1	State of Arkansas As Engrossed: H3/26/15	
2	90th General Assembly A Bill	
3	Regular Session, 2015 SENATE BILL	787
4		
5	By: Senator S. Flowers	
6	By: Representative Baine	
7		
8	For An Act To Be Entitled	
9	AN ACT TO PERMIT A DEPARTMENT OF ARKANSAS STATE	
10	POLICE INVESTIGATOR TO DETERMINE A REPORT OF CHILD	
11	ABUSE HAS NO MERIT; AND FOR OTHER PURPOSES.	
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14	Subtitle	
15	TO PERMIT A DEPARTMENT OF ARKANSAS STATE	
16	POLICE INVESTIGATOR TO DETERMINE A REPORT	
17	OF CHILD ABUSE HAS NO MERIT.	
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20	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
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22	SECTION 1. Arkansas Code Title 12, Chapter 18, Subchapter 6, is	
23	amended to add an additional section to read as follows:	
24	12-18-621. No merit investigations.	
25	(a) A Department of Arkansas State Police investigator may close an	
26	investigation of a report of child maltreatment as unsubstantiated without	
27	complying with the requirements of this subchapter if:	
28	(1) The child identified as the victim:	
29	(A) Has been:	
30	(i) Interviewed separate and apart from the allege	<u>2d</u>
31	offender or any representative or attorney for the alleged offender when the	<u>1e</u>
32	child is of the age or ability to be interviewed; or	
33	(ii) Observed separate and apart from the alleged	
34	offender or any representative or attorney for the alleged offender when the	<u>1e</u>
35	child is not of the age or ability to be interviewed; and	
36	(B) Credibly denies the allegation of child maltreatment	<u>: ;</u>

1	(2) The child identified as the victim does not have the
2	physical injuries or physical conditions that were alleged in the report of
3	<pre>child maltreatment;</pre>
4	(3) The person identified as the alleged offender has been
5	interviewed and credibly denies the allegation of child maltreatment;
6	(4) The person identified as the alleged offender resides in the
7	home or is a family member of the child identified as the victim, the
8	department investigator has ascertained the environment in which the child
9	resides and determined there is no merit to the report of child maltreatment
10	as it pertains to the home environment;
11	(5) The department investigator:
12	(A) Has interviewed the person who made the report to the
13	Child Abuse Hotline; or
14	(B) Has made a good faith effort to contact the person who
15	made the report to the hotline but is unable to interivew the person; and
16	(C) Has not identified another maltreatment or health or
17	safety factor regarding the victim child; and
18	(6) The department investigator interviewed a collateral witness
19	and reviewed medical, school, and mental health records that are related to
20	the allegations when the child was unable to effectively communicate.
21	(b) The Child Advocacy Centers shall conduct forensic interviews,
22	forensic medical examinations, and forensic mental health examinations if
23	available and appropriate during the course of a child maltreatment
24	investigations as is required by the memorandum of understanding authorized
25	<u>under § 9-5-110.</u>
26	(c) All records under this section shall be released under §§ 12-18-
27	620 and 12-18-910.
28	(d) This section does not apply if the alleged victim is in the
29	custody of the Department of Human Services and the alleged act or omission
30	occurred while the child was in the custody of the Department of Human
31	Services.
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33	/s/S. Flowers
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