

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

3972

SHE S

HB 88

848

Department of Law

The \$1.3 million total accounts for almost all of the department's proposed increase of about 11 percent for FY 86.

* \$119,200 for the First Judicial District (Juneau and Ketchikan).

* \$214,100 for the Second Judicial District (Barrow and Kotzebue).

* \$481,600 for the Third Judicial District (Southcentral).

* \$179,800 for the Fourth Judicial District (Fairbanks).

* \$311,100 for Legal Services.

Nine new attorneys and six new paralegals would be added to work solely on child protection statewide.

TITLE OF INCREMENT/DECREMENT:	AGENCY CONTACT/PHONE NUMBER:	CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.
Staff Increases, Increased Legal Services, and Staff Development for Northern Region DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: This increment funds: 1) 12 new positions, PFT and PPT, and support costs in the Northern Region which are needed to provide a cost-effective staffing pattern of supervisory, line, and support staff; 2) a full-time attorney to support civil prosecutions for child abuse and sexual abuse cases throughout the region; 3) staff development for the 12 new positions and specialized training in child abuse for existing staff; and 4) additional office space needed to meet Department of Administration Space Standards. Since 1977, the caseload in the Northern Region has more than doubled. The caseload of the Fairbanks office increased on an average of 2.5% per month throughout FY 84, and the trend is projected to continue in FY 86. The regional licensing load has also grown substantially, especially in the areas of day care and foster care. Current staff resources are proving inadequate because of the increased demand for child and adult protective services which is the result of a complex interaction of factors including increasing client population (15% growth of the at-risk population between FY 78 and FY 83), changes in the nature and complexity of client problems and needs, and increasing public awareness of abuse and neglect. In order to increase the divisions's capacity to respond and to provide adequate and timely protective services, additional staff are needed in the Fairbanks regional office, and in the Delta, Barrow, Galena, and Ft. Yukon field offices. The 12 positions funded by this increment provide a cost-effective staffing pattern of supervisory, line, and support staff.	Joanne Clark 465-3082	100	Personal Services	476.5	476.5
		200	Travel	41.0	41.0
		300	Contractual Services	175.6	175.6
		400	Supplies	6.5	6.5
		500	Equipment	33.2	33.2
		600	Lands, Buildings, Etc.		
		700	Grants, Claims, Etc.		
		800	Miscellaneous		
		TOTAL		732.8	732.8
		I-A Transfer (NON-ADD)			
1002	Federal Receipts				
1003	General Fund Match				
1004	General Fund	732.8	732.8		
1005	I-A Receipts				
1028	Program Receipts				
	Other				
POSITION INFORMATION		PFT	11	11	
		PPT	1	1	
		Non Permanent			
		Staff Months	138	138	
<input type="checkbox"/> Enhance Existing Service Compared to FY 85			<input type="checkbox"/> Formula Program		
<input checked="" type="checkbox"/> New Service Compared to FY 85					
<input type="checkbox"/> Continuation of FY 85 Service Level					
IMPACT FROM CAPITAL PROJECT (NAME) _____ Chapter _____ SLA _____ Page/Line _____					

C5	INCREMENT/DECREMENT REQUEST
Agency Priority <u>1</u> of <u>108</u>	

AGENCY	Health and Social Services
PROGRAM	Social and Economic Assistance for the General Population
BRU	Social Services
COMPONENT	Northern Region
PROJECT	_____

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FY 86

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		ADJUSTED BASE	INCREMENT/ DECREMENT
<u>Staff Increases:</u>			
This increment will fund the following 12 new positions and support costs.			
Administrative Assistant III			
Location:	Fairbanks Range 16A		
Personal Services		\$48,782	48.8
Travel	- Administrative support	\$2,000	2.0
Contractual	- Phone, copier, printing, postage, and other communications		
		500	
Space Requirements:	135 sq. ft. @ 2.50 mo. x 12 =	<u>4,050</u>	
Total		\$ 4,550	4.6
Supplies	- General office supplies	\$ 400	.4
Equipment	- Desk \$732, chair \$216, file cabinet \$365, calculator \$249, typewriter \$1,304.	\$ 2,866	2.9
Accounting Clerk III			
Location:	Fairbanks Range 10A		
Personal Services		\$33,375	33.4
Travel		- 0 -	
Contractual	- Phone, copier, printing, postage, other communications	\$ 500	
Space requirements:	135 sq. ft. @ 2.50 mo. x 12 =	<u>4,050</u>	
Total		\$ 4,550	4.6
Supplies	- General office supplies	\$ 400	.4
Equipment	- Desk \$732, chair \$216, file cabinet \$365, calculator \$249.	\$ 1,562	1.6

C5	ADDITIONAL EXPLANATION FORM
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AGENCY	Health and Social Services
PROGRAM	Social and Economic Assistance for the General Population
BRU	Social Services
COMPONENT	Northern Region

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			ADJUSTED BASE	INCREMENT/ DECREMENT
2 - Clerk Typist III				
Location: Delta, Barrow	Range 8A			
Personal Services		Delta \$30,735 Barrow <u>34,307</u>		
Total			\$65,042	65.0
Travel			- 0 -	
Contractual - Phone, copier, printing, postage, and other communications		\$ 500		
Space Requirements: 75 sq. ft. @ 2.50 mo. x 12		<u>2,250</u>		
Total			\$ 2,750 x 2	4.5
Lease/purchase 1 IBM Displaywriter System w/printer for use by region support staff. \$350/mo x 12 =			\$ 4,200	4.2
Supplies - General office supplies			400 x 2	.8
Equipment - Desk \$732, chair \$216, file cabinet \$365, typewriter \$1,304.			\$ 2,617 x 2	5.2

C5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
for the General Population
BRU Social Services
COMPONENT Northern Region

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		ADJUSTED BASE	INCREMENT/ DECREMENT
2 - Social Worker III			
Location: Fairbanks, Delta	Range 16A		
Personal Services			
Fairbanks		\$48,782	
Delta		<u>50,444</u>	
Total		\$99,226	99.2
Travel	- Regional travel for supervisory support, home visits, schools, courts	\$ 2,500 x 2	5.0
Contractual	- Equipment Rental - New vehicle, 108D Sedan		
	10,000 mi x \$0.39 =	\$3,900	
	Replacement \$173/mo x 12 =	<u>2,076</u>	
		\$ 5,976	6.0
	Phone, copier, printing, postage, other communications	\$ 500	
Space Requirements:	165 sq. ft. @ \$2.50 mo. x 12	<u>4,950</u>	
Total		\$ 5,450 x 2	10.9
Supplies	- General office supplies	\$ 400 x 2	.8
Equipment	- Desk, \$596, Chair \$247, Side Chairs 2 @ 133 = \$266, Locking File Cabinet \$365	\$ 1,474 x 2	2.9
	108D, Auto, Intermediate Sedan FWD	\$ 8,400	8.4
2 - Clerk Typist III			
Location: Fairbanks, Galena	Range 8A		
Personal Services	- Fairbanks	\$29,935	
	Galena	<u>34,307</u>	
Total		\$64,242	64.2

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C5	ADDITIONAL EXPLANATION FORM
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		ADJUSTED BASE	INCREMENT/ DECREMENT
2 - Clerk Typist III - cont'd			
Travel	-	- 0 -	
Contractual	- Lease/Purchase 2 IBM Displaywriter systems w/printers for use by region support staff. \$350/mo x 2 x 12=	\$ 8,400	8.4
	Phone, copier, printing, postage, other communications	\$ 500	
	Space Requirements: 75 sq. ft. @ \$2.50 x 12 =	<u>2,250</u>	
	Total	\$2,750 x 2	5.5
Supplies	- General office supplies	\$ 400 x 2	.8
Equipment	- Desk, \$732, Chair, \$216, File Cabinet \$365, Typewriter, \$1,304 =	\$2,617 x 2	5.2

C5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
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BRU Social Services
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		ADJUSTED BASE	INCREMENT/ DECREMENT
2 - Social Worker III's			
Location: Fairbanks, Galena	Range 16A		
Personal Services			
Fairbanks		\$ 48,782	
Galena		<u>57,393</u>	
Total			\$106,175
Travel	- Regional travel for home visits, school, court, and development of resources.		2,500 x 2
Contractual	- Phone, copier, printing, postage, other communications	\$ 500	
	- Space Requirements: 165 sq. ft. @ \$2.50 x 12 =	<u>4,950</u>	
Total			\$ 5,450 x 2
Supplies	- General office supplies	\$ 400	x 2
Equipment	- Desk, \$596, Chair \$247, 2 side chairs @ \$133 = \$266, Legal File Cabinet w/lock \$365.		1,474 x 2
Social Services Associate III			
Location: Nenana	Range 12A		
Personal Services		\$ 42,694	42.7
Travel	- Regional travel for supervision, home visits, school, court, development of resources.	\$ 2,500	2.5

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PROGRAM Social and Economic Assistance for the General Population
BRU Social Services
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		ADJUSTED BASE	INCREMENT/ DECREMENT
Social Services Associate III - cont'd			
Contractual	- Phone, copier, printing, postage, other communication	\$ 500	
	Space Requirements - 135 sq. ft. @ \$2.50 mo x 12 =	<u>4,050</u>	
	Total	\$ 4,550	4.6
Supplies	- General office supplies	\$ 400	.4
Equipment	- Desk \$596, Chair \$247, 2 side chairs @ \$133 = \$266, Legal Locking File Cabinet \$365 =	\$ 1,474	1.5
Clerk Typist III, PPT			
Location: Fort Yukon Range 8A			
	Personal Services	\$17,037	17.0
	Travel -	- 0 -	
Contractual	- Phone, copier, postage	\$ 250	
	Space Requirements: 75 sq. ft. @ \$2.50 mo. x 12 =	<u>2,250</u>	
	Total	\$ 2,500	2.5
Supplies	- General office supplies	\$ 200	.2
Equipment	- Desk, \$732, Chair \$216, File Cabinet \$365, Typewriter \$1,304 =	\$ 2,617	2.6

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AGENCY Health and Social Services
 PROGRAM Social and Economic Assistance
for the General Population
 BRU Social Services
 COMPONENT Northern Region

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<u>Increased Legal Services:</u>	ADJUSTED BASE	INCREMENT/ DECREMENT
<p>Increased reports of child abuse and neglect, changes in the nature and complexity of client problems, and formalization of court proceedings necessitate additional legal assistance to support Division child protection proceedings.</p>		
<p>This increment will purchase additional legal services needed for civil prosecution in child sexual abuse cases (preparing notices of appearances, summonses, petitions, and related legal material; preparation of witnesses; preparation of testimony) and will be added to the annual RSA with the Department of Law.</p>		
<p>Attorney IV Location: Fairbanks Range 24A Personal Services \$ 64,168 Travel 5,000 Contractual 2,000 Supplies 732 \$ 71,900</p>		71.9
<p>This position will provide itinerant legal services throughout the region.</p>		
<p><u>Staff Development:</u></p>		
<p>Included are funds for regional training in: 1) division policy and procedures concerning service delivery and basic in-service orientation for the new social worker positions included in this increment, and 2) specialized training associated with the provision of mandated protective services for child abuse, neglect, and sexual abuse victims. Increased staff training reflects an overall emphasis on increasing the professional qualifications of social worker staff. As part of the division's management response to dramatically increasing numbers of child abuse cases, regional training for new and experienced staff will focus on strengthening intake and emergency procedures.</p>		
<p>Travel \$26,520; contractual \$10,600; supplies \$1,920</p>		26.5 10.6 1.9

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AGENCY	Health and Social Services
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Additional Office Space for the Fairbanks Office:

The Fairbanks office space is short 1,100 sq. ft. as computed by Department of Administration Space Standards. The Northern Region currently has 37 staff in a total of 4,700 sq. ft., including halls, waiting room, rest rooms, and storage. By applying Department of Administration space standards, and allowing for non-office space footage, a real need for the additional semi-private and clerical spaces is established. This office should have a total of 5,800 sq. ft., minimum.

1,100 sq. ft. x \$2.00 x 12 months = \$ 26,400

This increment increases office space for existing staff only, and is based on a recently negotiated lease. Office space for the new positions is computed as part of the support costs on a position-by-position basis, and takes into consideration the possibility that the new positions may have to be located in a higher priced space.

ADJUSTED
BASE

INCREMENT/
DECREMENT

26.4

C5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
 PROGRAM Social and Economic Assistance
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 BRU Social Services
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TITLE OF INCREMENT/DECREMENT:	AGENCY CONTACT/PHONE NUMBER:	CODE	EX-EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.
Staff Increases, Increased Legal Services and Staff Development for Southcentral Region DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: This increment funds: 1) 20 new positions, PFT and PPT, and support costs in the Southcentral Region which are needed to provide a cost-effective staffing pattern of supervisory, line, and support staff; 2) a full-time attorney to support civil prosecutions for child abuse and sexual abuse cases throughout the region; 3) staff development for the 20 new positions and specialized training in child sexual abuse for existing staff; 4) additional travel needed to respond to increased caseloads throughout the region; 5) a zenith line for reporting child abuse and neglect; and 6) a WATS consultation service. The population of Anchorage has been increasing at an average of 15% annually, the Mat-Su Valley has the fastest growing population in the state, and marked growth has been occurring in the Kenai Peninsula. As a result, dramatic caseload increases in mandated child protective services have occurred. Between FY 78 and FY 83, statewide there was a 122% increase in the total number of children served, a 153% increase in the child protection caseload, and a 272% increase in the number of reports of child sexual abuse. A majority of these caseload increases have occurred in the Southcentral Region as this is the state's population center. The regional licensing load has also grown substantially, especially in the areas of day care and foster care. Current staff resources are proving inadequate due to a complex interaction of circumstances and factors including increasing client population (15% increase in the at-risk population between FY 78 and FY 83), changes in the nature and complexity of client problems and needs, and increasing public awareness of abuse and neglect. In order to increase the division's capacity to respond and to provide adequate and timely protective services, additional staff are needed in Anchorage, Kenai, Homer, Cordova, Wasilla, Dillingham, Valdez, Copper Center, and Unalaska.	Joanne Clark 465-3082	100	Personal Services	514.8	514.8
		200	Travel	61.3	61.3
		300	Contractual Services	192.6	192.6
		400	Supplies	9.0	9.0
		500	Equipment	39.9	39.9
		600	Lands, Buildings, Etc.		
		700	Grants, Claims, Etc.		
		800	Miscellaneous		
		TOTAL		817.6	817.6
		I-A Transfer (NON-ADD)		67.0	67.0
		1002	Federal Receipts		
		1003	General Fund Match		
		1004	General Fund	817.6	817.6
		1005	I-A Receipts		
		1028	Program Receipts		
Other					
POSITION INFORMATION		PFT	14	14	
		PPT	6	6	
		Non Permanent			
		State Months	204	204	
<input type="checkbox"/> Enhance Existing Service Compared to FY 85 <input checked="" type="checkbox"/> New Service Compared to FY 85 <input type="checkbox"/> Continuation of FY 85 Service Level		<input type="checkbox"/> Formula Program			
IMPACT FROM CAPITAL PROJECT (NAME)					
Chapter _____ SLA _____ Page/Line _____					

C5	INCREMENT/DECREMENT REQUEST
Agency Priority <u>2</u> of <u>112</u>	

AGENCY	Health and Social Services
PROGRAM	Social and Economic Assistance for the General Population
BRU	Social Services
COMPONENT	Southcentral Region
PROJECT	

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	ADJUSTED BASE	INCREMENT/ DECREMENT
(continued)		
<u>Staff Increases:</u>		
The following computations reflect actual personal services costs; and adjustment is necessary to reconcile the adjusted base with the Position Authorization Control System (reference C4 transferring \$118.2 from Central Office)		
Total salary costs for new positions \$633,000 - \$118,200 C4 transfer	= \$514,800	(118.2)
Social Worker III (2)		
Location: Kenai Range: 16A		
Personal Services	= \$ 45,551 x 2	91.1
Travel - regional travel, home visits, school, court, development of resources	= 1,500 x 2	3.0
Contractual - phone, copier, printing, postage, other communication space requirements 165 sq. ft. @ 2.50 per months x 12	= 500 = 4,950 \$ 5,450 x 2	10.9

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PRIORITY 2 6/12	

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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
for the General Population
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		ADJUSTED BASE	INCREMENT/ DECREMENT
Supplies - General Office Supplies	400 x 2		.8
Equipment - desk \$596, chair \$247, side chairs 2 @ \$133 = \$266, legal locking file cabinet \$365	\$1,474 x 2		2.9
Community Care Licensing Specialist I (2) Location: Anchorage Range 16A Personal Services	42,694 x 2		85.4
Travel - regional travel, home visits, training and development of resources	1,500 x 2		3.0
Contractual - phone, copier, printing, postage and other communications space requirements: 165 sq. ft. @ 2.50 per month x 12	500 4,950 5,450 x 2		10.9
Supplies - General Office Supply	400 x 2		.8
Equipment - desk \$596, chair \$247, side chairs 2 @ \$133 = \$266, legal locking file cabinets \$365	1,474 x 2		2.9
Administrative Assistance III (1) Location: Anchorage Range 16A Personal Services	42,694		42.7
Travel - Regional travel	1,500		1.5
Contractual - phone, copier, printing, postage and other communications space requirements: 135 sq. ft. @ \$2.50 per month x 12 mos.	500 4,050 4,550		4.6
Supplies - General Office Supplies	400		.4

C 5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
for the General Population
BRU Social Services
COMPONENT Southcentral Region

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		ADJUSTED BASE	INCREMENT/ DECREMENT
Equipment - desk \$732, chair \$216, calculator \$249, file cabinet \$365	1,562		1.6
Accounting Clerk III Location: Anchorage Range 10A Personal Services	29,727		29.7
Travel -	-0-		
Contractual - phone, copier, printing postage and other communications space requirements: 135 sq. ft. @ \$2.50 per month x 12	500 4,050 <u>4,550</u>		4.6
Supplies - General Office Supplies	400		.4
Equipments - desk \$732, chair \$216, calculator \$249, file cabinet \$365	1,562		1.6

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AGENCY Health and Social Services
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for the General Population
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		ADJUSTED BASE	INCREMENT/ DECREMENT
Social Worker IV (1) Location: Anchorage Range 18A Personal Services		\$48,782	48.8
Travel - supervision travel throughout region, development of resources		3,000	3.0
Contractual - phone, copier, printer, postage, other communication space requirements - 165 sq. ft. @ 2.50 per mo. X 12		500 4,950 <u>5,450</u>	5.5
Supplies - General Office Supplies		400	.4
Equipments - desk \$596, chair \$247, side chairs, 2 @ 133 = \$266, file cabinet \$365		1,476	1.5

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AGENCY Health and Social Services
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BRU Social Services
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		ADJUSTED BASE	INCREMENT/ DECREMENT
Social Worker I (2)			
Location: Anchorage Range 13A			
Personal Services		\$35,721 x 2	71.4
Travel - regional travel for home visits, school and court		1,500 x 2	3.0
Contractual - phone, copier, printing, postage and other communications		500	
space requirements - 135 sq. ft. @ \$2.50 mo x 12		4,050	
		4,550 x 2	9.1
Supplies - General Office Supplies		400 x 2	.8
Equipment - desk \$596, chair \$247, side chairs 2 @ \$133 = 266, file cabinet \$365		1,474 x 2	2.9
Clerk Typist III, PPT (6)			
Locations: Valdez, Copper Center, Unalaska, Wasilla, Cordova, Dillingham			
Range: 8A			
Personal Services	Valdez	\$15,333	
	Copper Center	15,333	
	Unalaska	16,281	
	Wasilla	13,591	
	Cordova	14,863	
	Dillingham	16,281	
		91,682	91.7
Travel -		-0-	

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AGENCY Health and Social Services
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		ADJUSTED BASE	INCREMENT/ DECREMENT
Contractual - phone, copier, postage space requirements 75 sq. ft. @ \$2.50 mo x 12	\$ 250 2,250 <u>2,500</u> x 6		15.0
Supplies - General Office Supplies	200 x 6		1.2
Equipment - desk \$732, chair \$216, file cabinet \$365, typewriter \$1,304	2,617 x 6		15.7

C 5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
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	ADJUSTED BASE	INCREMENT/ DECREMENT
Social Worker III (2) Locations: Anchorage, Homer Range: 16A		
Personal Services		
Homer	\$45,551	
Anchorage	\$42,694	
	<u>\$88,245</u>	88.2
Travel - regional travel, supervisors, home visits, school, court, development of resources	1,500 x 2	3.0
Contractual - phone, copier, printing, postage and other communication space requirements: 165 sq. ft. @ \$2.50 mo x 12	\$ 500 \$ 4,950 <u>\$ 5,450</u> x 2	10.9
Supplies - general office supplies	\$ 400 x 2	.8
Equipment - desk \$596, chair \$247, side chairs 2 @ \$133 = \$266, file cabinet \$365	\$ 1,474 x 2	2.9

C 5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
for the General Population
BRU Social Services
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	ADJUSTED BASE	INCREMENT/ DECREMENT
Clerk Typist III (3) Location: Anchorage, Homer Range: 8A		
Personal Services		
Homer	\$28,917	
Anchorage - 27.5551 x 2 = \$55,102	\$55,102	
	<u>\$84,019</u>	84.0
Travel	- 0 -	
Contractual - phone, copier, printing, postage space requirements: 75 sq. ft. @ 2.50 mo x 12 =	\$ 500	
	<u>2,250</u>	
	\$ 2,750 x 3	8.3
Supplies - general office supplies	\$ 400 x 3	1.2
Equipment - desk \$732, chair \$216, file cabinet \$365, typewriter \$1,304	\$ 2,617 x 3	7.9

C 5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
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Increased Legal Services

Increased reports of child abuse and neglect, changes in the nature and complexity of client problems, and formalization of court proceedings necessitate additional legal assistance to support division child protection proceedings.

This increment will purchase additional legal services needed for civil prosecution in child sexual abuse cases, (preparing notices of appearances, summons, petitions and related legal material, preparation of witnesses and testimony), and will be added to the annual RSA with the Department of Law.

Full time Attorney IV, Range 24A - \$56,480; Location - Anchorage
Travel - \$5,000; Contractual - \$3,500; Supplies - \$2,020 =

\$67,000

67.0

This position will provide itinerant legal services throughout region.

Staff Development

Included are funds for regional training in: 1) division policy and procedures concerning service delivery, and basic in-service orientation for the new social worker positions included in this increment, and 2) specialized training associated with the provision of mandated protective services for child abuse, neglect and sexual abuse victims. Increased staff training reflects an overall emphasis on increasing the professional qualification of social worker staff. As part of the division's management response to dramatically increasing child abuse cases, regional training for new and experienced staff will focus on strengthening intake and emergency procedures.

Travel - \$29,800; Contractual - \$15,800; Supplies - \$2,200

29.8
15.8
2.2

AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
for the General Population
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COMPONENT Southcentral Region

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C 5
ADDITIONAL
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	ADJUSTED BASE	INCREMENT/ DECREMENT
<p><u>Increased Travel</u></p> <p>Because of increased child and adult protection caseloads throughout the region, additional travel funds are needed for increased supervisory travel to field offices throughout the region, needed to ensure quality control and monitoring of protective service caseloads.</p> <p>Travel = \$ 15,000</p>		15.0
<p><u>Zenith Line and WATS Consultation Service</u></p> <p>As part of the division's management response to dramatically increasing abuse caseloads, this increment includes funds for: 1) a zenith line for statewide reporting of child abuse and neglect and 2) a WATS consultation service linking the entire state with national and international child welfare, medical, psychiatric, and legal experts affiliated with the C. Henry Kempe National Center for Prevention and Treatment of Child Abuse and Neglect. Both services will enhance the quality of the division's level of response to increased child abuse and sexual abuse reports. Both services would be coordinated by the Southcentral Region, as this area is expected to account for the heaviest use of the services.</p> <p>Zenith Line: Contractual = \$ 15,000 WATS Consultation Service: Contractual = \$ 15,000</p>		15.0 15.0

C 5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
for the General Population
BRU Social Services
COMPONENT Southcentral Region

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FY 86

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TITLE OF INCREMENT/DECREMENT: Staff Increases and Staff Development for Southeastern Region		AGENCY CONTACT/PHONE NUMBER: Joanne Clark 465-3082		CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.
DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: This increment funds: 1) 7 new positions, PFT and PPT, and support costs in the Southeastern Region which are needed to provide a cost effective staffing pattern of supervisory, line, and support staff; and 2) staff development for the new positions and specialized training in child sexual abuse for existing staff. Between FY 78 and FY 83, statewide there was a 122% increase in the total number of children served, a 153% increase in the child protection caseload, and a 272% increase in the number of reports of child sexual abuse. Intakes in Ketchikan and Juneau have risen, averaging 30 a month in both communities. In addition, rural intakes have increased substantially as a result of training in child abuse identification and treatment team networking. Current staff resources are proving inadequate due to a complex interaction of circumstances and factors including increasing client population (the at-risk population has grown 15% between FY 78 and FY 83), changes in the nature and complexity of client problems and needs, and increasing public awareness of abuse and neglect. In order to increase the division's capacity to respond to increased demand and to provide adequate and timely protective services, additional staff are needed in Juneau, Ketchikan, and Craig.				100	Personal Services	250.5	250.5
				200	Travel	19.9	19.9
				300	Contractual Services	36.1	36.1
				400	Supplies	3.5	3.5
				500	Equipment	14.1	14.1
				600	Lands, Buildings, Etc.		
				700	Grants, Claims, Etc.		
				800	Miscellaneous		
				TOTAL		324.1	324.1
				I-A Transfer (NON-ADD)			
1002	Federal Receipts						
1003	General Fund Match						
1004	General Fund	324.1	324.1				
1005	I-A Receipts						
1028	Program Receipts						
Other							
PFT		6	6				
PPT		1	1				
POSITION							
Non-Permanent							
INFORMATION							
Staff Months		78	78				
<input type="checkbox"/> Enhance Existing Service <input type="checkbox"/> Compared to FY 85 <input checked="" type="checkbox"/> New Service Compared to FY 85 <input type="checkbox"/> Continuation of FY 85 Service <input type="checkbox"/> Level		<input type="checkbox"/> Formula Program					
IMPACT FROM CAPITAL PROJECT (NAME)							
Chapter _____ SLA _____ Page/Line _____							

Staff Increases:

Social Worker IV

Location: Juneau Range 18A

Personal Services: \$ 48,782 \$ 48.8

Travel - Regional travel for supervision of field staff and training: \$ 3,000 \$ 3.0

C5	INCREMENT/DECREMENT REQUEST
Agency Priority <u>3</u> of <u>108</u>	

AGENCY Health and Social Services
PROGRAM Social and Economic Assistance for the General Population
BRU Social Services
COMPONENT Southeastern Region
PROJECT _____

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		ADJUSTED BASE	INCREMENT/ DECREMENT
Contractual - Phone, copier, printing, postage, and other communication	\$ 500		
Space requirements: 165 sq. ft. @ \$2.50/mo. X 12 =	\$ 4,950		
	<u>\$ 5,450</u>		5.5
Supplies - General office supplies	\$ 400		.4
Equipment - Desk \$596, chair \$247, 2 side chairs @ \$133 = \$266, legal file cabinet with lock \$365	\$ 1,474		1.5
Social Worker III (1)			
Location: Ketchikan Range 16 A			
Personal Services	\$42,694		42.7
Travel - Regional travel for training, home visits, school, court, development of resources	\$ 1,500		1.5
Contractual - Phone, copier, printing, postage, and other communication	\$ 500		
Space requirements - 165 sq. ft. @ \$2.50/mo. X 12 =	\$ 4,950		
	<u>\$ 5,450</u>		5.5
Supplies - General office supplies	\$ 400		.4
Equipment - Desk \$596, chair \$247, 2 side chairs @ \$133 = \$266, legal locking file cabinet \$365	\$ 1,474		1.5
Clerk Typist III (1)			
Location: Ketchikan Range 8 A			
Personal Services	\$26,852		26.9
Travel	- 0 -		
Supplies - General Office Supplies	\$ 400		.4
Equipment - Desk \$732, chair \$216, file cabinet \$365, typewriter \$1,304	\$ 2,617		2.6
Contractual - Phone, copier, printing, postage, other communications	\$ 500		
Space requirements - 75 sq. ft. @ \$2.50/mo. X 12 =	\$ 2,250		
	<u>\$ 2,750</u>		2.8

C5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance for the General Population
BRU Social Services
COMPONENT Southeastern Region

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	ADJUSTED BASE	INCREMENT/ DECREMENT
Administrative Assistant I		
Location: Ketchikan Range 12 A		
Personal Services	\$33,317	33.3
Travel - Administrative travel for training of clerical support staff throughout region.	\$ 1,500	1.5
Contractual - Phone, copier, printing, postage, and other communications	\$ 500	
Space requirements - 135 sq. ft. @ \$2.50/mo. X 12 =	\$ 4,050	
	<u>\$ 4,550</u>	4.6
Supplies - General office supplies =	\$ 400	.4
Equipment - Desk \$732, chair \$216, side chair \$133, legal locking file \$365, calculator \$249, typewriter \$1,304 =	\$ 2,999	3.0
Social Worker III (1)		
Location: Juneau Range 16A	\$42,694	
Community Care Licensing Specialist (1)		
Location: Ketchikan Range 16A	\$42,694	
Personal Services:	<u>\$85,388</u>	85.4
Travel: Regional travel for supervision and area wide licensing assistance, home visits, school reports, court appearances, and developing of resources.	\$ 2,000 x 2	4.0
Contractual - Phone, copier, printing, postage, and other communications	\$ 500	
Space requirements: 165 sq. ft. @ \$2.50/mo. X 12 =	\$ 4,950	
	<u>\$ 5,450 X 2</u>	10.9
Supplies - General office supplies	\$ 400 X 2	.8
Equipment - Desk \$596, chair \$247, 2 side chairs @ \$133 = \$266, legal locking file cabinet \$365	\$ 1,474 X 2	2.9

C5	ADDITIONAL EXPLANATION FORM
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AGENCY Health and Social Services
PROGRAM Social and Economic Assistance
for the General Population
BRU Social Services
COMPONENT Southeastern Region

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		ADJUSTED BASE	INCREMENT/ DECREMENT
Clerk Typist III PPT			
Location: Craig Range 8A			
Personal Services	\$13,426		13.4
Travel	0		
Contractual - Phone, copier, postage	\$ 200		
Space requirement: 75 sq. ft. @ \$2.50/mo. X 12	\$ 2,250		
	\$ 2,450		2.5
Supplies - General office supplies	\$ 400		.4
Equipment - Desk \$732, chair \$216, file cabinet \$365, typewriter \$1,304	\$ 2,617		2.6
<u>Staff Development:</u>			
Included are funds for regional training in: 1) division policy and procedures concerning service delivery and basic in-service orientation for the new social worker positions included in this increment, and 2) specialized training associated with the provision of mandated protective services for child abuse, neglect, and sexual abuse victims. Increased staff training reflects an overall emphasis on increasing the professional qualifications of social worker staff. As part of the division's management response to dramatically increasing numbers of child abuse cases, regional training for new and experienced staff will focus on strengthening intake and emergency procedures.			
Travel, \$9,900; contractual, \$4,300; supplies, \$720 =	\$14,920		14.9

C5	ADDITIONAL EXPLANATION FORM
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AGENCY	Health and Social Services
PROGRAM	Social and Economic Assistance for the General Population
BRU	Social Services
COMPONENT	Southeastern Region

FY 86

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DEPARTMENT OF LAW

<u>ADJUSTED BASE</u>	<u>AMOUNT</u>	<u>EXPLANATION</u>
\$16,573.0	\$ 119.2	Child protection prosecution First Judicial District: 1 Attorney and 1 Paralegal.
	\$ 214.1	Second Judicial District: 1 Attorney, 1 Paralegal, and 1 Legal Secretary.
	\$ 481.6	Third Judicial District: 3 Attorneys, 3 Paralegals, and 2 Legal Secretaries.
	\$ 179.8	Fourth Judicial District: 1 Attorney, 1 Paralegal, and 1 Legal Secretary.
	\$ 165.9	Child Protection Legal Services: 3 Attorneys, and 3 part-time Secretaries.

The cost of funding the child protection package in La. is \$1,160.6.

nmb/2650

TITLE OF INCREMENT/DECREMENT: Child Protection - Juneau/Ketchikan
 AGENCY CONTACT/PHONE NUMBER: Daniel W. Hickey, 465-3428

DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES:

This increment requests an Attorney III (66.9) for Juneau and a Paralegal II (52.3) for Ketchikan in order to address child protection in the First Judicial District. See discussion of Issue No. 1, BRU Issues, Form B2.

In Juneau, the number of child sexual assault cases handled in the first half of 1984 was greater than the total for the entire year 1983, thus more than doubling the number of such cases. An attorney position is therefore needed in order to adequately handle these time-consuming cases. The attorney position in Juneau is additionally justified based on the enormous caseload increase in the 9 years since the last position was added to the district attorney's office. See discussion of Issue No. 3, BRU Issues, Form B2.

In Ketchikan, the number of child sexual assault cases increased by 50% in 1984 over the same period in 1983. A paralegal position is therefore needed to assist prosecutors in preparing cases for trial and helping children and parents to overcome the trauma of testifying in court. The paralegal position in Ketchikan is additionally justified in order to handle the growing victim-witness assistance responsibility in the Wrangell-Petersburg area.

CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.
100	Personal Services	85.2	85.2
200	Travel	10.0	10.0
300	Contractual Services	14.0	14.0
400	Supplies	7.0	7.0
500	Equipment	3.0	3.0
600	Lands, Buildings, Etc.		
700	Grants, Claims, Etc.		
800	Miscellaneous		
TOTAL		119.2	119.2
I-A Transfer (NON-ADD)			
1002	Federal Receipts		
1003	General Fund Match		
1004	General Fund	119.2	119.2
1005	I-A Receipts		
1028	Program Receipts		
Other			
POSITION INFORMATION	PFT	2	2
	PPT		
	Non Permanent		
	Staff Months	20	20

<input checked="" type="checkbox"/> Enhance Existing Service Compared to FY 85 <input type="checkbox"/> New Service Compared to FY 85 <input type="checkbox"/> Continuation of FY 85 Service Level	<input type="checkbox"/> Formula Program
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IMPACT FROM CAPITAL PROJECT (NAME)

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C5 INCREMENT/DECREMENT REQUEST
 Agency Priority 2 of 18

AGENCY DEPARTMENT OF LAW
 PROGRAM DUE PROCESS
 BRU PROSECUTION
 COMPONENT FIRST JUDICIAL DISTRICT
 PROJECT _____

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 REVISED DATE 11/6/84

FY 86

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TITLE OF INCREMENT/DECREMENT: Child Protection in Barrow/Kotzebue	AGENCY CONTACT/PHONE NUMBER: Daniel W. Hickey, 465-3428	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>CODE</th> <th>EXPENDITURE BY OBJECT</th> <th>AGENCY REQ.</th> <th>GOV'S REQ.</th> </tr> </thead> <tbody> <tr><td>100</td><td>Personal Services</td><td>147.1</td><td>147.1</td></tr> <tr><td>200</td><td>Travel</td><td>12.5</td><td>12.5</td></tr> <tr><td>300</td><td>Contractual Services</td><td>34.5</td><td>34.5</td></tr> <tr><td>400</td><td>Supplies</td><td>9.5</td><td>9.5</td></tr> <tr><td>500</td><td>Equipment</td><td>10.5</td><td>10.5</td></tr> <tr><td>600</td><td>Lands, Buildings, Etc.</td><td></td><td></td></tr> <tr><td>700</td><td>Grants, Claims, Etc.</td><td></td><td></td></tr> <tr><td>800</td><td>Miscellaneous</td><td></td><td></td></tr> <tr><td colspan="2" style="text-align: center;">TOTAL</td><td>214.1</td><td>214.1</td></tr> <tr><td colspan="4" style="text-align: center;">I-A Transfer (NON-ADD)</td></tr> <tr><td>1002</td><td>Federal Receipts</td><td></td><td></td></tr> <tr><td>1003</td><td>General Fund Match</td><td></td><td></td></tr> <tr><td>1004</td><td>General Fund</td><td>214.1</td><td>214.1</td></tr> <tr><td>1005</td><td>I-A Receipts</td><td></td><td></td></tr> <tr><td>1028</td><td>Program Receipts</td><td></td><td></td></tr> <tr><td colspan="2">Other</td><td></td><td></td></tr> <tr><td colspan="2" rowspan="4" style="vertical-align: middle;">POSITION INFORMATION</td><td>PFT</td><td>3</td></tr> <tr><td>PPT</td><td></td></tr> <tr><td>Non Permanent</td><td></td></tr> <tr><td>Staff Months</td><td>30</td></tr> </tbody> </table>	CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.	100	Personal Services	147.1	147.1	200	Travel	12.5	12.5	300	Contractual Services	34.5	34.5	400	Supplies	9.5	9.5	500	Equipment	10.5	10.5	600	Lands, Buildings, Etc.			700	Grants, Claims, Etc.			800	Miscellaneous			TOTAL		214.1	214.1	I-A Transfer (NON-ADD)				1002	Federal Receipts			1003	General Fund Match			1004	General Fund	214.1	214.1	1005	I-A Receipts			1028	Program Receipts			Other				POSITION INFORMATION		PFT	3	PPT		Non Permanent		Staff Months	30
CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.																																																																													
100	Personal Services	147.1	147.1																																																																													
200	Travel	12.5	12.5																																																																													
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TOTAL		214.1	214.1																																																																													
I-A Transfer (NON-ADD)																																																																																
1002	Federal Receipts																																																																															
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1004	General Fund	214.1	214.1																																																																													
1005	I-A Receipts																																																																															
1028	Program Receipts																																																																															
Other																																																																																
POSITION INFORMATION		PFT	3																																																																													
		PPT																																																																														
		Non Permanent																																																																														
		Staff Months	30																																																																													
DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: <p>This increment requests an Attorney III (97.4) and Legal Secretary I (52.2) for Barrow and a Paralegal II (64.5) for Kotzebue in order to address child protection in the Second Judicial District. See discussion of Issue No. 1, BRU Issues, Form B2.</p> <p>In Barrow, the number of child sexual assault cases handled in the first half of 1984 equalled the total number for the entire year 1983, thus doubling the number of such cases. In addition, in Barrow the criminal division attorney is responsible for handling all civil cases related to children, such as termination of parental rights, juvenile delinquency and a wide range of emergency children's proceedings. These civil cases have shown a similar increase in numbers beyond the point where the single Barrow attorney can handle them. The attorney position in Barrow is additionally justified based on the overall caseload in Barrow, and the addition of a second public defender position, which requires the nearly full-time assistance of a prosecutor from Fairbanks, thus reducing the resources of the Fairbanks office.</p> <p>In the Nome-Kotzebue area, the number of child sexual assaults in the first half of 1984 increased by more than 50% over the total for the entire year 1983, thus indicating that the number of cases has tripled. The addition last year of a Kotzebue district attorney will help handle the startling increase of such cases, but a paralegal assistant is needed in order to prepare cases for trial and to help children and parents (as well as victims and witnesses in other types of cases) overcome the trauma of testifying. The Kotzebue paralegal will also administer the pretrial diversion program, thus freeing up attorney time for more serious cases. Kotzebue is the only office, other than Palmer, which does not have a paralegal position to provide a full range of criminal division services.</p>		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%; vertical-align: top;"> <input checked="" type="checkbox"/> Enhance Existing Service Compared to FY 85 <input type="checkbox"/> New Service Compared to FY 85 <input type="checkbox"/> Continuation of FY 85 Service Level </td> <td style="width:40%; vertical-align: top;"> <input type="checkbox"/> Formula Program </td> </tr> </table>	<input checked="" type="checkbox"/> Enhance Existing Service Compared to FY 85 <input type="checkbox"/> New Service Compared to FY 85 <input type="checkbox"/> Continuation of FY 85 Service Level	<input type="checkbox"/> Formula Program																																																																												
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IMPACT FROM CAPITAL PROJECT (NAME) <hr/> Chapter _____ SLA _____ Page/Line _____																																																																																

C5 INCREMENT/DECREMENT REQUEST
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AGENCY DEPARTMENT OF LAW
 PROGRAM DUE PROCESS
 BRU PROSECUTION
 COMPONENT SECOND JUDICIAL DISTRICT
 PROJECT _____

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TITLE OF INCREMENT/DECREMENT:
 Child Protection-Southcentral Alaska

AGENCY CONTACT/PHONE NUMBER:
 Daniel W. Hickey, 465-3428

DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES:

This increment requests two Attorneys IV (156.5), a Paralegal II (55.9) and a Legal Secretary I (40.6) for Anchorage, an Attorney IV (77.4) and a Paralegal II (54.7) for Kenai, a Paralegal II (55.8) and Legal Secretary I (40.8) in Palmer, and a Paralegal II (65.3) in Bethel, in order to address child protection in the Third Judicial District. See discussion of Issue No. 1, BRU Issues, Form B2. Also see discussion of Issue No. 3.

In Anchorage, the present sexual assault unit, which had formerly used two prosecutors to handle both adult and child sexual assault cases, now is devoted almost exclusively to cases involving children. In addition, one extra prosecutor has been added to the unit, thus taking away resources from the prosecution of other types of crime. But even this is not nearly enough. The number of child sexual assault cases in 1984 is already up 30% over the same period in 1983, and the need to send Anchorage prosecutors to handle cases in outlying areas further strains the Anchorage office.

In Kenai, child sexual assault cases for the first half of 1984 are already running well ahead of the total for the entire year 1983, thus indicating more than a doubling of those cases. Recent changes in the staffing of other Kenai justice agencies will potentially mean an even greater increase in the next year. In addition, the dramatic increase in overall Kenai caseload, particularly drunk driving and fish and game cases, also justifies an additional prosecutor and paraprofessional position.

CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	DV'S REQ.
100	Personal Services	380.9	335.0
200	Travel	35.0	30.0
300	Contractual Services	75.5	66.1
400	Supplies	30.0	26.5
500	Equipment	25.5	24.0
600	Lands, Buildings, Etc.		
700	Grants, Claims, Etc.		
800	Miscellaneous		
TOTAL		546.9	481.6
1-A: Transfers (NON-ADD)			
1002	Federal Receipts		
1003	General Fund Match		
1004	General Fund	546.9	481.6
1005	1-A Receipts		
1028	Program Receipts		
	Other		
POSITION INFORMATION	PFT	9	8
	PPT		
	Non Permanent		
	Staff Months	90	80

Enhance Existing Service Compared to FY 85
 New Service Compared to FY 85
 Continuation of FY 85 Service Level

Formula Program

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AGENCY DEPARTMENT OF LAW
 PROGRAM DUE PROCESS
 BRU PROSECUTION
 COMPONENT THIRD JUDICIAL DISTRICT
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TITLE OF INCREMENT/DECREMENT: Child Protection In Fairbanks		AGENCY CONTACT/PHONE NUMBER: Daniel W. Hickey, 465-3428		CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.
DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: This increment requests an Attorney IV (81.5), a Paralegal II (57.4) and a Legal Secretary I (40.9) in Fairbanks in order to address child protection in the Fourth Judicial District. See discussion of Issue No. 1, BRU Issues, Form B2. In Fairbanks, the present sexual assault unit, which formerly used one prosecutor to handle both adult and child sexual assault cases, now is devoted primarily to cases involving children. In addition, one extra prosecutor has been added to the unit, thus taking away resources from the prosecution of other types of crime. But even this is not enough. The number of child sexual assault cases in 1984 is already up 25% over the same period in 1983, and the need to send Fairbanks prosecutors to other areas, most notably Barrow, further strains the Fairbanks office.				100	Personal Services	133.3	133.3
				200	Travel	10.0	10.0
				300	Contractual Services	16.5	16.5
				400	Supplies	9.5	9.5
				500	Equipment	10.5	10.5
				600	Lands, Buildings, Etc.		
				700	Grants, Claims, Etc.		
				800	Miscellaneous		
				TOTAL		179.8	179.8
				I-A Transfer (NON-ADD)			
1002	Federal Receipts						
1003	General Fund Match						
1004	General Fund	179.8	179.8				
1005	I-A Receipts						
1028	Program Receipts						
Other							
POSITION INFORMATION		PFT	3	3			
		PPT					
		Non Permanent					
		Staff Months	30	30			
<input checked="" type="checkbox"/> Enhance Existing Service Compared to FY 85 <input type="checkbox"/> New Service Compared to FY 85 <input type="checkbox"/> Continuation of FY 85 Service Level		<input type="checkbox"/> Formula Program					
IMPACT FROM CAPITAL PROJECT (NAME) _____							
Chapter _____ SLA _____ Page/Line _____							

C5 INCREMENT/DECREMENT REQUEST
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AGENCY DEPARTMENT OF LAW
PROGRAM DUE PROCESS
BRU PROSECUTION
COMPONENT FOURTH JUDICIAL DISTRICT
PROJECT _____

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TITLE OF INCREMENT/DECREMENT:
Child Protection

AGENCY CONTACT/PHONE NUMBER:
Beverly Haywood 465-3600

DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES:

While it is essential that child abusers be prosecuted, as we have proposed in our prosecution budget, it is important as a first priority that abused children be placed in a safe environment. The actual legal protection of abused children is accomplished by civil division attorneys, who must proceed through court forms and hearings to secure aid and safe custody for the victims. Further, child protection involves more than proceedings on behalf of individual victims: for example, we also must pursue day care license revocations where investigation shows there is danger of abuse or neglect. This area of law has grown beyond our capacity to handle. We are particularly strained by the number of cases arising in rural areas, where work time is lost to travel. One of the results of trying to cope with our caseload in this area has been a drop in our timely response to other client agency problems. (For example, at FY 84 year end there were 26 percent more open aid-to-agency files than the year before, even though the number of new matters hadn't grown.) In spite of our efforts, our open children's proceedings files number 35 percent more than the year before. This is a potentially explosive situation, because child protection cases can't wait for us to get around to them.

We need a minimum of three new full-time attorneys to cover the ever-expanding needs for legal support in the child protection area: one based in Anchorage, one in Fairbanks, and in order to improve rural services, one based in Bethel. These attorneys will be hired at the Attorney IV level because of the level of responsibility and independence they will exercise in their outreach away from our field offices. In addition, we need one part-time secretary to

CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.
100	Personal Services	237.6	237.6
200	Travel	15.0	15.0
300	Contractual Services	13.5	13.5
400	Supplies	18.0	18.0
500	Equipment	27.0	27.0
600	Lands, Buildings, Etc.		
700	Grants, Claims, Etc.		
800	Miscellaneous		
TOTAL		311.1	311.1
(-A-Transfer (NON-ADD))			
1002	Federal Receipts		
1003	General Fund Match		
1004	General Fund	165.9	165.9
1005	I-A Receipts	145.2	145.2
1028	Program Receipts		
	Other		
POSITION INFORMATION	PFT	3	3
	PPT	3	3
	Non Permanent		
	Staff Months	45	45

Enhance Existing Service Compared to FY 85
 New Service Compared to FY 85
 Continuation of FY 85 Service Level

Formula Program

IMPACT FROM CAPITAL PROJECT (NAME)

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C5 INCREMENT/DECREMENT REQUEST

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AGENCY DEPARTMENT OF LAW

PROGRAM LEGAL SERVICES

BRU LEGAL SERVICES

COMPONENT OPERATIONS

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support each new attorney.

The Department of Health & Social Services has agreed to participate in this program to the extent of paying for the cost of two attorneys. The Department of Law is requesting general fund monies to pay for one additional attorney and three part-time secretaries. This increment will provide, in total:

- 1. Attorney IV - Anchorage (Dept. of H&SS RSA)
- 1. Attorney IV - Fairbanks (Dept. of H&SS RSA)
- 1. Attorney IV - Bethel (General Fund)
- Legal Secretary I, PPT - Anchorage (General Fund)
- Legal Secretary I, PPT - Fairbanks (General Fund)
- Legal Secretary I, PPT - Bethel (General Fund)

AGENCY DEPARTMENT OF LAW

PROGRAM LEGAL SERVICES

BRU LEGAL SERVICES

COMPONENT OPERATIONS

C5

ADDITIONAL
EXPLANATION
FORM

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CHILD AND FAMILY PROTECTION PACKAGE:

AS YOU KNOW, SEVERAL MEMBERS OF THIS BODY AND THE OTHER BODY HAVE BEEN WORKING ON A PACKAGE OF LEGISLATION TO ADDRESS THE GROWING PROBLEM OF CHILD ABUSE IN THIS STATE. OUR WORKING GROUP HAS DEVELOPED A PRODUCT THAT ATTEMPTS TO ADDRESS THE MOST CRITICAL AREAS, AND IDENTIFIES BOTH STATUTORY CHANGES AND BUDGETARY NEEDS.

THIS MORNING A COPY OF THIS PRODUCT WAS PLACED IN EACH MEMBER'S MAILBOX. IT CONTAINS PROPOSED LEGISLATION WITH SECTIONAL ANALYSIS, A COMPARISON OF WHAT EXISTS IN LAW NOW AND WHAT'S BEING PROPOSED, IDENTIFIED COSTS OF THE PACKAGE, AND A LIST OF ADDITIONAL ISSUES THAT WARRANT CONTINUED DISCUSSION.

IDENTICAL BILLS HAVE BEEN INTRODUCED IN BOTH BODIES, AND HEARINGS WILL BE HELD IN THE H.E.S.S. COMMITTEES ON TUESDAY, MARCH 26. I URGE YOU TO CAREFULLY REVIEW YOUR PACKET, AND JOIN ME IN SUPPORTING THIS MUCH NEEDED LEGISLATION.

NOTE:

SCHEDULED FOR TUESDAY:
IN SENATE HESS

SB 3 (HEARSAY)

SB 8 (SCHOOL CURRICULA)

SB 21 (BACKGROUND CHECKS)

SB 86 (MISSING AND RUNAWAY CHILDREN)

SB 243 (REVISION OF GOVERNOR'S OMNIBUS BILL)

Bettye, generally, SB 243 makes numerous changes to existing civil and criminal laws. Will enhance State's ability to protect children and to prosecute offenders. For example, expands those people required to report incidents, makes distribution of child pornography a crime whether or not distribution is for commercial purposes, extends the statute of

limitations from 5 to 10 years for child prostitution victims, adds a definition of sexual abuse to the statute to prevent constitutional challenges to the state's assumption of jurisdiction over children who are sexually abused by their parents.

Remembers that the substantive issues, like background checks and hearsay evidence and handling missing and runaway children are being addressed in separate bills.

FOR IMMEDIATE RELEASE:

March 1, 1985

LEGISLATORS ANNOUNCE COOPERATIVE EFFORT
ON CHILD SEXUAL ABUSE LEGISLATION

JUNEAU, AK. -- Senator Bettye Fahrenkamp, Chair of the Senate Committee on Health, Education, and Social Services, announced today that the chairmen of three Senate committees and two House committees have agreed to work together to draft new legislation that would toughen Alaska's laws regarding sexual abuse of children.

"There is such a need for comprehensive legislation that strengthens our laws to protect Alaska's children. With so many bills introduced on this issue this session, I thought it imperative that we combine our efforts and our expertise on drafting new laws," Senator Bettye Fahrenkamp (D-Fairbanks), said today.

She said that she and Senators Pat Rodey (D-Anchorage), Jan Faiks (R-Anchorage), and John Sackett (R-Ruby), and Representatives Max Gruenberg (D-Anchorage), Niilo Koponen (D-Fairbanks) and Mike Miller (D-Juneau) are working together to develop a consensus bill regarding child and family protection. "We want to have one package moving through the Legislature with a price tag that we can handle," Fahrenkamp said.

Rodey chairs the Senate Judiciary Committee, Sackett and Faiks co-chair the Senate Finance Committee, Gruenberg and Koponen co-chair the House HESS Committee, and Miller chairs the House Judiciary Committee.

(more)

child abuse, page two

"At least nine bills seeking to rewrite Alaska's child sexual abuse laws have been introduced this year," Gruenberg said. "By working together on this, we hope we can come up with one or two bills that best meet the needs of Alaska's children and parents", he explained.

"The problem of child sexual abuse does not exist in isolation," said Koponen. "It contributes significantly to the problem of runaway children, to juvenile delinquency, and to Alaska's critical need for counseling and mental health facilities. Developing a comprehensive system of law regarding child sexual abuse is an important first step in addressing these problems in a meaningful and effective manner."

Faiks said the group is developing a fiscal note for the legislation that will place a priority on each service element within the proposed legislation.

"We have a serious decline in state revenues this year and money will be short across the board", Faiks said. "The area of combatting child sexual abuse is a priority of both the Legislature and the Governor and it may well be the only area of the budget to see a slight increase this year", she said.

Sackett said one of the key fiscal elements is that of funding a proper training program for appropriate state employees who work with cases of child neglect and abuse.

(more)

child abuse, page three

"The alarming increase statewide in reports of child abuse, both physical and sexual, have rightly made this area a legislative priority this year", Sackett said. "Through this cooperative effort, we can develop a program that will help all Alaskan children."

Rodey said the group plans to carefully examine all the bills introduced on the issue. "We want to take the best sections of each bill and combine them into one comprehensive legislative package that our colleagues and personnel from the areas of law enforcement, social services, and health care can support", Rodey said.

-30-

For further information, contact:

Sandra Schubert, Tel. 465-3834



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

KARLA L. FORSYTHE
General Counsel

303 K Street
Anchorage, AK 99501

April 10, 1985

Senator Pat Rodey
Chair, Senate Judiciary Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Senator Rodey:

I am writing with regard to CSSB 243 (HESS), relating to the protection of children, which is now before the judiciary committee. My comments are specifically directed to proposed section 12 (page 6), which includes "court investigators" within the group of persons required to report abuse or neglect of a child.

The court system is opposed to this provision. First, the meaning of the term "court investigators" is unclear, since there is no such position title within the court system (although there are custody investigator positions in Anchorage and Fairbanks). Second, court personnel should not be held to a higher duty than ordinary citizens in reporting incidents of this nature, especially given the court's adjudicatory role. This requirement could create the appearance that the court is taking sides in any legal disputes which may later arise. The court system believes its role should be limited to adjudication of cases, and should not be expanded to include a nonadjudicatory reporting function.

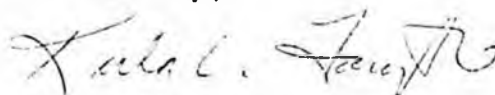
This legislation is complemented by CSSB 28, which provides that a person employed by the state who is required to report abuse or neglect shall receive training. Departments are required to develop curriculum for employees including training about laws relating to child abuse and neglect, techniques for recognition and detection, information about agencies and organizations that offer aid, and procedures for notification.

If both CSSB 28 and CSHB 88 are enacted, court system personnel would be required to report abuse, and the court system would be required to provide training. The court system would not independently develop training materials, but instead would

rely upon materials developed by the executive branch. However, the court system would still have to reproduce and disseminate these materials, as well as provide some minimal training, in the form of one visit by administrative staff to each judicial district to train supervisors. The total cost of this limited training program is estimated at \$4,000. A copy of the court system's fiscal note is attached.

Thank you for this opportunity to provide comments. I will be glad to answer any questions.

Sincerely,



Karla L. Forsythe
General Counsel

KLF:smh

cc: Senator Bettye Fahrenkamp
Chair, Senate HESS Committee

Senator Jan Faiks
Co-Chair, Senate Finance Committee

Senator John Sackett
Co-Chair, Senate Finance Committee

ors awaiting arter figures

capital budget this year, then it appears they'll set aside some construction money for Mat-Su Valley schools, Faiks said.

"That area of the state has been growing like crazy," she said. "There's a human crisis out there.

"If we don't do anything else, we have to save up some capital money for those folks," Faiks said.

Legislative budget builders agreed last month they would trim \$300 million from Gov. Bill Sheffield's proposed spending plan for fiscal '86. Of that total, \$160 million would come from the operating budget, \$31.5 million from loans and the rest from the capital budget.

That would reduce Sheffield's \$2.37 billion operating budget to about \$2.24 billion and have an addition \$248.1 million up for grabs for capital projects.

Those figures reflect money that would be appropriated from the state's general fund.

Sheffield had called for \$547.2 million in capital spending when he released his budget.

Child abuse bills consolidated legislature

By ROBB FULCHER
United Press International

JUNEAU — Lawmakers have gathered together a number of bills designed to combat child abuse and have a sweeping child protection package which they hope to push through the legislature.

"It just puts in a capsule where we stand and where we are heading on child abuse," said Sen. Bettye Fahrenkamp, D-Fairbanks, chairwoman of the Senate Committee on Health, Education and Social Services.

Some of the legislation was introduced earlier in the session by Gov. Bill Sheffield, who has identified child abuse as Alaska's number one social problem.

Six legislators who chair standing committees on both the House and Senate sides spearheaded a two-week effort to refine the measures already before the legislature, and to evaluate recommendations by the National Center for Missing and Exploited Children.

The package of bills they came up with include provisions to expand the scope of evidence that can be presented to a grand jury in child abuse cases, to expand programs to train officials to recognize child abuse, and to broaden laws protecting children from neglect.

Reports of child abuse and neglect increased 219 percent between 1978

and 1983, according to statistics compiled by the Department of Health and Human Services.

Sheffield noted in his Jan. 15 "State of the State" address that the Division of Family and Youth Services receives an average of 33 child welfare referrals each day in Anchorage alone.

"That record caseload is shameful enough in itself. But numbers alone can't tell you about the pain these children feel, and the painful decisions an overworked staff has to make," Sheffield said in the address.

The anti-child abuse package lumps already existing bills together when possible, and leaves separate any bills that may be controversial or which may be questioned as too expensive.

"One thing that is important is that when you increase enforcement to protect the victim, you can end up spending more money in other areas," Fahrenkamp said Thursday.

"For instance, if testimony from a child leads to the breadwinner being removed from the household, you may have to spend more for assistance to that family," she said.

One measure which was placed by itself in the package because of possible controversy was a bill that

would allow grand juries to accept hearsay evidence in cases of alleged child sexual abuse, Fahrenkamp said.

The child must be under the age of 10, and the child need not testify in person if a judge decides the child would suffer "substantial" emotional or physical harm if he or she was required to testify.

Hearsay evidence also would be allowed if the child cannot clearly remember the events in question.

One of the most expensive provisions in the package would call for \$235,900 in funding for the training of teams of community professionals to recognize and report child abuse and neglect.

The training would be done by the Council on Domestic Violence and Sexual Assault, and the professionals who would receive the training would include law enforcement officers and social workers.

Issues that were identified for further study include the possibility of mandatory background checks on employees of child care facilities, encouraging school districts to offer parenting classes, and presumptive sentencing, which gives Alaska judges more discretion in imposing sentences.

RING CLEARANCE



Alaska State Legislature

Senate

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

TO ALL INTERESTED PARTIES

ATTACHED FOR YOUR INFORMATION IS THE LEGISLATIVE PACKAGE
DEVELOPED TO ADDRESS THE INCREASING PROBLEM OF CHILD
ABUSE IN OUR STATE. HEARINGS HAVE BEEN SCHEDULED IN JUNEAU:

SENATE COMMITTEE ON HEALTH, EDUCATION AND SOCIAL SERVICES

TUESDAY, MARCH 26, 1985	SB 3
	SB 8
1:30 - 3:30 P.M.	SB 21
	SB 86
BELTZ ROOM, ROOM 211 CAPITOL	SB 243

HOUSE COMMITTEE ON HEALTH, EDUCATION AND SOCIAL SERVICES

TUESDAY, MARCH 26, 1985 AND	HB 67
WEDNESDAY, MARCH 27, 1985	
	HB 88
4:30 - 6:00 P.M.	
	HB 308
ROOM 112 CAPITOL	

PLEASE CONTACT SANDRA SCHUBERT (SENATE H.E.S.S.) AT 465-3834
OR NANCY BENNETT (HOUSE H.E.S.S.) AT 465-3759 WITH QUESTIONS
OR COMMENTS.

The Fairbanks Child Sexual Abuse Task Force

209 Forty Mile Ave- Graehl
Fairbanks, AK 99701

April 29, 1985

Dear Legislator,

The Fairbanks Child Sexual Abuse Task force was formed in 1981 to address the many legal and treatment issues that are involved in cases of child sexual abuse. In the past four years the Task Force has developed effective and cooperative strategies for intervention on prosecution and treatment.

The attention given to child sexual abuse by the media, in conjunction with concerted local education by member agencies of the task Force, has caused a dramatic increase in the number of reported cases of child sexual abuse in Fairbanks and the Northern Region. The Fairbanks office of DFYS received 72 reports of child sexual abuse in the first six months of 1984, 139 in the last six months (total of 211 for 1984), and 105 reports in the first four months of 1985. In addition the Northern Region outside of Fairbanks received 47 cases in 1984. In 1984 Alaska State Troopers investigated 161 cases involving sexual offenses in the Northern Region and Fairbanks Police Department investigated 74 cases within the city. In the first four months of 1985 FPD investigated 32 cases, only 5 of which were adult rapes.

The Governor has requested additional social workers for this region. His request is receiving legislative support through HB 88 and SB 243. However, there are two major areas of need caused by the increased caseload: 1) treatment and advocacy for victims and non-offending parents and 2) law enforcement to investigate the related criminal charges.

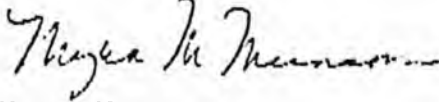
Alaska State Troopers has assigned five troopers to do all investigations in the Northern Region, two of whom work almost exclusively on sexual offenses. AST has now given notice to the Task Force that they will have to cut back on investigative work on sexual offenses due to lack of staff time. With the announced further loss of troopers in the Northern region this situation is rapidly becoming critical.

We would request the legislature to endorse the child sexual abuse protocol signed by the Departments of Law, Public Safety, Health and Social Services and Corrections and to direct those agencies to give priority in their budgets to activities involving child sexual abuse cases.

We believe that the legislature must show its support of intervention, prevention and treatment of child sexual abuse by providing adequate funding to these agencies. In particular, we are concerned that the Department of Public Safety receive sufficient funding to maintain adequate investigative units, and through CDVSA, augment prevention and treatment services.

Thank you for your attention to these concerns.

Sincerely,



Myra Munson
Chair, Executive Committee
Fairbanks Child Sexual Abuse Task Force

cc: Commissioner Sundberg
Department of Public Safety

Please distribute to Interior delegation, House & Senate Finance ..

452-2293
LISTER/LSICCA

Robert M. Arvidson, Ph.D.
Box 258
Cordova, Alaska 99574

MAR 5 1985

March 2, 1985

343

House Hess Committee
Alaska State Legislature
Fouch V
Juneau, Alaska 99811

Re: House Bill No. 88, "An Act relating to the protection of children;"

Dear Committee Members,

This is a letter of support for House Bill No. 88. I urge passage of this Bill and in the meantime offer the following comments in three areas for your consideration.

Area 1. I suggest that psychological associates should be inserted between "psychologists" and "religious" in line 1, page 12. Psychological associates are not considered psychologists per se, and are licensed separately under AS 08.86. A distinction is made between psychologists and associates elsewhere in the statutes, namely AS 47.30.915 (11).

Area 2. I support Sec. 20 on page 10, but I am concerned that the term "psychotherapist" lacks statutory definition (the concern here is with the definition of psychotherapist as it relates to psychology, not psychiatry). As I understand it, Sec. 20 is a result of issues raised in Alaska v. R. H. and Wetherhorn, 683 P. 2d 269 (Alaska App. 1984). In the decision, Dr. Wetherhorn, a clinical psychologist is acknowledged as a psychotherapist, but this may be problematic for future reference since the psychology statutes (AS 08.86) do not specifically address the issue of specialty designations, such as clinical or counseling psychologist.

Reference is made in the above decision to Allred v. State, 554 P 2d.⁴¹¹ (Alaska 1976), where psychotherapy and the practice thereof are defined, but this does not solve all conflicts. The Allred court did not extend evidentiary privilege "... to all manner of counselors, social workers, and psychological associates," 554 P 2d. at 418 (the particular focus concerned psychiatric social workers). The problem that I have here is that AS 08.86. 180 (d) recognizes the right of clinical social workers to hold out to the public as psychotherapists. Does this mean that clinical social workers, who are neither statutorily defined nor licensed under Title 8 are included in the exception stated in proposed Sec. 47.17.060 (2) ?

Clinical Social Workers would not typically meet the criteria established by the Allred court for psychotherapist, yet due to the nature of their training and occupational specialty, it is highly probable that these very individuals would be involved in sensitive child abuse consultations and proceedings.

Another area of concern is the exemption granted to qualified members of other professions in AS 08.86.180 (b) (3) where use of the terms psychotherapy and psychotherapeutic is not restricted.

My purpose here is to seek clarity rather than to be critical . The intent of the section is to clarify existing law, yet application of the "plain meaning rule" might indicate that all manner of psychotherapists will be granted evidentiary

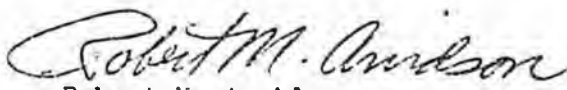
House Hess
Page 2
March 2, 1985

privilege (due to the recency of various amendments to AS 08.86.180; 1980 and 1983 for AS 08.86.180 (b) (3) and (d) respectively v. 1976 for Allred). Is this the intent of Sec. 20?

As a note , psychotherapy is briefly defined in the Standards cited in 12 AAC 60.185 and the term is used in reference to the practice of psychology in AS 08.86.230. This, however, does not mean that all psychologists licensed under AS 08.86 are qualified as psychotherapists. Specialty guidelines (based on the generic Standards) which shed light on the definition of professional clinical psychologist have not been formally adopted in 12 AAC 60 (see, American Psychological Association, Committee on Professional Standards. "Specialty guidelines for the delivery of services by clinical psychologists." American Psychologist , 36, 640-651; also available in booklet form).

Area 3. I request an amendment be made to HB 88 to the effect AS 08.86.200 include the provision that those licensed under AS 08.86 must report knowledge of child abuse or neglect as required by AS 47.17.020 (a) (1). My interpretation is that as it now reads, AS 08.86.200 (Confidentiality of Communication) is in conflict with AS 47.17.020 (Persons required to report). The amendment would bring AS 08.86.200 in line with existing law and with Principle 5 of "Ethical Principles of Psychologists;" (see 12 AAC 60.185). I have called this to the psychology boards' attention in a letter dated Feb. 27, 198[4] (which should have read Feb. 27, 1985).

Sincerely yours,


Robert M. Arvidson

cc: House Judiciary
House Finance
Gov. Sheffield
Rep. Cato
Senate HESS ✓
Sen. Kerttula
Sen. DeVries
Board of Psychologists ... Examiners

* Insert (1981)

Introduced: 3/20/85
Referred: Health, Education & Social Services
and Judiciary

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

SENATE BILL NO. 243

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the protection of children."

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

8 * Section 1. AS 11.51.100 is amended to read:

9 Sec. 11.51.100. ENDANGERING THE WELFARE OF A MINOR IN THE FIRST
10 DEGREE. (a) A person commits the crime of endangering the welfare of
11 a minor in the first degree if, being a parent, guardian, or other
12 person legally charged with the care of a child under 13 [10] years of
13 age, the person intentionally deserts the child in any place under
14 circumstances creating a substantial risk of physical injury to the
15 child.

16 (b) Endangering the welfare of a minor in the first degree is a
17 class C felony.

18 * Sec. 2. AS 11.51 is amended by adding a new section to read:

19 Sec. 11.51.110. ENDANGERING THE WELFARE OF A MINOR IN THE SECOND
20 DEGREE. (a) A person commits the crime of endangering the welfare of
21 a minor in the second degree if, being entrusted with the care of a
22 child under 13 years of age, the person with criminal negligence

23 (1) exposes the child to circumstances creating a substan-
24 tial risk of physical injury or sexual abuse; or

25 (2) exposes the child to physical injury by failing to
26 provide the child with necessary food, care, clothing, shelter, or
27 medical attention.

28 (b) Endangering the welfare of a minor in the second degree is a
29 class A misdemeanor.

1 * Sec. 3. AS 11.61.125(a) is amended to read:

2 (a) A person commits the crime of distribution of child pornog-
3 raphy if the person brings or causes to be brought into the state for
4 [SALE OR] distribution, or in the state distributes, or in the state
5 possesses, prepares, publishes, or prints with intent to distribute,
6 [SELL, OR EXHIBIT TO OTHERS FOR COMMERCIAL CONSIDERATION,] any mater-
7 ial that visually depicts conduct described in [UNDER] AS 11.41.-
8 455(a), knowing that the production of the material involved the use
9 of a child under 18 years of age who engaged in the conduct.

10 * Sec. 4. AS 11.61.125 is amended by adding a new subsection to read:

11 (d) In this section, "distribution" includes delivering, sell-
12 ing, renting, leasing, lending, giving, circulating, exhibiting,
13 presenting, providing, and exchanging, whether or not for monetary or
14 other consideration.

15 * Sec. 5. AS 12.10.020(c) is amended to read:

16 (c) Even if the general time limitation has expired, a prose-
17 cution under AS 11.41.410 - 11.41.460, AS 11.66.110 - 11.66.130,
18 former AS 11.41.430, or former AS 11.51.130(a)(4), for an offense
19 committed against a person under the age of 16 may be commenced within
20 one year after the crime is reported to a peace officer or the person
21 reaches the age of 16, whichever occurs first. This subsection does
22 not extend the period of limitation by more than five years.

23 * Sec. 6. AS 12.45.045(a) is amended to read:

24 Sec. 12.45.045. EVIDENCE OF PAST SEXUAL CONDUCT IN TRIALS FOR
25 SEXUAL OFFENSES [OF RAPE AND ASSAULT WITH INTENT TO COMMIT RAPE]. (a)
26 In prosecutions for the crimes [CRIME] of sexual assault in any de-
27 gree, sexual abuse of a minor in any degree, or unlawful exploitation
28 of a minor, or an attempt to commit any of these crimes [SEXUAL AS-
29 SAULT IN ANY DEGREE], evidence of the complaining witness' previous

1 sexual conduct may [SHALL] not be admitted nor reference made to it in
2 the presence of the jury except as provided in this section. When the
3 defendant seeks to admit the evidence for any purpose. the defendant
4 may apply for an order of the court at any time before or during the
5 trial or preliminary hearing. After the application is made, the
6 court shall conduct a hearing in camera to determine the admissibility
7 of the evidence. If the court finds that evidence offered by the
8 defendant regarding the sexual conduct of the complaining witness is
9 relevant, and that the probative value of the evidence offered is not
10 outweighed by the probability that its admission will create undue
11 prejudice, confusion of the issues, or unwarranted invasion of the
12 privacy of the complaining witness, the court shall make an order
13 stating what evidence may be introduced and the nature of the ques-
14 tions that may [WHICH SHALL] be permitted. The defendant may then
15 offer evidence under the order of the court.

16 * Sec. 7. AS 47.10.081(c) is amended to read:

17 (c) The court shall inform the child, the child's parents, [AND]
18 the attorneys representing the parties, and the guardian ad litem that
19 the predisposition report will be available to them not less than six
20 working [10] days before the disposition hearing.

21 * Sec. 8. AS 47.10.142(a) is repealed and reenacted to read:

22 (a) The Department of Health and Social Services may take emer-
23 gency custody of a minor upon discovering any of the following circum-
24 stances:

25 (1) the minor has been abandoned;

26 (2) the minor has been grossly neglected by the minor's
27 parents or guardian as "neglect" is defined in AS 47.17.070(5), and
28 the department determines that immediate removal from the minor's
29 surroundings is necessary to protect the minor's life or that

1 immediate medical attention is necessary;

2 (3) the minor has been abused by a person responsible for
3 the child's welfare , as "abuse" is defined in AS 47.17.070(1), and
4 the department determines that immediate removal from the minor's
5 surroundings is necessary to protect the minor's life or that immedi-
6 ate medical attention is necessary.

7 * Sec. 9. AS 47.10.142(c) is amended to read:

8 (c) When a child is taken into custody under (a) or (b) of this
9 section, the department shall immediately, and in no event more than
10 12 hours later unless prevented by lack of communication facilities,
11 notify the parents or the person or persons having custody of the
12 child. If the department determines that continued custody is neces-
13 sary to protect the child, the department shall notify the court of
14 the emergency custody by filing, within 24 hours after custody was
15 assumed [AND THE COURT OF THE ACTION AND FILE WITH THE COURT] a peti-
16 tion alleging that the child is a child in need of aid.

17 * Sec. 10. AS 47.10.290 is amended by adding a new paragraph to read:

18 (8) "sexual abuse" means

19 (A) conduct against a child that would constitute a
20 sexual offense under AS 11;

21 (B) the perpetrator's knowingly touching, directly or
22 through clothing, the genital area, groin, inner thighs, or
23 buttocks of a child, or causing a child to touch, directly or
24 through clothing, the genital area, groin, inner thighs, or
25 buttocks of the perpetrator or another; sexual abuse does not
26 include reasonable touching in the exercise of normal caretaker
27 responsibilities for a child or normal caretaker interactions
28 with a child or touching performed for the purpose of adminis-
29 tering a recognized and lawful form of treatment that is

1 reasonably adapted to promoting the physical or mental health of
2 the child;

3 (C) exposing the genital area, anus, breast, groin, or
4 buttocks of a child to the perpetrator or another for the sexual
5 gratification of the child, the perpetrator, or another, or
6 exposing the genital area, anus, breast, groin or buttocks of the
7 perpetrator or another to a child for the sexual gratification of
8 the child, the perpetrator, or another; or

9 (D) statements to a child that express a desire or
10 intent to have sexual contact or sexual penetration with the
11 child or encourage the child to have sexual contact or sexual
12 penetration with the perpetrator or another.

13 * Sec. 11. AS 47.17.010 is amended to read:

14 Sec. 47.17.010. PURPOSE. In order to protect children whose
15 health and well-being may be adversely affected through the inflic-
16 tion, by other than accidental means, of harm through physical injury,
17 [ABUSE OR] neglect, [OR] sexual abuse, or sexual exploitation, the
18 legislature requires the reporting of these cases by practitioners of
19 the healing arts and others to the appropriate public authorities. It
20 is the intent of the legislature that, as a result of these reports,
21 protective services will be made available in an effort to prevent
22 further harm to the child, to safeguard and enhance the general well-
23 being of the children in this state, and to preserve family life
24 whenever preserving it is in the best interests of the child [POS-
25 SIBLE].

26 * Sec. 12. AS 47.17.020 is repealed and reenacted to read:

27 Sec. 47.17.020. REPORTING OF CHILD ABUSE OR NEGLECT. (a) The
28 following persons are required to report abuse or neglect of a child
29 as required in (b) and (c) of this section:

- 1 (1) practitioners of the healing arts;
- 2 (2) employees and volunteers of private and public schools;
- 3 (3) human services providers;
- 4 (4) peace officers, and officers of the Department of
5 Corrections;
- 6 (5) administrative officers of institutions;
- 7 (6) child care providers;
- 8 (7) counselors, including church counselors and therapists,
9 whether licensed or not;
- 10 (8) court investigators;
- 11 (9) employees and volunteers of domestic violence programs,
12 sexual assault programs, or crisis shelters.

13 (b) A person listed in (a) of this section, who in the perfor-
14 mance of the person's occupational duties has cause to believe that a
15 child has suffered harm as a result of abuse or neglect by a person
16 responsible for the child's welfare, shall promptly report the harm to
17 the nearest office of the department. If the person making a report
18 of harm under this subsection cannot reasonably contact the nearest
19 office of the department and immediate action is necessary for the
20 well-being of the child, the person shall make the report to a peace
21 officer. The peace officer shall take immediate action to protect the
22 child and shall, at the earliest opportunity, notify the nearest
23 office of the department.

24 (c) A person listed in (a) of this section, who in the perfor-
25 mance of the person's occupational duties has cause to believe that a
26 child has suffered harm as a result of abuse or neglect, shall prompt-
27 ly report the harm to the nearest law enforcement agency if the person
28 making the report (1) has cause to believe that the harm was caused by
29 a person who is not responsible for the child's welfare; or (2) is

1 unable to determine (A) who caused the harm to the child; or (B)
2 whether the person who is believed to have caused the harm has respon-
3 sibility for the child's welfare. If a person making a report under
4 this subsection cannot reasonably contact the nearest law enforcement
5 agency, and immediate action appears necessary for the well-being of
6 the child, the person shall make the report to the nearest office of
7 the department. The department shall take immediate action to protect
8 the child and shall, at the earliest opportunity, notify the nearest
9 law enforcement agency.

10 (d) This section does not prohibit the named persons from re-
11 porting cases that have come to their attention in their nonoccupa-
12 tional capacities, nor does it prohibit any other person from report-
13 ing a child's harm that the person has cause to believe is a result of
14 abuse or neglect. These reports shall be made to the nearest office
15 of the department or to the nearest law enforcement agency in the
16 manner set out in (b) and (c) of this section.

17 * Sec. 13. AS 47.17 is amended by adding a new section to read:

18 Sec. 47.17.023. REPORTS REGARDING CHILD PORNOGRAPHY. A person
19 who, in the course of processing or producing visual or printed
20 matter, either privately or commercially, has reason to believe that
21 the matter visually depicts a minor engaged in conduct described in
22 AS 11.41.455(a) shall promptly report this to the nearest law enforce-
23 ment agency. The person shall provide copies of the material to the
24 law enforcement agency along with all information known about the
25 origin of the matter.

26 * Sec. 14. AS 47.17.025 is repealed and reenacted to read:

27 Sec. 47.17.025. DUTIES OF PUBLIC AUTHORITIES. (a) After re-
28 ceiving a report of harm to a child resulting from abuse or neglect by
29 a person responsible for the child's welfare, a law enforcement agency

1 shall immediately notify the Department of Health and Social Services
2 and the Department of Law. The Department of Health and Social Ser-
3 vices shall investigate the report and, within 72 hours after receiv-
4 ing the report, shall provide a written report of its investigation to
5 the Department of Law for review. If after a preliminary investiga-
6 tion the Department of Health and Social Services determines that the
7 harm was not caused by a member of the child's family, the department
8 shall so notify the Department of Law.

9 (b) A report of harm to a child from abuse or neglect required
10 from the department by this section must include:

11 (1) the names and addresses of the child and the child's
12 parents or other persons responsible for the child's care, if known;

13 (2) the age and sex of the child;

14 (3) the nature and extent of the harm to the child;

15 (4) the name and age and address of the person known or
16 believed to be responsible for the harm to the child, if known;

17 (5) information that the department believes may be helpful
18 in establishing the identity of the person believed to have caused the
19 harm to the child.

20 * Sec. 15. AS 47.17.040(b) is amended to read:

21 (b) Investigation reports and reports of harm filed under this
22 chapter are considered confidential and are not subject to public
23 inspection and copying under AS 09.25.110 and 09.25.120. However, in
24 accordance with department regulations, investigation reports may be
25 used by appropriate governmental agencies with child-protection func-
26 tions, inside and outside the state [ALASKA], in connection with
27 investigations or civil or criminal [JUDICIAL] proceedings involving
28 [CHILD] abuse, neglect, or child custody. A person, not acting in
29 accordance with department regulations, who makes public information

1 contained in confidential reports is guilty of a misdemeanor.

2 * Sec. 16. AS 47.17.050 is amended to read:

3 Sec. 47.17.050. IMMUNITY. A person who, in good faith, makes a
4 report under this chapter, or who participates in civil or criminal
5 [JUDICIAL] proceedings related to the submission of reports under this
6 chapter, is immune from any civil or criminal liability that [WHICH]
7 might otherwise be incurred or imposed.

8 * Sec. 17. AS 47.17.060 is amended to read:

9 Sec. 47.17.060. EVIDENCE NOT PRIVILEGED. Neither the physi-
10 cian-patient nor the husband-wife privilege is a ground for excluding
11 evidence regarding a child's harm, or its cause, in a civil or crimi-
12 nal [JUDICIAL] proceeding related to a report made under this chapter.

13 * Sec. 18. AS 47.17.064 is repealed and reenacted to read:

14 Sec. 47.17.064. PHOTOGRAPHS AND X-RAYS. The department or a
15 practitioner of the healing arts may, without the permission of the
16 parents, take the following actions with regard to a child believed to
17 have suffered physical harm as a result of abuse or neglect by a
18 person responsible for the child's welfare

19 (1) take or have taken photographs of the areas of trauma
20 visible on the child; and

21 (2) if medically indicated, have a radiological examination
22 of the child performed by a person who is licensed to administer a
23 radiological examination.

24 * Sec. 19. AS 47.17.068 is repealed and reenacted to read:

25 Sec. 47.17.068. PENALTY FOR FAILURE TO REPORT. A person
26 who knowingly fails or refuses to report as required under AS 47.17.-
27 020 or 47.17.023 is guilty of a class B misdemeanor.

28 * Sec. 20. AS 47.17 is amended by adding a new section to read:

29 Sec. 47.17.069. PROTECTIVE INJUNCTIONS. (a) The attorney

1 general may bring an action to enjoin or limit a person from contact
2 with a child not related to the person if the person

- 3 (1) has sexually abused a child;
4 (2) has physically abused a child;
5 (3) has failed without lawful excuse to provide necessary
6 food, care, clothing, shelter, supervision, or medical attention for a
7 child entrusted to the care of the person; or
8 (4) otherwise constitutes a substantial danger to the
9 mental, emotional, or physical welfare of a child.

10 (b) The court may grant an order in the form that is best suited
11 to protect a child from harm based upon the facts of the case. This
12 section does not limit the authority of the attorney general or the
13 court to act to protect a child.

14 * Sec. 21. AS 47.17.070(1) is amended to read:

15 (1) "[CHILD] abuse [OR NEGLECT]" means nonaccidental [THE]
16 physical injury [OR NEGLECT], sexual abuse, sexual exploitation, or
17 maltreatment of a child [UNDER THE AGE OF 18 BY A PERSON WHO IS RE-
18 SPONSIBLE FOR THE CHILD'S WELFARE] under circumstances that [WHICH]
19 indicate that the child's health or welfare is harmed or threatened
20 thereby;

21 * Sec. 22. AS 47.17.070(5) is amended to read:

22 (6) "practitioner of the healing arts" includes chiroprac-
23 tors, dental hygienists, dentists, health aides, nurses, nurse practi-
24 tioners, optometrists, osteopaths, physical therapists, physicians,
25 physician's assistants, psychiatrists, psychologists, psychological
26 associates, religious healing practitioners, and surgeons;

27 * Sec. 23. AS 47.17.070(7) is repealed and reenacted to read:

28 (7) "sexual exploitation" means
29 (A) permitting, encouraging, inducing, or employing a

1 child to engage in prostitution or in the promotion of prosti-
2 tution as set out in AS 11.66.100 - 11.66.150; or

3 (B) engaging in conduct described in AS 11.41.455;

4 * Sec. 24. AS 47.17.070 is amended by adding new paragraphs to read:

5 (8) "child care provider" means an adult individual, or an
6 employee or volunteer of an organization, who provides care and super-
7 vision to a child;

8 (9) "human services provider" includes an individual human
9 services provider, and an employee or volunteer of a human services
10 organization, such as a social service, youth service, mental health,
11 or substance abuse agency, or a shelter for runaway or homeless youth;

12 (10) "organization" means a group or entity that provides
13 care and supervision to a child not related to the caregiver, and
14 includes a child care facility, pre-elementary school, head start
15 center, child foster home, residential child care facility, recreation
16 program, children's camp, and children's club;

17 (11) "person responsible for the child's welfare" means the
18 child's parent, guardian, foster parent, a person responsible for the
19 child's care at the time of the alleged abuse or neglect, or a person
20 responsible for the child's welfare in a public or private residential
21 agency or institution.

22 * Sec. 25. AS 47.35.070 is amended to read:

23 Sec. 47.35.070. VIOLATIONS. A person who violates a provision
24 of this chapter [AS 47.35.010 - 47.35.100] or a regulation adopted
25 under this chapter [AS 47.35.010 - 47.35.100] is guilty of a class B
26 misdeemeanor [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE
27 THAN \$200].

28 * Sec. 26. AS 47.35.070 is amended by adding a new subsection to read:

29 (b) The department may by regulation devise a system of civil

1 enforcement. The system may employ civil penalties not to exceed \$200
2 for each day during which one or more violations of a licensing stat-
3 ute or licensing regulation occurs. The imposition of a civil penalty
4 does not prevent prosecution and sentence for a criminal offense.

Offered: 4/3/85
Referred: Judiciary

Original sponsor: Health, Education and
Social Services Committee

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR SENATE BILL NO. 243 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the protection of children; and
amending Rules 504 and 505, Alaska Rules of Evi-
dence."

7

8

9

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

10

* Section 1. AS 11.51.100 is amended to read:

11

Sec. 11.51.100. ENDANGERING THE WELFARE OF A MINOR IN THE FIRST

12

DEGREE. (a) A person commits the crime of endangering the welfare of

13

a minor in the first degree if, being a parent, guardian, or other

14

person legally charged with the care of a child under 13 [10] years of

15

age, the person intentionally deserts the child in any place under

16

circumstances creating a substantial risk of physical injury to the

17

child.

18

(b) Endangering the welfare of a minor in the first degree is a

19

class C felony.

20

* Sec. 2. AS 11.51 is amended by adding a new section to read:

21

Sec. 11.51.110. ENDANGERING THE WELFARE OF A MINOR IN THE SECOND

22

DEGREE. (a) A person commits the crime of endangering the welfare of

23

a minor in the second degree if, being entrusted with the care of a

24

child under 13 years of age, the person with criminal negligence

25

(1) exposes the child to circumstances creating a substan-

26

tial risk of physical injury or sexual abuse; or

27

(2) exposes the child to physical injury by failing to

28

provide the child with necessary food, care, clothing, shelter, or

29

medical attention.

1 (b) Endangering the welfare of a minor in the second degree is a
2 class A misdemeanor.

3 * Sec. 3. AS 11.61.125(a) is amended to read:

4 (a) A person commits the crime of distribution of child pornog-
5 raphy if the person brings or causes to be brought into the state for
6 [SALE OR] distribution, or in the state distributes, or in the state
7 possesses, prepares, publishes, or prints with intent to distribute,
8 [SELL, OR EXHIBIT TO OTHERS FOR COMMERCIAL CONSIDERATION,] any mater-
9 ial that visually depicts conduct described in [UNDER] AS 11.41.-
10 455(a), knowing that the production of the material involved the use
11 of a child under 18 years of age who engaged in the conduct.

12 * Sec. 4. AS 11.61.125 is amended by adding a new subsection to read:

13 (d) In this section, "distribution" includes delivering, sell-
14 ing, renting, leasing, lending, giving, circulating, exhibiting,
15 presenting, providing, and exchanging, whether or not for monetary or
16 other consideration.

17 * Sec. 5. AS 12.10.020(c) is amended to read:

18 (c) Even if the general time limitation has expired, a prose-
19 cution under AS 11.41.410 - 11.41.460, AS 11.66.110 - 11.66.130,
20 former AS 11.41.430, or former AS 11.51.130(a)(4), for an offense
21 committed against a person under the age of 16 may be commenced within
22 one year after the crime is reported to a peace officer or the person
23 reaches the age of 16, whichever occurs first. This subsection does
24 not extend the period of limitation by more than five years.

25 * Sec. 6. AS 12.45.045(a) is amended to read:

26 Sec. 12.45.045. EVIDENCE OF PAST SEXUAL CONDUCT IN TRIALS FOR
27 SEXUAL OFFENSES [OF RAPE AND ASSAULT WITH INTENT TO COMMIT RAPE]. (a)
28 In prosecutions for the crimes [CRIME] of sexual assault in any de-
29 gree, sexual abuse of a minor in any degree, or unlawful exploitation

1 of a minor, or an attempt to commit any of these crimes [SEXUAL AS-
2 SAULT IN ANY DEGREE], evidence of the complaining witness' previous
3 sexual conduct may [SHALL] not be admitted nor reference made to it in
4 the presence of the jury except as provided in this section. When the
5 defendant seeks to admit the evidence for any purpose, the defendant
6 may apply for an order of the court at any time before or during the
7 trial or preliminary hearing. After the application is made, the
8 court shall conduct a hearing in camera to determine the admissibility
9 of the evidence. If the court finds that evidence offered by the
10 defendant regarding the sexual conduct of the complaining witness is
11 relevant, and that the probative value of the evidence offered is not
12 outweighed by the probability that its admission will create undue
13 prejudice, confusion of the issues, or unwarranted invasion of the
14 privacy of the complaining witness, the court shall make an order
15 stating what evidence may be introduced and the nature of the ques-
16 tions that may [WHICH SHALL] be permitted. The defendant may then
17 offer evidence under the order of the court.

18 * Sec. 7. AS 47.10.081(c) is amended to read:

19 (c) The court shall inform the child, the child's parents, [AND]
20 the attorneys representing the parties, and the guardian ad litem that
21 the predisposition report will be available to them not less than six
22 working [10] days before the disposition hearing.

23 * Sec. 8. AS 47.10.142(a) is repealed and reenacted to read:

24 (a) The Department of Health and Social Services may take emer-
25 gency custody of a minor upon discovering any of the following circum-
26 stances:

27 (1) the minor has been abandoned;

28 (2) the minor has been grossly neglected by the minor's
 parents or guardian as "neglect" is defined in AS 47.17.070(5), and

1 the department determines that immediate removal from the minor's
2 surroundings is necessary to protect the minor's life or that immedi-
3 ate medical attention is necessary;

4 (3) the minor has been abused by a person responsible for
5 the minor's welfare, as "abuse" is defined in AS 47.17.070(1), and the
6 department determines that immediate removal from the minor's
7 surroundings is necessary to protect the minor's life or that immedi-
8 ate medical attention is necessary;

9 (4) the minor has been sexually abused under circumstances
10 listed in AS 47.10.010(a)(2)(D).

11 * Sec. 9. AS 47.10.142(c) is amended to read:

12 (c) When a child is taken into custody under (a) or (b) of this
13 section, the department shall immediately, and in no event more than
14 12 hours later unless prevented by lack of communication facilities,
15 notify the parents or the person or persons having custody of the
16 child. If the department determines that continued custody is neces-
17 sary to protect the child, the department shall notify the court of
18 the emergency custody by filing, within 24 hours after custody was
19 assumed [AND THE COURT OF THE ACTION AND FILE WITH THE COURT] a peti-
20 tion alleging that the child is a child in need of aid.

21 * Sec. 10. AS 47.10.290 is amended by adding a new paragraph to read:

22 (8) "sexual abuse" means

23 (A) conduct against a child that would constitute a
24 sexual offense under AS 11;

25 (B) the perpetrator's knowingly touching, directly or
26 through clothing, the genital area, groin, inner thighs, or
27 buttocks of a child, or causing a child to touch, directly or
28 through clothing, the genital area, groin, inner thighs, or
29 buttocks of the perpetrator or another; sexual abuse does not

1 include reasonable touching in the exercise of normal caretaker
2 responsibilities for a child or normal caretaker interactions
3 with a child or touching performed for the purpose of adminis-
4 tering a recognized and lawful form of treatment that is rea-
5 sonably adapted to promoting the physical or mental health of the
6 child;

7 (C) exposing the genital area, anus, breast, groin, or
8 buttocks of a child to the perpetrator or another for the sexual
9 gratification of the child, the perpetrator, or another, or
10 exposing the genital area, anus, breast, groin or buttocks of the
11 perpetrator or another to a child for the sexual gratification of
12 the child, the perpetrator, or another; or

13 (D) statements to a child that express a desire or
14 intent to have sexual contact or sexual penetration with the
15 child or encourage the child to have sexual contact or sexual
16 penetration with the perpetrator or another.

17 * Sec. 11. AS 47.17.010 is amended to read:

18 Sec. 47.17.010. PURPOSE. In order to protect children whose
19 health and well-being may be adversely affected through the inflic-
20 tion, by other than accidental means, of harm through physical injury,
21 [ABUSE OR] neglect, [OR] sexual abuse, or sexual exploitation, the
22 legislature requires the reporting of these cases by practitioners of
23 the healing arts and others to the appropriate public authorities. It
24 is the intent of the legislature that, as a result of these reports,
25 protective services will be made available in an effort to prevent
26 further harm to the child, to safeguard and enhance the general well-
27 being of the children in this state, and to preserve family life
28 whenever preserving it is in the best interests of the child [POS-
29 SIBLE].

1 * Sec. 12. AS 47.17.020 is repealed and reenacted to read:

2 Sec. 47.17.020. REPORTING OF CHILD ABUSE OR NEGLECT. (a) The
3 following persons are required to report abuse or neglect of a child
4 as required in (b) and (c) of this section:

5 (1) practitioners of the healing arts;

6 (2) employees and volunteers of private and public schools;

7 (3) human services providers;

8 (4) peace officers, and officers of the Department of
9 Corrections;

10 (5) administrative officers of institutions;

11 (6) child care providers;

12 (7) counselors;

13 (8) court investigators;

14 (9) employees and volunteers of domestic violence programs,
15 sexual assault programs, or crisis shelters;

16 (10) guardians and conservators.

17 (b) 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 or neglect by a person
20 responsible for the child's welfare, shall promptly report the harm to
21 the nearest office of the department. If the person making a report
22 of harm under this subsection cannot reasonably contact the nearest
23 office of the department and immediate action is necessary for the
24 well-being of the child, the person shall make the report to a peace
25 officer. The peace officer shall take immediate action to protect the
26 child and shall, at the earliest opportunity, notify the nearest
27 office of the department.

28 (c) A person listed in (a) of this section, who in the perfor-
29 mance of the person's occupational duties has cause to believe that a

1 child has suffered harm as a result of abuse or neglect, shall prompt-
2 ly report the harm to the nearest law enforcement agency if the person
3 making the report (1) has cause to believe that the harm was caused by
4 a person who is not responsible for the child's welfare; or (2) is
5 unable to determine (A) who caused the harm to the child; or (B)
6 whether the person who is believed to have caused the harm has respon-
7 sibility for the child's welfare. If a person making a report under
8 this subsection cannot reasonably contact the nearest law enforcement
9 agency, and immediate action appears necessary for the well-being of
10 the child, the person shall make the report to the nearest office of
11 the department. The department shall take immediate action to protect
12 the child and shall, at the earliest opportunity, notify the nearest
13 law enforcement agency.

14 (d) This section does not prohibit the named persons from re-
15 porting cases that have come to their attention in their nonoccupa-
16 tional capacities, nor does it prohibit any other person from report-
17 ing a child's harm that the person has cause to believe is a result of
18 abuse or neglect. These reports shall be made to the nearest office
19 of the department or to the nearest law enforcement agency in the
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23 who, in the course of processing or producing visual or printed mat-
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25 matter visually depicts a minor engaged in conduct described in
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6 and the Department of Law. The Department of Health and Social Ser-
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8 ing the report, shall provide a written report of its investigation to
9 the Department of Law for review. If after a preliminary investiga-
10 tion the Department of Health and Social Services determines that the
11 harm was not caused by a member of the child's family, the department
12 shall so notify the Department of Law.

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14 from the department by this section must include:

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16 parents or other persons responsible for the child's care, if known;

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20 believed to be responsible for the harm to the child, if known;

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12 * Sec. 17. AS 47.17.060 is repealed and reenacted to read:

13 Sec. 47.17.060. EVIDENCE NOT PRIVILEGED. In a civil or criminal
14 proceeding related to a report under this chapter, no privilege is a
15 ground for excluding evidence regarding a child's harm, or its cause,
16 except

- 17 (1) the attorney-client privilege;
18 (2) the psychotherapist-patient privilege; and
19 (3) the clergyman privilege.

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15 services provider, and an employee or volunteer of a human services
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17 or substance abuse agency, or a shelter for runaway or homeless youth;

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19 care and supervision to a child not related to the caregiver, and
20 includes a child care facility, pre-elementary school, head start
21 center, child foster home, residential child care facility, recreation
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9 ute or licensing regulation occurs. The imposition of a civil penalty
10 does not prevent prosecution and sentence for a criminal offense.

11 * Sec. 27. AS 47.17.060, as repealed and reenacted in sec. 17 of this
12 Act, has the effect of changing Rules 504 and 505, Alaska Rules of Evi-
13 dence, by preventing the application in civil or criminal cases of certain
14 privileges specified in those rules to evidence obtained through reports
15 made under AS 47.17.

5/10/85

SENATE JOURNAL SUPPLEMENT
FISCAL NOTE

No. 39

CSSB
21
(HESS)

REQUEST	FISCAL DETAIL
Bill/resolution No.: <u>CSSB 21 (HESS)</u>	Agency affected: <u>Public Safety</u>
Title: <u>"...background checks... contact with children"</u>	Program Category Affected: <u>Administration of Justice</u>
Sponsor: <u>Ferguson</u>	BRU, Program or Subprogram(s) Affected: <u>AST Support & Service - Laboratory Services</u>
Requestor: <u>Sen. HESS</u>	
Date of Request: <u>4/03/85</u>	

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		70.2	70.2	70.2	70.2	70.2
200 TRAVEL		1.5	1.6	1.7	1.8	1.9
300 CONTRACTUAL		6.0	6.3	6.6	6.9	7.2
400 SUPPLIES		3.5	3.7	3.9	4.1	4.3
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		81.2	81.8	82.4	83.0	83.6

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS		81.2	81.8	82.4	83.0	83.6
OTHER						
TOTAL		81.2	81.8	82.4	83.0	83.6

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME		2.0	2.0	2.0	2.0	2.0
PART-TIME						
TEMPORARY						

ANALYSIS:

Prepared By: Marcia Lynn McKenzie Phone: 465-4349
 Division: Administrative Services Date: 4/03/85
 Approved by Commissioner: Robert J. Sundberg Date: 4/6/85
 Agency: Department of Public Safety

SENATE JOURNAL SUPPLEMENT
FISCAL NOTE

5/10/85

No. 39

CS SB
21
(HESS)

REQUEST
Bill/Resolution No.: Proposed CS SB No. 21
Title: An Act relating to background checks
Sponsor: HESS
Requestor: _____
Date of Request: 3/26/85

FISCAL DETAIL
Agency Affected: Health and Social Services
Program Category Affected: Social Services
BRU, Program or Subprogram(s) Affected: _____
Requestor: Social Services BRU, Southcentral, North and Central Office Components

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		76.1	79.1	82.3	85.6	89.0
200 TRAVEL		6.6	6.9	7.1	7.4	7.7
300 CONTRACTUAL		37.4	29.1	30.3	31.5	32.7
400 SUPPLIES		1.2	1.3	1.3	1.4	1.4
500 EQUIPMENT		6.7				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		128.0	116.4	121.0	125.9	130.8
CAPITAL		-0-				
REVENUE		-0-				

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FEDERAL FUNDS		128.0	116.4	121.0	125.9	130.8
OTHER						
TOTAL		128.0	116.4	121.0	125.9	130.8

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME		1	1	1	1	1
PART-TIME		2	2	2	2	2
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See Attached

Prepared By: Michael L. [Signature] Phone: 465-3170
Division: Family and Youth Services Date: 3/28/85

Approved by Commissioner: [Signature] Date: 4-2-85 jc
Agency: Health & Social Services

SCSCSHB
88
(FIN)CSSB
21
(NESS)

REQUEST FISCAL DETAIL
 Bill/Resolution SCSCSHB 88(Fin) Agency Affected: Alaska Court System
 Title: Relative to the protection of children Program Category Affected:
 Administration of Justice
 Sponsor: Rules/Governor BRU, Program or Subprogram(s) Affected:
 Requestor: Trial Courts
 Date of Request: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		123.9				
200 TRAVEL		22.0				
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		145.9				

- CAPITAL

REVENUE

FUNDING: (Thousands of Dollars)

GENERAL FUND		145.9				
FEDERAL FUNDS						
OTHER						
TOTAL		145.9				

POSITIONS:

FULL-TIME		3				
PART-TIME						
TEMPORARY						

ANALYSIS:

ANALYSIS:

This legislation would require the department to implement state and FBI criminal record checks, which include fingerprinting, for adoptive parents and all facility staff and adult occupants who work or reside within a facility. Because no system exists for this process and because there are numerous legal and logistics problems in implementing it, a full time professional position, Social Worker IV, will be required in the Central Office to work closely with the Department of Public Safety, division field offices, private adoption agencies and the Alaska Bar Association to secure implementation. In addition there will need to be extensive work with the Department of Law regarding confidentiality provisions and potential litigation. There will be a handling burden on offices in Fairbanks and Anchorage, requiring two permanent part-time positions, Clerk Typist III's, in those offices. Until the actual workload is examined it is difficult to measure and predict the actual fiscal impact of this legislation. There are currently 1,016 child and adult foster homes with an average of 2.3 adults in each home. Public Safety has advised that we process clearances at each biennial licensure evaluation. With a 15% turnover this will result in approximately 1,725 clearances in foster homes per year at \$20 per clearance. (\$12.00 FBI processing) (\$8.00 for contracted state processing). This fiscal note assumes that the \$20 background clearance processing cost in adoptions for the 800 new adoptions per year (x 2 adults) will be the responsibility of the adopting applicants.

Prepared By: Senator Jan Faiks, Co-Chair Phone: _____
 Division: Senate Finance Committee Date: 5/10/85

5/10/85

CSSB
311
(FIN)

REQUEST
Bill/Resolution No: CS SB 311
Title: Airport Revenue Bonds
Sponsor: Senate Finance
Requestor: Senate Finance
Date of Request: May 9, 1985

FISCAL DETAIL
Agency Affected: State Bond Cor
Program Category Affected: Debt Service
BRU, Program of Subprogram(s) /
International Airports Revenue
Debt Service

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING					
100 PERSONAL SERVICES	-	-	-	-	-
200 TRAVEL	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-
800 MISCELLANEOUS	5,100	4,400	4,400	4,400	4,400
TOTAL OPERATING	5,100	4,400	4,400	4,400	4,400
GENERAL FUND	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-
OTHER	5,100	4,400	4,400	4,400	4,400
TOTAL	5,100	4,400	4,400	4,400	4,400

Assumes issuance of bonds of \$38,000,000 at 11% level debt service for 30 years plus \$700,000 in issuance costs for FY 86.

The appropriation for FY 86 and FY 87 is from the International Airports Construction Fund. Thereafter, appropriations would be from the International Airports Revenue Fund.

Prepared By: Milt Darker MB
Division: Treasury

Phone: 465-2350
Date: May 9, 1985

Approved by Commissioner: Sharon G. Stankala
Agency: Department of Revenue

Date: 5/9/85

5/10/85

No. 39

SCSCSHB
88
(FIN)

REQUEST
Bill/Resolution No. SCSCSH88 (Fin)
Title: An Act relating to the protection of children
Sponsor: Rules/Governor
Requestor:
Date of Request:

FISCAL DETAIL
Agency Affected: Public Safety
Program Category Affected: Administration of Justice
BRU, Program or Subprogram(s) Affected: Council on Domestic Violence and Sexual Assault

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		20.0				
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS		100.0				
800 MISCELLANEOUS						
TOTAL OPERATING		120.0				
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	120.0					
FEDERAL FUNDS						
OTHER						
TOTAL	120.0					
POSITIONS-						
FULL-TIME	1/2					
PART-TIME						
TEMPORARY						

ANALYSIS:

The personal services funds are to be used to upgrade the existing data clerk position to a research analyst position. This position will analyze as well as record data. This function is important to proper legislative analysis of the the Council and appropriate funding needs.

Prepared By: Senator Jan Falks, Co-Chair Phone:
Division: Senate Finance Committee Date: 5/10/85

SC SHB
PC
(FL)

REQUEST

FISCAL DETAIL

Bill/Resolution No.: SCSCSHB88 (Fin) Agency Affected: Administration
 Title: Relating to the protection of children Program Category Affected: Due Process
 Sponsor: Rules/Governor BRU, Program or Subprogram(s) Affected:
 Requestor: Office of Public Advocacy
 Date of Request: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		64.7				
300 CONTRACTUAL		-0-				
400 SUPPLIES		75.0				
500 EQUIPMENT		-0-				
600 LAND & STRUCTURES		7.0				
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		146.7				

- CAPITAL

REVENUE

FUNDING: (Thousands of Dollars)

GENERAL FUND		146.7				
FEDERAL FUNDS						
OTHER						
TOTAL		146.7				

POSITIONS:

FULL-TIME		2				
PART-TIME						
TEMPORARY						

ANALYSIS:

Prepared By: Senator Jan Faiks, Co-Chair Phone: _____
 Division: Senate Finance Committee Date: 5/10/85

SCSCSB
88
(FIN)

REQUEST

FISCAL DETAIL

Department of Health
 Bill/Resolution No.: SCSCSHB88 (Fin) Agency Affected: and Social Services
 Title: relating to the protection of children Program Category Affected: Social Services
 Sponsor: Rules/Governor BRU, Program or Subprogram(s) Affected:
 Requestor: _____
 Date of Request: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		939.9				
300 CONTRACTUAL		85.3				
400 SUPPLIES		282.4				
500 EQUIPMENT		13.3				
600 LAND & STRUCTURES		37.3				
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		1357.3				

- CAPITAL

REVENUE

FUNDING: (Thousands of Dollars)

GENERAL FUND		1357.3				
FEDERAL FUNDS						
OTHER						
TOTAL		1357.3				

POSITIONS:

FULL-TIME		28				
PART-TIME		7				
TEMPORARY						

ANALYSIS:

Prepared By: Senator Jan Faiks, Co-Chair Phone: _____
 Division: Senate Finance Committee Date: 5/10/85

Approved by Commissioner: _____ Date: _____
 Agency: _____

SCSCSHB
88
(FIN)

REQUEST FISCAL DETAIL
 5111/Resolution No.: SCSCSHB88 (Fin) Agency Affected: Department of Law
 Title: Relating to the protection of children Program Category Affected: Gen. Govt.
 Sponsor: Governor BRU, Program or Subprogram(s) Affected:
 Requestor: Legal Services, Prosecution
 Date of Request:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		356.5				
200 TRAVEL		21.5				
300 CONTRACTUAL		82.2				
400 SUPPLIES		19.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		479.3				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS		370.4				
FEDERAL FUNDS						
OTHER		108.9				
TOTAL		479.3				

POSITIONS:

FULL-TIME		7				
PART-TIME		2				
TEMPORARY						

ANALYSIS:

Prepared By: Senator Jan Faiks, Co-Chair
 Division: Senate Finance Committee Date: 5/10/85
 Approved by Commissioner: _____ Date: _____
 Agency: _____

SCSCSHB
88
(FIN)

REQUEST FISCAL DETAIL
 5111/Resolution No.: SCSCSHB88 (Fin) Agency Affected: Administration
 Title: Relating to the protection of children Program Category Affected: Due Process
 Sponsor: Rules/Governor BRU, Program or Subprogram(s) Affected:
 Requestor: Public Defender Agency
 Date of Request:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		252.9				
200 TRAVEL		20.0				
300 CONTRACTUAL		36.5				
400 SUPPLIES		4.5				
500 EQUIPMENT		3.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		317.4				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS		317.4				
FEDERAL FUNDS						
OTHER						
TOTAL		317.4				

POSITIONS:

FULL-TIME		5				
PART-TIME						
TEMPORARY						

ANALYSIS:

Prepared By: Senator Jan Faiks, Co-Chair
 Division: Senate Finance Committee Date: 5/10/85

final version

- SEC. 1-2 TIGHTENS CHILD PORNOGRAPHY LAW.
- SEC. 3 EXTENDS STATUTE OF LIMITATIONS FOR PROSTITUTION CRIMES AGAINST CHILDREN. (SEX CRIMES ALREADY COVERED UNDER EXTENSION)
- SEC. 4 LIMITS INTRODUCTION AT TRIAL OF EVIDENCE OF CHILD'S PAST SEXUAL CONDUCT. (THIS RAPE SHIELD CURRENTLY APPLIES ONLY TO ADULT VICTIMS)
- SEC. 5 CLARIFIES FOR CHILD IN NEED OF AID PROCEEDINGS THAT CHILD IN IMMINENT DANGER OF BEING SEXUALLY ABUSED IS ELIGIBLE.
- SEC. 6 CHANGE THE STANDARD FOR ASSUMING EMERGENCY CUSTODY IN NEGLECT CASES TO CONFORM TO SAME STANDARD USED IN ABUSE CASES.
- SEC. 7 IF DH&SS TAKES EMERGENCY CUSTODY OF CHILD AND THEN DECIDES DON'T NEED TO KEEP CUSTODY, DON'T NEED TO FILE A PETITION WITH THE COURT AS THEY DO NOW, BUT MUST NOTIFY THE COURT IN WRITING OF WHY THE CHILD WAS TAKEN.
- SEC. 8-9 ADDS TO LIST OF PEOPLE REQUIRED TO REPORT INCIDENTS OF ABUSE ALL CHILD CARE PROVIDERS (CURRENT LAW SPECIFIES LICENSED PROVIDERS) AND EMPLOYEES OF CRISIS INTERVENTION PROGRAMS, AND CLARIFIES EXISTING LAW BY DEFINING SCHOOL TO MEAN EITHER PRIVATE OR PUBLIC.
- SEC. 10 CHRISTIAN SCIENTIST'S PROTECTION AGAINST NOT PROVIDING MEDICAL TREATMENT.
- SEC. 11 REQUIRES FILM PROCESSORS TO REPORT SUSPECTED CASES OF CHILD PORNOGRAPHY.
- SEC. 12 CURRENT LAW ALLOWS DEPT. OR DOCTOR TO TAKE X-RAYS AND PHOTOS OF ABUSED CHILD. NEW LANGUAGE REQUIRES THAT PARENTS BE NOTIFIED IF THIS IS DONE.
- SEC. 13 EXTENDS EXISTING "B" MISDEMEANOR PENALTIES FOR FAILURE TO REPORT TO FILM PROCESSORS (SEC. 11).
- SEC. 14 AUTHORIZES STATE TO ENJOIN PERSONS WHO ENDANGER CHILDREN FROM HAVING CONTACT WITH THEM.
- SEC. 15 EXPANDS "PRACTITIONER OF HEALING ARTS" TO INCLUDE DENTAL HYGIENIST, NURSE PRACTITIONER, PHYSICIAN ASSISTANT (FOR REPORTING LAW).
- SEC. 16 NEW DEFINITIONS RELATED TO EXPANDED CLASSES OF PEOPLE WHO MUST REPORT. (SEC. 8)
- SEC. 17-18 CONFORM WITH CRIMINAL CODE BY MAKING VIOLATIONS OF CHILD CARE LICENSING STATUTES A CLASS B MISDEMEANOR, AND ALLOWS DH&SS TO ESTABLISH SYSTEM OF CIVIL ENFORCEMENT (FINES).
- SEC. 19 EFFECTIVE DATE.