
SUBSTITUTE HOUSE BILL 1898

State of Washington

64th Legislature

2015 Regular Session

By House Judiciary (originally sponsored by Representatives Ortiz-Self, Johnson, Walkinshaw, Muri, Robinson, Pettigrew, Lytton, and Kilduff)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to protection of child victims; amending RCW
2 43.101.270; adding a new section to chapter 43.101 RCW; and creating
3 a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that RCW
6 9A.44.150, which allows testimony of child victims by closed-circuit
7 television in certain cases, helps protect certain child witnesses.
8 During the prosecution of many child abuse cases, child victims may
9 suffer serious emotional and mental trauma from exposure to the
10 abuser. Some of these child victims are unable to testify at all in
11 the presence of the abuser. For these reasons, the legislature found
12 it a compelling state interest to allow for remote testimony in
13 certain cases to enhance the truth-seeking process and to shield
14 child victims from trauma.

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

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

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

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

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

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

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

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101
22 RCW to read as follows:

23 The criminal justice training commission shall annually survey
24 law enforcement and prosecuting agencies regarding, with respect to
25 the preceding year: (1) The frequency of cases where children under
26 the age of fourteen have elected not to testify, including the
27 reasons for the election not to testify; (2) the number of cases
28 where remote testimony pursuant to RCW 9A.44.150 was used and whether
29 those cases resulted in conviction; and (3) the total number of child
30 sexual abuse cases referred for prosecution and the number of those
31 cases that were prosecuted. The results of the survey described in
32 this section must be reported annually to the appropriate committees
33 of the legislature with an initial reporting date of December 1,
34 2015.

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