**2855-S AMS LAW S5580.1 - NOT FOR FLOOR USE**

**SHB 2855** - S COMM AMD

By Committee on Law & Justice

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 26.44.180 and 2010 c 176 s 2 are each amended to read as follows:

(1) Each agency involved in investigating child sexual abuse shall document its role in handling cases and how it will coordinate with other local agencies or systems and shall adopt a local protocol based on the state guidelines. The department and local law enforcement agencies may include other agencies and systems that are involved with child sexual abuse victims in the multidisciplinary coordination.

(2) Each county shall develop a written protocol for handling criminal child sexual abuse investigations. The protocol shall address the coordination of child sexual abuse investigations between the prosecutor's office, law enforcement, children's protective services, children's advocacy centers, where available, local advocacy groups, community sexual assault programs, as defined in RCW 70.125.030, and any other local agency involved in the criminal investigation of child sexual abuse, including those investigations involving multiple victims and multiple offenders. The protocol shall be developed by the prosecuting attorney with the assistance of the agencies referenced in this subsection.

(3) ((~~Local protocols under this section shall be adopted and in place by July 1, 2000, and shall be submitted to the legislature prior to that date.~~)) Participants in the multidisciplinary coordination described in this section are authorized to share information about criminal child sexual abuse investigations and case planning following such investigations with other participants in the multidisciplinary coordination. Nothing in this section is intended to permit, direct, or compel participants to share information if sharing would constitute a violation of their professional ethical obligations or disclose privileged communications as defined in RCW 5.60.060.

(4) The shared information retained in the multidisciplinary team's records related to a criminal child sexual abuse investigation must be destroyed five years after the conclusion of any appeal related to criminal charges arising out of the investigation or until the right to appeal the criminal charge expires, whichever is longer, unless a different retention period is required by law.

(5) Participants in the multidisciplinary coordination described in this section that share information about criminal child sexual abuse investigations and case planning following such investigations in good faith with other participants in the multidisciplinary coordination described in this section shall be immune from any liability arising out of such sharing of information under any law of this state or its political subdivisions."

**SHB 2855** - S COMM AMD

By Committee on Law & Justice

On page 1, line 3 of the title, after "investigations;" strike the remainder of the title and insert "and amending RCW 26.44.180."

EFFECT: (1) Clarifies that information sharing authorized in this provision does not override testimonial privileges, or confidentiality requirements of a participant's professional ethical obligations.

(2) Requires destruction of records containing information shared among MDT members related to the criminal investigation five years after any appeals-or appeal rights-end, whichever is longer, unless an existing law requires a different retention period.