

HOUSE BILL REPORT

HB 1439

As Reported by House Committee On:
Human Services, Youth, & Early Learning

Title: An act relating to child exposure to violence.

Brief Description: Addressing child exposure to violence.

Sponsors: Representatives Goodman, Eslick, Simmons, Walen, Fey, Reed, Doglio, Davis and Leavitt.

Brief History:

Committee Activity:

Human Services, Youth, & Early Learning: 2/7/23, 2/15/23 [DPS], 1/19/24 [DP2S].

Appropriations: 2/23/23, 2/24/23 [DPS(HSEL)].

Brief Summary of Second Substitute Bill

- Expands the scope of Children's Advocacy Centers to include addressing the needs of children exposed to violence.

HOUSE COMMITTEE ON HUMAN SERVICES, YOUTH, & EARLY LEARNING

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 8 members: Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Couture, Assistant Ranking Minority Member; Callan, Goodman, Ortiz-Self and Taylor.

Minority Report: Without recommendation. Signed by 2 members: Representatives Dent and Walsh.

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 part of the legislation nor does it constitute a statement of legislative intent.

Children's Advocacy Centers.

Children's advocacy centers (CACs) are child-focused facilities that coordinate a multidisciplinary response for the investigation, prosecution, and treatment of sexual and other types of child abuse. The CACs provide a location for forensic interviews and coordinate access to services such as medical evaluations, advocacy, therapy, and case review by multidisciplinary teams.

A child forensic interview is a developmentally sensitive and legally sound method of gathering factual information regarding allegations of child abuse, child neglect, or exposure to violence. The interview is conducted by a competently trained, neutral professional using techniques informed by research and best practice as part of a larger investigative process.

Multidisciplinary Teams.

Each agency involved in investigating child sexual abuse, online sexual exploitation, and commercial sexual exploitation of minors, as well as investigations of child fatality, child physical abuse, and criminal child neglect cases, must document their role in handling those cases and how they coordinate with other local agencies or systems and must adopt a local protocol based on statewide guidelines. The Department of Children, Youth, and Families and local law enforcement may include other agencies and systems that are involved with child sexual abuse victims in the multidisciplinary coordination.

Each county must adopt a written protocol for handling investigations of criminal child sexual abuse, online sexual exploitation and commercial sexual exploitation of minors, and child fatality, child physical abuse, and criminal child neglect cases. The protocol must address the coordination of criminal investigations among multidisciplinary child protection team members, identified as representatives from the prosecutor's office, law enforcement, children's protective services, CACs where available, local advocacy groups, community sexual assault programs, licensed physical and mental health practitioners that are involved with child sexual abuse victims, and any other local agency involved in such criminal investigations. The protocol must be developed by the prosecuting attorney with the assistance of the agencies.

Summary of Bill (Second Substitute):

Definitions.

The definition of "child forensic interview" is modified to mean a developmentally sensitive, legally sound, culturally responsive, fact-finding interview of a child that is recorded as part of the multidisciplinary team response in child abuse investigations for the purpose of eliciting a child's unique information when there are concerns of possible abuse or when the child has been exposed to violence against another person. Child forensic interviews are conducted in a supportive and nonleading manner by a professional with specialized training in a research-based forensic interview model for conducting child

forensic interviews, ideally conducted in a neutral location such as a CAC.

The definition of "children's advocacy center" is modified to mean a child-focused, trauma-informed, facility-based program that provides a safe, neutral location for child forensic interviews, facilitates a coordinated and comprehensive approach to addressing the needs of children traumatized by abuse and those who have witnessed, or been exposed to violence, follows national accreditation standards, and is in good standing with the Children's Advocacy Center of Washington. The CACs support a coordinated multidisciplinary response to allegations of abuse that promotes efficient interagency communication and information sharing, ongoing collaboration of key individuals, and a network of support for children and families.

The term "Children's Advocacy Centers of Washington" is defined to mean a membership organization and state chapter of the National Children's Alliance whose primary purpose is to support the development and sustainability of CACs and multidisciplinary child protection teams.

Peer Review.

Child forensic interview recordings of closed cases may be used as part of a structured and confidential peer review, if hosted by an accredited or developing CAC or the Children's Advocacy Centers of Washington. Any information reviewed during the peer review process must remain confidential and must not be disclosed unless authorized under law.

The hosting organization's policies regarding interview selection criteria and parent, guardian, or caregiver consent must be followed.

All participants in the peer review must sign a confidentiality agreement that:

- prohibits verbal or written disclosure of any information; and
- requires disclosure of any acquaintance with anyone associated with the case before attending a peer review session.

Second Substitute Bill Compared to Original Bill:

The substitute bill removes the definition of "child exposed to violence."

The substitute bill modifies the disclosure language related to peer review of child forensic interview recordings to indicate that any information reviewed or discussed during the peer review process is, and must remain, confidential and must not be disclosed except where authorized under state or federal law.

The substitute bill removes the Children Exposed to Violence Task Force.

The substitute bill removes the pilot program increasing utilization of child advocacy centers to connect children exposed to violence or psychological trauma with needed

services.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

See House Bill Report in the 2023 Legislative Session.

Persons Testifying: See House Bill Report in the 2023 Legislative Session.

Persons Signed In To Testify But Not Testifying: See House Bill Report in the 2023 Legislative Session.