
SENATE BILL 6335

State of Washington

54th Legislature

1996 Regular Session

By Senators Rasmussen, Long, Winsley, Goings, Hale, Fairley, Wood, Haugen, Sheldon, A. Anderson, Fraser, Thibaudeau, McAuliffe, Franklin, Drew, Prentice, Kohl, Loveland, Spanel and Smith

Read first time 01/11/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to testimony of victims in legal proceedings; and
2 adding a new section to chapter 9A.44 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.44 RCW
5 to read as follows:

6 On a motion of the prosecuting attorney in a proceeding relating to
7 assault in the first, second, or third degree and involving domestic
8 violence under chapter 10.99 RCW or relating to a sex offense under
9 this chapter, a court may require a defendant who is an attorney pro se
10 to submit in writing questions to be asked of the victim by standby
11 counsel, if:

12 (1) The defendant retains actual control over the case the
13 defendant chooses to present to the jury;

14 (2) The jury's perception that the defendant is self-represented is
15 not destroyed;

16 (3) The court finds by substantial evidence in a hearing conducted
17 outside the presence of the jury that requiring the victim to testify
18 under cross-examination by the defendant will impose severe emotional
19 or mental distress; and

1 (4) The court finds that no less restrictive method of obtaining
2 the testimony exists that can adequately protect the victim from
3 serious emotional or mental distress.

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