

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

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.  
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## Subtitle

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16 TO IMPROVE THE INVESTIGATION OF REPORTS  
17 OF CHILD MALTREATMENT THAT ARE ASSIGNED  
18 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~~  
36 ~~investigation but have implications of criminal activity involving child~~



~~abuse, and~~ in accordance with the Arkansas Child Maltreatment Act, § 12-12-501 et seq.

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

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

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

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

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

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

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

Notwithstanding rules or regulations to the contrary, upon request of a

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

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

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

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