

By Representative Murman

1 A bill to be entitled
2 An act relating to child abuse and neglect;
3 amending s. 39.301, F.S.; providing for
4 determination by a child protective
5 investigator as to whether a criminal
6 investigation of certain allegations is
7 warranted; specifying criteria for making such
8 determinations; revising requirements for
9 notification of the appropriate law enforcement
10 agency; providing for coordination of law
11 enforcement agency investigative activities
12 with the Department of Children and Family
13 Services; revising circumstances under which a
14 law enforcement agency shall document abuse or
15 neglect with photographs; providing an
16 effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Subsections (2) and (17) of section 39.301,
21 Florida Statutes, are amended to read:

22 39.301 Initiation of protective investigations.--

23 (2)(a) Upon notification by the department's central
24 abuse hotline under subsection (1), the designated child
25 protective investigator shall determine whether a criminal
26 investigation is warranted using the following criteria:27 1. A child is known or suspected to be the victim of
28 child abuse, as defined in s. 827.03, or of neglect of a
29 child, as defined in s. 827.03.30 2. A child is known or suspected to have died as a
31 result of abuse or neglect.

1 3. A child is known or suspected to be the victim of
2 aggravated child abuse, as defined in s. 827.03.

3 4. A child is known or suspected to be the victim of
4 sexual battery, as defined in s. 827.071, or of sexual abuse,
5 as defined in s. 39.01.

6 5. A child is known or suspected to be the victim of
7 institutional child abuse or neglect, as defined in s. 39.01,
8 and as provided for in s. 39.302(1).

9 (b) When a case warrants criminal investigation under
10 any of the criteria in paragraph (a), the designated child
11 protective investigator shall immediately notify the
12 appropriate law enforcement agency of the jurisdiction county
13 in which the known or suspected child abuse, abandonment, or
14 neglect is believed to have occurred. Upon receipt of a
15 report, the law enforcement agency must review the information
16 in the report to report and determine whether a criminal
17 investigation of the case is warranted. If the law enforcement
18 agency accepts the case for criminal investigation, it shall
19 coordinate its investigative activities with the department
20 whenever feasible. and, if so, shall conduct the criminal
21 investigation that shall be coordinated, whenever possible,
22 with the child protective investigation of the department or
23 its agent.

24 (17) When a law enforcement agency conducts a criminal
25 investigation into allegations of child abuse, neglect, or
26 abandonment, photographs documenting the abuse or neglect
27 shall be taken when appropriate. is participating in an
28 investigation, the agency shall take photographs of the
29 child's living environment. Such photographs shall become part
30 of the investigative file.

31 Section 2. This act shall take effect July 1, 2000.

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HOUSE SUMMARY

Provides for determination by the Department of Children and Family Services child protective investigator as to whether a criminal investigation of child abuse or neglect allegations received over the department's abuse hotline is warranted. Specifies criteria for making such determinations. Provides for notification to the appropriate law enforcement agency and for coordination of such agency's investigative activities with the department. Revises circumstances under which photographs documenting child abuse or neglect shall be taken during a law enforcement agency's investigation.