

**SENATE BILL REPORT**

**SB 6107**

**AS OF JANUARY 23, 1992**

**Brief Description:** Defining corroborative evidence for the admission of a child's hearsay statement.

**SPONSORS:** Senators Nelson, Rasmussen, Thorsness and Craswell

**SENATE COMMITTEE ON LAW & JUSTICE**

**Staff:** Susan Carlson (786-7418)

**Hearing Dates:** January 28, 1992

**BACKGROUND:**

In 1982, the Legislature enacted the child hearsay statute which allows certain statements made by children under the age of ten to be admitted in evidence in criminal cases involving sexual contact with the child. If the child is found to be unavailable as a witness, the statement may only be admitted if there is corroborative evidence of the act. The term "corroborative evidence" is not defined in the statute.

Concern has been expressed that the Legislature should provide a standard to be applied by judges when determining whether sufficient corroborating evidence has been introduced to allow admission of the child's hearsay statements.

**SUMMARY:**

Corroborative evidence is defined as evidence that supports to a substantial degree a logical and reasonable inference that the act described in the hearsay statement occurred.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested