

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015

# A Bill

SENATE BILL 787

4  
5 By: Senator S. Flowers

## For An Act To Be Entitled

8 AN ACT TO PERMIT A DEPARTMENT OF ARKANSAS STATE  
9 POLICE INVESTIGATOR TO DETERMINE A REPORT OF CHILD  
10 ABUSE HAS NO MERIT; AND FOR OTHER PURPOSES.

## Subtitle

14 TO PERMIT A DEPARTMENT OF ARKANSAS STATE  
15 POLICE INVESTIGATOR TO DETERMINE A REPORT  
16 OF CHILD ABUSE HAS NO MERIT.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Title 12, Chapter 18, Subchapter 6, is  
22 amended to add an additional section to read as follows:

23 12-18-621. No merit investigations.

24 A Department of Arkansas State Police investigator may close an  
25 investigation of a report of child maltreatment as unsubstantiated without  
26 complying with the requirements of this chapter if:

27 (1) The child identified as the victim:

28 (A) Has been:

29 (i) Interviewed separate and apart from the alleged  
30 offender or any representative or attorney for the alleged offender when the  
31 child is of the age or ability to be interviewed; or

32 (ii) Observed separate and apart from the alleged  
33 offender or any representative or attorney for the alleged offender when the  
34 child is not of the age or ability to be interviewed; and

35 (B) Credibly denies the allegation of child maltreatment;

36 (2) The child identified as the victim does not have the



1 physical injuries or physical conditions that were alleged in the report of  
2 child maltreatment;

3 (3) The person identified as the alleged offender has been  
4 interviewed and credibly denies the allegation of child maltreatment;

5 (4) The person identified as the alleged offender resides in the  
6 home or is a family member of the child identified as the victim, the  
7 department investigator has ascertained the environment in which the child  
8 resides and determined there is no merit to the report of child maltreatment  
9 as it pertains to the home environment; and

10 (5) The department investigator:

11 (A) Has communicated with the person who made the report  
12 to the Child Abuse Hotline; or

13 (B) Has made a good faith effort to contact the person who  
14 made the report to the hotline but is unable to communicate with the person.

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