
SENATE BILL 5757

State of Washington

55th Legislature

1997 Regular Session

By Senators Stevens, Roach, Swecker and Oke

Read first time 02/11/97. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to law enforcement investigations and proceedings
2 pertaining to child abuse or neglect; and adding a new chapter to Title
3 10 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that investigations of
6 child abuse and neglect are of great importance and, for the protection
7 of children as well as families, are best conducted at the local
8 government level. The legislature further finds that child abuse and
9 neglect are essentially crimes against children and families and call
10 for sophisticated and extensive law enforcement expertise. For these
11 reasons, the legislature intends to delegate all authority for
12 conducting child abuse or neglect investigations to local law
13 enforcement agencies.

14 NEW SECTION. **Sec. 2.** The definitions in this section apply
15 throughout this chapter unless the context clearly requires otherwise.

16 (1) "Law enforcement agency" means the police department, the state
17 patrol, the office of the sheriff, or, in the case of a charter county,
18 the county's chief law enforcement agency.

1 (2) "Child" or "children" means any person under eighteen years of
2 age.

3 (3) "Abuse or neglect" means the injury, sexual abuse, sexual
4 exploitation, negligent treatment, or maltreatment of a child by any
5 person under circumstances that indicate that the child's welfare and
6 safety is harmed.

7 (4) "Abused child" means a child who has been subjected to child
8 abuse or neglect as defined in subsection (3) of this section.

9 (5) "Sexual exploitation" includes: (a) Allowing, permitting, or
10 encouraging a child to engage in prostitution by any person; or (b)
11 allowing, permitting, encouraging, or engaging in the obscene or
12 pornographic photographing, filming, or depicting of a child by any
13 person.

14 (6) "Negligent treatment or maltreatment" means an act or omission
15 that evidences a serious disregard of consequences of such magnitude as
16 to constitute a clear and present danger to the child's health,
17 welfare, and safety.

18 NEW SECTION. **Sec. 3.** Notwithstanding any other provision of law,
19 the authority to investigate allegations of child abuse or neglect is
20 vested solely with law enforcement agencies. No other agency or
21 division of Washington state government is authorized to investigate
22 such allegations. If a report of suspected child abuse or neglect is
23 filed with any other state agency or division, that agency or division
24 shall forward the report to the local law enforcement agency.

25 In the event that the law enforcement agency discovers evidence of
26 criminal activity, the agency shall forward the information to the
27 prosecuting attorney.

28 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act constitute
29 a new chapter in Title 10 RCW.

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