

# HOUSE BILL REPORT

## HB 1589

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### As Passed House

March 12, 1997

**Title:** An act relating to crime victim rights.

**Brief Description:** Allowing a crime victim to have an advocate present at any judicial proceeding.

**Sponsors:** By House Committee on Law & Justice (originally sponsored by Representatives Robertson, Costa, Radcliff, Cody, Scott, Cole, Skinner, Lantz, Constantine, Delvin, K. Schmidt, Murray, Hankins, Blalock, Hatfield, Wensman, O'Brien, Linville, Cooke, Ogden, Sheldon, Kessler and Kenney).

### Brief History:

#### Committee Activity:

Law & Justice: 2/27/97, 3/5/97 [DP].

#### Floor Activity:

Passed House: 3/12/97, 97-0.

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### HOUSE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

**Staff:** David Bowman (786-7291).

**Background:** The Legislature has recognized not only the impact of crime on victims, survivors of victims, and witnesses of crime, but also the civic and moral duty of those individuals to fully and voluntarily cooperate with law enforcement and prosecutorial agencies.

Washington law provides that there must be a reasonable effort to ensure the right of a victim of a violent or sex crime to have a crime victim advocate present at any prosecutorial or defense interview with the victim. A crime victim advocate is an advocate trained by a crime victim advocacy program.

The right to have an advocate present applies if the presiding judge determines that it is practical and would not cause an unnecessary delay in the investigation or

prosecution of the case. The role of the advocate is to provide emotional support to the victim.

**Summary of Bill:** The proceedings at which a crime victim advocate's presence may be allowed are expanded.

There must be a reasonable effort to ensure the right of a victim of a violent or sex crime to have a crime victim advocate present at any prosecutorial or defense interview with the victim, and at any judicial proceeding related to criminal acts committed against the victim.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** Crime victims deserve the right to have an advocate present at judicial proceedings. An advocate can provide important emotional support to a victim during painful and traumatic proceedings. Moreover, if victims are not allowed to attend proceedings because of their status as witnesses under subpoena, the victims should be able to have advocates attend for them. The bill ensures the right to have a supportive person in court with or on behalf of a crime victim.

**Testimony Against:** None.

**Testified:** Representative Robertson, prime sponsor; Jeanne Owens, Donna Emerson, and Michelle Brough, Violent Crime Victim Services (pro); and Courtney May, Washington Coalition of Crime Victim Advocates (pro).