

**SENATE BILL NO. 188**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY SENATORS TAYLOR AND MILLER

Introduced: 1/8/96

Referred: HES, JUD

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to reports of suspected child abuse or neglect, and requiring  
2 that, as part of the investigation of the reports of suspected child abuse or  
3 neglect, all official interviews with children who are alleged to have been abused  
4 or neglected be videotaped."

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

6 \* **Section 1.** AS 47.17.010 is amended to read:

7           Sec. 47.17.010. **PURPOSE AND INTENT.** (a) In order to protect children  
8 whose health and well-being may be adversely affected through the infliction, by other  
9 than accidental means, of harm through physical injury or neglect, mental injury,  
10 sexual abuse, sexual exploitation, or maltreatment, the legislature requires the reporting  
11 of these cases by practitioners of the healing arts and others to the department. It is  
12 not the intent of the legislature that persons required to report suspected child abuse  
13 or neglect under this chapter investigate the suspected child abuse or neglect before  
14 they make the required report to the department. Reports **of suspected child abuse**

1 **or neglect** must be made when there is a reasonable cause to suspect child abuse or  
2 neglect in order to make state investigative and social services available in a wider  
3 range of cases at an earlier point in time.

4 **(b) It is the intent of the legislature** [, TO MAKE SURE] that investigations  
5 regarding **reports of suspected** child abuse and neglect

6 **(1) be** [ARE] conducted by trained investigators;

7 **(2)** [, AND TO] avoid subjecting a child to multiple interviews about  
8 the abuse or neglect; **and**

9 **(3) ensure that all interviews with the child concerning the alleged**  
10 **abuse or neglect that are made as part of the investigation of a report of harm**  
11 **are recorded on videotape.**

12 **(c)** It is the **further** intent of the legislature that, as a result of **requiring the**  
13 **making of** these reports **of suspected child abuse or neglect**, protective services will  
14 be made available in an effort to

15 (1) prevent further harm to the child;

16 (2) safeguard and enhance the general well-being of children in this  
17 state; and

18 (3) preserve family life unless that effort is likely to result in physical  
19 or emotional damage to the child.

20 \* **Sec. 2.** AS 47.17.025(a) is amended to read:

21 (a) A law enforcement agency shall immediately notify the department of the  
22 receipt of a report of harm to a child from abuse. Upon receipt from any source of  
23 a report of harm to a child from abuse, the department shall notify the Department of  
24 Law and investigate the report. **However, the department may not proceed in an**  
25 **investigation of a report of harm to a child from abuse if the department, in**  
26 **interviewing the child concerning the alleged abuse, is unable to videotape or fails**  
27 **to videotape each interview with the child. Within** [AND, WITHIN] 72 hours of  
28 the receipt of the report **of harm to a child from abuse, the department** [,] shall  
29 provide a written report of its investigation of the harm to a child from abuse to the  
30 Department of Law for review.

31 \* **Sec. 3.** AS 47.17.027(a) is amended to read:

1 (a) If the department or a law enforcement agency provides written  
2 certification to the child's school officials that (1) there is reasonable cause to suspect  
3 that the child has been abused or neglected by a person responsible for the child's  
4 welfare or as a result of conditions created by a person responsible for the child's  
5 welfare; (2) an interview at school is a necessary part of an investigation to determine  
6 whether the child has been abused or neglected; and (3) the interview at school is in  
7 the best interests of the child, school officials shall permit the child to be interviewed  
8 at school by the department or a law enforcement agency before notification of, or  
9 receiving permission from, the child's parent, guardian, or custodian. A school official  
10 shall be present during an interview at the school unless the child objects or the  
11 department or law enforcement agency determines that the presence of the school  
12 official will interfere with the investigation. **The interview shall be videotaped as**  
13 **required by AS 47.17.035.** Immediately after conducting an interview authorized  
14 under this section, and after informing the child of the intention to notify the child's  
15 parent, guardian, or custodian, the department or agency shall make every reasonable  
16 effort to notify the child's parent, guardian, or custodian that the interview occurred  
17 unless it appears to the department or agency that notifying the child's parent,  
18 guardian, or custodian would endanger the child.

19 \* **Sec. 4.** AS 47.17 is amended by adding a new section to read:

20 Sec. 47.17.035. VIDEOTAPING OF INTERVIEWS. An officer, employee,  
21 or agent of the department, a local government health or social services agency, a law  
22 enforcement agency, or another state or local government agency or unit who receives  
23 a report of harm to a child from abuse or neglect may not investigate the report of  
24 harm by interviewing the child concerning the alleged abuse or neglect unless the  
25 initial interview and each subsequent interview are videotaped.