

SENATE BILL REPORT

SB 5538

As Passed Senate, March 12, 1997

Title: An act relating to child victims and witnesses.

Brief Description: Requiring permission before disclosing the address of a child victim or witness or the address of a parent of a child victim or witness.

Sponsors: Senators Long, Hargrove, Zarelli, Oke and Winsley.

Brief History:

Committee Activity: Law & Justice: 3/5/97 [DP].
Passed Senate, 3/12/97, 47-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Hargrove, Haugen, Kline, Long, McCaslin, Stevens and Zarelli.

Staff: Mal Murphy (786-7412)

Background: There is currently a comprehensive scheme recognizing the rights of victims and witnesses in this state. Such rights include, but are not limited to the right to notice of proceedings, to submit a victim impact statement and/or to address the court personally at a sentencing hearing, to the entry of an order of restitution in most felony cases, to be protected from harm, and to receive needed medical assistance. Among the rights of child victims or child witnesses of violent crimes, sex crimes, or child abuse is the right not to have their name, address or photograph disclosed without their consent and/or that of their parents or legal guardians to anyone except another law enforcement agency, prosecutor, defense counsel, or agency that provides services to children.

Summary of Bill: At the time of reporting a crime, or at the initial interview, child victims or child witnesses of violent crimes, sex crimes or child abuse and their parents must be informed of their rights not to have their address disclosed by any law enforcement agency, prosecutor, defense counsel or state agency without their permission.

The right of nondisclosure so created is substantive, and its intentional violation is punishable as a misdemeanor.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: None.

Testimony Against: None.

Testified: No one.

House Amendment(s): A child victim's or witness's address may not be disclosed unless the child's parent consents. Consent of the child is insufficient. Child victims and witnesses have a right to be protected while testifying in court from unreasonable questioning.