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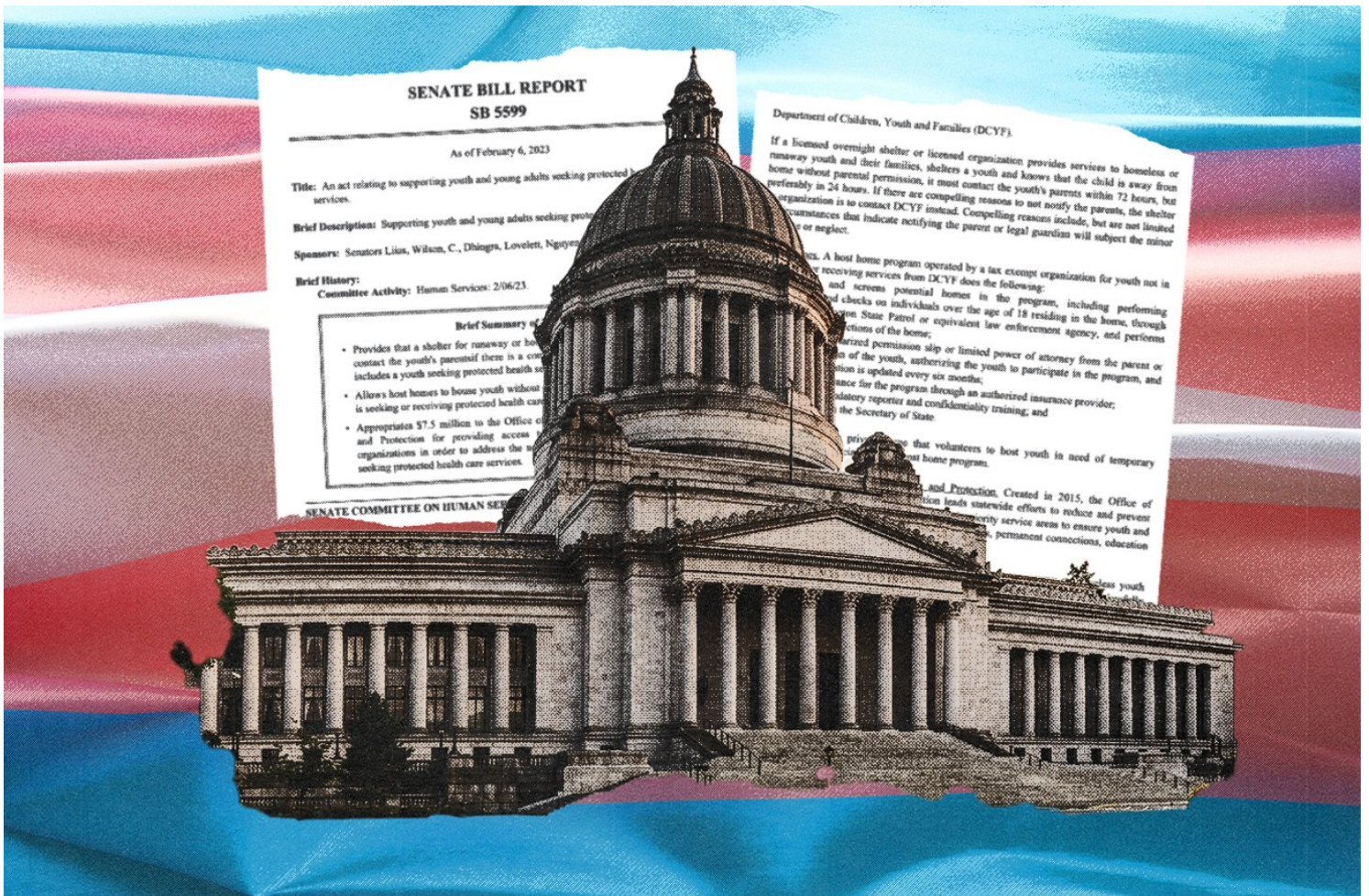
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NEWS | Apr 19, 2023 at 9:49 am

# No, Washington Did Not Just Pass a Law Allowing the State to Kidnap and Transgenderify Children

The Goal Is to Reunite Families

VIVIAN MCCALL



*Let's play a game called Read the Text of the Bill to Conservatives* ANTHONY KEO

[Senate Bill 5599](#) attracted more ire and myth-making than almost any other bill in Olympia this session.

The bill, introduced by Marko Liias (D-Lynnwood), amends existing state law regarding child runaways and expands protections for those who end up in Washington youth shelters in pursuit of abortions, reproductive medicine, and gender-affirming care.

The changes are simple: A shelter can now notify the Washington Department of Child, Youth and Families (DCYF) before the parents of the young people in these cases, which increases the state's involvement with young people. It does not eliminate requirements to notify parents, and it is specifically intended to reunify children with their families.

The bill also allows kids in these situations to remain in stable, emergency housing—such as a shelter or host home that receives state resources—and to access safety screenings without direct parental notification. The state currently limits those options only to victims of child abuse. Other youth can only stay at shelters for three days without parental permission; SB 5599 simply extends this time limit so DCYF can begin the reunification process, provided the child has not been kicked out of their home. Before, shelters saw trans and pregnant youth leaving safety because they weren't ready to talk to their parents within that three-day window.

That's it. Likely not the scaremongering you've heard about.

Conservative figures, politicians and far-right groups such as the Conservative Ladies of Washington, detrans activist Oli London, Washington Rep. Leonard Christian, Rep. Jim Walsh, and Brandi Kruse say SB 5599 infringes on parental rights. Some of them argue that the state of Washington is now free to kidnap, disappear, and transgenderify children without the knowledge or consent of their loving parents—who would be left confused, heartbroken, and financially responsible for any and all costs.

These claims are just not true. This bill concerns one thing: Shelter, and how to best handle a vulnerable population of kids who seek it.

“Right now, today in Washington, kids are being kicked out or running away. This is speaking to making sure there are safe options when that happens,” Sen. Liias said.

## **No, Washington Cannot Kidnap Your Children**

You'll hear and read the word “kidnapping” a lot in conversations and articles about this bill.

First of all, a homeless shelter cannot disappear a child in Washington. Kidnapping children is and would remain illegal if *and likely when* Governor Jay Inslee signs this bill.

Washington law is clear—licensed homeless shelters or programs that accept children must inform the parents (and hometown police department) of the child's mental and physical state, where they are, and how they got there.

They must relay that information within 24 to 72 hours—*unless* there is evidence of abuse, the child is seeking an abortion, or the child is pursuing gender-affirming care. Shelters must also repeatedly check (every eight hours) a Washington State Patrol database for missing children and immediately report any child in their care that appears there.

This same provision for abused children has been on the books for years. The protections for abortion and gender care are new, and that's what has eyeballs popping out of skulls and rolling across the floor.

In the bill, the state doesn't turn homeless shelters into de facto Black Sites for Kids™. Police will be informed and parents will find out where their children are—they'll just learn about that information from a new source; a social worker, not a youth shelter employee or the kid. This change opens the door for state resources and assistance for families.

Bill sponsor Liias said most runaway cases involve short-term crises that can be resolved. For instance, a child might come out as trans or share news of a pregnancy with a parent or family member who

struggles with the revelation. In response, this dejected or scared kid flees home for a shelter. DCYF employees are better trained than shelter staff to handle these emotional, traumatic situations and phone calls. They can provide supportive counseling and behavioral health resources to reach a happier ending.

“When you connect the parents and children to supportive services, they come together, they figure it out,” Liias said. “That’s the ideal circumstance. We want the family back together.”

Danni Askini, executive director of the Gender Justice League in Seattle, says some children may be homeless for some time before reaching shelter. Their gender identity may be a shock to parents. There could be hurt feelings, or troubling history—all barriers that are not abuse.

“Having a social worker involved between young people and their parents when there is this sort of schism... that is super important to facilitate long-term relationships between young people and their parents,” she said.

The bill’s expanded protections provide that additional help to families. Washington law still prohibits the concealment of a minor, so parents are not being cut out of their children’s lives. The bill even includes a requirement to offer the child behavioral health services and the families services meant to reunite them.

Such reunions are not always possible for queer kids from dangerous or hostile homes. As with any child abuse case, there may not be further contact.

## **No, Washington Isn’t Going to “Transgenderify” Children, Either**

Now, what kind of medical care will these minors receive in temporary housing? It’s less dramatic than state GOP lawmakers say.

Washington’s age of consent for gender-affirming surgery is 18, without approval from a parent or guardian. Even with approval, surgery on minors is also exceedingly rare—it isn’t going to happen. Therapy is standard practice before any children are prescribed hormones. (Not to mention that early hormone intervention can eliminate the need for most surgeries). The intent of the law is to bring families together long before these decisions are made.

What about counseling? Yes, you’d hope so.

*Some* have speculated that parents would be made to pay for gender services they didn’t agree to, which also isn’t true. Teens and children who are away from their parents would be eligible for Apple Health, a state health plan for those who can’t afford it in Washington.

The bill also does not redefine child abuse to include a parent denying access to an abortion or gender-affirming care. This common right-wing argument is dispelled by reading the bill, or by having someone read it for you. *\*Ahem\**

The bill would, however, add a new section to Washington's RCW acknowledging that homeless trans youth are at elevated, increased risk of harm and suicide. The existing barriers to aid in our state could exacerbate that risk, which led to the decision to try to expand temporary shelter to kids seeking protected health care in the first place.

“This bill is focused purely on this question of temporary housing and shelter, host homes—getting a homeless youth stabilized and connected to care,” Lias said. “The other pieces—when they can access care, what that care looks like—those are other existing laws that aren't changed by this bill... The bill does not change any authority of DCYF to remove a child.”

## **We Don't Live in a Vacuum**

The legislation also addresses children from outside Washington who may come from states that have criminalized reproductive and/or gender-affirming care.

We don't live in a vacuum. Every state-level law protecting trans and reproductive rights is passed in the context of the Supreme Court having overturned [Roe v. Wade](#) and the far-right [crusade against trans rights](#) in sports, schools, health care and bathrooms.

The conflict leaves vulnerable people to exist in a dangerous, confounding checkerboard of states with and without legal protections. Seeking criminalized medical care in a friendly, neighboring state presents an expensive and potentially legally risky choice. If you're a kid, you could make your family guilty of a crime if you even just tell them you've accessed care that you need.

For the protection of guardians in these specific instances, Lias says a social worker may not share direct knowledge that could implicate parents in a crime in their state.

Ratting people out, too, would push families apart. There is recent precedent for that sort of rupture. For instance, as part of an illegal abortion investigation in Nebraska last year, Facebook gave the police messages between a mother and daughter. The two pleaded not guilty, but they could be convicted in court. You don't have to look that far ahead to see potential danger for these kids or their families.

Our next-door neighbor, Idaho, [killed a bill](#) that would have amended the state's definition of female genital mutilation, making a criminal of parents who allow any child to seek gender-affirming care in other states. The punishment? Prison for life.

Republican attempts to restrict and criminalize abortion and gender care will not likely come to a sudden stop next year. If the trend continues, the bills may be more severe. SB 5599 was written and passed with that reality in mind.

*Clarification: This post originally stated that “Conservative figures, politicians and far-right groups such as the Conservative Ladies of Washington, detrans activist Oli London, Washington Rep. Leonard Christian, Rep. Jim Walsh, and Brandi Kruse... assert that the state of Washington is now free to kidnap, disappear, and “transgenderify” children without the knowledge or consent of their loving parents. Though The Stranger put the word “transgenderify” in quotes to sarcastically flag the transphobia undergirding the arguments against this legislation, a producer for Brandi Kruse’s show, “[un]Divided,” objected to the gesture, claiming that Kruse “has never stated that the state will use SB 5599 to ‘transgenderify’ children.” That’s true. Kruse only [said](#), “So, in theory you could have a child that runs away from a perfectly happy healthy household, but perhaps a parent who doesn’t want them to get gender-reassignment surgery, that would be enough of a reason under Washington state law, if [SB 5599] passes, for a child to run away, to go to a shelter to get gender reassignment surgery—surgical intervention under the protection of the state of Washington—and then to return home a different gender. Imagine that. Imagine if that was your child.”*

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## Vivian McCall



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