

1st Sub. S.B. 88
CHILD INTERVIEW AMENDMENTS

Senator **Mark B. Madsen** proposes the following amendments:

1. Page 21, Line 641 through Page 22, Line 658:

641 (d) In an administrative case, pursuant to a written request, the Division of Child and
642 Family Services may display, but may not distribute or release, a recording or transcript to the
643 respondent or to the respondent's designated representative.

(e) (i) Within two business days of a request from a parent or guardian of a child victim, an
investigative agency shall allow the parent or guardian to view a recording after the conclusion of an
interview, unless:

(A) the suspect is a parent or guardian of the child victim;

(B) the suspect resides in the home with the child victim; or

(C) the investigative agency determines that allowing the parent or guardian to view the
recording would likely compromise or impede the investigation.

(ii) If the investigative agency determines that allowing the parent or guardian to view the
recording would likely compromise or impede the investigation, the parent or guardian may petition a
juvenile or district court for an expedited hearing on whether there is good cause for the court to enter an
order allowing the parent or guardian to view the recording in accordance with Subsection (5)(c).

(iii) A Children's Justice Center shall coordinate the viewing of the recording described in
this Subsection (6)(e).

644 ~~{(e)}~~ (f) A multidisciplinary team assembled by a Children's Justice Center or an
645 interdisciplinary team assembled by the Division of Child and Family Services may view a
646 recording or transcript, but may not receive a recording or transcript.

647 ~~{(f)}~~ (g) A Children's Justice Center:

648 (i) may distribute or display a recording or transcript to an authorized trainer or
649 evaluator for purposes of training or evaluation; and

650 (ii) may display, but may not distribute, a recording or transcript to an authorized
651 trainee.

652 ~~{(g)}~~ (h) An authorized trainer or instructor may display a recording or transcript according
653 to the terms of the authorized trainer's or instructor's contract with the Children's Justice Center
654 or according to the authorized trainer's or instructor's scope of employment.

655 ~~{(h)}~~ (i) (i) In an investigation under Section 53A-6-306, in which a child victim who is the
656 subject of the recording or transcript has alleged criminal conduct against an educator, a law
657 enforcement agency may distribute or release the recording or transcript to an investigator
658 operating under UPPAC authorization, upon the investigator's written request.

