

HB

348

1996 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Public Safety
 Title: Video/audiotape Interview of Abused Minor BRU CDVSA
 Component: CDVSA
 Sponsor: Representative James
 Requestor: H. State Affairs COMPONENT SERIAL NO. 0521

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
Code Revenue						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 96) impact: \$ _____

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)
 No fiscal impact is anticipated to the Council at this time.

Prepared By: Jayne E. Andreen Phone: 907-465-4356
 Division: Council on Domestic Violence and Sexual Assault Date: 3/6/96
 Approved by Commissioner: *Ronald L. Otte* Date: 3-6-96
 Ronald L. Otte, Dept. of Public Safety

ORIGINAL

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FISCAL NOTE

STATE OF ALASKA
996 LEGISLATIVE SESSION

BILL NO. CS HB 348 (STA)

Revision Date: March 9, 1996

Department Affected: Education

Title: Video/Audiotape Interview of Abused Minors

BRU: Executive Administration

Sponsor: Representative James

Component: Commissioner's Office

Requester: House State Affairs Committee

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ 0.0

ANALYSIS:

CS HB 348 (STA) establishes an interagency working group and a memorandum of agreement on agency accountability. One representative from the Department of Education will participate in the interagency working group to improve child interviewing methods with abused and/or neglected minors. The participating staff person will absorb the task into their existing work schedule.

Prepared by: Kimberly Homme, Special Assistant

Phone: 465-2803

Division: Commissioner's Office

Date: March 12, 1996

Approved by Commissioner: *[Signature]*

Richard S. Cross, Deputy Commissioner

Agency: Education

Date: March 12, 1996

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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSHB 348 (STA)

Revision Date: _____ Dept. Affected: Department of Law
 Title: "An Act establishing the interagency work group on agency accountability and child interview methods." BRU: Criminal Division/Civil Division
 Sponsor: Representative James Component: Criminal Division/General Legal Services
 Requester: House State Affairs Committee COMPONENT SERIAL NO. 2085/2087

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

POSITIONS	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The House State Affairs Committee Substitute for HB 348 drops the bill's original mandate for videotaping or audiotaping interviews of the victims of child abuse or neglect and, instead, establishes an interagency work group to identify the best and most effective methods to establish accountability for those who interview minors who are alleged or suspected to have been abused or neglected. The work group, consisting of four representatives from the Departments of Health and Social Services, Public Safety, Education and Law, would be required to prepare a memorandum of agreement to guide participating agencies in their involvement with minors in child abuse and neglect cases.

The work group would also be required to provide for interagency cooperation: in the initial and continuing training or education for interviewers; in establishing respect for family members during the interview process; in maintaining family unity during the interview process, unless the nature of the investigation clearly indicates otherwise; and in sensitivity to public response and public input. The bill would also require the work group

Prepared by: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Division Date: 3/11/96
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 3/11/96
 Agency: Department of Law

PREPARER TC
For

GOVERNOR'S LEGISLATIVE OFFICE
's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSHB 348 (STA)

ANALYSIS CONTINUATION:

to focus on increasing agency and interviewer accountability and minimizing negative effects on families. Finally, the work group would be required to review the statutory definition of "abuse or neglect" to determine if the definition leads to uniform and fair results.

The Department of Law's participation in the work group and future memoranda of agreements can be accomplished using existing staff and resources and, consequently, there will not be a fiscal impact for the department.

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: March 13, 1996

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 3/28/96

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 348

HOUSE BILL NO. 348

VIDEO/AUDIOTAPE INTERVIEW OF ABUSED MINOR

"An Act requiring that all official interviews with children who are alleged to have been abused or neglected be videotaped or audiotaped."

recommends it be replaced with the following committee substitute CS HB 348 (HES) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) _____

2 zero fiscal note(s) DOE, Law

zero fiscal note(s) H+SS 3/13/96
Public Safety 3/13/96

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>[Signature]</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CHAIR'S SIGNATURE *[Signature]*

Alaska State Legislature

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House Of Representatives
House District 34

**SPONSOR STATEMENT
HOUSE BILL 348**

3/09/96

**"An act establishing the interagency work group on
agency accountability and child interview methods"**

Three years of discussion with state agencies, concerned parents and families state- and nation-wide, and numerous committee hearings, have resulted in the final State Affairs Committee Substitute (Version G) for House Bill 348.

Though the title and content of CSHB348(STA) may seem to be a departure from the original bill, which required mandatory videotaping of all interviews with allegedly abused minors, I firmly believe the original intent will be achieved:

***AGENCY ACCOUNTABILITY and
MORE RESPECT FOR FAMILY UNITY.***

The bill now mandates the formation of an interagency work group with representatives from the Department of Health and Social Services, Department of Public Safety, Department of Education, and Department of Law. Their job is to identify the most effective ways to use videotaping, audiotaping, team interviews, note taking, documentation and enforced file content standards, with the goals of:

1. Establishing respect for family members during the interview process,
2. Minimizing negative effects on families,
3. Focusing on agency and interviewer accountability,
4. Reviewing the statutory definition of "abuse or neglect" to determine if it leads to uniform and fair results.

The group's initial memorandum of agreement must be available for public and legislative review by January 1, 1997, and is to be updated by each new administration.

Creating more effective inter-agency interviewing techniques and accountability will greatly lessen the strain on families, and it will help achieve a balance between *protecting Alaska's children from abuse while maintaining the sanctity of family unity.*

SPONSOR STATEMENT

CS FOR HOUSE BILL NO. 348(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES JAMES, Therriault, Kelly, Toohey

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the interagency work group on agency accountability and
2 child interview methods."

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

4 * Section 1. AS 47.17 is amended by adding a new section to read:

5 Sec. 47.17.100. INTERAGENCY WORK GROUP AND MEMORANDUM OF
6 AGREEMENT ON AGENCY ACCOUNTABILITY AND CHILD INTERVIEW
7 METHODS. (a) The interagency work group to increase agency accountability for and
8 to improve methods of interviewing minors who are alleged to have been abused or
9 neglected is established in the department. The work group consists of five
10 representatives, whose job description includes participation in the work group, from the
11 following departments:

12 (1) two persons from the department; one person shall be an employee
13 of the division dealing with family and youth services and the other person shall have
14 expertise in the area of children's mental health;

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- (2) one person from the Department of Public Safety;
- (3) one person from the Department of Education; and
- (4) one person from the Department of Law.

(b) The interagency work group shall prepare a memorandum of agreement that will guide all participating agencies in their involvement with interviews of minors who are alleged to have been abused or neglected. At a minimum, the memorandum of agreement must

- (1) identify the best and most effective methods to establish accountability for those who interview minors who are alleged or suspected to have been abused or neglected;
- (2) identify the best and most effective methods for
 - (A) videotaping;
 - (B) audiotaping;
 - (C) team interviews;
 - (D) note taking;
 - (E) documentation; and
 - (F) enforcing file content standards;
- (3) provide for interagency cooperation in
 - (A) initial and continuing training or education for interviewers, including education regarding new and updated methods of interviewing minors and regarding new equipment useful for interviewing minors;
 - (B) establishing respect for family members during the interview process;
 - (C) maintaining family unity during the interview process unless the nature of the investigation clearly indicates otherwise; and
 - (D) sensitivity to public response and public input;
- (4) focus on increasing agency and interviewer accountability and minimizing negative effects on families; and
- (5) review the statutory definition of "abuse or neglect" to determine if the definition leads to uniform and fair results.

(c) The interagency work group shall meet at the times the members of the work group consider necessary. At a minimum, the memorandum of agreement must be

1 reviewed and updated in the year following each gubernatorial election year as
2 determined under AS' 15.35.010, and must be completed in those years before the
3 beginning of the next regular session of the legislature the following year. Each revised
4 and updated memorandum of agreement shall be made available to the legislature and
5 the public for review. The work group shall notify the legislature that the memorandum
6 of agreement is available for review.

7 * Sec. 2. The initial memorandum of agreement required to be prepared under AS 47.17.100,
8 added by sec. 1 of this Act, shall be completed by January 1, 1997. Unless an earlier revision
9 and update to the memorandum of agreement is determined to be necessary by the interagency
10 work group created in sec. 1 of this Act, the first revision and update shall be conducted in 1999
11 and completed before the beginning of the regular legislative session in 2000.