

# SENATE BILL REPORT

## SHB 1610

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As Reported By Senate Committee On:  
Law & Justice, March 30, 1995

**Title:** An act relating to increasing the involvement of victims in the prosecution of criminal cases.

**Brief Description:** Increasing involvement of victims in criminal prosecutions.

**Sponsors:** House Committee on Law & Justice (originally sponsored by Representatives Delvin, Costa, Ballasiotes, Padden, Tokuda, Kremen, Chappell, Morris, Campbell, Hatfield, Cody, Regala, Romero, Hickel, Sheldon, Robertson and Kessler).

**Brief History:** Passed House 3/11/95, 94-0.

**Committee Activity:** Law & Justice: 3/30/95 [DPA].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass as amended.

Signed by Senators Smith, Chair; Haugen, Johnson, Quigley, Roach and Rinehart.

**Staff:** Susan Carlson (786-7418)

**Background:** Victims of crimes are granted certain rights under the state Constitution and statutes. The Washington Constitution provides that crime victims have the right to be informed of and attend trial and all other court proceedings the defendant has a right to attend, and the right to make a statement at sentencing and at hearings where the defendant's release is being considered.

Statutory provisions grant crime victims additional rights, including the right to be informed of the final disposition of the case, the right to have a crime victim advocate present when the victim of a violent or sex crime is being interviewed by the prosecutor or the defense, the right to be notified of the time of the trial and sentencing and to be present in court proceedings, and the right to submit a victim impact statement or report to the court.

It has been suggested that victims of crimes against persons should be notified of, and have an opportunity to respond to, plea agreements.

**Summary of Amended Bill:** The prosecuting attorney must make reasonable efforts to notify the victims of all crimes against persons of the nature of and reasons for the plea agreement, and ascertain any objections or comments the victims have concerning the plea agreement.

At the time of the defendant's plea, the prosecutor must inform the court whether the victims of all crimes against persons covered in the plea agreement expressed any objections to or comments on the plea agreement.

The prosecuting attorney may enter into discussions with the victim or victims of a crime regarding the selection or disposition of charges prior to the filing of charges. These discussions may be considered by the prosecutor in charging and disposition decisions.

**Amended Bill Compared to Substitute Bill:** A technical amendment was made striking redundant language in the bill.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The bill provides victims of crimes against persons an opportunity to express comments about, or objections to, a plea agreement.

**Testimony Against:** None.

**Testified:** PRO: Representative Jeralita Costa; Deborah Ruggles, WA Coalition of Sexual Assault Programs; Tom McBride, WA Assoc. of Prosecuting Attorneys; Joan Guenther, Friends & Families of Violent Crime Victims.