
SUBSTITUTE HOUSE BILL 1692

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Children & Family Services (originally sponsored by Representatives Kagi, Tokuda, Boldt, Edmonds, Dickerson, Talcott, Kastama, Lovick, Wood, Kenney, Schual-Berke, Eickmeyer, Ogden, Santos, Mitchell, Bush and Stensen)

Read first time 02/25/1999. Referred to Committee on .

1 AN ACT Relating to investigations involving children as witnesses
2 and victims; amending RCW 74.14B.010 and 26.44.035; adding a new
3 section to chapter 43.101 RCW; adding a new section to chapter 26.44
4 RCW; adding a new section to chapter 43.20A RCW; creating a new
5 section; and making appropriations.

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

7 NEW SECTION. **Sec. 1.** The state of Washington affirms the
8 importance of ensuring that crimes involving child 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 abuse crimes involves
15 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 should be
18 available throughout the state of Washington.

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

3 Investigative interviewers shall receive introductory and ongoing
4 specialized training in interviewing children. Specialized training
5 shall be prioritized for persons primarily responsible for
6 investigating child sexual abuse. Such training shall include
7 information about developmental considerations in language and
8 communication abilities, the nature and consequences of victimization
9 that may affect willingness and ability to report crime, memory and
10 suggestibility, methods and techniques for eliciting accurate and
11 complete information, and methods and techniques for preserving
12 interviews. Training participants shall have the opportunity to
13 practice interview skills and receive feedback from instructors. The
14 commission, the department of social and health services, the
15 Washington association of sheriffs and police chiefs, and the
16 Washington association of prosecuting attorneys shall design and
17 implement state-wide training that contains consistent elements for
18 persons engaged in the interviewing of children, including law
19 enforcement, prosecution, and child protective services.

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

22 (1) The Washington institute for public policy shall convene a
23 group including representatives of the department, the criminal justice
24 training commission, and prosecuting attorneys to develop model written
25 protocols for establishing multidisciplinary investigations. The
26 protocols shall include interviewing techniques and procedures for
27 recording interviews and shall be adhered to by the department and law
28 enforcement agencies.

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

35 (3) Each county shall develop a written protocol for handling
36 criminal child abuse investigations. The protocol shall address the
37 coordination of child abuse investigations between the prosecutor's
38 office, law enforcement, the department, local advocacy groups, and any

1 other local agency involved in the criminal investigation of child
2 abuse. The protocol shall be developed by the prosecuting attorney
3 with the assistance of the agencies referenced in this subsection.

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

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

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

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

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

33 The department shall establish up to three pilot projects involving
34 child abuse and neglect investigations. The projects shall follow
35 written protocols and use different methods and techniques to conduct
36 and preserve interviews with alleged child victims of abuse and
37 neglect. The department shall provide the appropriate committees of

1 the senate and house of representatives an interim report by December
2 15, 1999, and a final report by December 15, 2000.

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

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

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

19 NEW SECTION. **Sec. 7.** (1) The sum of dollars, or as
20 much thereof as may be necessary, is appropriated for the fiscal year
21 ending June 30, 2000, from the general fund to the criminal justice
22 training commission for the purposes of this act.

23 (2) The sum of dollars, or as much thereof as may be
24 necessary, is appropriated for the fiscal year ending June 30, 2001,
25 from the general fund to the criminal justice training commission for
26 the purposes of this act.

27 NEW SECTION. **Sec. 8.** (1) The sum of dollars, or as
28 much thereof as may be necessary, is appropriated for the fiscal year
29 ending June 30, 2000, from the general fund to the department of social
30 and health services for the purposes of this act.

31 (2) The sum of dollars, or as much thereof as may be
32 necessary, is appropriated for the fiscal year ending June 30, 2001,
33 from the general fund to the department of social and health services
34 for the purposes of this act.

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