

HOUSE BILL REPORT

SB 5079

As Passed House:
May 28, 2015

Title: An act relating to notifying the military regarding child abuse and neglect allegations of families with an active military status.

Brief Description: Requiring the department of social and health services to notify the military regarding child abuse and neglect allegations of families with an active military status.

Sponsors: Senators O'Ban, Conway and Dammeier.

Brief History:

Committee Activity:

Early Learning & Human Services: 2/17/15, 2/18/15 [DP].

First Special Session

Floor Activity:

Passed House: 5/28/15, 86-6.

Brief Summary of Bill

- Requires the Department of Social and Health Services (DSHS) to forward reports of physical or sexual abuse of a child to military law enforcement if appropriate.
- Requires the DSHS to notify a Department of Defense Family Advocacy Program regarding certain child abuse and neglect allegations that involve a child whose parent is in the military.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: Do pass. Signed by 11 members: Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent, Hawkins, Kilduff, McCaslin, Ortiz-Self, Sawyer and Senn.

Staff: Luke Wickham (786-7146).

Background:

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.

Reports of Child Abuse and Neglect.

The Children's Administration (CA) of the Department of Social and Health Services (DSHS) is responsible for responding to reports of child abuse and neglect. It is the duty of the CA to assess the risk of child maltreatment, while it is the duty of law enforcement to investigate whether a crime occurred. Anyone may call a toll-free number to report such allegations.

The CA must report physical and sexual abuse allegations to the proper law enforcement agency.

Federal law provides that the Secretary of Defense (Secretary) must request that each state report suspected child abuse and neglect to the Secretary. The Department of Defense (DOD) policy encourages local commands to develop memoranda of understanding for cooperation and sharing of information with local child welfare agencies. Several DSHS offices in the state have established memoranda of understanding with nearby military installations.

Department of Defense Family Advocacy Programs.

The DOD established the Family Advocacy Program (FAP) to prevent child abuse and domestic abuse through public awareness, education, and family support programs. Upon receiving a report of abuse, the FAP generally begins an investigation into the allegations. The information gathered during the investigation will be presented to a Case Review Committee, which will make a determination of whether the domestic abuse or violence allegation is substantiated.

A substantiated report could lead to the provision of mandatory counseling and education for the abuser or recommendations to command regarding whether court martial and separation from the services is appropriate.

Summary of Bill:

The DSHS must forward reports of physical or sexual abuse of a child to military law enforcement if appropriate.

The DSHS must make efforts to determine the military status of parents or guardians whose children are subject to abuse or neglect allegations. The DSHS must notify a FAP if there are allegations of abuse and neglect that have been screened in and are open for investigation related to a child whose parent or guardian is in the military.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This is the same bill as House Bill 1150, which was heard by this committee and is now on the House floor.

(Opposed) None.

Persons Testifying: Mark San Souci, Department of Defense Staff Liason Office.

Persons Signed In To Testify But Not Testifying: None.