

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) am S
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 * Sec. 1. AS 18.65 is amended by adding a new section to read:

10 Sec. 18.65.086. INVESTIGATIVE UNIT ON SEXUALLY ABUSED AND CRIM-
11 INALLY EXPLOITED CHILDREN. (a) There is established in the Depart-
12 ment of Public Safety, division of state troopers, a special unit for
13 the purpose of investigating cases of repeated child sexual abuse and
14 the criminal exploitation of children.

15 (b) The commissioner of public safety shall submit to the legis-
16 lature, within 30 days from the date the legislature convenes in
17 odd-numbered years, a report concerning the activities of the special
18 unit on repeated child sexual abuse and the criminal exploitation of
19 children. The report shall include, but is not limited to, the number
20 of arrests made in cases of repeated child sexual abuse and the crimi-
21 nal exploitation of children, the number of investigations that result
22 in the Department of Health and Social Services taking temporary or
23 permanent custody of the child, the sentences received by persons
24 convicted in the state of child sexual abuse or criminal exploitation
25 of a child, and an overall view of the problems of child sexual abuse
26 and the criminal exploitation of children in the state.

27 (c) In this section

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

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

4 (3) "repeated child sexual abuse" means conduct that is a
5 criminal sexual offense against a child under AS 11 and that is com-
6 mitted against the child more than once or against more than one
7 child.

8 * Sec. 2. AS 47.17.020 is amended by adding a new subsection to read:

9 (e) A person listed in (a) of this section, who in the perfor-
10 mance of the person's occupational duties has cause to believe that a
11 child has suffered harm as a result of abuse, shall promptly report
12 the harm to the nearest law enforcement agency if the person making
13 the report (1) has cause to believe that the harm was caused by a
14 person who is not responsible for the child's welfare; or (2) is
15 unable to determine (A) who caused the harm to the child; or (B)
16 whether the person who is believed to have caused the harm has respon-
17 sibility for the child's welfare. If a person making a report under
18 this subsection cannot reasonably contact the nearest law enforcement
19 agency, and immediate action appears necessary for the well-being of
20 the child, the person shall make the report to the nearest office of
21 the department. The department shall take immediate action to protect
22 the child and shall, at the earliest opportunity, notify the nearest
23 law enforcement agency. In this subsection, "abuse" means the phys-
24 ical injury, sexual abuse, sexual exploitation, or maltreatment of a
25 child by any person under circumstances that indicate that the child's
26 health or welfare is harmed or threatened.

27 * Sec. 3. AS 47.17.070(10) is amended to read:

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

29 (A) allowing, permitting, or encouraging [PERMISSION

1 OR ENCOURAGEMENT TO] a child to engage in [FOR] prostitution
2 prohibited by AS 11.66.100 - 11.66.150, by a person responsible
3 for the child's welfare;

4 (B) allowing, permitting, encouraging, or engaging in
5 [PERMISSION, ENCOURAGEMENT, OR] activity [INVOLVED IN THE UNLAW-
6 FUL EXPLOITATION OF A MINOR] prohibited by AS 11.41.455(a) [11.-
7 41.455], by a person responsible for the child's [MINOR'S] wel-
8 fare.