

HUMAN RESOURCES
FILED MAR 1 '01

SENATE FILE 322
BY TINSMAN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring establishment of county child protection
2 assistance teams.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 322
HUMAN RESOURCES

1 Section 1. Section 915.35, subsection 4, Code 2001, is
2 amended to read as follows:

3 4. a. The purpose of a child protection assistance team
4 is to address the following goals in regard to cases of child
5 sexual abuse and physical abuse:

6 (1) Developing and maintaining interagency and
7 interprofessional cooperation and coordination in case
8 management and response.

9 (2) Implementing an interagency team and case management
10 approach that focuses upon the following, in priority order
11 beginning with the highest priority: needs of the child
12 victim, prosecution and civil proceedings relating to the
13 case, and involvement of members of the child's family who are
14 supportive of the child and whose interests are consistent
15 with the best interests of the child.

16 (3) Obtaining evidence that is useful for a criminal
17 prosecution and for protective action in civil proceedings.

18 (4) Providing for extensive, initial case screening and
19 validation procedures to ensure timely prosecution of
20 perpetrators of such abuse and to safeguard against false
21 allegations of abuse so that an innocent person may be timely
22 exonerated.

23 (5) Reducing to as few as possible the interviews of the
24 child victims of such abuse.

25 b. ~~To the greatest extent possible, a multidisciplinary~~ A
26 child protection assistance team involving the county
27 attorney, law enforcement personnel, community-based child
28 advocacy organizations, and personnel of the department of
29 human services shall be utilized in investigating and
30 prosecuting cases involving a violation of chapter 709 or 726
31 or other crime committed upon a victim as defined in
32 subsection 1. A child protection assistance team shall be
33 established for each county by the county attorney. However,
34 by mutual agreement, two or more county attorneys may
35 establish a single child protection assistance team to cover a

1 multicounty area. A multidisciplinary team may also consult
2 with or include juvenile court officers, medical and mental
3 health professionals, physicians or other hospital-based
4 health professionals, court-appointed special advocates,
5 guardians ad litem, and members of a multidisciplinary team
6 created by the department of human services for child abuse
7 investigations. A child protection assistance team may work
8 cooperatively with the local community empowerment area board
9 established under section 28.6. The department of justice may
10 provide training and other assistance to support the
11 activities of a multidisciplinary team referred to in this
12 subsection.

13 Sec. 2. Section 331.756, Code 2001, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 84A. Establish a child protection
16 assistance team in accordance with section 915.35.

17 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
18 3, shall not apply to this Act.

19 EXPLANATION

20 This bill requires establishment of county child protection
21 assistance teams by modifying existing law in Code section
22 915.35. The existing law provides for optional use of a
23 multidisciplinary team for investigations and prosecutions of
24 criminal cases involving child victims of a sexual crime under
25 Code chapter 709, relating to sexual abuse, or Code chapter
26 726, relating to protection of the family and dependent
27 persons, or of a forcible felony. The bill changes the name
28 of the team to "child protection assistance team" and requires
29 a team to be established for each county by the county
30 attorney. However, by mutual agreement, two or more county
31 attorneys may establish a single county protection assistance
32 team for a multicounty area. The bill includes a physician or
33 other hospital-based health professional in the list of the
34 persons that may be consulted by a child protection assistance
35 team. In addition, a team may work cooperatively with the

1 local community empowerment area board.

2 Code section 331.756 is amended to include the
3 establishment of a child protection assistance team in the
4 duties of the county attorney.

5 The bill may include a state mandate as defined in Code
6 section 25B.3. The bill makes inapplicable Code section
7 25B.2, subsection 3, which would relieve a political
8 subdivision from complying with a state mandate if funding for
9 the cost of the state mandate is not provided or specified.
10 Therefore, political subdivisions are required to comply with
11 any state mandate included in the bill.

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