

HOUSE BILL REPORT

EHB 1115

As Amended by the Senate

Title: An act relating to abuse of children.

Brief Description: Allowing law enforcement agencies to have access to children's records in cases of reported child abuse and neglect.

Sponsors: Representatives Riley, Mielke, R. Johnson, Jones, Brough, Van Luven and Karahalios.

Brief History:

Reported by House Committee on:
Human Services, February 3, 1993, DP;
Passed House, February 22, 1993, 94-0;
Amended by Senate.

HOUSE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass. Signed by 10 members:
Representatives Leonard, Chair; Riley, Vice Chair; Cooke,
Ranking Minority Member; Talcott, Assistant Ranking Minority
Member; Brown; Karahalios; Lisk; Padden; Thibaudeau; and
Wolfe.

Staff: David Knutson (786-7146).

Background: When a report of abuse or neglect is made, the Department of Social and Health Services (DSHS) and local law enforcement agencies may initiate two separate, distinct investigations. If the report is made to DSHS, they must in turn report to the appropriate law enforcement agency. If the report is made to a law enforcement agency, that agency is required to report the incident to DSHS. Often, information pertaining to the abuse must be secured from the school or medical facility that reported the incident. When the department investigates abuse and neglect, it has access to all relevant records to pursue the investigation. Law enforcement agencies must request DSHS to share those records. This causes additional work for DSHS and a delay in the law enforcement investigation.

Summary of Bill: Law enforcement agencies are authorized to access all relevant records of the reported child abuse or neglect from the reporters. The department will use the risk assessment process for every child abuse investigation.

EFFECT OF SENATE AMENDMENT(S): The provision requiring medical practitioners to request a release of information from the victim's parents is eliminated.

The risk assessment process, which was started as a pilot project, is mandated for all child abuse cases. The department shall file annual reports on the effectiveness of the risk assessment process.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Both the Department of Social and Health Services (DSHS) and the Washington State Police Officers Association agreed that the bill would allow local law enforcement agencies access to reports of abuse or neglect. This access would provide for more efficient and effective investigations of abuse or neglect by law enforcement.

Testimony Against: None.

Witnesses: Bob Shilling and Mike Patrick, Washington State Council of Police Officers; and Rick Winters, Department of Social and Health Services.

VOTE ON FINAL PASSAGE:

Yeas 94; Excused 4

Excused: Representatives Appelwick, Roland, Schmitt, Silver