

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
Act 1466 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 563

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5 By: Senator Wooldridge
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For An Act To Be Entitled

8
9 AN ACT TO IMPROVE THE INVESTIGATION OF REPORTS OF
10 CHILD MALTREATMENT THAT ARE ASSIGNED TO THE
11 CRIMES AGAINST CHILDREN DIVISION OF THE
12 DEPARTMENT OF ARKANSAS STATE POLICE; AND FOR
13 OTHER PURPOSES.
14

Subtitle

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17 TO IMPROVE THE INVESTIGATION OF REPORTS
18 OF CHILD MALTREATMENT THAT ARE ASSIGNED
19 TO THE CRIMES AGAINST CHILDREN DIVISION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 12-8-502(b), regarding the powers and
25 duties of the Crimes Against Children Division of the Department of Arkansas
26 State Police, is amended to read as follows:

27 (b) The division shall consist of ~~three (3)~~ two (2) sections:

28 ~~(1)(A) The Law Enforcement Child Abuse Section, which shall be~~
29 ~~staffed with law enforcement personnel and shall be responsible for the~~
30 ~~investigation of allegations that initially appear to involve severe child~~
31 ~~abuse or any other types of criminal child abuse;~~

32 ~~(2) The Child and Family Protection~~ The Investigation Section,
33 which shall be staffed with ~~non-law enforcement~~ civilian personnel and shall
34 be responsible for the investigation of allegations of child abuse ~~that~~
35 ~~initially do not appear to involve severe abuse or the need for a criminal~~



1 ~~investigation but have implications of criminal activity involving child~~
2 ~~abuse, and in accordance with the Arkansas Child Maltreatment Act, § 12-12-~~
3 ~~501 et seq.~~

4 (B) If at any point during the investigation the
5 information gathered becomes sufficient for a possible criminal prosecution,
6 then the case shall be referred for further investigation to the appropriate
7 law enforcement agency.

8 ~~(3)~~(2) The Child Abuse Hotline Section, which shall administer
9 twenty-four-hour toll-free in-watts telephone services to report to the
10 Department of Arkansas State Police information regarding possible incidents
11 of child abuse.

12
13 SECTION 2. Arkansas Code § 12-8-504(a), regarding the transition and
14 continuation of services after an investigation of child abuse, is amended to
15 read as follows:

16 (a) If a transfer of child abuse investigations occurs, any and all
17 statutory authority, powers, duties, functions, records, authorized
18 positions, property, unexpended balances of appropriations, allocations, or
19 other funds of the Division of ~~Youth Services~~ Children and Family Services of
20 the Department of Human Services for the purposes of child abuse
21 investigations to be transferred to the Department of Arkansas State Police
22 shall be transferred only after the development of a transition plan that
23 will ensure the efficient and effective transfer of the powers and duties of
24 the Department of Human Services to the Department of Arkansas State Police
25 so that there is continuous service delivery to and protection of the
26 children of the State of Arkansas.

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28 SECTION 3. Arkansas Code § 12-8-506(a)(1)(B), regarding oversight of
29 child abuse investigations, is amended to read as follows:

30 (B) The oversight system shall utilize the same criteria
31 by which the Division of ~~Youth Services~~ Children and Family Services of the
32 Department of Human Services has been measured as stipulated in the
33 settlement of Angela R. v. State of Arkansas.

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35 SECTION 4. Arkansas Code § 12-8-508 is amended to read as follows:
36 12-8-508. Provision of information and assistance.

1 Notwithstanding rules or regulations to the contrary, upon request of a
2 member of the General Assembly or legislative staff or upon request of a
3 legislative committee, the ~~Family Protection Unit~~ Crimes Against Children
4 Division of the Department of Arkansas State Police shall immediately provide
5 information requested with respect to child welfare as contemplated under the
6 Arkansas Child Welfare Public Accountability Act, § 9-32-201 et seq.

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8 SECTION 5. Arkansas Code § 12-12-509, regarding the investigation and
9 examination of children who are suspected of being the victim of child
10 maltreatment, is amended to read as follows:

11 (d)(1) An investigative determination shall be made in each
12 investigation within thirty (30) days regardless of whether the investigation
13 is conducted by the Department of Human Services, the ~~Family Protection Unit~~
14 Crimes Against Children Division of the Department of Arkansas State Police,
15 or local law enforcement.

16 (2) However, this procedural requirement shall not be considered
17 as a factor to alter the investigative determination in any judicial or
18 administrative proceeding.

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21 APPROVED: 3/31/2005
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