

2 **2SHB 1692** - S COMM AMD  
3 By Committee on Judiciary

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. **Sec. 1.** The state of Washington affirms the  
8 importance of ensuring that crimes involving child sexual abuse are  
9 investigated thoroughly and objectively. Children who have been  
10 victims of crime deserve to have those who committed the crimes against  
11 them brought to justice. Those who may have been accused should expect  
12 that investigative agencies will make every effort to conduct thorough  
13 and impartial investigations.

14 The best approach to investigations of child sexual abuse crimes  
15 involves a coordinated effort by investigative agencies that minimizes  
16 repetitive investigative interviews and improves the quality of the  
17 investigations. Specialized training for child interviewers  
18 investigating child sexual abuse should be available throughout the  
19 state of Washington.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101 RCW  
21 to read as follows:

22 Specialized training shall be provided for persons responsible for  
23 investigating child sexual abuse. Such training shall include  
24 information about developmental considerations in language and  
25 communication abilities, the nature and consequences of victimization  
26 that may affect willingness and ability to report crime, memory and  
27 suggestibility, methods and techniques for eliciting accurate and  
28 complete information, and methods and techniques for preserving  
29 interviews. Training participants shall have the opportunity to  
30 practice interview skills and receive feedback from instructors. The  
31 commission, the department of social and health services, the  
32 Washington association of sheriffs and police chiefs, and the  
33 Washington association of prosecuting attorneys shall design and  
34 implement state-wide training that contains consistent elements for  
35 persons engaged in the interviewing of children for child sexual abuse

1 cases, including law enforcement, prosecution, and child protective  
2 services.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 26.44 RCW  
4 to read as follows:

5 (1) The Washington institute for public policy shall convene a  
6 group including two representatives from the department of social and  
7 health services, a mental health professional certified under chapter  
8 18.19 RCW, a physician licensed under chapter 18.71 RCW with  
9 substantial experience in child sexual abuse examinations, a member of  
10 the Washington state bar whose practice is primarily defense oriented,  
11 the attorney general, a superior court judge, two prosecuting  
12 attorneys, two law enforcement officers who conduct child sexual abuse  
13 investigations, a child development specialist, a representative from  
14 an agency serving the developmentally disabled, an advanced registered  
15 nurse practitioner licensed under chapter 18.79 RCW, a foster parent,  
16 a representative from a child-serving agency, and a victim's advocate  
17 to develop model written protocols for establishing multidisciplinary  
18 investigations. The protocols shall establish a minimum standard for  
19 interviewing techniques and procedures for recording interviews for  
20 sexual abuse cases, including a definition of a near verbatim record.  
21 The minimum standards shall be adhered to by the department and law  
22 enforcement agencies and shall be included in all local protocols  
23 adopted under this section.

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

30 (3) Each county shall develop a written protocol for handling  
31 criminal child sexual abuse investigations. The protocol shall address  
32 the coordination of child sexual abuse investigations between the  
33 prosecutor's office, law enforcement, the department, local advocacy  
34 groups, and any other local agency involved in the criminal  
35 investigation of child sexual abuse. The protocol shall be developed  
36 by the prosecuting attorney with the assistance of the agencies  
37 referenced in this subsection.

1 (4) Local protocols under this section shall be adopted and in  
2 place by July 1, 2000.

3 **Sec. 4.** RCW 74.14B.010 and 1987 c 503 s 8 are each amended to read  
4 as follows:

5 (1) Caseworkers employed in children services shall meet minimum  
6 standards established by the department of social and health services.  
7 Comprehensive training for caseworkers shall be completed before such  
8 caseworkers are assigned to case-carrying responsibilities without  
9 direct supervision. Intermittent, part-time, and standby workers shall  
10 be subject to the same minimum standards and training.

11 (2) Specialized training shall be provided for persons responsible  
12 for investigating child sexual abuse. Such training shall include  
13 information about developmental considerations in language and  
14 communication abilities, the nature and consequences of victimization  
15 that may affect willingness and ability to report crime, memory and  
16 suggestibility, methods and techniques for eliciting accurate and  
17 complete information, and methods and techniques for preserving  
18 interviews. Training participants shall have the opportunity to  
19 practice interview skills and receive feedback from instructors. The  
20 department, the criminal justice training commission, the Washington  
21 association of sheriffs and police chiefs, and the Washington  
22 association of prosecuting attorneys shall design and implement state-  
23 wide training that contains consistent elements for persons engaged in  
24 the interviewing of children, including law enforcement, prosecution,  
25 and child protective services.

26 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.20A RCW  
27 to read as follows:

28 The department shall establish up to three pilot projects involving  
29 child sexual abuse investigations. The projects shall follow written  
30 protocols and use different methods and techniques to conduct and  
31 preserve interviews with alleged child victims of sexual abuse. The  
32 department shall provide the appropriate committees of the senate and  
33 house of representatives an interim report by December 15, 1999, and a  
34 final report by December 15, 2000.

35 **Sec. 6.** RCW 26.44.035 and 1997 c 386 s 26 are each amended to read  
36 as follows:

1 If the department or a law enforcement agency responds to a  
2 complaint of alleged child abuse or neglect and discovers that another  
3 agency has also responded to the complaint, the agency shall notify the  
4 other agency of their presence, and the agencies shall coordinate the  
5 investigation and keep each other apprised of progress.

6 The department, each law enforcement agency, each county  
7 prosecuting attorney, each city attorney, and each court shall make as  
8 soon as practicable a written record and shall maintain records of all  
9 incidents of suspected child abuse reported to that person or agency.  
10 Written records involving child sexual abuse shall, at a minimum, be a  
11 near verbatim record for the disclosure interview. The near verbatim  
12 record shall be produced within fifteen calendar days of the disclosure  
13 interview, unless waived by management on a case-by-case basis.  
14 Records kept under this section shall be identifiable by means of an  
15 agency code for child abuse.

16 NEW SECTION. Sec. 7. If specific funding for the purposes of this  
17 act, referencing this act by bill or chapter number, is not provided by  
18 June 30, 1999, in the omnibus appropriations act, this act is null and  
19 void."

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23 On page 1, line 2 of the title, after "victims;" strike the  
24 remainder of the title and insert "amending RCW 74.14B.010 and  
25 26.44.035; adding a new section to chapter 43.101 RCW; adding a new  
26 section to chapter 26.44 RCW; adding a new section to chapter 43.20A  
27 RCW; and creating new sections."

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