

Offered: 5/12/86

Original sponsors: Goll, Gruenberg,  
and Szymanski

1 IN THE HOUSE BY THE RULES COMMITTEE  
2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 471 (Rules)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to the abuse and exploitation of  
7 children."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 \* Section 1. LEGISLATIVE FINDINGS. The legislature finds that there  
10 exists an increasing escalation of crime committed by and against children  
11 and that delinquent acts are frequently the result of criminal and sexual  
12 exploitation of children. There exists a need to establish a cooperative  
13 local, state, and federal effort to contend with extra-familial child  
14 sexual abuse, runaway or missing children, child pornography, prostitution,  
15 drug sales and use, and the involvement of children in organized burglary  
16 and larceny offenses.  
17 \* Sec. 2. AS 18.65 is amended by adding a new section to read:  
18 Sec. 18.65.086. INVESTIGATIVE UNIT ON SEXUALLY ABUSED AND CRIM-  
19 INALLY EXPLOITED CHILDREN. (a) There is established in the Depart-  
20 ment of Public Safety, division of state troopers, a special unit for  
21 the purpose of investigating cases of repeated child sexual abuse and  
22 the criminal exploitation of children.  
23 (b) The commissioner of public safety shall submit to the legis-  
24 lature, within 30 days from the date the legislature convenes in  
25 odd-numbered years, a report concerning the activities of the special  
26 unit on repeated child sexual abuse and the criminal exploitation of  
27 children. The report shall include, but is not limited to, the number  
28 of arrests made in cases of repeated child sexual abuse and the crimi-  
29 nal exploitation of children, the number of investigations that result

1 in the Department of Health and Social Services taking temporary or  
2 permanent custody of the child, the sentences received by persons  
3 convicted in the state of child sexual abuse or criminal exploitation  
4 of a child, and an overall view of the problems of child sexual abuse  
5 and the criminal exploitation of children in the state.

6 (c) In this section

7 (1) "child" means a person under 18 years of age at the  
8 time the alleged offense was committed by or against the person;

9 (2) "criminal exploitation of children" means the use of a  
10 child by an adult in a criminal manner for the personal gratification  
11 or profit of the adult;

12 (3) "repeated child sexual abuse" means conduct that is a  
13 criminal sexual offense against a child under AS 11 and that is com-  
14 mitted against the child more than once or against more than one  
15 child.

16 \* Sec. 3. AS 47.17.020 is amended by adding a new subsection to read:

17 (e) A person listed in (a) of this section, who in the perfor-  
18 mance of the person's occupational duties has cause to believe that a  
19 child has suffered harm as a result of abuse, shall promptly report  
20 the harm to the nearest law enforcement agency if the person making  
21 the report (1) has cause to believe that the harm was caused by a  
22 person who is not responsible for the child's welfare; or (2) is  
23 unable to determine (A) who caused the harm to the child; or (B)  
24 whether the person who is believed to have caused the harm has respon-  
25 sibility for the child's welfare. If a person making a report under  
26 this subsection cannot reasonably contact the nearest law enforcement  
27 agency, and immediate action appears necessary for the well-being of  
28 the child, the person shall make the report to the nearest office of  
29 the department. The department shall take immediate action to protect

1 the child and shall, at the earliest opportunity, notify the nearest  
2 law enforcement agency. In this subsection, "abuse" means the phys-  
3 ical injury, sexual abuse, sexual exploitation, or maltreatment of a  
4 child by any person under circumstances that indicate that the child's  
5 health or welfare is harmed or threatened.

6 \* Sec. 4. AS 47.17.070(10) is amended to read:

7 (10) "sexual exploitation" includes [MEANS]

8 (A) allowing, permitting, or encouraging [PERMISSION  
9 OR ENCOURAGEMENT TO] a child to engage in [FOR] prostitution  
10 prohibited by AS 11.66.100 - 11.66.150, by a person responsible  
11 for the child's welfare;

12 (B) allowing, permitting, encouraging, or engaging in  
13 [PERMISSION, ENCOURAGEMENT, OR] activity [INVOLVED IN THE UNLAW-  
14 FUL EXPLOITATION OF A MINOR] prohibited by AS 11.41.455(a) [11.-  
15 41.455], by a person responsible for the child's [MINOR'S] wel-  
16 fare.