

**HB**

**348**

# Alaska State Legislature

REPRESENTATIVE  
ANNETTE JAMES  
P.O. Box 56622  
11th Pole, Alaska 99705  
(907) 486-1546  
FAX (907) 488-4271



While in Juneau  
State Capitol  
Juneau, Alaska  
99801-1182  
(907) 465-3743  
FAX (907) 465-2381

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.***

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;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

- (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.

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

No. 1  
Bill Version: CSHB 348 (STA)  
(H) Publish Date: 3/13/96

Revision Date: 03/08/96  
Title: Interagency Work Group on Agency Accountability and Child Interview Methods.  
Sponsor: Representative James  
Requestor: House (STA)

Dept. Affected: Health and Social Services  
BRU: Family and Youth Services  
Component: DFYS Central Office  
COMPONENT SERIAL NO. 259  
See also (SN#): 4

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES						
---------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other (please specify)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

**ANALYSIS:** (Attach a separate page if necessary)

Based on the assumption that training will not necessarily occur in FY97, SB348 is a zero fiscal note. The Division of Family & Youth Services will develop a Memorandum of Agreement using staff from the Dept. of Health & Social Services, Public Safety, Dept. of Education and the Dept. of Law that will guide all participating agencies in their involvement with interviews of minors alleged to have been abused or neglected. The Division of Family & Youth Services will work on curriculum development for the methodology for those who interview minors who are alleged or suspected to have been abused or neglected.

Prepared by: L. Diane Worley, Director Phone: 465-3191  
 Division: Family & Youth Services/1 Date: 03/08/96  
 Approved by Commissioner: Karen Ferdue, Commissioner Date: 2/8/96  
 Agency: Department of Health & Social Services

ORIGINAL

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
For further distribution information, call the Governor's Legislative Office

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

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

# FISCAL NOTE

STATE OF ALASKA  
1996 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

Component: Commissioner's Office

Sponsor: Representative James

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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES</b>						
---------------------------	--	--	--	--	--	--

**FUND SOURCE**

(Thousands of Dollars)

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

**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: *Richard S. Cross*

Richard S. Cross, Deputy Commissioner

Agency: Education

Date: March 12, 1996

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For further distribution information call the Governor's Legislative Office

# 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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**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						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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 TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

BILL NO. CSHB 348 (STA)

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

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.