

SB 6363 - DIGEST

Finds that in sex crime cases generally, and in child molestation cases in particular, the offense often is committed in the absence of any independent witnesses. Prior acts of similar misconduct, as opposed to other types of misconduct, are deemed to be highly probative. Adult-victim sexual assault cases are also distinctive, and often turn on difficult credibility determinations.

Recognizes the practical effect of the federal rules of evidence related to sex crime cases is to put evidence of uncharged offenses in sexual assault and child molestation cases on the same footing as other types of relevant evidence that are not subject to a special exclusionary rule. Eight states enacted similar rules to protect the public from rapists and child molesters.

Adopts an exception to Evidence Rule 404(b).