

House File 592 - Introduced

HOUSE FILE 592
BY BAGNIEWSKI

A BILL FOR

- 1 An Act relating to a forensic interview of a minor by law
- 2 enforcement.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **808.3A Application for consent to**
2 **forensic interview.**

3 Law enforcement may make application to the court for consent
4 to conduct a forensic interview of a minor at a licensed child
5 advocacy center when the suspect of a crime is the parent,
6 guardian, or custodian of the minor. The application shall
7 describe the nature of the crime being investigated, why a
8 forensic interview of the minor is necessary, attempts made
9 by law enforcement to gain consent from any parent, guardian,
10 or custodian, and why consent cannot be obtained any other
11 way. An application shall be supported by the person's oath
12 or affirmation, shall include specific and articulable facts,
13 and, when reviewed with rational inferences from the application,
14 demonstrate a forensic interview as part of an investigation is
15 warranted. For purposes of this section, "minor" means a person
16 under eighteen years of age.

17 **EXPLANATION**

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill relates to a forensic interview of a minor by law
21 enforcement.

22 The bill allows law enforcement to make application to the
23 court for consent to conduct a forensic interview of a minor at a
24 licensed child advocacy center when the suspect of a crime is the
25 parent, guardian, or custodian of the minor.

26 The bill provides that the application shall describe the
27 nature of the crime being investigated, why a forensic interview
28 of the minor is necessary, attempts made by law enforcement to
29 gain consent from any parent, guardian, or custodian, and why
30 consent cannot be obtained any other way.

31 For purposes of the bill, "minor" means a person under 18
32 years of age.