

5127

Sponsor(s): Senators Kohl-Welles, Hargrove, Long, Heavey, McCaslin, Stevens, Zarelli, Prentice, Kline, Winsley and Costa

Brief Description: Prohibiting law enforcement officers from conducting investigations of abuse or neglect concerning a child for which the officer is a parent, guardian, or foster parent.

**SB 5127 - DIGEST**

(DIGEST AS ENACTED)

Provides that on-going specialized training shall be provided for persons responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.

Directs the commission, the department of social and health services, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys to design and implement state-wide training that contains consistent elements for persons engaged in the interviewing of children for child sexual abuse cases, including law enforcement, prosecution, and child protective services.

Directs the Washington state institute for public policy to convene a work group to develop state guidelines for the development of child sexual abuse investigations protocols. The work group shall consist of representatives from the department of social and health services, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys.

Requires each agency involved in investigating child sexual abuse to 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.

Requires each county to develop a written protocol for handling criminal child sexual abuse investigations to be in place by July 1, 2000.

Directs the department to establish three pilot projects involving child sexual abuse investigations. The projects shall follow written protocols and use different methods and techniques to conduct and preserve interviews with alleged child victims of sexual abuse. The department shall provide the appropriate committees of the senate and house of representatives an interim report by December 15, 1999, and a final report by December 15, 2000. The Washington state institute for public policy shall evaluate the pilot projects and report to the legislature by December 1, 2000.

Provides that a law enforcement agency shall not allow a law enforcement officer to participate as an investigator in the investigation of alleged abuse or neglect concerning a child for whom the law enforcement officer is, or within the preceding six

months has been, a parent, guardian, or foster parent.

Provides that the act shall be null and void if appropriations are not approved.

VETO MESSAGE ON SB 5127

May 18, 1999

To the Honorable President and Members,  
The Senate of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 1, Senate Bill No. 5127 entitled:

"AN ACT Relating to investigations of abuse or neglect;"

Senate Bill No. 5127 requires specialized training for law enforcement officers and caseworkers who investigate allegations of child sexual abuse. It also prohibits a law enforcement officer from participating in an investigation of alleged abuse concerning a child for whom the officer is a parent, guardian or foster parent.

The training required by SB 5127 is not adequately funded by the operating budget for the 1999-2001 biennium that I signed on May 14, 1999. To fully implement the required training, the legislature must appropriate at least \$537,000 in supplemental funds next year.

The process of investigating child abuse allegations and prosecuting alleged perpetrators is complex and must adhere to many laws and procedures. Section 1 of SB 5127 is sufficiently vague that it could be misconstrued to alter existing law. Vetoing it does not weaken the substance of this bill.

For these reasons, I have vetoed section 1 of Senate Bill No. 5127.

With the exception of section 1, Senate Bill No. 5127 is approved.

Respectfully submitted,  
Gary Locke  
Governor