

# SENATE BILL REPORT

## SHB 2239

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As of February 12, 1996

**Title:** An act relating to background checks.

**Brief Description:** Requiring background checks of relatives before a court may place a child in the care of the relative.

**Sponsors:** House Committee on Children & Family Services (originally sponsored by Representatives Sterk, L. Thomas, Koster, Honeyford, McMahan, Schoesler, Radcliff, Carlson, Thompson, Boldt and Goldsmith).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/20/96.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Jodi Walker (786-7464)

**Background:** The Secretary of the Department of Social and Health Services has a duty to conduct a background investigation of any person that is being given the authority to care for children, expectant mothers, or the developmentally disabled. Only the parents of the person to be cared for are exempt.

The secretary is required to conduct the investigation prior to placement. An exception is allowed for relatives who receive charge of a dependent child who has been removed from his or her parents by court order or by a law enforcement agency. If the relative appears suitable and competent to provide care and treatment for the child, an investigation will be made as soon as possible after placement.

The investigations are conducted by the Children and Family Services division in conjunction with the Washington State Patrol and are intended to determine the character, suitability, and competence of the caretaker in providing care for the child, expectant mother or developmentally disabled person. The division conducts roughly 2,000 background checks a week, 86 percent of which are regarding child placement.

No similar background check is required to be conducted by a law enforcement officer who takes a homeless or runaway child into custody and places the child with a relative or family friend.

**Summary of Bill:** The secretary is required to conduct background investigations of relatives receiving care of a dependent child no later than 24 hours after placement of the child with the relative, or 24 hours following the weekend or holiday during which placement occurred.

Law enforcement officers are required to conduct criminal background before placing a homeless or runaway child with an adult extended family member or responsible adult. The background check must include searches in Washington State Patrol databases.

If an officer finds reasonable cause to believe that the safety or welfare of a child would be jeopardized by placing the child with the adult or relative, the officer is directed to take the child to a residential center facility after attempting to notify the child's parents.

**Appropriation:** None.

**Fiscal Note:** Requested on February 12, 1996.

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