

1 IN THE HOUSE

BY COLLINS AND PHILLIPS

2

HOUSE BILL NO. 503

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An act relating to the duties of public authorities
7 during investigations conducted for the protection of
8 children."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. PURPOSE. In directing that a law enforcement officer or
11 employee or state employee tape or videotape the interview of a child
12 alleged to have been harmed by abuse that is conducted during the course of
13 an investigation, it is the purpose of this Act to obtain from the child a
14 record of information about the alleged abuse once for later use by all
15 parties concerned about the alleged abuse in order to spare the child the
16 ordeal of repetitive investigatory interviews.

17 * Sec. 2. AS 47.17.025 is amended by adding new subsections to read:

18 (c) When conducting an investigation of the alleged harm to a
19 child from abuse, an officer or employee of a law enforcement agency
20 or an employee of the department that interviews the child who is the
21 alleged victim shall

22 (1) videotape the interview, if the officer or employee
23 reasonably believes that the child cannot provide verbal responses to
24 questions put to the child during the interview; or

25 (2) make a tape recording of the interview, if the officer
26 or employee reasonably believes that the child can provide verbal
27 responses to questions put to the child during the interview.

28 (d) The taped or videotaped record of the interview made under
29 (c) of this section

1 (1) is evidence subject to disclosure to the defendant or
2 the defendant's attorney under applicable rules of criminal procedure
3 relating to discovery of evidence;

4 (2) may not be used or substituted for the videotape of
5 testimony of the child authorized by AS 12.45.047 for use during
6 trial.