

HOUSE BILL REPORT

ESHB 1534

As Amended by the Senate

Title: An act relating to training for investigating and prosecuting sexual assault cases.

Brief Description: Providing training for investigating and prosecuting sexual assault cases.

Sponsor(s): By House Committee on Judiciary (originally sponsored by Representatives H. Myers, Beck, Riley, R. King, Tate, Anderson, Vance, Cooper, Ludwig, Hargrove, Padden, Bray, Rasmussen, Sheldon, Leonard, Forner, Brekke, Peery, Belcher, G. Fisher, Morris, Grant, Jones, O'Brien, Orr, Wang, Heavey, Roland, Paris and Winsley).

Brief History:

Reported by House Committee on:
Judiciary, February 20, 1991, DPS;
Appropriations, March 10, 1991, DPS(JUD)-A;
Passed House, March 18, 1991, 98-0;
Amended by Senate.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1534 be substituted therefor, and the substitute bill do pass.*
Signed by 19 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Pat Shelledy (786-7149).

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill as amended by Committee on Appropriations do pass.* Signed by 29 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson;

Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Staff: Victor Moore (786-7143).

Background: Some prosecutors, law enforcement officers, public defenders, and victim advocates lack specialized training in the area of sexual assault and child sexual abuse. Victim advocates may assist victims and their families through the investigation and prosecution of the case. Rape crisis centers currently funded through the Department of Social and Health Services could offer advocacy services for victims if funded.

Summary of Bill: The Criminal Justice Training Commission must offer an integrated, intensive, week long training session on investigating and prosecuting sexual assault cases for prosecutors, police officers, public defenders, and victim advocates. The training must emphasize professionalism and sensitivity towards victims and their families. The commission must seek advice on the training program from prosecutors, police officers, public defenders, and the Washington Coalition of Sexual Assault Programs. The training must be self supporting through fees charged to the participants. The counties may use funds available from the local criminal justice funding provision enacted in 1990 to pay for the training.

Rape crisis centers which are eligible for funding from the Department of Social and Health Services may apply for grants for the purpose of hiring and training victim advocates to assist victims and their families through the investigation and prosecution of sexual assault cases. The victim advocates must complete the training program offered by the Criminal Justice Training Commission or at the center's option, an alternative training program. Twenty-five percent of the funding for the victim advocate grants must be provided by non-state sources. The grant program is subject to funding in the budget.

The legislature finds that sexual assault cases are difficult to successfully prosecute, that victim advocates may assist the victims and their families through the investigation and prosecution, and that counties should give sexual assault cases priority, especially when the victims are children.

The act takes effect July 1, 1991.

EFFECT OF SENATE AMENDMENT(S): The requirement that the training be "week-long" is stricken. Also stricken is the

provision requiring the training to be self-supporting through participant fees and the provision allowing the counties to use local criminal justice funding to pay for the participants' training.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 1991. However, the grant program for victim advocates of the bill is null and void unless funded in the budget.

Testimony For: (Judiciary): (Original Bill) Prosecution of sexual assault cases, especially involving children, requires specialized training, expertise, and investigation skills. Some prosecutors, police officers, and defense attorneys in certain areas of the State lack that expertise.

(Appropriations): None.

Testimony Against: (Judiciary): None.

(Appropriations): None.

Witnesses: (Judiciary): Mike Redman, Washington Association of Prosecuting Attorneys (pro); Jerry Adair, Lewis County Prosecutor (pro); Mike Patrick, Washington State Council of Police Officers (pro, with recommendation to add police to the training and to the committee on sexual assault); Marlene Watkins, Clark County Child Abuse Center (pro); and Dawn Larsen, Executive Director, Washington Coalition of Sexual Assault Programs (pro).

(Appropriations): None.

VOTE ON FINAL PASSAGE:

Yeas 98; Nays 0; Excused 0