**1898-S AMS LAW S2866.1 - NOT FOR FLOOR USE**

**SHB 1898** - S COMM AMD

By Committee on Law & Justice

**ADOPTED 4/13/2015**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) The legislature finds that RCW 9A.44.150, which allows testimony of child victims by closed-circuit television in certain cases, helps protect certain child witnesses. During the prosecution of many child abuse cases, child victims may suffer serious emotional and mental trauma from exposure to the abuser. Some of these child victims are unable to testify at all in the presence of the abuser. For these reasons, the legislature found it a compelling state interest to allow for remote testimony in certain cases to enhance the truth-seeking process and to shield child victims from trauma.

(2) The legislature further finds that while there is a possibility for certain child victims to testify remotely in some cases, this procedure is rarely used. The legislature intends to raise awareness regarding this procedure by including it in training materials for investigating and prosecuting sexual assault cases.

**Sec.**  RCW 43.101.270 and 1991 c 267 s 2 are each amended to read as follows:

(1) Each year the criminal justice training commission shall offer an intensive, integrated training session on investigating and prosecuting sexual assault cases. The training shall place particular emphasis on the development of professionalism and sensitivity towards the victim and the victim's family.

(2) The commission shall seek advice from the Washington association of prosecuting attorneys, the Washington defender association, the Washington association of sheriffs and police chiefs, and the Washington coalition of sexual assault programs.

(3) The training shall be an integrated approach to sexual assault cases so that prosecutors, law enforcement, defenders, and victim advocates can all benefit from the training.

(4) The training shall be self-supporting through fees charged to the participants of the training.

(5) The training shall include a reference to the possibility that a court may allow children under the age of fourteen to testify in a room outside the presence of the defendant and the jury pursuant to RCW 9A.44.150.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

The criminal justice training commission shall annually survey law enforcement and prosecuting agencies regarding, with respect to the preceding year: (1) The frequency of cases where children under the age of fourteen have elected not to testify, including the reasons for the election not to testify; (2) the number of cases where remote testimony pursuant to RCW 9A.44.150 was used and whether those cases resulted in conviction; and (3) the total number of child sexual abuse cases referred for prosecution and the number of those cases that were prosecuted. The results of the survey described in this section must be reported every other year to the appropriate committees of the legislature with an initial reporting date of December 1, 2015."

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On page 1, line 1 of the title, after "victims;" strike the remainder of the title and insert "amending RCW 43.101.270; adding a new section to chapter 43.101 RCW; and creating a new section."