
**Human Services, Youth, & Early
Learning Committee**

HB 1439

Brief Description: Addressing child exposure to violence.

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

Brief Summary of Bill

- Creates a Washington State Children Exposed to Violence Task Force.
- Creates a pilot program to increase utilization of children's advocacy centers (CACs) to connect children exposed to violence or psychological trauma with needed services.
- Expands the scope of CACs to include serving children exposed to violence.

Hearing Date: 2/7/23

Staff: Luke Wickham (786-7146).

Background:

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. CACs provide a location for forensic interviews and coordinate access to services such as medical evaluations, advocacy, therapy, and case review by multidisciplinary teams.

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.

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:

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. This peer review is not subject to disclosure. 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.

Children Exposed to Violence Pilot Project.

Beginning August 1, 2023, the Department of Children, Youth, and Families (DCYF) must establish, in coordination with the Children's Advocacy Centers of Washington, a pilot project (pilot) that increases utilization of CACs to connect children exposed to violence or psychological trauma with needed services, with at least one pilot on either side of the Cascades. The DCYF may contract with external entities to meet this goal. By November 1, 2024, the DCYF must report outcomes and other recommendations related to increasing utilization of

CACs to connect children exposed to violence or psychological trauma with needed services to the Washington State Children Exposed to Violence Task Force (Task Force).

Children Exposed to Violence Task Force.

A Task Force is created. The Attorney General's Office, in collaboration with the Children's Advocacy Centers of Washington, must coordinate the Task Force and provide staff support.

The Task Force must research, review, guide, and make recommendations on the following:

- continuation or modification of the pilot;
- expanding data collection infrastructure for monitoring trends in children exposed to violence;
- developing best practices for serving children exposed to violence or psychological trauma;
- compiling national best practices from Handle with Care sites; and
- public policy initiatives to reduce the impact of childhood exposure to violence.

The Task Force must include a representative from the:

- Department of Social and Health Services;
- DCYF;
- Office of the Superintendent of Public Instruction;
- Washington Association of Sheriffs and Police Chiefs;
- Association of Washington Cities;
- Washington Association of County Officials;
- Superior Court Judges Association;
- Washington Association of Prosecuting Attorneys;
- University of Washington School of Medicine CoLab for Community and Behavioral Health Policy;
- Washington State Coalition Against Domestic Violence;
- University of Washington Harborview Abuse and Trauma Center;
- Washington Chapter of the National Association of Social Workers; and
- Urban Indian Health Institute.

The Task Force must include two representatives from:

- a national research organization on children exposed to violence;
- CACs, with one representative from an urban community and one from a rural community; and
- individuals with lived experience as victims or witnesses of violence, including one that has been a defendant.

By December 1, 2023, the Task Force must prepare and submit preliminary recommendations and submit final recommendations by December 1, 2024.

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.

The term "child exposed to violence" is defined to mean a child under age 18 who has witnessed, experienced, or been exposed to actual or threatened violence. A child can be exposed to violence directly, by seeing or hearing the violence, or indirectly, by becoming aware of or seeing evidence of violence.

Appropriation: None.

Fiscal Note: Requested on February 2, 2023.

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