

HOUSE BILL REPORT

SHB 2596

As Amended by the Senate

Title: An act relating to defining child advocacy centers for the multidisciplinary investigation of child abuse and implementation of county protocols.

Brief Description: Defining child advocacy centers for the multidisciplinary investigation of child abuse and implementation of county protocols.

Sponsors: House Committee on Early Learning & Children's Services (originally sponsored by Representatives Williams, Chase, Upthegrove and Simpson).

Brief History:

Committee Activity:

Early Learning & Children's Services: 1/22/10, 1/26/10 [DPS].

Floor Activity:

Passed House: 2/11/10, 97-0.

Senate Amended.

Passed Senate: 3/5/10, 48-0.

Brief Summary of Substitute Bill

- Creates a definition for *Children's Advocacy Center* within the chapter governing abuse and neglect of children.
- Adds Children's Advocacy Centers to the list of local multidisciplinary entities with whom counties must coordinate in developing protocols for investigations of child abuse, neglect, and fatality.
- Adds Children's Advocacy Centers and Community Sexual Assault Programs to the list of local multidisciplinary entities with whom counties must coordinate in developing protocols for investigations of child sexual abuse.
- Makes a technical change to establish uniformity in existing references to child protective services.

HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Roberts, Vice Chair; Haler, Ranking

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Member; Walsh, Assistant Ranking Minority Member; Angel, Goodman and Seaquist.

Staff: Sydney Forrester (786-7120).

Background:

Investigation Protocols for Child Neglect, Abuse, and Fatality.

The coordination of county-based protocols has been required for child sexual abuse investigations in Washington since 1999. Since 2007 county-based protocols have been required also for the investigation of child abuse, criminal child neglect, and child fatality. Protocols are intended to coordinate a multidisciplinary investigation by the various local entities responsible for responding to the abuse, neglect, or death of children, including city and county law enforcement; child protective services; county prosecutors; emergency medical personnel; and other local agencies and advocacy groups. County prosecutors are responsible for developing the protocols in collaboration with all other entities.

Washington Association of Children's Advocacy Centers.

The Children's Advocacy Centers of Washington (CACWA) is a membership association representing Children's Advocacy Centers (CAC) in the state, and providing training and technical assistance to existing and emerging CACs. The CACWA is also the Washington Chapter of the National Children's Alliance, a national membership and accrediting organization for CACs. As the state chapter of the national accrediting organization, the CACWA provides training and technical assistance to existing and developing centers and serves as a voice and support for CACs. The common goal of the CACs and the state chapter is to ensure children are not re-victimized by the very system designed to protect them. Children's Advocacy Centers are located in the following Washington cities: Vancouver, Lacey, Montesano, Wenatchee, Tacoma, Spokane, Everett, Colville, Bingen, Bellingham, Kennewick, and Port Orchard.

Community Sexual Assault Programs.

A Community Sexual Assault Program (CSAP) is a community-based social service agency providing services to victims of sexual assault, including treatment; information and referral; crisis intervention; medical advocacy; legal advocacy; support; system coordination; and prevention services for potential victims of sexual assault.

Summary of Substitute Bill:

A CAC is defined as a child-focused facility in good standing with the CACWA providing coordination of a multidisciplinary process for the investigation, prosecution, and treatment of child abuse, including child sexual abuse. The CACs provide a child-friendly location for forensic interviews and help coordinate access to medical evaluations; advocacy; therapy; and case reviews within the context of the county-based protocols.

The CACs are added to the list of entities to be included in the coordination and development of county-based protocols for the investigation of child sexual abuse, child abuse, criminal child neglect, and child fatalities.

The CSAPs are added to the list of entities to be included in the coordination and development of county-based protocols for the investigation of child sexual abuse.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment adds a new section to the chapter of state law governing sex offenses.

The new section:

1. summarizes provisions of the United States Constitution and the state Constitution relating to the right to represent oneself in a criminal trial and the respect and due dignity to be accorded to crime victims;
2. acknowledges that procedures may be employed that preserve the pro se defendant's control of his or her trial and that limit the trauma experienced by the victim; and
3. commends consideration of these competing constitutional provisions to the Washington Supreme Court.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Children's Advocacy Centers are a nationally recognized model for responding to child abuse. They provide a one-stop-shop for children and their families to begin the healing process. This bill is important because it helps assure fidelity to the model of what we want CACs to be. It is important also to recognize the work CACs are doing in their local communities to help support protocols at the county level.

When children come into a CAC, they can receive a medical examination on site, if needed, rather than having to go to another location. The protocols are fantastic because they establish a core approach to putting the child first in the multiple processes involved in the community response to child abuse and neglect.

(In support with amendment) The Washington Coalition of Sexual Assault Programs supports this bill and would also like to see the CSAPs, as they already are defined in law, added to the list of entities involved with the protocols.

(Opposed) None.

Persons Testifying: (In support) Maureen Fitzgerald, Children's Advocacy Centers of Washington; and Byron Mannering, Brigid Collins Family Support Center.

(In support with amendment) Andrea Piper, Washington Coalition of Sexual Assault Programs.

Persons Signed In To Testify But Not Testifying: None.