

CS FOR SENATE BILL NO. 82(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 2/18/05

Referred: Judiciary

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to child protection, including forensic interviews and transportation of**
2 **children; and providing for an effective date."**

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 LEGISLATIVE INTENT. (a) The legislature recognizes the serious need for
7 adequate assessment of children who are victims of sexual abuse and serious physical abuse.

8 (b) Child advocacy centers are desirable for promoting a timely, coordinated, and
9 multi-disciplinary approach for the investigation, treatment, and prosecution of child abuse
10 cases that enhance the safety of children residing in the state, minimize trauma experienced by
11 children and families, and hold more offenders accountable.

12 (c) The cost of failing to thoroughly assess and treat abused children is too high. It is
13 the purpose of this Act to help ensure that, whenever possible, children who are reasonably
14 suspected to have been subjected to sexual abuse or to serious physical abuse receive a

1 skilled, complete, and therapeutic medical assessment and videotaped forensic interview at a
2 child advocacy center.

3 * **Sec. 2.** AS 47.17.064 is amended by adding new subsections to read:

4 (c) In addition to the authority provided in (a) of this section, the department
5 may, without the permission of the parents, guardian, or custodian, conduct or
6 authorize a person to conduct a forensic interview of a child who the department has
7 reasonable cause to suspect has suffered sexual abuse or physical harm as a result of
8 child abuse or neglect if the department has documented the grounds for establishing
9 reasonable cause. The forensic interview authorized by this subsection may be
10 conducted only by the department or by a peace officer or professional staff of a child
11 advocacy center authorized by the department. The department shall notify the
12 parents, guardian, or custodian of a child as soon as possible after taking action under
13 this subsection with regard to the child.

14 (d) The department may transport or authorize a third party to transport a child
15 for photographs or a medical or radiological examination under (a) of this section or a
16 forensic interview under (c) of this section. Transportation of a child under this
17 section does not constitute the child's being taken into emergency custody of the state
18 under AS 47.10.142.

19 (e) In this section,

20 (1) "child advocacy center" means a facility with a child-focused,
21 community partnership committed to a multidisciplinary team approach that includes
22 representatives from law enforcement, child protection, criminal prosecution, victim
23 advocacy, and the medical and mental health fields, who collaborate and assist in
24 investigations of allegations of sexual or other abuse, and neglect, of children;

25 (2) "forensic interview" means a structured interview that employs
26 objective and age-appropriate questioning techniques to elicit accurate and reliable
27 facts that may be used in court proceedings;

28 (3) "peace officer" has the meaning given in AS 11.81.900.

29 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
30 read:

31 REVISOR'S INSTRUCTION. The revisor of statutes is instructed to change the

1 heading of AS 14.17.064 from "Photographs and x-rays" to "Photographs and other
2 authorized procedures."

3 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).