

SENATE BILL REPORT

SB 6367

As Reported By Senate Committee On:
Human Services & Corrections, February 01, 2008

Title: An act relating to child protective services investigations.

Brief Description: Changing provisions relating to child protective services investigations.

Sponsors: Senators Eide, Stevens, Keiser, Hargrove, Franklin, Carrell, Regala, Shin, Kohl-Welles and Rasmussen.

Brief History:

Committee Activity: Human Services & Corrections: 1/18/08, 2/1/08 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6367 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Jennifer Strus (786-7316)

Background: When a report of child abuse or neglect is made to the Department of Social and Health Services (DSHS), the intake worker must accept the report if it meets the sufficiency requirements. The worker must evaluate risk factor information regarding child characteristics, history of prior agency contacts, parental functioning, environmental factors, and perpetrator access. Based upon this information collected by the worker, he or she must assign a risk level to the referral. The worker must contact collateral sources for additional information if he or she needs additional information to determine whether the referral should be accepted for investigation. The additional information is necessary to verify or clarify an allegation of abuse or neglect, or the sources have information that would be helpful in assigning an appropriate risk tag.

For purposes of Child Protective Services (CPS) investigations and the emergent placement of a child in the home of an unlicensed relative or other suitable person, DSHS has the authority to access criminal conviction and arrest data from the National Crime Information Center. Three conditions must be documented before DSHS can access this information: the criminal history inquiry is about an alleged perpetrator in an open CPS case; the alleged abuse incident has been reported to law enforcement; and the information being requested can reasonably be expected to help in assessing or reducing risk to the alleged victim.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Substitute): When investigating and responding to allegations of sexual abuse involving a child, DSHS must search the Sex Offender Registry (Registry) maintained by the Washington State Patrol (WSP) to determine whether the alleged perpetrator is a registered sex offender. The WSP is directed to provide access to the Registry upon request by DSHS.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute): Adds provision requiring WSP to provide DSHS with access to the Sex Offender Registry upon request.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Section 1 of the bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony on Original Bill: PRO: This bill stems from the Zina Linnick matter in Tacoma this past year. In reviewing the case, it had been discovered that there had been a CPS referral involving the person charged with Zina's murder. Although the perpetrator was a Level I sex offender, the registry was not checked and this issue never came to light. This bill is designed to remedy that issue.

OTHER: In October 2008, the social workers at DSHS will begin checking the Washington Association of Sheriffs and Police Chiefs sex offender website. Some even do it now.

Persons Testifying: PRO: Senator Eide, prime sponsor; Laurie Lippold, Children's Home Society.

OTHER: Leah Stajduhar, DSHS; Steve Baxter, Foster Parents' Association of Washington State.