

HOUSE BILL NO. 348

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES JAMES, Therriault, Kelly, Toohey

Introduced: 5/13/95

Referred: State Affairs, Health, Education and Social Services, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring that all official interviews with children who are alleged to
2 have been abused or neglected be videotaped or audiotaped."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 47.17.027(a) is amended to read:

5 (a) If the department or a law enforcement agency provides written
6 certification to the child's school officials that (1) there is reasonable cause to suspect
7 that the child has been abused or neglected by a person responsible for the child's
8 welfare or as a result of conditions created by a person responsible for the child's
9 welfare; (2) an interview at school is a necessary part of an investigation to determine
10 whether the child has been abused or neglected; and (3) the interview at school is in
11 the best interests of the child, school officials shall permit the child to be interviewed
12 at school by the department or a law enforcement agency before notification of, or
13 receiving permission from, the child's parent, guardian, or custodian. A school official
14 shall be present during an interview at the school unless the child objects or the

1 department or law enforcement agency determines that the presence of the school
2 official will interfere with the investigation. **The interview shall be videotaped or**
3 **audiotaped as required by AS 47.17.035.** Immediately after conducting an interview
4 authorized under this section, and after informing the child of the intention to notify
5 the child's parent, guardian, or custodian, the department or agency shall make every
6 reasonable effort to notify the child's parent, guardian, or custodian that the interview
7 occurred unless it appears to the department or agency that notifying the child's parent,
8 guardian, or custodian would endanger the child.

9 * **Sec. 2.** AS 47.17 is amended by adding a new section to read:

10 Sec. 47.17.035. VIDEOTAPING OR AUDIOTAPING OF INTERVIEWS.
11 Upon receiving a report that a child has been abused or neglected, an officer,
12 employee, or agent of the department, a local government health or social services
13 agency, a law enforcement agency, or another state or local government agency or unit
14 may not interview the child concerning the alleged abuse or neglect unless the initial
15 interview and each subsequent interview is videotaped. If videotaping of the initial
16 interview or a subsequent interview is impractical, the interview shall be audiotaped.