

**Minutes****Senate Committee on Children and Youth and the House Committee on  
Aging, Children and Youth, Legislative and Military Affairs  
Meeting Jointly  
Tuesday, September 15, 2015**

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The Senate Committee on Children and Youth and the House Committee on Aging, Children and Youth, Legislative and Military Affairs met jointly on Tuesday, September 15, 2015, at 10:00 a.m., in Room 171 of the State Capitol Building in Little Rock, Arkansas.

Committee members present: **Senators** Stephanie Flowers, Chair; Bart Hester, Vice Chair; Bobby J. Pierce and Greg Standridge. **Representatives** George B. McGill, Chair; Charlene Fite, Vice Chair; Karilyn Brown, Vivian Flowers, Julie Mayberry, David Meeks, Marcus E. Richmond, Sue Scott, James Sturch, Dan Sullivan, Clarke Tucker and DeAnn Vaught.

Non-committee members present: **Senator** Gary Stubblefield. **Representatives** Joe Jett and Kelly Linck.

**Consideration to approve minutes of June 10, 2015 and July 15, 2015** [EXHIBITS B1 – B2]  
**Representative Scott made a motion to approve the June 10, 2015 and the July 15, 2015, meeting minutes and Representative Sullivan seconded the motion. Without objection the minutes were adopted.**

**Consideration of a Motion to Authorize Chairs to Approve Special Expenses Incurred by the Committee** [EXHIBIT C]

**Senator Hester made a motion to authorize the chairs to approve special expenses incurred by the committee and Senator Pierce seconded the motion. Without objection the motion was adopted.**

**Consideration to Adopt Interim Study Proposal (ISP)** [EXHIBITS D1 – D3]

ISP 2015-142 [EXHIBIT D1] “Requesting that the House Committee on Aging, Children, and Youth Legislative and Military Affairs conduct a study to evaluate the current concealed handgun licensing requirements for members of the Arkansas National Guard or Reserve Component of the United States for members of the Arkansas National Guard or Reserve Component of the United States Armed Forces and Active Duty Military Personnel and the feasibility of eliminating the state’s licensing requirement for these military personnel”...Representative Bob Johnson

ISP 2015-145 [EXHIBIT D2] “Requesting that the Legislative Council refer to the House Committee on Aging, Children and Youth, Legislative and Military Affairs an interim study to conduct a fiscal and legislative analysis regarding implementations of recommendations contained in the July 6, 2015, Review of the Division of Children and Family Services conducted by the Child Welfare Policy and Practice Group concerning child welfare in Arkansas”....Representative David Meeks

ISP 2015-149 [EXHIBIT D3] “Requesting that the House Committee on Aging, Children and Youth, Legislative and Military Affairs conduct a study to exempt newly retired members of the Arkansas National Guard or a Reserve Component of the United States Armed Forces and Retired Active Duty Military Personnel from concealed handgun licensing requirement”...Representative Bob Johnson

**Senator Pierce made a motion to adopt ISPs 2015-142, 2015-145, and 2015-149 and Representative Sturch seconded the motion. Without objection the ISPs were adopted.**

**Arkansas State Police, Mr. Gary Glisson, Administrator, Crimes Against Children Division (CACD), Oversight Report, April – June 2015 [EXHIBIT E]**

Mr. Glisson provided a brief summary of the report.

**Senator Flowers asked for a breakdown of how many of the reports made by mandated reporters are found to be true.** Mr. Glisson stated they will pull that information from their database and provide it to the committee.

Representative Brown asked about the testimony of the victim being in the presence of the accused. Mr. David Gibbons, Prosecuting Attorney, 5<sup>th</sup> Judicial District stated, that unfortunately it is not possible for the child and/or victim not to be present. Noting a constitutional right for the accused to confront the victim. There are two different standards of proof during the process of prosecuting the defendant. For the Department of Human Services (DHS) the standard of proof is, “a preponderance of evidence” and for the state it is, “guilty beyond a reasonable of doubt.”

Representative Mayberry asked about the number of rape cases that results in pregnancy. Ms. Renia Robinette, Director, Attorney Ad Litem Program stated there is an informational cover sheet when a petition is filed but it does not capture that information. Senator Flowers suggested the Administrative Office of the Courts be invited to a meeting to provide information on data collected by AOC on the case management cover sheet.

**Department of Human Services-Division of Children and Family Services (DHS-DCFS), Review of Rules, Ms. Christin Harper, DCFS Policy Unit Manager [EXHIBIT F1 – F2]**

Ms. Harper provided an overview of the “Revisions to Alternate Care Policies and Procedures”. The revisions update the Alternate Care Policy to include the reasonable and prudent parent standard as outlined in Federal Public Law 113-183. It provides guidance for foster parents in making decisions regarding age and developmentally appropriate activities for foster children in their care.

**Senator Hester made a motion that the rule be reviewed and Senator Pierce seconded the motion. Without objection the rule was reviewed.**

Ms. Harper provided and overview of the “Revisions to Transitional Youth Services Program Publication (Pub) and Form”. The revisions include a short, easy to understand summary document regarding youth rights. Input was received from the Youth Advisory Board and other teens in foster care as well as other stakeholders in the development of the Pub and the form.

Senator Flowers and other committee members expressed their concerns with the revisions particularly, as it relates to the foster children’s ability to comprehend and understand what they are being asked to sign off on. Suggestions were made to revise and bring back to the committee for further review.

**Representative Meeks made a motion that the rule be reviewed and Representative McGill seconded the motion. Without objection the revisions were reviewed.**

**Arkansas Commission on Child Abuse, Rape and Domestic Violence, Stasia Burk-McDonald, Multidisciplinary Team Coordinator (MDT) [HANDOUT #1]**

Ms. Burk-McDonald presented requested information to the committee, noting that not all of the information requested is available at this time. Victim allegations by case was presented for the period January 1, 2004 through January 1, 2015 this included allegations of sexual abuse, physical abuse and a category labeled other. It also included data on under aged juvenile offenders. They are working

with CACD to complete this project.

The current MDT system was created by ACT 703 of 2007. MDTs help to coordinate and facilitate investigations of child abuse cases. MDTs have agreements with DHS and with CACD to receive information that goes to the child abuse hotline. MDTs currently cover 65 counties in Arkansas; only 10 counties do not have MDTs. MDTs conduct case reviews within 21 days of a hotline report.

Child Advocacy Centers and MDTs are nationally recognized programs that were first established in Huntsville, Alabama by Senator Robert E. Cramer. In Arkansas there are 14 Child Advocacy Centers and 3 satellite Child Advocacy Centers, which are all branches of the larger national accredited Child Advocacy Center. These centers are all 501(c)(3) programs.

The next meeting is scheduled for Tuesday, October 6, 2015 at 10:00 a.m.

With no further business, the meeting adjourned at 12:00 p.m.

DRAFT