

# SENATE BILL REPORT

## SB 5520

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As Passed Senate, March 12, 1997

**Title:** An act relating to intimidation of witnesses.

**Brief Description:** Revising provisions relating to intimidation of witnesses.

**Sponsors:** Senator McCaslin.

**Brief History:**

**Committee Activity:** Law & Justice: 2/18/97, 2/19/97 [DP].  
Passed Senate, 3/12/97, 44-0.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Fairley, Goings, Hargrove, Long, McCaslin, Stevens and Zarelli.

**Staff:** Martin Lovinger (786-7443)

**Background:** Under the current law against intimidating a witness, not all prospective and former witnesses are protected from intimidation or threats. In particular, persons whom it is believed may be called in an official proceeding and persons whom it is believed may have been called if a hearing or trial had been held are not covered by the existing law. There have been incidents of threats against people in these categories.

It is felt that the inability to protect these witnesses from intimidation will undermine the pursuit of justice.

**Summary of Bill:** The current and prospective witnesses protected from intimidation include: (1) a person endorsed as a witness, (2) a person whom the person making the threats believes may be called as a witness, and (3) a person whom the person making the threats believes may have information relevant to a criminal investigation or the abuse or neglect of a minor child.

Former witnesses protected from intimidation include: (1) a person who testified, (2) a person who was endorsed as a witness, (3) a person whom the person making the threats knew or believed may have been called as a witness if there had been a trial or hearing, and (4) a person whom the person making the threats knew or believed may have provided information related to a criminal investigation or an investigation into the abuse or neglect of a minor child.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Some witnesses or potential witnesses don't actually testify, but they may be subject to intimidation. Currently they are not covered, but this bill will extend protection to them.

**Testimony Against:** None.

**Testified:** Kevin Korsmo, Spokane County Deputy Prosecutor (pro).