population; and

8 (c) By July 1, 2015, reduction of the homeless population  
9 statewide and in each county by fifty percent.

10 (3) The department shall develop a consistent statewide data  
11 gathering instrument to monitor the performance of cities and  
12 counties receiving grants in order to determine compliance with the  
13 terms and conditions set forth in the grant application or required  
14 by the department.

15 The department shall, in consultation with the interagency  
16 council on homelessness and the affordable housing advisory board,  
17 report biennially to the governor and the appropriate committees of  
18 the legislature an assessment of the state's performance in  
19 furthering the goals of the state ten-year homeless housing strategic  
20 plan and the performance of each participating local government in  
21 creating and executing a local homeless housing plan which meets the  
22 requirements of this chapter. The annual report may include  
23 performance measures such as:

24 (a) The reduction in the number of homeless individuals and  
25 families from the initial count of homeless persons;

26 (b) The reduction in the number of unaccompanied homeless youth.  
27 "Unaccompanied homeless youth" has the same meaning as in section 3  
28 of this act;

29 (c) The number of new units available and affordable for homeless  
30 families by housing type;

31 ~~((e))~~ (d) The number of homeless individuals identified who are  
32 not offered suitable housing within thirty days of their request or  
33 identification as homeless;

34 ~~((d))~~ (e) The number of households at risk of losing housing  
35 who maintain it due to a preventive intervention;

36 ~~((e))~~ (f) The transition time from homelessness to permanent  
37 housing;

38 ~~((f))~~ (g) The cost per person housed at each level of the  
39 housing continuum;

1       (~~(g)~~) (h) The ability to successfully collect data and report  
2 performance;

3       (~~(h)~~) (i) The extent of collaboration and coordination among  
4 public bodies, as well as community stakeholders, and the level of  
5 community support and participation;

6       (~~(i)~~) (j) The quality and safety of housing provided; and

7       (~~(j)~~) (k) The effectiveness of outreach to homeless persons,  
8 and their satisfaction with the program.

9       (4) Based on the performance of local homeless housing programs  
10 in meeting their interim goals, on general population changes and on  
11 changes in the homeless population recorded in the annual census, the  
12 department may revise the performance measures and goals of the state  
13 homeless housing strategic plan, set goals for years following the  
14 initial ten-year period, and recommend changes in local governments'  
15 plans.

16       **Sec. 26.** RCW 43.185C.240 and 2014 c 200 s 3 are each amended to  
17 read as follows:

18       (1) As a means of efficiently and cost-effectively providing  
19 housing assistance to very-low income and homeless households:

20       (a) Any local government that has the authority to issue housing  
21 vouchers, directly or through a contractor, using document recording  
22 surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, or  
23 36.22.1791 must:

24       (i)(A) Maintain an interested landlord list, which at a minimum,  
25 includes information on rental properties in buildings with fewer  
26 than fifty units;

27       (B) Update the list at least once per quarter;

28       (C) Distribute the list to agencies providing services to  
29 individuals and households receiving housing vouchers;

30       (D) Ensure that a copy of the list or information for accessing  
31 the list online is provided with voucher paperwork; and

32       (E) Communicate and interact with landlord and tenant  
33 associations located within its jurisdiction to facilitate  
34 development, maintenance, and distribution of the list to private  
35 rental housing landlords. The department must make reasonable efforts  
36 to ensure that local providers conduct outreach to private rental  
37 housing landlords each calendar quarter regarding opportunities to  
38 provide rental housing to the homeless and the availability of funds;

1 (ii) Using cost-effective methods of communication, convene, on a  
2 semiannual or more frequent basis, landlords represented on the  
3 interested landlord list and agencies providing services to  
4 individuals and households receiving housing vouchers to identify  
5 successes, barriers, and process improvements. The local government  
6 is not required to reimburse any participants for expenses related to  
7 attendance;

8 (iii) Produce data, limited to document recording fee uses and  
9 expenditures, on a calendar year basis in consultation with landlords  
10 represented on the interested landlord list and agencies providing  
11 services to individuals and households receiving housing vouchers,  
12 that include the following: Total amount expended from document  
13 recording fees; amount expended on, number of households that  
14 received, and number of housing vouchers issued in each of the  
15 private, public, and nonprofit markets; amount expended on, number of  
16 households that received, and number of housing placement payments  
17 provided in each of the private, public, and nonprofit markets;  
18 amount expended on and number of eviction prevention services  
19 provided in the private market; ~~((and))~~ amount expended on and number  
20 of other tenant-based rent assistance services provided in the  
21 private market; and amount expended on and number of services  
22 provided to unaccompanied homeless youth. If these data elements are  
23 not readily available, the reporting government may request the  
24 department to use the sampling methodology established pursuant to  
25 (c)(iii) of this subsection to obtain the data; and

26 (iv) Annually submit the calendar year data to the department by  
27 October 1st, with preliminary data submitted by October 1, 2012, and  
28 full calendar year data submitted beginning October 1, 2013.

29 (b) Any local government receiving more than three million five  
30 hundred thousand dollars during the previous calendar year from  
31 document recording surcharge funds collected pursuant to RCW  
32 36.22.178, 36.22.179, and 36.22.1791, must apply to the Washington  
33 state quality award program, or similar Baldrige assessment  
34 organization, for an independent assessment of its quality  
35 management, accountability, and performance system. The first  
36 assessment may be a lite assessment. After submitting an application,  
37 a local government is required to reapply at least every two years.

38 (c) The department must:

39 (i) Require contractors that provide housing vouchers to  
40 distribute the interested landlord list created by the appropriate

1 local government to individuals and households receiving the housing  
2 vouchers;

3 (ii) Convene a stakeholder group by March 1, 2017, consisting of  
4 landlords, homeless housing advocates, real estate industry  
5 representatives, cities, counties, and the department to meet to  
6 discuss long-term funding strategies for homeless housing programs  
7 that do not include a surcharge on document recording fees. The  
8 stakeholder group must provide a report of its findings to the  
9 legislature by December 1, 2017;

10 (iii) Develop a sampling methodology to obtain data required  
11 under this section when a local government or contractor does not  
12 have such information readily available. The process for developing  
13 the sampling methodology must include providing notification to and  
14 the opportunity for public comment by local governments issuing  
15 housing vouchers, landlord association representatives, and agencies  
16 providing services to individuals and households receiving housing  
17 vouchers;

18 (iv) Develop a report, limited to document recording fee uses and  
19 expenditures, on a calendar year basis that may include consultation  
20 with local governments, landlord association representatives, and  
21 agencies providing services to individuals and households receiving  
22 housing vouchers, that includes the following: Total amount expended  
23 from document recording fees; amount expended on, number of  
24 households that received, and number of housing vouchers issued in  
25 each of the private, public, and nonprofit markets; amount expended  
26 on, number of households that received, and number of housing  
27 placement payments provided in each of the private, public, and  
28 nonprofit markets; amount expended on and number of eviction  
29 prevention services provided in the private market; the total amount  
30 of funds set aside for private rental housing payments as required in  
31 RCW 36.22.179(1)(b); and amount expended on and number of other  
32 tenant-based rent assistance services provided in the private market.  
33 The information in the report must include data submitted by local  
34 governments and data on all additional document recording fee  
35 activities for which the department contracted that were not  
36 otherwise reported. The data, samples, and sampling methodology used  
37 to develop the report must be made available upon request and for the  
38 audits required in this section;

39 (v) Annually submit the calendar year report to the legislature  
40 by December 15th, with a preliminary report submitted by December 15,

1 2012, and full calendar year reports submitted beginning December 15,  
2 2013; and

3 (vi) Work with the Washington state quality award program, local  
4 governments, and any other organizations to ensure the appropriate  
5 scheduling of assessments for all local governments meeting the  
6 criteria described in subsection (1)(b) of this section.

7 (d) The office of financial management must secure an independent  
8 audit of the department's data and expenditures of state funds  
9 received under RCW 36.22.179(1)(b) on an annual basis. The  
10 independent audit must review a random sample of local governments,  
11 contractors, and housing providers that is geographically and  
12 demographically diverse. The independent auditor must meet with the  
13 department and a landlord representative to review the preliminary  
14 audit and provide the department and the landlord representative with  
15 the opportunity to include written comments regarding the findings  
16 that must be included with the audit. The first audit of the  
17 department's data and expenditures will be for calendar year 2014 and  
18 is due July 1, 2015. Each audit thereafter will be due July 1st  
19 following the department's submission of the report to the  
20 legislature. If the independent audit finds that the department has  
21 failed to set aside at least forty-five percent of the funds received  
22 under RCW 36.22.179(1)(b) after June 12, 2014, for private rental  
23 housing payments, the independent auditor must notify the department  
24 and the office of financial management of its finding. In addition,  
25 the independent auditor must make recommendations to the office of  
26 financial management and the legislature on alternative means of  
27 distributing the funds to meet the requirements of RCW  
28 36.22.179(1)(b).

29 (e) The office of financial management must contract with an  
30 independent auditor to conduct a performance audit of the programs  
31 funded by document recording surcharge funds collected pursuant to  
32 RCW 36.22.178, 36.22.179, and 36.22.1791. The audit must provide  
33 findings to determine if the funds are being used effectively,  
34 efficiently, and for their intended purpose. The audit must review  
35 the department's performance in meeting all statutory requirements  
36 related to document recording surcharge funds including, but not  
37 limited to, the data the department collects, the timeliness and  
38 quality of required reports, and whether the data and required  
39 reports provide adequate information and accountability for the use  
40 of the document recording surcharge funds. The audit must include

1 recommendations for policy and operational improvements to the use of  
2 document recording surcharges by counties and the department. The  
3 performance audit must be submitted to the legislature by December 1,  
4 2016.

5 (2) For purposes of this section:

6 (a) "Housing placement payments" means one-time payments, such as  
7 first and last month's rent and move-in costs, funded by document  
8 recording surcharges collected pursuant to RCW 36.22.178, 36.22.179,  
9 or 36.22.1791 that are made to secure a unit on behalf of a tenant.

10 (b) "Housing vouchers" means payments, including private rental  
11 housing payments, funded by document recording surcharges collected  
12 pursuant to RCW 36.22.178, 36.22.179, or 36.22.1791 that are made by  
13 a local government or contractor to secure: (i) A rental unit on  
14 behalf of an individual tenant; or (ii) a block of units on behalf of  
15 multiple tenants.

16 (c) "Interested landlord list" means a list of landlords who have  
17 indicated to a local government or contractor interest in renting to  
18 individuals or households receiving a housing voucher funded by  
19 document recording surcharges.

20 (d) "Private rental housing" means housing owned by a private  
21 landlord and does not include housing owned by a nonprofit housing  
22 entity or government entity.

23 (3) This section expires June 30, 2019.

24 NEW SECTION. **Sec. 27.** A new section is added to chapter 43.185C  
25 RCW to read as follows:

26 Home security fund account funds appropriated to carry out the  
27 activities of sections 1 through 8 and 10 through 24 of this act are  
28 not subject to the set aside under RCW 36.22.179(1)(b).

29 **Sec. 28.** RCW 28A.300.540 and 2014 c 212 s 2 are each amended to  
30 read as follows:

31 (1) For the purposes of this section, "unaccompanied homeless  
32 student" means a student who is not in the physical custody of a  
33 parent or guardian and is homeless as defined in section 3(2) of this  
34 act.

35 (2) By December 31, 2010, the office of the superintendent of  
36 public instruction shall establish a uniform process designed to  
37 track the additional expenditures for transporting homeless students,  
38 including expenditures required under the McKinney Vento act,

1 reauthorized as Title X, Part C, of the no child left behind act,  
2 P.L. 107-110, in January 2002. Once established, the superintendent  
3 shall adopt the necessary administrative rules to direct each school  
4 district to adopt and use the uniform process and track these  
5 expenditures. The superintendent shall post on the superintendent's  
6 web site total expenditures related to the transportation of homeless  
7 students.

8 ~~((+2))~~ (3)(a) By January 10, 2015, and every odd-numbered year  
9 thereafter, the office of the superintendent of public instruction  
10 shall report to the governor and the legislature the following data  
11 for homeless students:

12 (i) The number of identified homeless students enrolled in public  
13 schools;

14 (ii) The number of identified unaccompanied homeless students  
15 enrolled in public schools;

16 (iii) The number of students participating in the learning  
17 assistance program under chapter 28A.165 RCW, the highly capable  
18 program under chapter 28A.185 RCW, and the running start program  
19 under chapter 28A.600 RCW; and

20 ~~((+iii))~~ (iv) The academic performance and educational outcomes  
21 of homeless students and unaccompanied homeless students, including  
22 but not limited to the following performance and educational  
23 outcomes:

24 (A) Student scores on the statewide administered academic  
25 assessments;

26 (B) English language proficiency;

27 (C) Dropout rates;

28 (D) Four-year adjusted cohort graduation rate;

29 (E) Five-year adjusted cohort graduation rate;

30 (F) Absenteeism rates;

31 (G) Truancy rates, if available; and

32 (H) Suspension and expulsion data.

33 (b) The data reported under this subsection ~~((+2))~~ (3) must  
34 include state and district-level information and must be  
35 disaggregated by at least the following subgroups of students: White,  
36 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific  
37 Islander/Hawaiian Native, low income, transitional bilingual,  
38 migrant, special education, and gender.

39 ~~((+3))~~ (4) By July 1, 2014, the office of the superintendent of  
40 public instruction in collaboration with experts from community

1 organizations on homelessness and homeless education policy, shall  
2 develop or acquire a short video that provides information on how to  
3 identify signs that indicate a student may be homeless, how to  
4 provide services and support to homeless students, and why this  
5 identification and support is critical to student success. The video  
6 must be posted on the superintendent of public instruction's web  
7 site.

8 ~~((4))~~ (5) By July 1, 2014, the office of the superintendent of  
9 public instruction shall adopt and distribute to each school  
10 district, best practices for choosing and training school district-  
11 designated homeless student liaisons.

12 NEW SECTION. **Sec. 29.** If any provision of this act or its  
13 application to any person or circumstance is held invalid, the  
14 remainder of the act or the application of the provision to other  
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 30.** RCW 13.32A.042, 13.32A.044, 13.32A.050,  
17 13.32A.060, 13.32A.065, 13.32A.070, 13.32A.090, 13.32A.095,  
18 13.32A.130, 74.13.032, 74.13.0321, 74.13.033, 74.13.034, 74.15.220,  
19 74.15.225, 74.15.260, and 74.15.270 are each recodified as sections  
20 in chapter 43.185C RCW."

**2SHB 1436** - S COMM AMD

By Committee on Human Services, Mental Health & Housing

21 On page 1, line 1 of the title, after "protection;" strike the  
22 remainder of the title and insert "amending RCW 13.32A.042,  
23 13.32A.044, 13.32A.050, 13.32A.090, 13.32A.095, 13.32A.130,  
24 74.13.032, 74.13.033, 74.13.034, 74.15.220, 74.15.225, 43.330.167,  
25 43.185C.040, 43.185C.240, and 28A.300.540; reenacting and amending  
26 RCW 43.185C.010, 13.32A.060, and 13.32A.065; adding new sections to  
27 chapter 43.185C RCW; adding new sections to chapter 43.330 RCW;  
28 creating a new section; and recodifying RCW 13.32A.042, 13.32A.044,  
29 13.32A.050, 13.32A.060, 13.32A.065, 13.32A.070, 13.32A.090,  
30 13.32A.095, 13.32A.130, 74.13.032, 74.13.0321, 74.13.033, 74.13.034,  
31 74.15.220, 74.15.225, 74.15.260, and 74.15.270."

EFFECT: The goal of the Legislature is to reduce and prevent youth and young adult homelessness by increasing and improving priority service areas including family reconciliation.

The goals of the Office of Homeless Youth Prevention and Protection Programs (Office) include measurably decrease the number of homeless youth and young adults, identifying the causes of youth homelessness, and measurably increase permanency rates among homeless youth caused by a youth's separation from family or legal guardian. By December 1, 2016, the Office must submit a report to the Governor and Legislature to inform and provide recommendations regarding funding, policy, and best practices in the five service areas identified.

The Office must establish a statewide training program on homeless youth for criminal justice personnel.

The Office is to regularly consult with an advisory committee, comprised of advocates, at least two legislators, at least two parent advocates, at least one representative from law enforcement, service providers, and other stakeholders knowledgeable in the provision of services to homeless youth and young adults, including the prevention of youth and young adult homelessness, the dependency system, and family reunification, for a total of twelve members. The members of the advisory committee must be appointed by the Governor, except for the legislators who must be appointed by the Speaker of the House of Representatives and the President of the Senate. The advisory committee must have its initial meeting no later than March 1, 2016.

Commerce's ten-year homeless housing strategic plan is revised to include the reduction in the number of unaccompanied homeless youth.

Local governments using document recording surcharge fees must collect data regarding the amount of fees expended on, and number of services provided to, unaccompanied homeless youth.

The Joint Legislative Audit and Review Committee must conduct a review of state-funded programs that serve unaccompanied homeless youth to determine what performance measures exist, what statutory reporting requirements exist, and whether there is reliable data on the ages of youth served, length of stay, and effectiveness of program exit and reentry.

The Office of the Superintendent of Public Instruction's biennial report on data of homeless students is expanded to include the number, academic performance, and educational outcomes of identified unaccompanied homeless students enrolled in public schools.

This act may be known and cited as the "homeless youth prevention and protection act."

--- END ---