

HOUSE BILL ANALYSIS

SB 5538

Title: An act relating to child victims and witnesses.

Brief Description: Requiring permission before disclosing the address of a child victim or witness or the address of a parent of a child victim or witness.

Sponsors: Senators Long, Hargrove, Zarelli, Oke and Winsley.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Staff: Pat Shelledy (786-7149)

Background: Law enforcement agencies, prosecutors, and judges are required to make reasonable efforts to assure that child victims and witnesses are afforded certain rights during the investigation and prosecution of a crime involving the child. The rights are not substantive and are subject to the discretion of the law enforcement agency, prosecutor, and judge. Among those rights is the right not to have the child victim's or witness's address disclosed without permission of the child victim or witness, or the parents or legal guardian of the child to anyone other than another law enforcement agency, prosecutor, defense counsel, or private or governmental agency that provides services to the child.

Summary: Law enforcement agencies, prosecutors' offices, defense counsel, or state agencies providing services to a child victim or witness of a violent or sex offense or a case involving child abuse, may not disclose the child's address without the permission of the child or the child's parent or legal guardian. The prohibition does not apply to disclosure of the address to another law enforcement agency, prosecutor, defense counsel, or agency providing services to the child.

Intentional disclosure of a child's address in violation of the provision is a misdemeanor.

Child victims and witnesses, and parents of child victims and witnesses must be informed of the child's right not to have the child's address disclosed. Notice of the child's right under this provision must occur when the crime is reported and at the first interview.

Require the Exercise of Rule- Making Powers: No

Fiscal Note: Not requested.

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