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SENATE BILL NO. 421

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on January 29, 2014)

(Patron Prior to Substitute—Senator McDougle)

A BILL to amend the Code of Virginia by adding a section numbered 15.2-1627.5, relating to local multidisciplinary child sexual abuse response teams.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-1627.5 as follows:

§ 15.2-1627.5. Coordination of multidisciplinary response to child sexual abuse.

A. The attorney for the Commonwealth in each political subdivision in the Commonwealth or his designee shall direct the establishment of a multidisciplinary child sexual abuse response team to conduct regular reviews of cases involving child sexual abuse in the jurisdiction. The multidisciplinary team shall be implemented in accordance with protocols and procedures governing the activities of such team that are consistent with the prevailing standards for multidisciplinary child sexual abuse response teams. The attorney for the Commonwealth may certify that there is an existing multidisciplinary team in the jurisdiction that meets the requirements of this section.

B. Multidisciplinary teams established pursuant to subsection A shall meet at least monthly, or shall meet frequently enough to ensure that no new case of child sexual abuse goes more than 60 days without being reviewed by the team, to review new and ongoing cases in the jurisdiction involving child sexual abuse and to make recommendations regarding the prosecution of such cases and the coordination of medical, social, and legal services to the victims and their family members. The multidisciplinary team shall also work cooperatively with the judges and staff of the court serving the jurisdiction to coordinate the provision of services in accordance with this section.

C. The attorney for the Commonwealth or his designee shall coordinate regular case review meetings of the multidisciplinary team established pursuant to subsection A; however, if a child advocacy center directly serves the jurisdiction where the team is located, the center shall coordinate the regular case review meetings. The following individuals, or their designees, shall participate in case review meetings of the multidisciplinary team: the attorney for the Commonwealth; the chief of each police department in the jurisdiction; the sheriff of the jurisdiction, if his office conducts law-enforcement investigations that involve child abuse; a representative of the local child protective services unit; and an Internet Crimes Against Children task force affiliate agency serving the jurisdiction, if one exists. The following individuals, or their designees, may be invited to attend case review meetings of the multidisciplinary team: the attorney for the county or city; the school superintendent of the jurisdiction; a representative of the local sexual assault crisis center serving the jurisdiction, if one exists; the director of the victim/witness program in the jurisdiction, if one exists; a mental health professional and a health care provider from the local medical community; and a representative of a child advocacy center serving the jurisdiction, if one exists. Both the mental health professional and health care provider shall be knowledgeable in the treatment and provision of services to children who have been sexually abused. The mental health professional shall be a trauma informed mental health provider, if possible. At the discretion of the person coordinating the regular case review meetings, other parties or agencies may also be invited to participate.

D. Multidisciplinary teams established pursuant to this section shall develop Memoranda of Understanding regarding the exchange of information among members of the team for the purposes of investigating complaints of child sexual abuse, delivering services, and protecting children. Any information exchanged in accordance with such Memoranda of Understanding shall not be considered a violation of the laws of the Commonwealth governing confidentiality of information, including but not limited to §§ 63.2-102, 63.2-104, and 63.2-105.

E. In addition to the duties set forth in subsection B, multidisciplinary teams established pursuant to this section may also review and provide recommendations related to cases of child abuse and neglect that do not involve sexual abuse.

2. That the provisions of this act shall become effective on July 1, 2015.

SENATE SUBSTITUTE

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