

shall take effect immediately after the appropriation in subsection (1) of this section has been made.

NEW SECTION. Sec. 43. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 44. Section 17 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 30, 1981.

Passed the House April 25, 1981.

Passed the Senate April 24, 1981.

Approved by the Governor May 19, 1981.

Filed in Office of Secretary of State May 19, 1981.

## CHAPTER 298

[Engrossed Substitute Senate Bill No. 3188]

### JUVENILES—CRISIS INTERVENTION—FAMILY RECONCILIATION SERVICES

AN ACT Relating to juveniles; amending section 18, chapter 155, Laws of 1979 and RCW 13.32A.040; amending section 19, chapter 155, Laws of 1979 and RCW 13.32A.050; amending section 20, chapter 155, Laws of 1979 and RCW 13.32A.060; amending section 21, chapter 155, Laws of 1979 and RCW 13.32A.070; amending section 22, chapter 155, Laws of 1979 and RCW 13.32A.080; amending section 23, chapter 155, Laws of 1979 and RCW 13.32A.090; amending section 24, chapter 155, Laws of 1979 and RCW 13.32A.100; amending section 27, chapter 155, Laws of 1979 and RCW 13.32A.130; amending section 28, chapter 155, Laws of 1979 and RCW 13.32A.140; amending section 29, chapter 155, Laws of 1979 and RCW 13.32A.150; amending section 31, chapter 155, Laws of 1979 and RCW 13.32A.170; amending section 33, chapter 155, Laws of 1979 and RCW 13.32A.190; amending section 17, chapter 172, Laws of 1967 as last amended by section 22, chapter 165, Laws of 1979 ex. sess. and RCW 74.13.031; amending section 80, chapter 155, Laws of 1979 as amended by section 21, chapter 165, Laws of 1979 ex. sess. and RCW 74.13.034; amending section 82, chapter 155, Laws of 1979 and RCW 74.13.036; adding new sections to chapter 13.32A RCW; creating a new section; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 18, chapter 155, Laws of 1979 and RCW 13.32A.040 are each amended to read as follows:

Families who are in conflict may request (~~(crisis intervention)~~) family reconciliation services from the department. Such services shall be provided to alleviate personal or family situations which present a serious and imminent threat to the health or stability of the child or family and to maintain families intact wherever possible. (~~(Crisis intervention)~~) Family reconciliation services shall be designed to develop skills and supports within families to resolve family conflicts and may include but are not limited to referral to

services for suicide prevention, psychiatric or other medical care, or psychological, welfare, legal, educational, or other social services, as appropriate to the needs of the child and the family.

Sec. 2. Section 19, chapter 155, Laws of 1979 and RCW 13.32A.050 are each amended to read as follows:

A law enforcement officer shall take a ~~((juvenile))~~ child into custody:

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

(2) If a law enforcement officer reasonably believes that a ~~((juvenile))~~ child is in circumstances which constitute a ~~((serious))~~ danger to the ~~((juvenile's))~~ child's physical safety; or

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

(4) If a law enforcement agency has been notified by the juvenile court that the court finds probable cause exists to believe that the child has violated a court placement order issued pursuant to chapter 13.32A RCW.

~~((In no case may))~~ Law enforcement custody shall not extend ~~((more than six hours from the time of the juvenile's initial contact with the law enforcement officer))~~ beyond the amount of time reasonably necessary to transport the child to a destination authorized by law and to place the child at that destination.

Sec. 3. Section 20, chapter 155, Laws of 1979 and RCW 13.32A.060 are each amended to read as follows:

(1) An officer taking a ~~((juvenile))~~ child into custody under RCW 13.32A.050 (1) or (2) shall inform the ~~((juvenile))~~ child of the reason for such custody and shall either:

(a) Transport the ~~((juvenile))~~ child to his or her home ~~((if the juvenile consents))~~. The officer ~~((so))~~ releasing a ~~((juvenile from))~~ child into the custody of the parent shall inform the parent of the reason for the taking of the ~~((juvenile))~~ child into custody and may ~~((; if he or she believes further services may be needed;))~~ inform the ~~((juvenile))~~ child and the ~~((person to whom the juvenile is released))~~ parent of the nature and location of appropriate services available in their community; or

(b) Take the child to a designated crisis residential center or the home of a responsible adult:

(i) If the child evinces fear or distress at the prospect of being returned to his or her home; or

(ii) If the officer believes there is a possibility that the child is experiencing in the home some type of child abuse or neglect, as defined in RCW 26.44.020, as now law or hereafter amended; or

(iii) If it is not practical to transport the child to his or her home; or

(iv) If there is no parent available to accept custody of the child.

(2) ~~((If, in the judgment of the law enforcement officer, it is not practical nor in the best interests of the family to take the juvenile home, the law enforcement officer))~~ An officer taking a child into custody under RCW 13.32A.050 (3) or (4) shall inform the child of the reason for custody, and shall take the ((juvenile)) child to a designated crisis residential center licensed by the department and established pursuant to chapter 74.13 RCW. However, an officer taking a child into custody under RCW 13.32A.050(4) may place the child in a juvenile detention facility as provided in section 4 of this 1981 act. The department shall ensure that all the enforcement authorities are informed on a regular basis as to the location of the designated crisis residential ((shelter or shelters)) center or centers in their judicial district, where ((juveniles)) children taken into custody under RCW 13.32A.050 may be taken.

NEW SECTION. Sec. 4. There is added to chapter 13.32A RCW a new section to read as follows:

(1) A child may be placed in detention after being taken into custody pursuant to RCW 13.32A.050(4). The court shall hold a detention review hearing within twenty-four hours, excluding Saturdays, Sundays, and holidays. The court shall release the child after twenty-four hours, excluding Saturdays, Sundays, and holidays, unless:

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

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

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

Sec. 5. Section 21, chapter 155, Laws of 1979 and RCW 13.32A.070 are each amended to read as follows:

An officer taking a ((juvenile)) child into custody under RCW 13.32A.050 may, at his or her discretion, transport the ((juvenile)) child to the home of a responsible adult who is other than the child's parent where the officer reasonably believes that the child will be provided with adequate care and supervision and that the child will remain in the custody of such adult until such time as the department can bring about the child's return home or an alternative residential placement can be agreed to or determined pursuant to this chapter. An officer placing a ((juvenile)) child with a responsible adult other than his or her parent shall immediately notify the department's local community service office of this fact and of the reason for taking the ((juvenile)) child into custody.

A law enforcement officer acting reasonably and in good faith pursuant to this chapter in releasing a ((juvenile)) child to a person other than a parent of such ((juvenile)) child is immune from civil or criminal liability

for such action. A person other than a parent of such ((juvenile)) child who receives a child pursuant to this chapter and who acts reasonably and in good faith in doing so is immune from civil or criminal liability for the act of receiving such child. Such immunity does not release such person from liability under any other law including the laws regulating licensed child care and prohibiting child abuse.

Sec. 6. Section 22, chapter 155, Laws of 1979 and RCW 13.32A.080 are each amended to read as follows:

~~(1) ((Any person who knowingly provides shelter to a child without the acquiescence of the child's parent shall be guilty of a gross misdemeanor if he or she refuses to release the child to a law enforcement officer after being informed by the officer that the child is a reported runaway and that refusal to release the juvenile is a gross misdemeanor. This section does not apply to any person providing shelter to a reported runaway pursuant to RCW 13.32A.090.~~

(2)) (a) A person commits the crime of unlawful harboring of a minor if the person provides shelter to a minor without the consent of a parent of the minor and after the person knows that the minor is away from the home of the parent, without the parent's permission, and if the person intentionally:

(i) Fails to release the minor to a law enforcement officer after being requested to do so by the officer; or

(ii) Fails to disclose the location of the minor to a law enforcement officer after being requested to do so by the officer, if the person knows the location of the minor and had either taken the minor to that location or had assisted the minor in reaching that location; or

(iii) Obstructs a law enforcement officer from taking the minor into custody; or

(iv) Assists the minor in avoiding or attempting to avoid the custody of the law enforcement officer.

(b) It is a defense to a prosecution under this section that the defendant had custody of the minor pursuant to a court order.

(2) Harboring a minor is punishable as a misdemeanor if the offender has not been previously convicted under this section and a gross misdemeanor if the offender has been previously convicted under this section.

(3) Any person who provides shelter to a child, absent from home, may notify the department's local community service office of the child's presence.

((3)) (4) An adult responsible for involving a ((juvenile)) child in the commission of an offense may be prosecuted under existing criminal statutes including, but not limited to:

(a) Distribution of a controlled substance to a minor, as defined in RCW 69.50.406;

(b) Promoting prostitution as defined in chapter 9A.88 RCW; and

(c) Complicity of the adult in the crime of a minor, under RCW 9A.08.020.

Sec. 7. Section 23, chapter 155, Laws of 1979 and RCW 13.32A.090 are each amended to read as follows:

(1) The person in charge of a designated crisis residential center or the department pursuant to RCW 13.32A.070 shall perform the duties under subsection (2) of this section:

(a) Upon admitting a child who has been brought to the center by a law enforcement officer under RCW 13.32A.060;

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

(c) Upon learning from a person under RCW 13.32A.080(2) that the person is providing shelter to a child absent from home; or

(d) Upon learning that a child has been placed with a responsible adult pursuant to RCW 13.32A.070.

(2) When any of the circumstances under subsection (1) of this section are present, the person in charge of a center shall perform the following duties:

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

(b) ~~((Notify and inform the parent of the child as to the parent's rights under this chapter including, but not limited to, the right to file an alternative residential placement petition))~~ Initially notify the parent that it is the paramount concern of the family reconciliation service personnel to achieve a reconciliation between the parent and child to reunify the family and inform the parent as to the procedures to be followed under this chapter;

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

(d) Arrange transportation for the child to the residence of the parent, as soon as practicable, at the latter's expense to the extent of his or her ability to pay, with any unmet transportation expenses to be assumed by the department, when the child and his or her parent agrees to the child's return home;

(e) Arrange transportation for the child to an alternative residential placement which may include a licensed group care facility or foster family when agreed to by the child and parent at the latter's expense to the extent of his or her ability to pay, with any unmet transportation expenses assumed by the department.

Sec. 8. Section 24, chapter 155, Laws of 1979 and RCW 13.32A.100 are each amended to read as follows:

Where a child is placed in a residence other than that of his or her parent pursuant to RCW 13.32A.090(2)(e), the department shall make available (~~crisis intervention~~) family reconciliation services in order to facilitate the reunification of the family. Any such placement may continue as long as there is agreement by the child and parent.

Sec. 9. Section 27, chapter 155, Laws of 1979 and RCW 13.32A.130 are each amended to read as follows:

A child admitted to a crisis residential center under this chapter who is not returned to the home of his or her parent or who is not placed in an alternative residential placement under (~~RCW 13.32A.090(2)(e)~~) an agreement between the parent and child, shall, except as provided for by RCW 13.32A.140 and 13.32A.160(2), reside in such placement under the rules and regulations established for the center for a period not to exceed seventy-two hours, excluding Saturdays, Sundays, and holidays, from the (~~point~~) time of intake, except as otherwise provided by this chapter. Crisis residential center staff shall make a concerted effort to achieve a reconciliation of the family. If a reconciliation and voluntary return of the child has not been achieved within forty-eight hours, excluding Saturdays, Sundays and holidays, from the time of intake, and if the person in charge of the center does not consider it likely that reconciliation will be achieved within the seventy-two hour period, then the person in charge shall inform the parent and child of (1) the availability of counseling services; (2) the right to file a petition for an alternative residential placement and to obtain assistance in filing the petition; and (3) the right to request a review of such a placement: PROVIDED, That at no time shall information regarding a parent's or child's rights be withheld if requested.

Sec. 10. Section 28, chapter 155, Laws of 1979 and RCW 13.32A.140 are each amended to read as follows:

The department shall file a petition to approve an alternative residential placement on behalf of a child under any of the following sets of circumstances:

(1) The child has been admitted to a crisis residential center or has been placed with a responsible person other than his or her parent, and:

(a) The parent has been notified that the child was so admitted or placed;

(b) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such notification;

(c) No agreement between the parent and the child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or parent or legal custodian; and

(e) The child has no suitable place to live other than the home of his or her parent.

(2) The child has been admitted to a crisis residential center (~~(or placed with a responsible adult other than his or her parent,))~~) and:

(a) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such placement;

(b) The staff, after searching with due diligence, have been unable to contact the parent of such child; and

(c) The child has no suitable place to live other than the home of his or her parent.

(3) An agreement between parent and child made pursuant to RCW 13.32A.090(2)(e) or pursuant to RCW 13.32A.120(1) is no longer acceptable to parent or child, and:

(a) The party to whom the arrangement is no longer acceptable has so notified the department;

(b) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such notification;

(c) No new agreement between parent and child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or the parent; and

(e) The child has no suitable place to live other than the home of his or her parent.

Under the circumstances of subsections (1), (2), or (3) of this section, the child shall remain in a licensed child care facility, including but not limited to a crisis residential center, or in any other suitable residence to be determined by the department until an alternative residential placement petition filed by the department on behalf of the child is reviewed by the juvenile court and is resolved by such court. The department may authorize emergency medical or dental care for a child placed under this section. The state, when the department files a petition for alternative residential placement under this section, shall be represented as provided for in RCW 13.04.093.

Sec. 11. Section 29, chapter 155, Laws of 1979 and RCW 13.32A.150 are each amended to read as follows:

A child or a child's parent may file with the juvenile court a petition to approve an alternative residential placement for the child outside the parent's home. The department shall, when requested, assist either a parent or child in the filing of the petition. The petition shall only ask that the placement of a child outside the home of his or her parent be approved (~~(or disapproved)~~). The filing of a petition to approve (~~(or disapprove)~~) such placement is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent, and confers upon the court a special jurisdiction to approve or disapprove an alternative residential placement (~~(or its continuation)~~).

Sec. 12. Section 31, chapter 155, Laws of 1979 and RCW 13.32A.170 are each amended to read as follows:

(1) The court shall hold a fact-finding hearing to consider a proper petition and may approve or ~~((disapprove))~~ deny alternative residential placement giving due weight to the intent of the legislature ~~((expressed in RCW 13.32A.010))~~ that families, absent compelling reasons to the contrary, shall remain together and that parents have the right to place reasonable rules and restrictions upon their children. The court may appoint legal counsel and/or a guardian ad litem to represent the child and advise parents of their right to be represented by legal counsel. The court may approve an order stating that the child shall be placed in a residence other than the home of his or her parent only if it is established by a preponderance of the evidence that ~~((a serious conflict exists between the parent and child and that the conflict cannot be resolved by the delivery of services to the family during continued placement of the child in the parental home))~~:

(a) The petition is not capricious;

(b) The petitioner, if a parent or the child, has made a reasonable effort to resolve the conflict; and

(c) The conflict which exists cannot be resolved by delivery of services to the family during continued placement of the child in the parental home.

The court may not grant a petition filed by the child or the department if it is established that the petition is based only upon a dislike of reasonable rules or reasonable discipline established by the parent.

(2) The order approving out-of-home placement shall direct the department to submit a disposition plan for a three-month placement of the child that is designed to reunite the family and resolve the family conflict. In making the order, the court shall further direct the department to make recommendations, as to which agency or person should have physical custody of the child, as to which parental powers should be awarded to such agency or person, and as to parental visitation rights. The court may direct the department to consider the cultural heritage of the child in making its recommendations.

(3) The hearing to consider the recommendations of the department for a three-month disposition plan shall be set no later than fourteen days after the approval of the court of a petition to approve alternative residential placement. Each party shall be notified of the time and place of such disposition hearing.

(4) If the court ~~((disapproves))~~ approves or denies a petition for an alternative residential placement, a written statement of the reasons shall be filed. If the court ~~((disapproves))~~ denies a petition requesting that a child be placed in a residence other than the home of his or her parent, the court shall ~~((instruct that))~~ enter an order requiring the child to remain at or return to the home of his or her parent.



(5) (~~The court shall dismiss the petition if it finds (a) that a petition filed pursuant to RCW 13.32A.150 is capricious, or (b) that the filing party did not first reasonably attempt to resolve the conflict outside the court. Upon dismissing~~) If the court denies the petition, the court shall impress upon the party filing the petition of the legislative intent to restrict the proceedings to situations where a family conflict is so great that it cannot be resolved by the provision of in-home services.

(6) A child who fails to comply with a court order directing that the child remain at or return to the home of his or her parent shall be subject to contempt proceedings, as provided in this chapter, but only if the noncompliance occurs within ninety calendar days after the day of the order.

Sec. 13. Section 33, chapter 155, Laws of 1979 and RCW 13.32A.190 are each amended to read as follows:

(1) Upon making a dispositional order under RCW 13.32A.180, the court shall schedule the matter on the calendar for review within three months, advise the parties of the date thereof, appoint legal counsel and/or a guardian ad litem to represent the child (~~and the parent, if indigent,~~) at the review hearing, advise (~~nonindigent~~) parents of their right to be represented by legal counsel at the review hearing, and notify the parties of their rights to present evidence at the hearing. Where resources are available, the court shall encourage the parent and child to participate in mediation programs for reconciliation of their conflict.

(2) At the review hearing, the court(~~(-a)~~) shall approve or disapprove the continuation of the dispositional plan ((according to the standards)) in accordance with the goal of resolving the conflict and reuniting the family which governed the initial approval((-b)). The court is authorized to discontinue the placement and order that the child return home if the court has reasonable grounds to believe that the parents have displayed concerted efforts to utilize services and resolve the conflict and the court has reason to believe that the child's refusal to return home is capricious. If out-of-home placement is continued, the court may modify the dispositional plan ((according to the standards of resolving the family conflict and reuniting the family and shall set the matter on the calendar for further review within six months, (c) may determine that interim services as may be appropriate have been offered to the parent and child.

(3) ~~Subsequent six-month review hearings shall be held pursuant to this section until such time as the family is reunited. If the court, at any such hearing, does not approve the continuation of an alternative residential placement and states that the child shall reside with his or her parents, it may hold another review hearing within six months).~~

Out-of-home placement may not be continued past one hundred eighty days from the day the review hearing commenced. The court shall order that the child return to the home of the parent at the expiration of the placement. If continued out-of-home placement is disapproved, the court

shall enter an order requiring that the child return to the home of the child's parent.

NEW SECTION. Sec. 14. There is added to chapter 13.32A RCW a new section to read as follows:

(1) Failure by a party to comply with an order entered under this chapter is punishable as contempt.

(2) Contempt under this section is punishable by a fine of up to one hundred dollars and imprisonment for up to seven days, or both.

(3) A child found in contempt under this section shall be imprisoned only in a secure juvenile detention facility operated by or pursuant to a contract with a county.

(4) The procedure in a contempt proceeding held under this section is governed by RCW 7.20.040 through 7.20.080, as now law or hereafter amended.

(5) A motion for contempt may be made by a parent, a child, juvenile court personnel, or by any public agency, organization, or person having custody of the child under a court order adopted pursuant to this chapter.

NEW SECTION. Sec. 15. There is added to chapter 13.32A RCW a new section to read as follows:

In any proceeding in which the court approves an alternative residential placement, the court shall inquire into the ability of parents to contribute to the child's support. If the court finds that the parents are able to contribute to the support of the child, the court shall order them to make such support payments as the court deems equitable. The court may enforce such an order by execution or in any way in which a court of equity may enforce its orders. However, payments shall not be required of a parent who has both opposed the placement and continuously sought reconciliation with, and the return of, the child.

Sec. 16. Section 17, chapter 172, Laws of 1967 as last amended by section 22, chapter 165, Laws of 1979 ex. sess. and RCW 74.13.031 are each amended to read as follows:

The department shall have the duty to provide child welfare services as defined in RCW 74.13.020, and shall:

(1) Develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of homeless, runaway, dependent, or neglected children.

(2) Develop a recruiting plan for recruiting an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, sibling groups, handicapped and emotionally disturbed, and annually submit the plan for review to the house and senate committees on social and health services. The plan shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) Investigate complaints of neglect, abuse, or abandonment of children by parents, legal custodians, or persons serving in loco parentis, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. If the investigation reveals that a crime may have been committed, the department shall notify the appropriate law enforcement agency.

(4) Offer, on a voluntary basis, (~~(crisis intervention)~~) family reconciliation services to families who are in conflict.

(5) Monitor out-of-home placements, on a timely and routine basis, to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010, and annually submit a report delineating the results to the house and senate committees on social and health services.

(6) Have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, and to provide for the physical care of such children and make payment of maintenance costs if needed.

(7) Have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(8) Have authority to purchase care for children; and shall follow in general the policy of using properly approved private agency services for the actual care and supervision of such children insofar as they are available, paying for care of such children as are accepted by the department as eligible for support at reasonable rates established by the department.

(9) Establish a child welfare and day care advisory committee who shall act as an advisory committee to the state advisory committee and to the secretary in the development of policy on all matters pertaining to child welfare, day care, licensing of child care agencies, and services related thereto.

(10) Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and RCW 74.13.032 through 74.13.036, or of this section all services to be provided by the department of social and health services under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974 (P.L. No. 93-415; 42 U.S.C. 5634 et seq.; and 42 U.S.C. 5701 note as amended by P.L. 94-273, 94-503, and 95-115).

Sec. 17. Section 80, chapter 155, Laws of 1979 as amended by section 21, chapter 165, Laws of 1979 ex. sess. and RCW 74.13.034 are each amended to read as follows:

(1) A child taken into custody and taken to a crisis residential center established pursuant to RCW 74.13.032(2) may, if the center is unable to provide appropriate treatment, supervision, and structure to the child, be taken at department expense to another crisis residential center or the nearest regional crisis residential center. Placement in both centers shall not exceed seventy-two hours from the point of intake as provided in RCW 13.32A.130.

(2) A child taken into custody and taken to a crisis residential center established by this chapter may be placed physically by the department or the department's designee and, at departmental expense and approval, in a secure juvenile detention facility operated by the county in which the center is located for a maximum of (~~(twenty-four)~~) forty-eight hours, including Saturdays, Sundays, and holidays, if the person in charge of the crisis residential center finds that the child is (~~(severely, emotionally, or behaviorally disturbed to the point that the child is suicidal,)~~) seriously assaultive(;) or seriously destructive towards others and the center is unable to provide appropriate supervision and structure. Any child who takes unauthorized leave from the center, if the person in charge of the center cannot provide supervision and structure adequate to ensure that the child will not again take unauthorized leave, may be taken to a secure juvenile detention facility subject to the provisions of this section: PROVIDED, That juveniles placed in such a facility pursuant to this section may not, to the extent possible, come in contact with alleged or convicted juvenile or adult offenders.

(3) Any child placed in secure detention pursuant to this section shall, during the period of confinement, be provided with appropriate treatment by the department or the department's designee, which shall include the services defined in RCW 74.13.033(2). If the child placed in secure detention is not returned home or if an alternative living arrangement agreeable to the parent and the child is not made within twenty-four hours after the child's admission, the child shall be taken at the department's expense to a crisis residential center. Placement in the crisis residential center or centers plus placement in juvenile detention shall not exceed seventy-two hours from the point of intake as provided in RCW 13.32A.130.

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

(5) It is the intent of the legislature that by (~~(December 1, 1980)~~) July 1, 1982, crisis residential centers, supplemented by community mental health programs and mental health professionals, will be able to respond appropriately to children admitted to centers under this chapter and will be

able to respond to the needs of such children with appropriate treatment, supervision, and structure.

Sec. 18. Section 82, chapter 155, Laws of 1979 and RCW 74.13.036 are each amended to read as follows:

The department of social and health services shall oversee implementation of chapter 13.34 RCW and chapter 13.32A RCW. The oversight shall be comprised of working with affected parts of the criminal justice and child care systems as well as with local government, legislative, and executive authorities to effectively carry out these chapters. The department shall work with all such entities to ensure that chapters ~~((155, Laws of 1979 is))~~ 13.32A and 13.34 RCW are implemented in a uniform manner throughout the state. The department shall make ~~((periodic))~~ reports at least quarterly to the governor and to the legislature regarding implementation of the chapters cited in this section and shall report any violations and misunderstandings regarding the implementation thereof. Where appropriate, the department shall request opinions from the attorney general regarding correct construction of these laws.

NEW SECTION. Sec. 19. The committee on institutions of the house of representatives and the committee on judiciary of the senate shall meet as a joint legislative oversight committee to receive the report of the department, and to receive complaints and recommendations from the department and any other criminal justice or child care agency and any parent or parents who have an interest in implementation of the chapters cited in this section.

The joint committee shall meet at least quarterly and rotate the hearings in all regions of the department.

This section shall expire on January 1, 1983.

NEW SECTION. Sec. 20. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the Senate April 26, 1981.

Passed the House April 26, 1981.

Approved by the Governor May 19, 1981.

Filed in Office of Secretary of State May 19, 1981.

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## CHAPTER 299

[Substitute Senate Bill No. 3190]

### JUVENILE OFFENDERS

AN ACT Relating to juveniles; amending section 2, chapter 160, Laws of 1913 as last amended by section 6, chapter 128, Laws of 1980 and RCW 13.04.030; amending section 56, chapter 291, Laws of 1977 ex. sess. as amended by section 54, chapter 155, Laws of 1979 and RCW 13.40.020; amending section 57, chapter 291, Laws of 1977 ex. sess. as